

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**DECEMBER 13, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, December 13, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS**

**IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
George Dvoryak  
Nick Gurreri  
Mike Bowman

**ALSO IN  
ATTENDANCE:**

John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Harish Rao, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Dave Eshbach, Police Chief  
Dan Hoff, Interim Fire Chief  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m. and welcomed the attendees. He asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri wished everyone a Merry Christmas and a Happy and Prosperous New Year. He asked that the men and women in the armed services be remembered in prayer to keep them safe. He led the Pledge of Allegiance.

**SCHENCK** Chairman Schenck stated that there would be several Loyalty Oaths administered.

**B. Loyalty Oath – Patrolman Keith V. Browning**

**ESHBACH** Chief Eshbach introduced Patrolman Keith Browning. He provided background and education information. Patrolman Browning began his employment with the department on December 3, 2007. He presented him with his official Police ID Badge #14.

**SCHENCK** Chairman Schenck led Patrolman Browning in the Oath of Office.

**C. Loyalty Oaths – Fire Police Applicants: John White, Sr., David Firestone, Lori Black, Gary Deitz and Cynthia Weisner.**

**ECKERT** Don Eckert, President of the Springettsbury Township Volunteer Fire Company and a Lieutenant in the Fire Police organization, introduced the new Fire Police Applicants. He stated that each individual had successfully completed all background checks, physical and drug screening testing, as well as necessary training to perform their duties.

**SCHENCK** Chairman Schenck administered the Oath. He congratulated them and expressed his personal appreciation for each new volunteer.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

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

**3. COMMUNICATION FROM CITIZENS:**

**PASCH** Tim Pasch introduced himself and brought forward an update on the Market Street Commons development. He indicated that they had completed the items on the First Capitol punch list. They received a letter from First Capital stated that their bond would be reduced to \$99,000. The Township had a Letter of Credit for \$400,000, along with the maintenance bond of \$99,000. He reported that a lawsuit is pending with PennDot due to the no-left turn accident, and as a result PennDot will not release the HOP. He had hired an attorney to get that resolved and had discussed the issues with Stan Saylor and Keith Gillespie. He itemized some additional items for completion:

- PennDot had requested the addition of some arrows.
- The Township had requested that the pork chop be removed in order to get the traffic light permit.
- Turkey Hill will fix the plastic pipe.
- The hump on Davies Drive will be corrected.
- The low spot near the garage will be repaired in the spring.
- Contractors who installed the loop detector could not get it in place at the required HOP 250 feet. When PennDot signs off on the HOP, Mr. Pasch will correct the loop detector.

Mr. Pasch stated that he was attempting to re-finance the project since he won't know when the lawsuit will be resolved and he will be able to hand it over to Springettsbury Township. He requested that the maintenance bond be changed with whatever wording the Township wants so that he can eliminate his Letter of Credit in order to do the re-financing. At this time it stands at \$471,000.

**SCHENCK** Chairman Schenck asked Mr. Holman for his input.

**HOLMAN** Mr. Holman indicated that he had received the letter. He will be meeting with Messrs. Luciani, Rao and Solicitor Rausch to review how the ordinances apply. Staff and he will be reviewing it to determine what options are available, and as a result of staff review he would sign off based on the engineer's calculation.

**SCHENCK** Chairman Schenck thanked Mr. Pasch for his update.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBBER** Mr. Schober reported that visual updates on the Grit Removal project are moving along. The contractor had fallen slightly behind schedule over the past two weeks. However, the project is still moving ahead and there is some progress. BNR Improvement project design is moving ahead and the process was selected. The Collection System Improvements projects will be reviewed with staff of some bid specifications and sewer repair work. A review is being done of the Codorus Interceptor Walking Trail as to how it will impact the new interceptor. Prices are being compiled for televising that to make sure it is all right for construction activity.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani had provided a written report. He reported that Norfolk Southern Attorneys had issues with the Davies Drive at-grade rail crossing Traffic study was requested; Market Street Commons project included a traffic study can be used.

Heritage Hills – Meetings held with developer to discuss any opposition from York Township to a third traffic light (Longstown, Chambers Road and Plymouth Road). Application includes water park and hotel. Heritage Hills representatives will come to the Planning Commission for an opinion on the traffic light. Impacts to the traditional neighborhood should be reviewed.

**HOLMAN** Mr. Holman indicated that prior discussion had been held with the Board sometime ago dealing with the removal of the Chambers Road light and the addition of a light at Plymouth Road. In meetings with Stan Saylor and the other townships, they are attempting to coordinate this project with York and Windsor Township and the 24/124 road project, Mt. Rose up to 24. The consensus of the townships is that they'd like to keep the Chambers Road light; however, if the Plymouth Road light is installed, they would be very close together.

- LUCIANI** Mr. Luciani stated that they are attempting to coordinate all of that. He reported that they had another 83 ramp meeting with York County Planning and PennDot consultants. They discussed Market Street and Mt. Rose Avenue, and there were some exciting proposals, one of which included a connector road at Industrial Highway. He stated they are looking at a connection to York City across Mill Creek. Mr. Luciani reported that he received the PSATS application for 2007 Road Safety Projects. If the Township is a candidate for that improvement award at Concord Road, the application must be submitted before the end of the year.
- HOLMAN** Mr. Holman indicated that the Board had received supplemental information with regard to the York Valley Inn, which included a copy of the demolition permit and the signed environmental contracts. They will continue tracking the project. Letters will be sent from the Zoning Officer, as well as from the Township Civil Engineer regarding the condition of the building.
- LUCIANI** Mr. Luciani added that the property can not be transferred to another party without it being brought up to code in some way. It would be a violation of the Property Maintenance Code.
- HOLMAN** Mr. Holman stated that the property owner had signed the contracts for demolition of the site. A Phase One Environmental Study had begun and will take about two weeks to complete. They had a discussion with the environmental engineer, and Mr. Holman had discussed the project with the demolition contractor. They will erect a fence around the property. The owner had applied for the permit, which was issued, and the contractor indicated they are moving forward.
- SCHENCK** Chairman Schenck asked about the transfer of ownership and how a potential new owner of a property would know about violations.
- RAUSCH** Solicitor Rausch stated that the property must come up to code, and presumably a new owner would be aware if there are major violations.
- HOLMAN** Mr. Holman commented that Mr. Luciani's inspector and the property owner's engineer concurred with the inspection.
- LUCIANI** Mr. Luciani stated that he had recognized that that building was not inhabitable.

**5. ACCOUNTS PAYABLE:**

- A. Doug Lamb Construction – Haines Road Median Project – Invoice No. 3 in the amount of \$34,900 (Final Payment).**

- B. DOLI Construction Corporation – Barwood Road Sanitary Sewer Extension and Memory Lane Sewer Replacement – Payment No. 3 in the amount of \$80,245.84 (Final Payment).**
- C. B&R Electrical Contractors, Inc. – Grit Removal Improvements – Payment No. 3 in the amount of \$16,215.30**
- D. Johnston Construction Company – Grit Removal Improvements – Payment No. 3 in the amount of \$264,261.51.**
- E. Regular Payables as detailed in the Payable Listing of December 13, 2007.**

**HOLMAN** Mr. Holman stated that application for Payment No. 3 to Doug Lamb Construction for the Haines Road improvement may not be a final payment, as there is some discussion with regard to a loop detector. The payment amount is correct; however, there may be one more item.

**MR. DVORYAK MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS A THROUGH E AS OUTLINED ON THE AGENDA. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS:**

- A. Authorization to Award Base Bid and Alternates 1, 2 and 5 to T. R. Stoner for Penn Oaks Park Improvements; Total Amount not to exceed \$453,675.**

**HOLMAN** Mr. Holman reported that the bids were very good. They had expected them to be higher, and all bids came in under the budgeted figure. The recommendation is to award to T.R. Stoner both the base bid and bid alternates 1, 2, and 5. One is the extension of the walking trail. Two is for amenities, trash cans, etc. and five is for the additional landscaping. Numbers 3 and 4 are not being recommended as they believe they can get those at a better price than in the bid. The work will begin in March or April as soon as the weather breaks. The surrounding property owners will be notified, and a preconstruction meeting had been held with the contractor with a set schedule.

**MR. BOWMAN MOVED TO AWARD THE BASE BID AND ALTERNATES 1, 2 AND 5 TO T. R. STONER FOR PENN OAKS PARK IMPROVEMENTS, TOTAL AMOUNT NOT TO EXCEED \$453,675. MR. BISHOP WAS SECOND. MOTIO UNANIMOUSLY CARRIED.**

- C. Authorization to Enter into Agreement with Central Tax Bureau of Pennsylvania, Inc. for Mercantile and Business Privilege Tax Services.**

**HOLMAN** Mr. Holman reported that the Solicitor reviewed the final changes, which included some questions and determination of the contract expiration in 2010. If awarded, the contract would be conditioned upon the Tax Collector appointing CenTax as Deputy tax Collectors for the Business Mercantile Taxes.

- SCHENCK** Chairman Schenck indicated he had hoped to see the difference in implementation between the original proposal and the proposal this date.
- RAUSCH** Solicitor Rausch stated that one of the main issues was at what point are they going to get paid if there's an appeal. The language that was added was that there would be a coordination or review of the audit or assessment because they will be paid on penalties and interest.
- HOLMAN** Mr. Holman indicated that an additional change had to do with the fact their contract should expire at the same time the Tax Collector's term expires.
- SCHENCK** Chairman Schenck stated that he would like to review the contract and act upon it at the next meeting.
- BISHOP** Mr. Bishop stated that he had not heard anything that addressed his concern, which was he would not want anyone collecting taxes and essentially getting a piece of the action. He did not want to send a wrong message and lose control over people who are appointed to collect taxes, who may harass people in order to make more money.
- HOLMAN** Mr. Holman indicated he would provide a completed, full contract again for the next meeting. He will also invite the CenTax representatives to answer questions.
- GURRERI** Mr. Gurreri commented that they could only collect on what they take in unless they're paid a flat fee.
- HOLMAN** Mr. Holman stated that they were limited to only going back no further than three years without Board authorization.
- BISHOP** Mr. Bishop noted that they could be paid on an hourly basis. He added that there are a lot of ways to accomplish this. If they make a presentation to the Board that indicates their approach for who is to be audited, and the Board agrees, the Tax Collector could collect the taxes.

**D. Authorization to Advertise for Receipt of Sealed Bids – Safe Routes to School, Central York Sidewalk Project**

- SCHENCK** Chairman Schenck noted that item C requested approval to advertise for the Safe Routes to School for Central York. He understood that the affected property owners had made proper arrangements.

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE FOR RECEIPT OF SEALED BIDS, SAFE ROUTES TO SCHOOL, CENTRAL YORK SIDEWALK PROJECT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Authorization to Enter into Agreement with York Butterfly Limited Partnership for EDU Allocation.**

**HOLMAN** Mr. Holman stated that this was an attempt to resolve contracts that were entered into by the Sewer Authority back in the 1950's. The EDU was lowered to 125,000 EDU's, which were split among the lots. Within the next three years, the EDU's can be adjusted between the lots, and at the conclusion of those three years, the EDU's are fixed. After 10 years whatever gallonage is being used per day becomes the fixed number that they can use. And any additional EDU's that haven't been used return to the Township.

**MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO AGREEMENT WITH YORK BUTTERFLY LIMITED PARTNERSHIP FOR EDU ALLOCATION. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Authorization to Amend "General Construction" Contract with Johnston Construction Company to include Change Orders 2 through 8 for the Grit Removal Improvements Project in the amount of \$677,746 (as detailed in the memorandum dated December 5, 2007 from Wastewater Treatment Director).**

**HOLMAN** Mr. Holman stated that the request is to amend the general construction contract, adding an additional \$677,746 to the original contract amount of \$2,772,000 for a total contract amount of \$3,449,826. Most of this concept had come about through working on the BNR project. He asked Mr. Schober to explain further.

**SCHOBER** Mr. Schober reported that it was decided to expedite the majority of this work. It would have been done on the BNR project. Because of the close proximity to the Grit project, and knowing the extent of all the pipe work required for the BNR, it seemed prudent to do the work at this time.

**HOLMAN** Mr. Holman added that it will avoid having to disturb any area around the new grit removal building.

**DVORYAK** Mr. Dvoryak asked whether this would require any changes to the financing for the project.

**HOLMAN** Mr. Holman responded that it would not, as financing was already in place.

**BISHOP** Mr. Bishop asked how it could be determined to know that a price increase is advantageous, when a contract is begun, the lowest bidder selected and then add to the project.

**SCHOBER** Mr. Schober responded that the contractor provided a detailed breakdown of various prices, which will be reviewed with the estimators. There is a possibility that the pricing on number 2 will come down. They are reviewed in detail right down to the feet of pipe, amount of backfill and number of hours.

**BISHOP** Mr. Bishop asked whether the hourly rates are established based on the initial contract.

**SCHOBER** Mr. Schober responded that there are prevailing wage rates already established by the state mandates that the contractor has to meet.

**SCHENCK** Chairman Schenck commented that going into the next phase, the Board won't want to hear that the pipes have to be moved again.

**MR. BOWMAN MOVED FOR AUTHORIZATION TO AMEND GENERAL CONSTRUCTION CONTRACT WITH JOHNSTON CONSTRUCTION COMPANY TO INCLUDE CHANGES ORDERS 2 THROUGH 8 FOR THE GRIT REMOVAL IMPROVEMENTS PROJECT IN THE AMOUNT \$677,746 (AS DETAILED IN THE MEMORANDUM DATED DECEMBER 5, 2007 FROM WASTEWATER TREATMENT DIRECTOR. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. LD-07-11 – Time Extension – 84 Locust Grove – Plan Expires 1/11/08 (New Plan Date 4/11/08).**
- B. SD-07-03 – Time Extension – Spring Meadows – Plan Expires 12/30/07 (New Plan Date 3/30/08).**
- C. LD-07-01 – Time Extension – Members 1<sup>st</sup> Federal Credit Union – Plan Expires 12/31/07 (New Plan Date 3/20/08).**
- D. LD-07-13 – Time Extension – Village Realty/Canterbury Courts – Plan Expires 12/24/07 (New Plan Date 3/24/08).**

**MR. DVORYAK MOVED TO APPROVE TIME EXTENSIONS A THROUGH D AS OUTLINED ON THE AGENDA. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- E. LD-07-06 – York Container Company Expansion – Plan Expires 2/25/08 (Action).**

**RAO** Mr. Rao presented LD-07-06, York Container Company Warehouse Expansion for action. Background information was presented in his briefing memorandum dated December 13, 2007. The project was proposed for a building addition within the Flexible Development Zoning District and was filed under the Old Zoning Ordinance. The purpose is to construct a 60,000 square foot warehouse addition. The project includes an expanded parking area and buffering. Mr. Rao presented some PowerPoint visuals of the History, Location, Aerial Views, Present Site,

Sidewalks and Conditions of the project. Mr. Rao reviewed the requested waivers, which included stormwater, preliminary plan procedure, curbing and gutters, sidewalks, and a modification of the streetscape buffer, all of which were documented in the briefing memorandum. He commented on the two conditions of the plan regarding completion guarantees and payment of required fees, along with an approved Developers Agreement. He introduced Dave Koratich of LSC Design, representative of the project.

**BISHOP**

Mr. Bishop asked about the use of the term, “proper completion guarantee” and whether that meant the same thing to everyone.

**RAO**

Mr. Rao responded that it would be bonding for a Letter of Credit for financial security.

**LUCIANI**

Mr. Luciani added that it was taken verbatim out of the ordinance.

**RAUSCH**

Solicitor Rausch noted that it is referenced in the MPC.

**SCHENCK**

Chairman Schenck asked Mr. Koratich to discuss the sidewalk issue, which had been an issue with this site. A summary of the discussion follows:

- Pedestrian traffic on Mt. Zion Road is unsafe.
- Sidewalk would terminate at the bridge abutment.
- Sidewalk would run up to embankment, but three sewer easements run through it.
- PennDot controls bridge over Norfolk Southern railway.
- The County had discussed moving the bus stop.
- Bus stop master plan including shelter will be presented to the Planning Commission.
- Discussion with Rabbit Transit indicated a change of location for safer bus stops.
- Present locations include one at the prison, one in front of the substance treatment center and one at Yorktown Center.
- Suggestion to hang a walkway off the side of the bridge.
- Creative design work and cooperation necessary both for sidewalks and bus stop shelters.

**Consensus of the Board was to act upon the four waivers and modifications and table a decision on the sidewalk waiver.**

**MR. BISHOP MOVED, WITH RESPECT TO LAND DEVELOPMENT 07-06, YORK CONTAINER COMPANY, TO APPROVE THE FOLLOWING WAIVERS AND MODIFICATIONS: NO. 1, WAIVER OF STORMWATER §281-7.G FOR MINIMUM BOTTOM SLOPE; NO. 2, WAIVER OF SALDO §289-10, PRELIMINARY PLAN PROCEDURES; AND WAIVER NO. 5, MODIFICATION OF SALDO §289-35.E,**

**STREETSCAPE BUFFER. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**MR. DVORYAK MOVED TO TABLE FURTHER ACTION UNTIL THE NEXT AVAILABLE MEETING. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**SCHENCK** Chairman Schenck reported that, when PennDot plowed on Stonewood Road near Old Orchard they flipped a manhole. The insert is lying off to the side on the grass right near Old Orchard on Stonewood on the north side.

**BOWMAN** Mr. Bowman reported he had a number of residents in the Stonybrook area asked about their leaf pickup. They don't want to be forgotten. Mr. Bowman had assured the residents that their leaves will be picked up.

**HOLMAN** Mr. Holman responded that Mr. Lauer will continue to pick up leaves for at least another week or two. Some of the equipment had been shifted over to salting and snow removal.

**SCHENCK** Chairman Schenck commented that this was an area where more effective communication could help the residents.

**BISHOP** Mr. Bishop stated that they are advised that there will be no leaf pick up after a specific date.

**SCHENCK** Chairman Schenck agreed and added that it is on the web site, but he wondered if there was any other way to effectively communicate that.

**HOLMAN** Mr. Holman stated that the residents are made aware of it.

**SCHENCK** Chairman Schenck noted that they call in, but that his question was more of a general one.

**GURRERI** Mr. Gurreri stated that Spring Garden Township will be picking up leaves until the end of December; however, he did not know how they tell their residents.

**HOLMAN** Mr. Holman commented that they are doing it about the same way Springettsbury is. Public Works is continuing to go around trying to collect all the leaves.

**SCHENCK** Chairman Schenck indicated that the communication is that the Township is doing the best that it can.

- GURRERI** Mr. Gurreri reported that the PSATS Convention is May 11th through the 14th. May 11th is Mother's Day. Mr. Gurreri noted that the Township had received a lot of publicity concerning the sale of Christmas trees and perhaps the Board should reconsider.
- SCHENCK** Chairman Schenck indicated that there is a tentative proposal for discussion under Ordinances and Resolutions.
- GURRERI** Mr. Gurreri noted that he could tell from his own experience that selling flowers on the corner and Christmas trees does not involve a lot of money involved. If it's opened up that anybody can do so, he did not think a lot of it would happen. It's pretty difficult to get a place to sell since nobody wants to fool with it in their lot.
- BOWMAN** Mr. Bowman reported that there was a truck on the corner of Eastern Boulevard and Haines Road on Sunday with furniture.
- RAO** Mr. Rao reported that he had sent an officer to chase them off on Sunday.
- SCHENCK** Chairman Schenck noted that he had seen him on Saturday.
- BISHOP** Mr. Bishop asked about the current status of the ordinance concerning the tree sale signs.
- SCHENCK** Chairman Schenck commented that there are still signs in the Township. He asked whether that was allowed.
- RAO** Mr. Rao responded that temporary signs are allowed with the permission of the property owner outside the right of way.
- SCHENCK** Chairman Schenck asked how many signs one can have under a temporary permit.
- RAO** Mr. Rao responded that an individual could have as many as they want.
- SCHENCK** Chairman Schenck asked whether each sign has a separate permit.
- RAO** Mr. Rao responded that he was correct, and the permit expires December 24th.

**9. SOLICITOR'S REPORT:**

- RAUSCH** Solicitor Rausch stated he had several issues for the Board's attention. He reported that under new matters there were two zoning appeals: the Brenneman zoning appeal concerning the 18 dogs, and the White Rose Credit Union concerning the sale of used cars. The Zoning Hearing Board rendered its decision denying both those appeals, and they have appealed

to the Court of Common Pleas. It's standard practice for the Township to file a Notice of Intervention to preserve any appeal rights in the event that the Board would want to because the Zoning Hearing Board doesn't have appeal rights. The Notice of Intervention was filed, and he requested that the Board ratify the action.

**MR. BISHOP MOVED TO RATIFY THE ACTION TAKEN TO INTERVENE IN THE BRENNEMAN AND THE WHITE ROSE CREDIT UNION ZONING APPEALS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**RAUSCH** Solicitor Rausch added that an appeal was filed concerning the Christmas tree sales to the Zoning Hearing Board. That is still under deliberation by the Zoning Hearing Board and they will not render a decision until January on that particular case.

**SCHENCK** Chairman Schenck asked whether Ms. Brenneman had obtained a permit when she paved her yard.

**RAO** Mr. Rao responded that no permit was issued. They are in the process of working through their attorney to apply for a permit.

**RAUSCH** Solicitor Rausch added that Notice of Violations were issued. There was a fence that was put up without a permit in addition to the pavers.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that all of his information was contained in his regular and supplemental reports. He requested the Board's comments by email. He wanted to provide time to York Waste as they will be taking over the trash contract on January 1<sup>st</sup>.

**ISABELLA** Don Isabella of York Waste presented a progress report concerning the preparations for taking over the trash and recycling. They met with Mr. Holman and staff and put together a timeline of action items to be in place before the start of the contract. Most of the information centered around public awareness and communication, which was included in the winter edition of the newsletter.

**GURRERI** Mr. Gurreri noted that there will be more recycling, which is great.

**ISABELLA** Mr. Isabella added that a township recycling guide was developed with all the new guidelines in it. It shows how the opportunities for recycling had been expanded, which should encourage more participation in recycling. The residents don't have to sort the single stream recycling. The list is extensive. In addition, he had discussed with Mrs. Gilfillan to arrange for a tour of the facilities. Ads will run several times in the Dispatch and Daily Record, which describe the service levels, etc. Their mailer should

have been received by residents which contained much of the same information. Service bags in yellow will be available at the Rutters stores and the Township. He provided routing maps to Mr. Lauer. Service days will not change.

**BOWMAN** Mr. Bowman asked whether they would collect the old toters.

**ISABELLA** Mr. Isabella responded that the old toters can be used, and a new sticker will be provided.

**HOLMAN** Mr. Holman added that they are offering a special on toters.

**ISABELLA** Mr. Isabella stated that they really want to encourage more use of the toter service, and they had discounted the rate for toters. He added that they are safe, clean and a convenient way to dispose of trash. It's a nice orderly look for the community, and they want to encourage that.

**SCHENCK** Chairman Schenck stated that the Recycling Committee is thrilled about the recycling program. He added that at their house they are very excited as well.

**ISABELLA** Mr. Isabella stated that they had a very good meeting and were excited. They discussed a lot of things that might be for the future too.

**11. ORDINANCES AND RESOLUTIONS:**

**A. Ordinance No. 07-18 – Amending Chapters 259 (Sewer Districts) and 265 (Sewer System-Public) of the Code of Ordinances**

**MR. GURRERI MOVED TO APPROVE ORDINANCE NO. 07-18, AMENDING CHAPTERS 259 (SEWER DISTRICTS) AND 265 (SEWER SYSTEM-PUBLIC) OF THE CODE OF ORDINANCES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 07-51 – Revisions to Resolution 07-40 by Request of PennDOT.**

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 07-51, REVISIONS TO RESOLUTION 07-40 BY REQUEST OF PENNDOT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 07-52 – Revisions to Fee Schedule**

**HOLMAN** Mr. Holman provided specific information with regard to the fee schedule revisions, all of which was documented in Exhibit A, attached to Resolution 07-52.

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- SCHENCK** Chairman Schenck asked whether there are any un-metered commercial and industrial properties in the Township.
- HODGKINSON** Mr. Hodgkinson responded that there are two or three. One is located on the corner of Mt. Zion Road and Market, the Modernnaire Motel.
- HOLMAN** Mr. Holman stated that any new facilities are metered.
- GURRERI** Mr. Gurreri stated that he respectfully disagreed with the sewer increase. He could not justify it because of the large reserve.
- SCHENCK** Chairman Schenck noted his comment.
- DVORYAK** Mr. Dvoryak had one question concerning the fee schedule. If the Temporary Use Permit is passed, would that require an amendment to the fee schedule and would a permit fee be required.
- HOLMAN** Mr. Holman responded that the temporary use permits are \$15. He added that he would have to review the information.
- DVORYAK** Mr. Dvoryak noted that the answer to his question would be no.
- BISHOP** Mr. Bishop commented that all the sign permits were shown on the first page. For each one of those signs they were charged \$5 for the temporary permits.
- RAO** Mr. Rao stated that it was because it was commercial and temporary the charge was \$25.00.
- DVORYAK** Mr. Dvoryak asked what would be required to get a second category of temporary use permits.
- HOLMAN** Mr. Holman responded that it would be an amendment to the Resolution.

**MR. BISHOP MOVED TO ADOPT RESOLUTION 07-52, REVISIONS TO THE FEE SCHEDULE. MR. BOWMAN WAS SECOND. MESSRS. SCHENCK, BISHOP, BOWMAN AND DVORYAK VOTED YES; MR. GURRERI VOTED NO. MOTION CARRIED 4/1.**

**D. Resolution No. 07-53 – Reducing Member Contributions into Police Pension Fund for 2008.**

- HOLMAN** Mr. Holman reported that under state law the maximum that can be charged is 5%, and if the board intended to charge less than that, which is required under police contract, the board must pass a resolution of same. This year the rate will be 4%. That's a half a percent above last year's rate. The police contract was 3.5% last year; this year it's 4% for 2008.

**GURRERI** Mr. Gurreri noted that it was not being reduced.

**HOLMAN** Mr. Holman responded that it was actually going up. However, the reduction must be taken from that which the state pension law requires.

**MR. GURERRI MOVED TO ADOPT RESOLUTION NO. 70-53 REDUCING MEMBER CONTRIBUTIONS INTO THE POLICE PENSION FUND FOR THE YEAR 2008. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Resolution No. 07-54 – 2007 Budget Amendment – Supplemental Appropriation from General Fund Reserves for Employee and Insurance Benefits and Community Development Expenses.**

**HOLMAN** Mr. Holman reported that there had been significantly more community development construction than anticipated, which had generated well over \$300,000 in additional revenue. Additional costs were also generated. There had been a number of deductibles in the insurances and they had to pay above what had been anticipated. He requested an authorization of a supplemental appropriation of an additional \$100,000 to cover the additional costs.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 07-54, THE SUPPLEMENTAL APPROPRIATION FROM GENERAL FUND RESERVES. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Resolution No. 07-55 – 2008 Budget Adoption**

**GURRERI** Mr. Gurreri commended the Board on holding the line on taxes. He asked whether the sewer rate increases were included in the budget.

**HOLMAN** Mr. Holman indicated that the sewer rates are set by Resolution. They're not set by the budget. The revenues from it are anticipated.

**SCHENCK** Chairman Schenck stated that the budget anticipated the sewer rates being adjusted.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 07-55 FOR 2008 BUDGET ADOPTION. MR. BOWMAN WAS SECOND.**

**GURRERI** Mr. Gurreri stated that he would vote no due to the sewer reserve fund amount of \$6 million. For a sewer rate, it did not make sense to him; otherwise he thought the budget was fine.

**MR. GURRERI VOTED NO. MESSRS. SCHENCK, BISHOP, BOWMAN, AND DVORYAK VOTED YES. MOTION CARRIED 4/1.**

**G. Resolution No. 07-56 – 2008 Tax Levy**

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 07-56 – 2008 TAX LEVY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck stated that, once again, Springettsbury Township had passed a budget with no tax increase.

**H. Authorization to Advertise Ordinance to Vacate Portion of Stone Ridge Road**

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE ORDINANCE TO VACATE A PORTION OF STONE RIDGE ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**I. Authorization to Advertise Ordinance to Amend Section 325-131 (Temporary Use and Structure) of the Code of Ordinances.**

**SCHENCK** Chairman Schenck commented that the document seemed better than nothing.

**DVORYAK** Mr. Dvoryak echoed his comment and added that it was a good step in the right direction.

**BISHOP** Mr. Bishop generally agreed and indicated that significant thought went into this by members of our Zoning Hearing Board who are hesitant to make recommendations to the Board of Supervisors. If they were asked, there might be some interesting input.

**SCHENCK** Chairman Schenck asked whether there had been any input from the Planning Commission. In addition, he asked Solicitor Rausch whether there would be any harm in not acting upon this immediately.

**RAUSCH** Solicitor Rausch responded that as part of the process it would be sent back to the Planning Commission and to the York County Planning Commission.

**SCHENCK** Chairman Schenck stated that it would not normally go to the Zoning Hearing Board because they have to deal with it.

**RAUSCH** Solicitor Rausch stated that they are there to interpret the ordinance. It would not be good to have too much of a mix there. They can certainly make recommendations to the Board of Supervisors in their interpretation of the ordinance, especially if they're having trouble with something.

**BISHOP** Mr. Bishop stated that they are presented with real world situations and very aggressive attorneys in an attempt to overturn the ordinance. They have their understanding of what the Supervisors' intentions were, and

they're trying to figure out how to mesh that all. That's exactly why they're not interested in coming forward and making recommendations.

**RAUSCH** Solicitor Rausch stated that he had seen a letter drafted by the Zoning Hearing Board, and he had recommended that it be sent directly to the Board of Supervisors which is the Board that has to look at that from a legislative standpoint and make that decision. The Zoning Hearing Board is not a legislative body.

**BISHOP** Mr. Bishop noted that there were some unintended consequences that should be fixed quickly.

**RAUSCH** Solicitor Rausch clarified that the amendment is not limited to non-profits. He wanted to be perfectly clear to the public that it is very limited to the time and scope, the ability for a third party, who is not an occupant of the store, to be able to sell for whatever cause or reason.

**DVORYAK** Mr. Dvoryak noted that a recognized non-profit has 501(c)31 status with the IRS. Otherwise, it is not a recognized charity.

**MR. DVORYAK MOVED TO AUTHORIZE TO ADVERTISE ORDINANCE TO AMEND SECTION 325-131 (TEMPORARY USE AND STRUCTURE) OF THE CODE OF ORDINANCES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Public Hearing – November 14, 2007**
- B. Board of Supervisors Regular Meeting – November 14, 2007**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE NOVEMBER 14, 2007 PUBLIC HEARING AND BOARD OF SUPERVISORS REGULAR MEETING AS AMENDED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

- A. Trash Service Update – York Waste Disposal**

This item was handled earlier during the meeting.

**14. NEW BUSINESS:**

- A. FLSA Safe Harbor Policy**

**HOLMAN** Mr. Holman stated that under the new FLSA law, a Safe Harbor Policy allows the Township, when necessary, should a salaried employee miss

work or be disciplined, to deduct a day's salary. The Safe Harbor Policy protects the Township from any penalties or interest in that case.

**MR. BOWMAN MOVED TO APPROVE THE FLSA SAFE HARBOR POLICY. MR. BISHOP WAS SECOND.**

**BISHOP** Mr. Bishop stated for clarification that the actual document is named, "Salary Docking of Exempt Employees."

**MOTION UNANIMOUSLY CARRIED.**

**B. Acknowledge Receipt of Approved York Area United Fire and Rescue Commission Minutes:**

- 1) **Regular Meeting – October 16, 2007**
- 2) **Regular Meeting – October 29, 2007**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF APPROVED MINUTES OF THE YORK AREA UNITED FIRE AND RESCUE COMMISSION MINUTES OF OCTOBER 16 AND OCTOBER 29, 2007. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Acknowledge Receipt of October 31, 2007 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE OCTOBER 31, 2007 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Consent Agenda**

**SCHENCK** Chairman Schenck brought forward the possibility of a Consent Agenda. He stated that it is legal and would be a procedure where if there is anything on the consent agenda that anybody wanted removed, it is taken off the consent agenda and acted on separately. Otherwise, the items are approved with one motion. He asked for the Board's input.

**BISHOP** Mr. Bishop thought it as a great idea.

**SCHENCK** Chairman Schenck stated that it was used by a lot of other boards. The board member must not hesitate, and they must make it very clear. He asked whether anyone was uncomfortable with the concept.

**HOLMAN** Mr. Holman indicated he would meet with Solicitor Rausch and go over the Consent Agenda item.

**SCHENCK** Chairman Schenck noted that there might be some who would rather ease into it.

**15. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**NOVEMBER 14, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Wednesday November 14, 2007 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Nick Gurreri, Secretary/Treasurer  
Mike Bowman  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Harish Rao, Economic and Community Development Director  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6:45 p.m.

**B. NEW BUSINESS:**

**A. Ordinance 07-16 – Amending Zoning Ordinance to Provide for the Delivery of an Enforcement Notice in Compliance with the Municipalities Planning Code**

**SCHENCK** Chairman Schenck welcomed the attendees to the Public Hearing, and stated the purpose for the meeting was a request to take comments on a proposed change for a zoning ordinance to allow certain methods of delivery of Enforcement Notices.

**RAUSCH** Solicitor Rausch stated that the current ordinance states that the zoning enforcement notices shall be served on the applicant, and the Substitute District Justice interpreted that to mean personal service; whereas the MPC only requires that they be mailed to the applicant. The purpose for the change is to clarify that the notices shall be sent to the applicant.

**SCHENCK** Chairman Schenck re-stated for clarification to change the word “serve” to “sent”.

**HOLMAN** Mr. Holman commented that this ordinance had been serving well for about 50 years.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**NOVEMBER 14, 2007  
APPROVED**

**SCHENCK** Chairman Schenck asked whether the ordinance had been challenged based on the wording.

**RAUSCH** Solicitor Rausch responded that the Substitute District Justice did. As a result it was determined to make the changes to avoid any future issues.

**C. PUBLIC COMMENTS:**

**SCHENCK** Chairman Schenck stated that the meeting was a required Public Hearing by the Municipal Planning Code.

There were no public comments.

**RAUSCH** Solicitor Rausch stated that the Springettsbury Planning Commission and the York County Planning Commission recommended this.

**D. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 6:55 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION – PROPOSED BUDGET PRESENTATION**

**NOVEMBER 14, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, November 14, 2007 at 6 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA for a presentation of the Proposed 2008 Budget.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6 p.m.

**2. PRESENTATION OF PROPOSED 2008 BUDGET:**

**HOLMAN** Mr. Holman thanked the Board of Supervisors for providing the time to present the 2008 Proposed Budget. The Total Budget, as projected for 2008, is \$32,331,000 for all funds for Springettsbury Township. This includes a General Fund Balance of \$12,080,500, other funds of \$2,543,500 and Sewer Fund of \$17,707,000.

Mr. Holman provided a Fund Summary. The General Fund showed an increase of 3.79%. The General Fund Transfers, which are the inner-funds in the capital, increased by 81.08%; or \$740,000. Other funds dropped by 22.72% and the Sewer Fund increases by 58.38%, which included the impact of the Bio-Nutrient Reduction Program Debt Service.

Mr. Holman reviewed each category in a PowerPoint presentation, hard copies of which were provided to the Board. No additional personnel are anticipated in 2008. Road improvements, sewer and strategic planning will be aggressively pursued. He stated that no request will be made for increase in the tax rate in this proposed budget.

Mr. Holman thanked the Board for all their time and hours put forth into it. He thanked the Finance Director; Ms. Radcliff for assistance in getting the MUNIS system up and running, all the Finance Office and Directors for their time and assistance.

Mr. Holman stated that the Agenda include a recommendation for motion during the Regular meeting to advertise.

**GURRERI** Mr. Gurreri complimented Mr. Holman on his presentation and asked whether the sewer increase would be voted upon during the Regular meeting.

**HOLMAN** Mr. Holman responded that he just wanted to know whether the Board was comfortable with it. He will need to advertise an ordinance for consideration by the Board.

**GURRERI** Mr. Gurreri stated that with \$6 million in reserve he would have a difficult time approving an increase.

**HOLMAN** Mr. Holman responded that the \$6 million in reserve will be spent in four years as the sewer improvement projects are completed. It is anticipated that the reserves may be about \$2 million by that time. He added that the long range sewer study was done to determine what would be necessary to maintain the system at the current service levels.

**DVORYAK** Mr. Dvoryak noted that on the schedule there is a shift from .17 mills for Capital Improvements to the General Fund. He asked whether there was any downside.

**HOLMAN** Mr. Holman responded that there would be no downside. He added that that the sewer tax would not be taken out.

**3. PUBLIC COMMENT:**

There was no public comment.

**4. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 6:40 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**NOVEMBER 14, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Wednesday, November 14, 2007 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Harish Rao, Economic and Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Dave Eshbach, Chief, Police Department  
Brad Hengst, Sewage Enforcement Officer  
Jean Abreght, Stenographer

**A. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:05 p.m. He asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees and thanked them for coming to the meeting. He wished everyone a Happy Thanksgiving season. He asked that the men and women in the Armed Services be remembered in prayer. He introduced Dr. Phil Covert, Lead Pastor of Asbury United Methodist Church, who provided a blessing. Mr. Gurreri led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session had been held prior to the meeting this date to discuss a personnel matter. He reported that no sessions had been planned for after this meeting.

**3. COMMUNICATION FROM CITIZENS:**

- SCHENCK** Chairman Schenck introduced State Representative Keith Gillespie, visiting different township meetings within his district.
- GILLESPIE** Representative Gillespie thanked him for the introduction and the opportunity to visit the meeting. He asked whether there was anything going on in Harrisburg that the residents might have questions or issues with that he could address or research and respond. That was the purpose of his visit. He had provided some new state maps and tablets which he left on the chair for people to help themselves. He stated that the Township officials were doing a great job and encouraged them to let him know if he can do anything to help.
- SCHENCK** Chairman Schenck stated that it was fortunate that he could meet with him often and have regular communications.
- GURRERI** Mr. Gurreri asked whether there were any new developments with regulations for four-way stop signs.
- GILLESPIE** Representative Gillespie responded that he was aware of Mr. Gurreri's concern for Eastern Boulevard. He stated it had been an education for him to find out whether it was an issue controlled legislatively or by statute. He reported that he is doing some research on the issue and will be providing information back to the Township. He reported, in addition, that there is a lot of reform and many good things going on in Harrisburg, and there are no pay raises.
- OLCHEFSKI** Frank Olchefski, 430 Pinehurst Road, spoke on global warming and stated that it seemed to be catching people unprepared. His oak, chestnut and maple tree leaves are still green. He asked how he could dispose of his leaves after the last collection on December 3, 2007.
- SCHENCK** Chairman Schenck asked Mr. Holman whether he had any discussion about the leaf collection with Mr. Lauer.
- HOLMAN** Mr. Holman responded that he had not received many calls with regard to changing the schedule or adding a schedule. However, he will discuss it with Mr. Lauer. He added that one of the things the Township must be prepared for, along with leaf collection, is the machinery shift over to plows for the snow.
- OLCHEFSKI** Mr. Olchefski suggested that the leaf collection schedule should be included in the later issues and not in the January issue of the Township newsletter.
- HOLMAN** Mr. Holman responded that the leaf collection was in the latest issue and is also on the website. There are copies and brochures available at the Township building.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER** Mr. Schober reported that everything was progressing well with the Grit Removal Project; buildings are up and moving ahead satisfactorily. A survey crew was dispatched and a flight scheduled to survey the Meadowlands Pump Station. Eberts Lane is no longer on the PennDot/Sherman Street/Eberts Lane project. The project will only include Sherman Street.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani stated he had four updates to his written report. A PUC field meeting was held this date with Mr. Gurreri, Township Staff, County Engineer, Norfolk Southern and the impacted utility companies. The Davies Drive rail crossing was discussed. There should be some communication within 20 days, and the hope is that it will sail through smoothly. In addition, following that field meeting, Concord Road was visited to close out the permit. A verbal response was received with some minor modifications and they will close the permit from the PUC standpoint. In addition to the field meeting, a meeting was held with York County Rail Trail, Messrs. Rao, Lauer, Holman and Mr. Luciani met with the Executive Director, their Engineer and the Parks Department. They are working through some issues on access with regard to the sewer easement and what process they will have to go through. The intent/initial thoughts are that they will be doing a Land Development because they're building a parking area and some structures. One of the issues is that they still do not have 100% ownership of the line and are working through that project.

**5. ACCOUNTS PAYABLE:**

- A. B&R Electrical Contractors, Inc. – Application for Payment No. 2 – WWT Grit Removal Improvements in the amount of \$10,263.60.**
- B. Johnston Construction Co. – Application for Payment No. 2 – WWT Grit Removal Improvements in the amount of \$312,037.74.**
- C. Kinsley Construction – Application for Payment No. 3 – Concord Road Extension in the amount of \$142,674.57.**
- D. Regular Payables as detailed in the Payable Listing of November 14, 2007.**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE: A, B, C, AND D AS LISTED ON THE AGENDA. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS:**

**A. Authorization to Approve Second and Final Addendum to 2006 Marketing Services Agreement with Cumulus Radio (Contract Expires October 1, 2008).**

**HOLMAN** Mr. Holman stated that the radio station had partnered with the Township for several years both to help promote the Summer Concert Series and Saturday In The Park. This is the last year for renewal of this agreement; next year the Township will have to re-bid on this project. Cumulus Radio did an excellent job in all of the events, and the Township has been appreciative.

**MR. DVORYAK MOVED TO APPROVE THE SECOND AND FINAL ADDENDUM TO THE MARKETING SERVICE AGREEMENT DATED MARCH 20, 2006 WITH CUMULUS RADIO. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Enter into Development Agreement with Wachovia Bank for Site Improvements at Haines Road and Eastern Boulevard.**

**HOLMAN** Mr. Holman stated that the plan was approved conditioned upon approval of the Development Agreement. Mr. Holman, the Solicitor, Engineer have reviewed the Agreement with Mr. Rao and it is ready for approval. They will provide \$20,000 towards the Haines Road median project; install a pre-emption device at the light at Eastern and Haines, as well as provide right-of-way for future widening of that roadway.

**MR. GURRERI MOVED TO GIVE AUTHORIZATION TO ENTER INTO A DEVELOPMENT AGREEMENT WITH WACHOVIA BANK FOR SITE IMPROVEMENTS AT HAINES ROAD AND EASTERN BOULEVARD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Enter into Escrow Agreement with Wachovia Bank for Site Improvements at Haines Road and Eastern Boulevard.**

**MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO AN ESCROW AGREEMENT WITH WACHOVIA BANK FOR SITE IMPROVEMENTS AT HAINES ROAD AND EASTERN BOULEVARD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Enter into Agreement with Central Tax Bureau of Pennsylvania, Inc. for Mercantile and Business Privilege Tax Services.**

**HOLMAN** Mr. Holman reported that several questions had been raised by the Solicitor and by Mr. Gurreri, and the individual who could respond was not in the office. He suggested that the item to be tabled until the December Agenda.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. LD-06-07 – Time Extension - Dunkin Donuts/AAA Yowza – Plan Expires 12/10/07 (New Plan Date 3/10/08).**
- B. SD-07-07 – Time Extension – Heritage Hills Reverse Subdivision – Plan Expires 11/27/07 (New Plan Date 2/27/08)**
- C. LD-07-08 – Time Extension – Heritage Hills – Plan Expires 11/23/07 (New Plan Date 2/23/08).**
- D. SD-06-10 – Time Extension - 34 Professional Office – Plan Expires 12/12/07 (New Plan Date 3/12/08).**
- E. LD-07-06 – Time Extension – York Container Company – Plan Expires 11/25/07 (New Plan Date 2/25/08).**
- E1. SD-07-04 – Time Extension – Ridgeview Heights Residential Development – Plan Expires 12/13/07 (New Plan Date 3/13/08).**

**MR. GURRERI MOVED TO ACCEPT TIME EXTENSIONS FOR SUBDIVISIONS AND LAND DEVELOPMENTS, A THROUGH E AND E1. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- F. SP-07-07 – Request for Flexible Development Overlay (Conditional Use) – Rite Aid/Jiffy Lube – Plan Expires 12/26/07.**

**SCHENCK** Chairman Schenck introduced the item as a request of the Flexible Development Overlay. Our new zoning law allows such a request and the Board will review a presentation of the request.

**RAUSCH** Solicitor Rausch stated that it technically is not a conditional use. It is a procedure that's per the ordinance.

**SCHENCK** Chairman Schenck noted that the words, "Conditional Use" mean something specifically in terms of municipal government.

**RAO** Mr. Rao provided background information concerning the plan. A Rite Aid Pharmacy store is proposed at the southeast quadrant of East Market Street and Edgewood Road by reverse subdividing the four parcels into two; along with Land Development. Details of the proposed development were provided in a November 14, 2007 briefing memorandum. This request will apply the Flexible Development zoning district in an area where development is blighted. Mr. Rao introduced Ms. Sue Waley of Atlantic Realty Development and Mr. Mark Hebe of B. L. Companies, who were present to respond to questions.

**HEBE** Mr. Hebe presented details of the project with a PowerPoint presentation. The presentation included an aerial photo of the intersection and area in question; project site including four parcels equally 2.98 acres; vacant gas station; operating

Jiffy Lube; vacant bank; and vacant residence. He indicated that Ms. Waley had been able to assemble the parcels in order to provide a composite for the site. He provided an existing survey plan showing five curb cuts along E. Market Street, an entrance along Mt. Zion Road and Longstown and an entrance on Eastern Boulevard that currently serves the bank. The existing zoning is Neighborhood Commercial. Permitted use within the district is retail sales with no more than 3,000 square feet with operating hours between 6 a.m. and 10 p.m. Currently the Jiffy Lube is in non-conforming use within the Neighborhood Commercial zoning district. Mr. Hebe showed additional photographs and plans as follows:

- Photographs of current condition of the site
- Operating Jiffy Lube
- Existing vacant bank
- Existing residence.
- Proposed Re-development Plan of proposed Rite Aid Pharmacy, 14,673 square feet on 2.4 acres
- Relocated new Jiffy Lube on .8 acres
- Consolidation of five curb cuts into one single entrance.

Mr. Hebe stated that they are aware of the PennDot plans for a median to be extended past the property; their proposal is right-in-right-out only. Longstown Road and Eastern Boulevard entrances are to be maintained as they exist. He requested that the Board allow the Flexible Development District to be used for this project and property. They believe they meet the criteria in the Ordinance, and the Planning Commission recommended the Board's consideration of the use of the Flexible Overlay District for the project.

**SCHENCK** Chairman Schenck questioned whether the Overlay would be tied to the applicant or the specific use.

**RAUSCH** Solicitor Rausch responded that in this case, if the Board was inclined to grant the Overlay, the approval would be tied into any zoning relief that the applicant needed so that if the zoning relief is granted that the Flexible Overlay will still apply and they can move forward. If it doesn't then the Flexible Overlay would not apply any longer. It would apply only to this specific project.

**SCHENCK** Chairman Schenck posed a scenario where when re-zoning is done, if this request is granted with the Overlay for this project, and the project falls apart, will the Overlay stay in place.

**RAUSCH** Solicitor Rausch responded that he did not think it is technically going to be treated as re-zoning and the best way to prevent that would be if the Board does approve it, it would be best to include it.

- BISHOP** Mr. Bishop indicated it should be referenced to the specific plan.
- SCHENCK** Chairman Schenck noted that an Overlay could not occur without them doing some reverse subdivision work.
- RAUSCH** Solicitor Rausch stated that if the Board would tie any approval in with this specific project that will prevent that from happening. If someone else wanted to use the Overlay they will have to come back with their project and be re-approved. Solicitor Rausch stated that was his reasoning for making sure it was not treated as a conditional use. If it was a conditional use, it would follow the land.
- RAO** Mr. Rao suggested to reference the Sketch Plan number in any motion made so that whatever is approved will stay with that Sketch Plan and number which the Township will assign.
- SCHENCK** Chairman Schenck questioned whether the Overlay would still apply to the site 10 years from now if Rite Aid is no longer in vogue.
- RAUSCH** Solicitor Rausch responded that they are going to have to get zoning relief for certain aspects of the use, and if they do get that, then that would follow the land. Another business could come in and open up a retail business and probably have that same zoning use. If they wanted to do something completely different, they would have to come back to the Board for approval.
- HEBE** Mr. Hebe noted that they recognize that they need to take their variances to the Zoning Hearing Board.
- WALEY** Ms. Waley stated that the Flexible Overlay gives them some relief but not actually all the relief needed as there are other issues.
- SCHENCK** Chairman Schenck noted that the size of the store is probably the main relief needed from the Zoning Hearing Board.
- WALEY** Ms. Waley responded that re-building the Jiffy Lube will be an issue because it's currently a non-conforming use. Because of the configuration of lots in order to get Rite Aid they have to be moved.
- SCHENCK** Chairman Schenck stated that he understood. He simply wanted to be sure of what might take place if the Rite Aid project did not materialize.
- RAUSCH** Solicitor Rausch noted that, in this particular case, the underlying use is still permitted in the underlying zone.

**SCHENCK** Chairman Schenck stated that the application of the Overlay zoning is new for the Board.

**WALEY** Ms. Waley noted that they met with Messrs. Holman and Rao, who had indicated that the new zoning might enable this project, and it was brand new to them as well.

**HOLMAN** Mr. Holman complimented Ms. Waley on putting this many lots together in a group, a re-development that is very difficult. Mr. Holman stated that the Board would need to take action on this. Then Rite Aid will go to the Zoning Board to ask for the necessary variances that they would still need even with this relief. There is a recommended motion, which was collaborated by Solicitor Rausch, Messrs. Rao, Luciani and Holman.

**MR. BOWMAN MOVED WITH REFERENCE TO SKETCH PLAN SP-07-07, RITE AID PHARMACY, TO APPROVE THE FLEXIBLE DEVELOPMENT OVERLAY BE APPLIED ON MAP: 46-18, PARCELS: 56, 56A, 54, AND 54A WITH AN UNDERLYING ZONING DISTRICT OF NEIGHBORHOOD-COMMERCIAL BASED UPON THE FOLLOWING CRITERIA FOUND IN THE ZONING ORDINANCE, §325-89(C) (a), "ANY STRUCTURE OR SITE VACANT FOR ONE CALENDAR YEAR", SUBJECT TO ANY ZONING RELIEF REQUIRED. MR. GURRERI WAS SECOND.**

**SCHENCK** Chairman Schenck noted that the words, "subject to any zoning relief required" did not quote the zoning ordinance and that was an additional condition of the motion.

**MOTION CARRIED 4/1. MESSRS. BOWMAN, BISHOP, GURRERI AND DVORYAK VOTED IN FAVOR; MR. SCHENCK VOTED AGAINST.**

**BISHOP** Mr. Bishop noted that he shared some concerns about the structure, and he suggested that the Board needed to review the wording of the Zoning Ordinance and determine whether the items apply to a particular project or to the parcels involved.

**SCHENCK** Chairman Schenck stated that was the reason for his vote as he was concerned what might be the situation 30 years into the future.

**BISHOP** Mr. Bishop noted that it seemed flexible in a way that this Board does not want. While it had nothing to do with this project, the Board should review any unintended consequences of these ordinances.

**SCHENCK** Chairman Schenck stated that he was encouraged to see the redevelopment of the site.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported that he received the Residential Recycling Guide, and noted that the Township is recycling more than ever before. He added that yard waste will start in March.

**DVORYAK** Mr. Dvoryak reported that he had received a telephone call from someone in the community who works for a local non-profit. He expressed some concerns about activity they were stopped from conducting at Wal-Mart stores recently on East Market Street. They are not allowed to continue those non-profit activities. This goes back to the Temporary Sales Permit issue. Mr. Dvoryak stated that he did not believe that when the ordinance was passed that it was the intent to limit 501(c)3 corps, with charitable missions from these types of activities. He asked the Board to consider taking another look at that ordinance to see if there isn't some way to include organizations such as 501(c) 3's.

**RAUSCH** Solicitor Rausch stated that he thought there was a way to address this issue from a different angle rather than focusing on the non-profit aspect. The problem is that if it's challenged he was not sure that the Township could make a distinction between a for-profit and a non-profit. It is possible to accomplish the same thing by setting a time limit on a temporary sale; for example making it 24 hours or 48 hours so that a non-profit could conduct an activity but not for an extended period of time.

**BISHOP** Mr. Bishop asked whether that would permit the car sale, which was only for a few hours.

**RAUSCH** Solicitor Rausch indicated that the car sales were not being conducted by a non-profit organization.

**BISHOP** Mr. Bishop noted that the issue was a difficult one, and one that could be challenged. The question would not be if but when it would be challenged. The first challenge at the last Zoning Hearing Board could have lost easily.

**SCHENCK** Chairman Schenck stated that the concern would be that the whole ordinance would be lost.

**BISHOP** Mr. Bishop stated that the Township would lose the ability to regulate temporary use.

**SCHENCK** Chairman Schenck commented that it is something for the Board to consider with some vigor and be sensitive to the enforcement side.

**HOLMAN** Mr. Holman stated that he and Solicitor Rausch had been working on the problem and will provide something for the Board's consideration.

**9. SOLICITORS REPORT:**

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

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated that he had attended the York Counts meeting and provided the documentation that he had received to the members of the Board. He had not read the entire document in detail but it was probably exactly what was presented.

**11. ORDINANCES AND RESOLUTIONS:**

**A. Ordinance No. 07-16 – Amending Zoning Ordinance to Provide for the Delivery of an Enforcement Notice in Compliance with the Municipalities Planning Code.**

**HOLMAN** Mr. Holman stated that everything is in order.

**MR. GURRERI MOVED TO APPROVE ORDINANCE NO. 07-16 – AMENDING ZONING ORDINANCE TO PROVIDE FOR THE DELIVERY OF AN ENFORCEMENT NOTICE IN COMPLIANCE WITH THE MUNICIPALITIES PLANNING CODE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 07-48 – Accepting the Offer of Dedication for Public Use Sanitary Sewer Lines within the Fieldstone Manor Development,**

**HOLMAN** Mr. Holman stated that he had signatures from the engineer, public works, wastewater and himself. All items have been met and are in accordance with the ordinance. The Board can consider this ordinance for adoption.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION NO 07-48 ACCEPTING THE OFFER OF DEDICATION FOR PUBLIC USE SANITARY SEWER LINES WITHIN THE FIELDSTONE MANOR DEVELOPMENT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 07-49 – Accepting the Offer of Dedication for Public Use Round Pebble Court, Fieldstone Court and Marble Court within Fieldstone Manor Development.**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 07-49 ACCEPTING THE OFFER OF DEDICATION FOR PUBLIC USE ROUND PEBBLE COURT, FIELDSTONE COURT AND MARBLE COURT WITHIN FIELDSTONE MANOR**

**DEVELOPMENT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Advertise Ordinance to Amend Sewer Ordinance**

**HOLMAN** Mr. Holman stated that the rates would include the Barwood Road area as well as an amendment with regard to liens that must be put into place.

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE AMENDMENT SEWER ORDINANCE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Regular Meeting – October 11, 2007**
- B. Board of Supervisors Budget Work Session – October 18, 2007**
- C. Board of Supervisors Budget Work Session – October 23, 2007**
- D. Board of Supervisors Regular Meeting – October 25, 2007**
- E. Board of Supervisors Budget Work Session – October 30, 2007**
- F. Board of Supervisors Budget Work Session – November 6, 2007**

**MR. BOWMAN MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETINGS, ITEMS A AND D, AND BUDGET WORK SESSIONS, B THROUGH F, AS STATED ON THE AGENDA AS PRESENTED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED FOR MEETINGS HELD 10/18 AND 11/6/07 AND MR. GURRERI ABSTAINED FOR MEETINGS HELD 10/30 AND 11/6/07 AS THEY WERE NOT PRESENT.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Request for Exemption of Well Isolation Distance – 3612 Druck Valley Road**

**HENGST** Mr. Brad Hengst, Sewage Enforcement Officer, presented a situation in which he is involved at 3612 Druck Valley Road. Property owners, Marlon and Sheryl Spangler are applying for a permit to install a new septic system at their house to replace the existing system. Their well presently is 75 feet from the proposed absorption area. The DEP regulations require that the well must be 100 feet from the absorption area. A procedure in the regulations allows Mr. Hengst to waive or bend some non-critical regulations. However, he stated this was one he could not do. He indicated that the Board of Supervisors could waive the 100 foot regulation. The request is for approval of this application for installation of an

absorption area that would be at 75 feet from the well instead of the required 100 feet from the well. Mr. Hengst provided a report and plot plan for the Board's review. The report noted that effluent from the septic system is not adversely impacting the water supply well and there is sufficient subsurface filtration and separation distance between the septic drain field and the water supply well. His opinion is that it would not adversely affect it. The study was done on the current system which might actually be a little closer than the 75 feet. Mrs. Spangler was present to respond to any questions.

**HOLMAN** Mr. Holman stated that Mark Hodgkinson, Director of Wastewater Treatment reviewed the situation, and there would be no way to run sewer to this property.

**SCHENCK** Chairman Schenck asked what had triggered the need for a new system.

**HENGST** Mr. Hengst responded that their previous system had failed and they had done a repair without a permit. They need to have that replaced with something that will meet today's regulations.

**DVORYAK** Mr. Dvoryak asked whether it would be possible to separate them by 100 feet, given the lay of the land.

**HENGST** Mr. Hengst responded that the only way for them to do so would be to abandon the existing well and drill a new well up slope in the rear of their property at an additional cost of approximately \$3,000.

**DVORYAK** Mr. Dvoryak stated that he was not familiar with the DEP regulation but asked whether there are other issues for the well if it is not 100 feet beyond.

**HENGST** Mr. Hengst stated that the closer the well, the easier it is for contaminated water to follow that well.

**BISHOP** Mr. Bishop asked whether Mr. Hengst would grant approval if it were in his discretion to do so as SEO.

**HENGST** Mr. Hengst responded that he did not think he would. He would not have any problem if the distance was 90 feet, but 75 would be much closer. As Sewage Enforcement Officer he indicated he enforces regulations daily that he did not create under law. His mentality is not to bend them.

**BISHOP** Mr. Bishop stated that if the Board were to grant a waiver such as this one, the possibility exists that this property could be sold in the future to someone who would be surprised to have the problem and wonder how it was permitted to happen; sometimes that could come back to the Township.

- RAUSCH** Solicitor Rausch asked whether the approval would require an indemnification agreement to be recorded.
- HENGST** Mr. Hengst responded that he thought the regulations stated such, but that he would have to review them.
- RAUSCH** Solicitor Rausch stated that, if the Board is inclined to approve, a notation be placed on record that the property owner, their heirs and assigns agree to hold the Township harmless.
- HENGST** Mr. Hengst stated that part of the regulations indicated that the well isolation distance actually can be waived from new construction as well, and in that case there has to be a ground water study. In cases where there's a repair going on, then the ground water study is an option and there was a discussion about that in staff before this even happened. It was decided that whenever this was going to happen a ground water study would be warranted. I think that's part of the regulations where the municipality is held harmless even though they make the decision.
- BISHOP** Mr. Bishop indicated he was not sure that would be the most important thing and added that, to some extent, the Board has a responsibility to protect the residents.
- DVORYAK** Mr. Dvoryak stated that the people at the state level spend a lot more time researching this issue and determining that 100 feet was a proper number. He was not comfortable with overturning that based on the testimony given.
- SCHENCK** Chairman Schenck noted that Springettsbury Township does not deal with well and septic systems as much as a rural township. His position was that, in order to protect future homeowners and mortgage companies, that whenever wells and septic systems are involved, the Township would check them.
- HENGST** Mr. Hengst responded that FHA does check, and recently he dealt with a property owner that had to drill a new well because FHA would not carry the mortgage.
- SCHENCK** Chairman Schenck asked whether the existing home is older.
- SPANGLER** Mrs. Spangler responded that the home was built in the 1940's.
- HENGST** Mr. Hengst added that the report from the geologist stated that the existing system that was used for samples were done with ground water and well water samples in a deep system. They dug a trench that was deeper than the regulations require based on the soil. The system that is proposed will be an above-ground system so their system that was tested is deeper and closer to the water table than the one that is going to be constructed which will probably improve the condition.

**SCHENCK** Chairman Schenck agreed and indicated that the system as sketched indicated that there should be no effluent into the ground water if it's functioning properly.

**HENGST** Mr. Hengst stated that the new system has peak filters in it as well as an advanced treatment. It has a septic tank and then a peak filter before it goes into the absorption bed.

**SCHENCK** Chairman Schenck stated that he would like to see a notation on the deed or title notifying future residents that this action was taken so they would at least know it could be a problem.

**HENGST** Mr. Hengst noted that it would certainly be in the record with the property and with the existing septic system. At a real estate transaction more than likely a home inspection would be done along with a review of the files although there will be no guarantee of that. It is true that this will be a vast improvement with the system without changing the proximity of the well. The treatment will be better.

**SCHENCK** Chairman Schenck asked whether there was any public water there.

**HENGST** Mr. Hengst responded that the water does not go out that far.

**BISHOP** Mr. Bishop stated that he had learned a long time ago that it was prudent for him to defer to Mr. Schenck's judgment in any matter relating to the mechanics of sewage.

**SCHENCK** Chairman Schenck indicated he was comfortable with it. He wouldn't be afraid to live there and drink the water.

**SPANGLER** Mrs. Spangler added that she drinks the water.

**HENGST** Mr. Hengst recommended he would test and treat the water regularly if he lived there.

**SCHENCK** Chairman Schenck asked whether there was any way to make this part of a more permanent record.

**RAUSCH** Solicitor Rausch responded that a short and permanent agreement could be placed on record and recorded so that any future homeowner would know of the action taken. It would be basically just to acknowledge that the exemption is being granted and the property owner agrees to hold the Township harmless for granting a waiver.

**BISHOP** Mr. Bishop thought it sounded reasonable.

**DVORYAK** Mr. Dvoryak indicated that he had not heard that, despite how sophisticated this new system would be, state regulations don't shorten the 100 feet requirement.

**HENGST** Mr. Hengst responded that was true with all systems.

**RAUSCH** Solicitor Rausch suggested that the Board should move to grant an exemption indicating that the property owner entered into an indemnification agreement with the Township to be recorded.

**MR. BISHOP MOVED TO GRANT AN EXEMPTION SUBJECT TO THE PROPERTY OWNER ENTERING INTO AN INDEMNIFICATION AGREEMENT WITH THE TOWNSHIP TO BE RECORDED. MR. BOWMAN WAS SECOND. MOTION CARRIED 3/1. MESSRS. SCHENCK, BISHOP AND BOWMAN VOTED IN FAVOR; MR. DVORYAK VOTED AGAINST. MR. GURRERI WAS OUT OF THE ROOM DURING THE VOTE.**

**B. Authorization to Advertise 2008 Proposed Budget.**

**MR. DVORYAK MOVED TO AUTHORIZE TO ADVERTISE THE 2008 PROPOSED BUDGET, WHICH INCLUDES NO NEW TAX INCREASE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Set Time for Board of Supervisors Reorganization Meetings to be held on January 7, 2008**

**HOLMAN** Mr. Holman mentioned that the date is mandated by the state.

**Consensus of the Board was to schedule the Reorganization Meetings for January 7, 2008 at 5:30 p.m.**

**D. Acknowledge Receipt of Revised Police Pension Minimum Municipal Obligation Requirements for Year 2008.**

**HOLMAN** Mr. Holman stated that the revised MMO provided a reduction of \$11,000 for the contribution based upon the increase in the contract from 3.5% to 4% by the bargaining unit members towards the pension.

**MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF THE REVISED POLICE PENSION MINIMUM MUNICIPAL OBLIGATION REQUIREMENTS FOR THE YEAR 2008. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**NOVEMBER 14, 2007  
APPROVED**

- E. Acknowledge Receipt of Approved York Area United Fire and Rescue Commission Minutes:**
- 1) Organizational Meeting – September 16, 2007**
  - 2) Regular Meeting – September 16, 2007**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF YORK AREA UNITED FIRE AND RESCUE COMMISSION MINUTES. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:20 p.m.

Respectfully submitted,

John Holman  
Secretary

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**NOVEMBER 6, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Tuesday, November 6, 2007 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN**

**ATTENDANCE:** Don Bishop, Vice Chairman  
George Dvoryak  
Mike Bowman

**MEMBERS NOT**

**IN ATTENDANCE:** Bill Schenck, Chairman  
Nick Gurreri

**ALSO PRESENT:** John J. Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
Charles Lauer, Director of Public Works  
David Wendel, Director of Recreation  
Jack Hadge, Director of Finance  
Don Eckert, President – STVFC  
Susan Davidson-Linton, Director of Finance – York County Libraries  
Karla Heberlig, Donor Relations Manager – York County Libraries

The Board of Supervisors held budget work session number five on the above date and time. The purpose of the work session was to discuss the 2008 proposed budget.

Vice Chairman Bishop called the meeting to order at 7:03 a.m.

Mr. Holman distributed 2008 budget review discussion papers to the Board of Supervisors. He explained that this work session will concentrate on the Public Works Department, Other Funds and the Sewer Fund rate revisions.

Public Works

Mr. Lauer stated there are no significant changes within the Public Works budget with the exception of heating and fuel costs. He is pretty confident that he has budgeted enough for 2008, however, with the continuing rise in fuel costs, we will just have to wait and see.

Mr. Lauer gave a brief overview of his budget line items. He mentioned that the line painting consortium has saved the Township quite a bit of money. He explained that the painting project was completed in one day. Prior to contracting it out, it would take his department seven days to complete; cost of the paint alone was \$8,900. By contracting it out, total cost of the project (paint included) was \$8,500.

Mr. Dvoryak asked if the City of York was part of the consortium.

Mr. Lauer responded that they were not part of the consortium; they paint their own.

Mr. Lauer stated he would like to contract grass mowing for most of the Township parks, however, would still have his employees mow/maintain Springettsbury Park.

Mr. Bowman asked if the Public Works Department cuts the weeds for property owners that are in violation of the Code of Ordinances.

Mr. Lauer stated they do not because it is cheaper to contract it out.

Mr. Holman asked the Board if they had any specific recommendations of locations for road work in 2008. He stated Mr. Lauer has a tentative listing, however would like to know if the Board has any priorities.

The Board stated they would like to think about it and get back to Messrs. Holman and Lauer.

Mr. Bishop asked what was being housed in the Administration Building basement area. He stated when the new Administration Building was built it was thought that the basement would be used as extra space.

Mr. Lauer stated the basement is filled with clutter. He also said portions of it are wet; water leaks through the east side of the building.

Mr. Holman stated there is a need for dry storage space for files.

Mr. Bishop asked what the farmhouse is being used for.

Mr. Wendel responded that during the summer months his park specialists are housed there. He uses it for his programs/classes during the other months.

Mr. Holman stated that the first floor of the farmhouse is the only usable space. The second floor is not up to code for office use or storage.

Mr. Lauer continued discussion about the following funds:

- Liquid Fuels
- Petitioned Street Lights
- Capital Improvements
- Storm Water
- Waste Reduction

Mr. Holman mentioned that he will probably have to budget \$400,000 for the Davies Drive project.

Mr. Dvoryak asked, in light of last year's ice/snow storm, if the calculations have been completed on what it will cost the Township to maintain the State roads verses what we actually get back as reimbursement.

Mr. Holman replied that now that we are nearing the end of 2007, a more comprehensive report can be compiled for the Board.

Mr. Bishop stated he thought he recalled that some sort of glass opening was to be done between the lobby and Board Room so people could see inside the Board Room while standing in the lobby.

Mr. Holman suggested putting glass in the double doors that are currently at the entrance to the Board Room.

#### Subdivision/Recreation Fund

Mr. Wendel stated that the Penn Oaks project was discussed at a previous budget work session. He informed the Board that there has been an overall increase in the budget for that project. The projected escalated from \$525,000 to \$851,000. After meeting with YSM, he was able to reduce the cost to \$700,000; however is still short \$151,000 to complete the project in 2008. He noted that the funds for the other four park districts are depleted (districts 1 through 4). He stated the key elements of the Penn Oaks project are still in the proposal, which is key to the grant that was received.

Mr. Bishop asked when the bids were due.

Mr. Wendel responded the project was going out to bid in November and due back in December.

Mr. Wendel told the Board that over the last five years significant improvements were made to the parks so they would be in compliance with ADA regulations; and stressed that the improvements are ongoing. He is concerned that after the Penn Oaks project is completed, there will be no money left from the Subdivision/Recreation Fund for the ongoing improvements.

Mr. Bishop stated he did not see any risk in drawing down that account. He was more concerned about keeping the residents informed about the Penn Oaks Park project.

Mr. Wendel stated a few of the residents attended the public meetings and comprehensive plan meetings; there were only two people that were opposed to the project. He added that he does get a lot of calls from residents regarding the status of the project.

Mr. Holman assured the Board that he and Mr. Wendel would stay in contact with the residents in that area; possibly do a postcard mailing.

Mr. Wendel stated he would put something in the Spring newsletter.

#### Library Fund

Mr. Holman explained to the Board that the interest from the Library Fund balance is sent to York County Libraries. This ties in with the \$37,000 per year budgeted by the Township for the library.

Ms. Susan Davidson-Linton, Finance Director of York Libraries offered that she would be happy to provide additional library usage statistics to the Board if they feel it is necessary.

Mr. Bishop stated that he regularly questions the Township's trust fund investment in the Bradley Academy. He doesn't know if that is a necessity like it was originally for people to go there to use the internet. He also questions if that is the best likely place that people in our community are thinking they are going to find a library.

Ms. Linton replied that on the other hand, the \$37,000 goes toward funding the Martin Library.

Mr. Bishop stated he is only questioning the trust fund payment that was earmarked for Bradley Academy. He was concerned that less than \$5,000 goes toward Bradley Academy. He continued to say he still thinks it may not be the smartest thing to do and may not be in the best interest of Springettsbury residents.

Mr. Holman was directed by the Board to have dialog with the library in regards to use of the trust fund contribution; to determine how services can be improved for Springettsbury residents.

#### Springettsbury Township Volunteer Fire Company

Mr. Holman introduced Don Eckert and asked him to review the STVFC budget with the Board.

Mr. Eckert discussed operating revenues and expenditures as it pertains to Springetts Fire Company (Station 16) and Commonwealth Fire Co (Station 17). Mr. Eckert explained that the budget was prepared as if the merger had not occurred and obviously would have to be adjusted at the appropriate time.

Mr. Eckert informed the Board the volunteer fire company still has a balance on loans for fire equipment and just wanted to be sure the Board was aware of it and to think about it as they move forward with the merger.

Mr. Bishop thanked Mr. Eckert for all his efforts in preparing the budget information and stressed that the Board is very appreciative of how Mr. Eckert has gotten a lot of things under control within the STVFC.

Mr. Holman tabled discussion on the sewer fund rate revisions due to time constraints. He stated the next budget work session will be held on November 14, 2007 at 6:00 p.m. and will be presented to the public in a PowerPoint presentation.

Vice Chairman Bishop adjourned the meeting at 8:35 a.m.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**NOVEMBER 6, 2007  
APPROVED**

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 30, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Tuesday, October 30, 2007 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN**

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

**MEMBERS**

**ABSENT:** Nick Gurreri

**ALSO PRESENT:** John J. Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
David Eshbach, Chief of Police  
Charles Lauer, Director of Public Works  
Jack Hadge, Director of Finance  
Sandy Ratcliffe, Deputy Director of Finance

The Board of Supervisors held budget work session number four on the above date and time. The purpose of the work session was to discuss the 2008 proposed budget.

Chairman Schenck called the meeting to order at 7:00 a.m.

Mr. Holman distributed 2008 budget review discussion papers to the Board of Supervisors. He explained that this work session will concentrate on the Police and Public Works Departments.

Police Department

Mr. Holman stated there are significant changes proposed by the Chief of Police in the area of manning. This includes the addition of a crime prevention coordinator, another data entry operator and two additional patrolmen. Further, there is a request to increase the number of permanently authorized vehicles for the department. The Chief has submitted revised Capital budget requests and I have included the original and revised Capital requests.

Chief Eshbach restated that he is requesting two new positions in the police department, as Mr. Holman has already stated. He stated the two current data entry operators cannot keep up with the workload.

Chief Eshbach informed the Board that processing of prisoners is now being handled by the York County Sheriffs Office "Central Booking". He said it has been a godsend to be able to take the prisoners to Central Booking. It requires less of the officer's time to process prisoners.

Mr. Dvoryak asked if it was safe to say that the police department's manpower need has now shifted to administrative support.

Chief Eshbach answered yes.

Chief Eshbach stated that is why he is requesting another data entry operator and the civilian position of crime prevention coordinator.

Mr. Dvoryak asked if the crime prevention coordinator was the same idea that one of the County Commissioners is talking about doing at the County level.

Chief Eshbach answered that he did not know what Mr. Dvoryak was talking about.

Mr. Schenck asked about the request to split the department into four platoons.

Chief Eshbach stated they currently have two platoons. Splitting it into four platoons would give him versatility in scheduling and would reduce overtime.

Mr. Schenck asked what the net affect would be with a change in the platoons; would it just level out the schedule or would it put more people on the road.

Chief Eshbach stated it would do both. He explained that basically it combines three shifts into two shifts.

Mr. Schenck suggested that perhaps an overtime study should be done.

Mr. Bowman asked if "loc jocs" are something that we should not be offering.

Chief Eshbach answered that Springettsbury is probably the only police department that still opens locked car doors. He added that they still get a fair amount of those types of calls. He said it is something that they could do away with. People still have the option to use a towing service or "pop-a-loc" service. The only time the police department would do them is if a child or animal was locked in the vehicle; something along that line.

Chief Eshbach mentioned the ammunition budget line item. He stated the increase in that line item was due to the increased cost of ammunition. He said it takes several months to get the ammunition once it is ordered. The priority has been getting ammunition to our military in Iraq which causes a delay here.

Chief Eshbach stated under the capital construction line item that he is requesting two items: (1) heat in the front lobby area, and (2) replacement of fraying carpet at the employee entrance of the building with vinyl flooring.

Mr. Holman stated the flooring request is a minor repair that will be completed with monies in the 2007 budget.

Chief Eshbach stated under the capital equipment line item he is requesting to replace current duty weapons, as well as provide an additional backup weapon for each officer. The current weapons are 10 years old and would be replaced with a Glock model 22 service pistol in .40 caliber. The backup weapon would be the Glock 27 service pistol and uses the same ammunition/magazines as the Glock 22.

Chief Eshbach stated under the capital equipment-vehicles line item he is requesting the purchase of three new patrol vehicles (vehicle #'s 4, 6 & 10). He stated the vehicles slated to be replaced have mileages well in excess of 90,000 miles.

Mr. Holman informed the Board that the police department has been temporarily using a vehicle that was originally scheduled for auction. He stated it has remained in the fleet; causing the fleet to increase by one vehicle.

Chief Eshbach stated they need the vehicle for the school resource officers and therefore, is not an additional vehicle.

Mr. Schenck stated he has noticed that there seems to be quite a number of police vehicles sitting in the police parking lot when he comes to the Township building and wondered why they were not out on the road.

Chief Eshbach answered that it could be the result of change in shifts or an officer could have a prisoner in the building.

Mr. Holman asked how many police vehicles were going home with the officers; he did not know what the Board had authorized.

Chief Eshbach stated he gave a report to the Township Manager with that information in it.

Mr. Holman stated he would review the records.

Mr. Schenck stated he did not know what the correct number of vehicles should be in the police department or what should be allowed.

Mr. Bishop expressed his frustration to the Chief and the Township Manager with regard to them not being able to work together and come to a consensus on requests for various budget items. He stated they both needed to work it out so the Board is better informed when making policy decisions.

Mr. Holman stated the Board is going to have to raise taxes if they are going to increase the number of police officers on the force. Public safety is always going to be the largest part of the budget.

Mr. Bishop stated that the Board has continued to increase the activity level in the Township and that is something we will need to fund.

Mr. Holman suggested that the Board ask themselves if they are satisfied with the police department right now. Are the needs being met with regards to public safety?

Mr. Bishop responded that he believes the Board does hear about those needs and hears some dissatisfaction; we need to stay ahead of that curve with the crime from other communities.

Mr. Bishop continued to say that going forward he thinks the Chief could do a better job of explaining and educating the Board on just what that magic number would be.

Mr. Dvoryak stated the bigger issue to him has been the question of what really is the correct number of officers that are needed in Springettsbury Township? I believe we need to come up with a system that works for our Township; I believe that what we do as a Township is front and center of what we do with our police.

Mr. Dvoryak asked with regard to the request for another data entry operator, if there were any clerical personnel in other departments that could help with the data entry.

Mr. Holman answered that everyone is working at full speed; there will always be more paperwork than personnel.

Mr. Bishop asked if there is any opportunity for outsourcing the data entry.

Mr. Holman stated that he occasionally hires interns. He stated the Chief could look into contracting with a temporary agency to answer the telephone while someone is working on data entry.

Chief Eshbach responded that he would look into contracting services.

**CONSENSUS OF THE BOARD WAS TO ALLOW THE PURCHASE OF THREE NEW PATROL VEHICLES**

Mr. Bishop asked how much time the school resource officers spend in the schools.

Chief Eshbach responded 75 percent of their time is spent at the schools during the school year. When school is not in session, he utilizes them with the regular patrols; filling in for vacations/sick leave/court, etc.

Mr. Dvoryak stated the Board needs to find out now from the schools if they are going to pay towards the officers when the grant runs out.

Mr. Schenck stated he would be in favor of the request for the new position of a civilian crime prevention coordinator.

Mr. Dvoryak stated he needs more information before he would be able to make a decision.

Chief Eshbach stated he has provided the Board with a proposed job description in their budget packet.

Mr. Bishop stated that if there is a model for programs like this, the Board would like to review it.

Mr. Schenck added that if the Chief is going to put something together for a model he needs to keep it very focused on what that employee is supposed to do.

Chief Eshbach stated he will try to get the information to the Board so they can be better informed to make a decision.

Mr. Bishop stated he felt the Board needed a follow up session to review and discuss the information they will receive from the Chief.

Mr. Schenck was in agreement.

Mr. Holman tabled discussion of the Public Works budget due to time constraints and offered that he would place it on the agenda for the Board's review at the November 6, 2007 budget work session.

Chairman Schenck adjourned the meeting at 8:30 a.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 25, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 25, 2007 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Harish Rao, Economic and Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Dave Wendel, Director of Parks and Recreation  
Lt. Laird, Police Department  
Jean Abreght, Stenographer

**A. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Regular Meeting of the Board of Supervisors to order at 7 p.m. He asked Mr. Gurreri to lead the opening ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed everyone. He asked everyone to keep all the residents of southern California in prayer as they endure the devastating fires. Mr. Gurreri led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS**

**A. October 11, 2007 – 9:30 p.m. (Personnel Matter)**

**SCHENCK** Chairman Schenck announced that an Executive Session was held after the last public meeting on October 11<sup>th</sup> to discuss a personnel issue.

**3. COMMUNICATIONS FROM CITIZENS:**

**York Motorcycle Club – Sight Distance**

- DIXON** Steve Dixon, representative of the York Motorcycle Club, presented the Club's concern about the bank and driveway adjoining the Galleria Mall. They would like to have the bank moved or taken down to eliminate a safety hazard. With the increased mall traffic, it had become dangerous for the Club members as they leave their driveway. He provided some photographs for the Board's review.
- GURRERI** Mr. Gurreri agreed with Mr. Dixon's statements as he had been there and exited with his motorcycle. He indicated that the sight distance is minimal.
- DIXON** Mr. Dixon added that motorists coming through the intersection look left and turn right. If the cyclists are sitting at the bottom of their driveway, they cannot be seen. He stated that the speed limits are 25 going west and goes up to 40. Mr. Dixon reported that the Club does not own all of the bank; 95% is owned by the mall. The Club does not have unlimited funds. However, they are hoping that the Township might be able to help with some safety grants and guidance.
- SCHENCK** Chairman Schenck asked whether the Motorcycle Club had discussed the issues with management of the Galleria.
- DIXON** Mr. Dixon responded that during their last discussion with the management, they indicated they did not have extra funds for this.
- BISHOP** Mr. Bishop asked whether they were opposed to having it done.
- DIXON** Mr. Dixon responded that they were not opposed and added that the Club members had been working on the issue for many years.
- SCHENCK** Chairman Schenck asked whether they have access out the back through Kohl's.
- DIXON** Mr. Dixon responded that they do not. He indicated that Met Ed has a substation adjoining the Club's property. There is a 40-foot span from the Club's property to theirs, but there is no right-of-way. They have an access road like a private entranceway to their Met Ed facility. The Club only owns 30 to 40 feet behind the club house. The rest of the bank is Target's or Kohl's. They have the layout of the plan as it had been proposed before the Galleria was ever constructed. Back then the traffic issue was not like it is today.

- SCHENCK** Chairman Schenck asked whether anyone had an opportunity to review the old plans or easements.
- HOLMAN** Mr. Holman responded that he, Mr. Rao, and Mr. Luciani had reviewed it. A Board member had asked for a review of the development and site plans for the Galleria Mall. The entrance was built in accordance with the approved site plans. Mr. Holman stated that he would coordinate a meeting between the Motorcycle Club and the Galleria Mall Manager as they do meet periodically. He did not know whether it would help the situation, but he would be happy to facilitate such a meeting.
- DIXON** Mr. Dixon indicated that at certain speeds the sight distance was to be 400 feet. He asked whether that was correct.
- LUCIANI** Mr. Luciani responded that sight distance is a function of the slope of the road, but at speeds of 40 miles an hour it is in the range of 400 to 500 feet.
- DIXON** Mr. Dixon commented that there is not 400 to 500 feet there.
- SCHENCK** Chairman Schenck noted that a meeting between the Township and the Galleria Manager seemed like a good place to start. Perhaps if the Township facilitated the meeting, it might be more attractive.
- DIXON** Mr. Dixon stated that he had discussed the matter with Met Ed as there is a pole between the two properties. Met Ed indicated that the pole would not be an issue if the bank was removed. He added that the Water Co. indicated it would be okay as long as the cap on the asphalt is not covered.
- LUCIANI** Mr. Luciani commented that Mr. Dixon mentioned that 90% of the property is owned by the Galleria. The Township would not be able to adjust someone else's property without their cooperation, even if the Township had the financial resources to do so. Management at the Galleria must be a stakeholder in order to get anything done.
- SCHENCK** Chairman Schenck agreed that they need to be involved. The Township could work on the intersection but not specifically private driveways.
- DIXON** Mr. Dixon mentioned that there had been numerous accidents there.

**SCHENCK** Chairman Schenck responded that the accident reports could be made part of the review of the speed limit. He asked Mr. Dixon to leave his contact information with Mr. Holman, and to keep him informed.

**DOUGHERTY** **Eastwood/Durham – Street Lights**  
Ron Dougherty, 2785 Eastwood Drive, brought forward an issue of the need for street lights in his neighborhood. The darkness of the neighborhood had produced an increase in crime, and his home had been burglarized, his mailbox knocked over, and ornaments stolen. Police dogs had come through his neighborhood searching for bank robbers, etc. Police reports had been made for each occurrence. Other neighbors were reluctant to come forward due to being targeted in the future, but their car windows had been smashed and purses had been stolen. He spoke on behalf of his family and others in the neighborhood. He requested the Township’s support to deter crime in his neighborhood.

**SCHENCK** Chairman Schenck responded that his concerns would be passed along to the Police Department. He encouraged the neighbors to make reports as well because the data is important. Chairman Schenck stated that a request for street lights is not too difficult of a process. Met Ed installs the lights and the Township pays the bill. There is a minimal tax that goes along with it. He asked Mr. Holman whether he could take on the project.

**HOLMAN** Mr. Holman responded that he would visit the neighborhood with Mr. Lauer.

**FAKE** Mrs. Fran Fake, 2585 Durham Road, Ron Dougherty’s Mother-In-Law, stated that she had discussed the issue with Mr. Rao and also with Detective Dickerson. She had attempted to obtain a copy of the police reports but was unable to do so. There had been an increase in the burglaries, which had caused mental damage to her grandchildren. She requested that the police have a car sit in the area after school between Durham and Eastwood to catch speeders.

**FAKE** Mr. Glen Fake, 2585 Durham Road, Father-In-Law of Ron and Tammy Dougherty, indicated that during a visit someone had tried to kick the door in several times. He emphasized that these occurrences had been putting much fear on the grandchildren and they don’t want to be at home by themselves.

**HOLMAN** Mr. Holman stated that Lt. Laird of the Police Department had been taking notes and will provide the police reports.

**FAKE** Mrs. Fake asked whether they would be notified about action on the street lights.

**HOLMAN** Mr. Holman stated that he would visit that street and stop by with Public Works Superintendent, Charlie Lauer. He indicated they would call first and during a visit determine exactly what will be needed.

**RHOADS** **YAUFR – Springettsbury Police Department**  
John Rhoads, 3830 Stuart Drive, stated that would like to thank everybody on the Board for the insight of merging the fire departments between Springettsbury and Spring Garden. About three months ago the company he works for had a meeting with the employees about identity theft. He did not recall the gentleman's name, but he was the Police Chief for the West Shore Regional Police Department and was working with Homeland Security. During a conversation with him after the meeting he asked where he lived. When Mr. Rhoads told him he lived in Springettsbury Township he stated that Mr. Rhoads was a very fortunate man as he knew the Police Chief and thought Springettsbury had one of the best run police departments in all of Pennsylvania. Mr. Rhoads stated that he had been a proud citizen of the Township for almost 17 years. He added that an excellent job was being done in development and in holding the taxes down.

**York Valley Inn**

Mr. Rhoads had one specific concern. He indicated that when he and his family moved into their neighborhood the York Valley Inn was a thriving business and a focal point of Springettsbury Township. Over the past 10 years the property had deteriorated and nothing had been done about it. Recently they had witnessed a fire at the motel, which had been a concern to their family. The fire had been easily contained; however, their property abuts the end of that property, and if it had been on another portion of that structure, and the weather conditions were just right, everyone who lives on his street would lose their homes. There is additional vandalism, which had been reported to the Police Department. His family's property is back where no one sees and seems like the forgotten part of Springettsbury. He thought it was time something should be done for the safety of their neighborhood and the well being of the Township.

**SCHENCK** Chairman Schenck thanked him and asked whether the demolition permit for the site had been lifted or not and whether they were close to doing anything.

- RAO** Mr. Rao responded that the permit had not been lifted.
- HOLMAN** Mr. Holman stated that a plan is to be submitted shortly. Once a week he and Mr. Rao both visit the site. The owners do the minimum; board up windows and doorways, but they have not submitted for their redevelopment but they have had a briefing.
- RAO** Mr. Rao responded that he was correct.
- SCHENCK** Chairman Schenck commented that the perspective of the building from where the Rhoads live is completely different. To gain that perspective it requires a view from around back. The Board did that on the road tour. He recalled that there are doors kicked in there nearly every time he goes by.
- RHOADS** Mr. Rhoads indicated that the number of kids hanging out back there is increasing. It is also a junk man's haven and more and more items are being stolen off the building.
- LUCIANI** Mr. Luciani thought it was important to state that they had done a Land Development Plan. They obtained variances and the Township cooperated with them in an effort to get it redeveloped. From a feasibility standpoint, the feedback from the developer was that it did not make financial sense. The plan Mr. Holman mentioned is a brand new plan to change the use of the property.
- HOLMAN** Mr. Holman indicated that the variances they obtained were actually for the proposed plan for the residential use.
- RAO** Mr. Rao added that it is only a sketch plan.
- RHOADS** Mr. Rhoads noted that in the City of York when they deem places are unsafe, they just go in and bulldoze them down. He wondered whether this place could be forced with the same demolition.
- SCHENCK** Chairman Schenck responded that the City does that at their expense and then they take over the property. He added that the Township had not gotten to that place but it had been discussed.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchar Horn, Inc.**

- SCHOBBER** Mr. Schober reported that the Grit Removal project was progressing and they are very happy with it. With regard to the Meadowlands Pump Station project, a surveyor had been

contracted; however, they are waiting for the leaves to go off the trees to do the survey.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI**

Mr. Luciani reported that the pre-construction meeting was held concerning the Public Works Building and the contractor is ready to go. A color needs to be selected this date in order for the work to start in two weeks. The floor was lowered by eight inches at Mr. Lauer's request. A hearing date was scheduled for the PUC meeting for the Davies Road rail crossing.

Mr. Luciani had attended a seminar with regard to plan denials, traditional neighborhoods and road adoption. In Bucks and Montgomery Counties the presenter stated that the road adoption process could take from three to five years. Mr. Luciani thought it was interesting because local developers wondered why it takes a few months but the Township is working with them to try to resolve outstanding issues. There are other communities out there that do not rush to take these roads. Mr. Luciani reported that the Erosion Control Plan for the park had been issued. They are waiting for a DEP permit. First Capital has a new employee whose former title was Head of Dams and Waterways for DEP. He indicated he still knows a lot of people there and had resolved half a dozen issues on permitting this week in their office. Mr. Luciani will ask him to call his contacts to see what additional information they need if any.

**Consensus of the Board was to go with the colors that staff had chosen for the Public Works Building.**

**BISHOP**

Mr. Bishop asked about the plan for York Container Co. He recalled that a complete Land Development approval process had been done some time over the last decade along with a discussion about sidewalks.

**LUCIANI**

Mr. Luciani responded that they had gone through the Planning Commission and requested a waiver of sidewalks and had presented documentation on the waiver. They provided photos of the bridge and supported the fact that the bridge doesn't have a sidewalk. Mr. Luciani reported that he and Mr. Holman met with the County. They are relocating the bus stop in front of the County prison, but they still need a waiver of sidewalks. Their goal is to ask for a waiver of sidewalks.

**HOLMAN**

Mr. Holman indicated that would be discussed as part of the whole plan when it is presented.

- BISHOP** Mr. Bishop commented that those had been entertained separately on occasion.
- LUCIANI** Mr. Luciani stated that he thought procedurally the Board preferred to see the whole thing as a package.
- BISHOP** Mr. Bishop stated that generally that was the case.
- HOLMAN** Mr. Holman commented that if it is something very unusual the Board will take a look at it. A request for a waiver of sidewalks would be something the Board normally would review.
- BISHOP** Mr. Bishop stated that he thought it might be more reasonable for the Board in certain situations to let developers ask those questions in order to get an answer before spending tens of thousands of dollars engineering it the way they'd like to and then the Board would deny it and they wasted their time and money. From his recollection they had already gone through it once on the property. The Township requires sidewalks.
- HOLMAN** Mr. Holman stated that they are due to present their plan at the December meeting. He received a letter from them and they understand it is part of the overall package. They will be requesting a waiver when they submit their plan.
- SCHENCK** Chairman Schenck asked whether the Board would want to extend the opportunity to them to apply for that waiver separately as it is permitted. They can come in and ask for that one waiver, granted or denied, and then move forward and not have that hanging out there.
- HOLMAN** Mr. Holman stated that they will be coming in during the December meeting. They have everything in order and are already scheduled.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as detailed in the Payable Listing of October 25, 2007**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF OCTOBER 25, 2007. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS:**

**A. Authorization to Advertise for Bids: Penn Oaks Project**

**MR. DVORYAK MOVED TO APPROVE AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE PENN OAKS PROJECT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Enter Into Professional Services Agreement with YSM Landscape Architects for North Hills, Pleasureville and August Schaefer Parks Master Plans at a cost not to exceed \$60,000.**

**HOLMAN**

Mr. Holman stated that the item had been discussed at a prior meeting and there were some questions with regard to the study of the North Hills Park. There were some adjustments and clarifications with regard to that study including references from the Comprehensive Plan and from the draft Recreation Comp Plan. Both plans recommended that North Hills Park be a passive park and, at most, nature trails if they can be fitted within that park and protect the temporary lay down area approved by the Township. As a result there were some adjustments to put additional emphasis on Pleasureville and August Schaefer Park. Both Mr. Wendel and Ms. Yost were present to answer any additional questions there may be with regard to this agreement.

**BISHOP**

Mr. Bishop asked who was involved in the Study Committee as mentioned in the information.

**YOST**

Ms. Ann Yost, representative of YSM, responded that Mr. Wendel had worked to put that together and typically it is a broad cross-section of the community.

**WENDEL**

Mr. Wendel added that the Study Committee that was established consisted of members that represent the various quadrants of the Township on which the study will focus. For example, a representative from the Central York Middle School will participate since the North Hills property does abut the school property. There will be a representative from one of the sports organizations that utilizes the August Schaefer facility for baseball. Other individuals represent the Commonwealth Fire Company for the Pleasureville site, and the other people reside in those areas that will be targeted. He offered to forward the names of those individuals to review prior to contacting them to schedule the first meeting, which they are attempting to do by the end of November for the first Study Committee. The Board representative is George Dvoryak.

- GURRERI** Mr. Gurreri asked whether there was only one park on the north side of Route 30.
- YOST** Ms. Yost responded that one park, Pleasureville, is on the north side in the northwest quadrant.
- DVORYAK** Mr. Dvoryak commented that there are actually other options. He stated that he is a resident of the northwest quadrant and there are a number of other options there including, but not limited to, Rocky Ridge and John Rudy. Central High School has a lot of recreational facilities, and depending on where one lives in the northwest, one to three miles from the Springettsbury Park so there are numerous opportunities for parks.
- YOST** Ms. Yost commented that there is one Township park. Parks are classified by community, regional or neighborhood. There's one neighborhood park plus what is in Pleasureville. However, in terms of a small park to meet the needs of surrounding neighbors there's the one municipal park.
- WENDEL** Mr. Wendel added that when he mentioned an underserved area in terms of park land, based on the Subdivision Recreation districts, that district encompasses the area west of Mt. Zion Road and north of Route 30. At this time there is just one park at Pleasureville.
- BISHOP** Mr. Bishop asked whether anything had changed from previous discussions about North Hills Park.
- YOST** Ms. Yost responded that it had been clarified. Based on the understanding of some of the concerns, there had been proposals by entities within the Township desperately looking for athletic fields. That site had been looked at because it was an open site in the community. The documents had been reviewed during the Comp Plan process to see some of the topography on the site. That kind of development is not an option in the development of the Master Plan. The topography, right-of-way and other things preclude development of active recreation. The site is seen as a connector, a natural space and a place for trails, potential cross parking areas. At one point it was considered for a dog park site, but because the County had moved ahead with that initiative, it was taken off the table. It is being looked at as a more natural site, trails, etc. They looked at it a little differently and attempted to even out the prices somewhat. Inasmuch as it will take more to do this park with 38 acres versus Pleasureville with four and August Schaefer with two. It will take more effort and time just to do the site work and other things associated with it. From a planning

perspective they looked at it more critically recognizing that they want to try to get a pedestrian connection between August Schaefer and Stonewood and some other things so we looked at that critically just to acknowledge that it will be a passive facility.

**WENDEL**

Mr. Wendel reported that during a meeting with the Focus Groups, one being a group of representatives from the area, there wasn't any hint that there was a need to develop baseball fields, which he believed was proposed years ago at that site. Certainly there is a need for LaCrosse and Soccer fields, but given that that site was discussed there was no recommendation from that particular group to develop baseball fields in that area; or from the Comprehensive Plan committee, in general. The Parks and Recreation Board over the years had discussed what to do with that site; they've always maintained to keep it in its natural state. Since it is such an under-utilized area for recreation purposes, the discussion had always been how to make it accessible and that is what this plan will help to do.

**HOLMAN**

Mr. Holman added that a full survey will be done which would indicate the actual extent of the park.

**YOST**

Ms. Yost responded that an actual topographic survey would not be a part of it; however, they will use plotting deeds and the GIS information to do the work.

**HOLMAN**

Mr. Holman indicated that, should it be considered to be a conservation area, that information would be something the Township would need to know.

**BISHOP**

Mr. Bishop asked how aware Ms. Yost was of the grants under which the Township acquired the property.

**YOST**

Ms. Yost responded that it will be part of the research. They will need to understand that and what, if any, deed restrictions and other kinds of limitations are placed upon the land based on that. They will contact the utility company in order to understand the kinds of things that can or cannot be done in the utility corridor. That is part of the base research.

**MR. BISHOP MOVED TO AUTHORIZE THE APPROPRIATE TOWNSHIP OFFICIALS TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH YSM LANDSCAPE ARCHITECTS FOR NORTH HILLS, PLEASUREVILLE, AND AUGUST SCHAEFER PARK MASTER PLAN AT A COST NOT TO EXCEED \$60,000. MR. BOWMAN WAS SECOND. MESSRS.**

**BOWMAN, BISHOP, SCHENCK AND GURRERI VOTED YES; MR. DVORYAK VOTED NO. MOTION CARRIED 4/1.**

**SCHENCK** Chairman Schenck noted that he had been approached by Tom Kearney, who lives on Davidson Drive with regard to the corridor between August Schaefer and Stonewood. Chairman Schenck wanted to figure out a way to provide making that way permanent.

**WENDEL** Mr. Wendel stated that he had spoken with him as well and added that Mr. Kearney is on the Study Committee.

**SCHENCK** Chairman Schenck indicated he hoped to formalize something in order to access that park and provide the right-of-way.

**YOST** Ms. Yost stated that they will contact Mr. Kearney.

**C. Authorization to Enter into 2008 Stray Animal Shelter Agreement with Susquehanna Stray Animal Shelter, Inc. in the amount of \$2,080.**

**D. Authorization to Enter into 2008 Stray Animal Shelter Agreement with SPCA of York County in the amount of \$2,390.**

**SCHENCK** Chairman Schenck asked Mr. Holman to brief the Board on items C and D with a summary of why he recommended two animal control agencies.

**HOLMAN** Mr. Holman responded that he recommended the use of both the Susquehanna Stray Animal Shelter and the Stray Animal Shelter Agreement with the SPCA for several reasons. The Township had used the Susquehanna Stray Animal Shelter for a number of years and they had provided excellent service. They are located very close to the southern end of the Township. The SPCA offers another option for the northern end and also offers a program for feral cats, which is a problem which had become an issue in the Township. Mr. Holman would like to try that and see how the SPCA works on the program in the next year. This will also provide another option to the people who live on that side of town for them to take their animals. There is not a significant increase in cost in going with both of these and over the year he wanted to see how both worked.

**SCHENCK** Chairman Schenck asked what the residents would see that is different.

**HOLMAN** Mr. Holman responded that they will be offered an additional service from the SPCA with the ability to take their animals to the

SPCA and/or take advantage of their feral cat program, which is the most important element of the SPCA contract.

**SCHENCK** Chairman Schenck asked whether a resident would be turned away if they go there with an animal.

**HOLMAN** Mr. Holman responded that they are not turned away, but they will pay more money than when a contract is in place.

**GURRERI** Mr. Gurreri asked whether the Susquehanna facility takes cats.

**SCHENCK** Chairman Schenck responded that they do not take cats.

**HOLMAN** Mr. Holman noted that it is somewhat unusual to offer two, but in this case, he believed it would be well worth it.

**BOWMAN** Mr. Bowman asked how frequently the services of Susquehanna are used.

**HOLMAN** Mr. Holman responded that he has records of that in their monthly reports. It is used quite frequently especially by the Animal Control Officer. Residents come in and get the traps and take the animals to Susquehanna.

**GURRERI** Mr. Gurreri commented that he thought it was reasonable to take care of the feral cat problem.

**HOLMAN** Mr. Holman added that it will provide an option for the residents that they don't have now.

**MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO SUSQUEHANNA 2008 STRAY ANIMAL SHELTER IN THE AMOUNT OF \$2,080. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO 2008 STRAY ANIMAL SHELTER AGREEMENT WITH SPCA OF YORK COUNTY IN THE AMOUNT OF \$2,390. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**3. Authorization to Enter into Development Agreement: Wellspan Properties, Inc.**

**HOLMAN** Mr. Holman stated that he had received an email from the Solicitor this date that the item is under further review by Wellspan. Mr. Holman requested that it be tabled until the next meeting.

**Consensus was agreement to table any action on the Wellspan Development Agreement.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**SCHENCK** Chairman Schenck noted that there are plans to be signed.

**HOLMAN** Mr. Holman reported that there will be a conditional use coming up during the November meeting. He will be getting together with the Solicitor for a review to be sure that everything is in order with regard to the application and recommendation.

**SCHENCK** Chairman Schenck asked whether that would be a hearing.

**RAUSCH** Solicitor Rausch responded that this is on the Flexible Development. He was not sure that it is technically a conditional use hearing. He thought the way the procedure was set up in the Zoning Ordinance was that the Board would review the proposed use in the Flexible Development Zone first. He did not believe it is a formal conditional use hearing but will double check that.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported that PSATS will have a meeting for townships with over 10,000 residents on November 8<sup>th</sup>. He asked whether anyone had any information for discussion at the meeting as he will be attending.

**BISHOP** Mr. Bishop reported that he had a resident approach him and state that they were very pleased with the work that was done on Mt. Zion and Deininger Road.

**9. SOLICITOR'S REPORT:**

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

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman advised the Board that had heard from Representative Gillespie's office this date and a meeting on Deininger and Mt. Zion will be scheduled shortly between the Township, the County and County Parks as well.

**11. ORDINANCES AND RESOLUTIONS:**

There were none for action.

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Work Session (CBIZ) – September 27, 2007**
- B. Board of Supervisors Work Session (CENTAX) – September 27, 2007**

**MR. BISHOP MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS WORK SESSIONS, ITEMS A AND B ON THE AGENDA AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION CARRIED. MESSRS. GURRERI AND BOWMAN ABSTAINED AS THEY WERE NOT PRESENT.**

- C. Board of Supervisors Public Hearing – October 11, 2007**

**MR. BISHOP MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING, OCTOBER 11, 2007 AS PRESENTED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

- A. Gypsy Moth Cost-Share Program – County of York**

**HOLMAN**

Mr. Holman reported that the total commitment for that is \$536.00. A meeting was held with the Manager's Association and now that the cost is known, most of the townships have agreed to participate. Most of the townships had denied the program not knowing what the cost would be. There are no County park lands included in the Springgettsbury's cost-sharing number. County park lands are considered separately.

**MR. BOWMAN MOVED TO APPROVE THE GYPSY MOTH COST-SHARE PROGRAM OF \$536.00. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**14. NEW BUSINESS:**

- A. Acknowledge Receipt of September 30, 2007 Treasurer's Report**

**MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF THE SEPTEMBER 30, 2007 TREASURER'S REPORT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:15 p.m.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 25, 2007  
APPROVED**

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 23, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Tuesday, October 23, 2007 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN**

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

**ALSO PRESENT:** John J. Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
Harish Rao, Director of Community Development  
David Wendel, Director of Recreation  
Dan Hoff, Interim Fire Chief  
Jack Hadge, Director of Finance

The Board of Supervisors held budget work session number three on the above date and time. The purpose of the work session was to discuss the 2008 proposed budget.

Chairman Schenck called the meeting to order at 7:00 a.m.

Mr. Holman distributed 2008 budget review discussion papers to the Board of Supervisors. He explained that this work session will concentrate on the Community Development, Recreation and Fire Department budgets.

Community Development

Mr. Holman stated the community development budget reflects the turnover of personnel in the salary and wage line item along with the difficulty of projecting revenues and costs associated with permit applications and reviews.

Mr. Rao stated his office has seen a slow down of new housing development, however, increased residential renovations and additions. He stated commercial development is strong and expectations are that it will increase with the opening of the Concord Road corridor.

Mr. Gurreri asked if third party inspectors were being utilized.

Mr. Rao responded that he utilized in-house personnel for the York Town Center project; all final certificates of occupancy were handled through the in-house inspectors so that he would have more control over it. NuTec was responsible for the plan reviews.

Mr. Bishop expressed his concern that proper code enforcement throughout the Township is not being addressed. He cited an example of a vendor that was selling flags on a parking lot in the Township two weekends in a row even though it is not an allowable use. Mr. Bishop asked why the ordinance is not being enforced.

Mr. Rao replied that currently, a vacancy exists in the community development department for a code enforcement officer. He stated the position had been filled recently, however, the employee resigned shortly after being hired. He stated his inspectors were doing double duty to assist with code violations in the absence of a code enforcement officer, however he realizes the position needs to be filled to do the job properly.

Mr. Schenck stated he did not want to shift the responsibility onto the police department, however asked if they ever inform the community development department of code violations.

Mr. Rao responded that they do not.

Mr. Schenck expressed his concern that the community development department has basically been without a code enforcement officer since March of this year and was frustrated that the position has yet to be filled.

Mr. Holman stated he planned to re-advertise for a code enforcement officer after the first of the year in order to obtain a new list of candidates.

Considerable discussion continued about the need to get code enforcement issues under control.

#### Recreation

Mr. Holman relayed to the Board that there are no major changes within the recreation general fund budget. He said he believes there is a need to discuss the Recreation Trust Fund and Capital issues within the recreation department as follows:

- Penn Oaks Park – estimated outside cost of project is \$800,000
- Recreation Building – Do we plan for architectural services for an outdoor recreation center?
- Recreation Trust Fund Revenues – Saturday in the Park and Summer Concert Series revenues.

Mr. Wendel presented some of the milestones and achievements of the Recreation Department:

- 931 children registered for the 2007 summer parks program; it was the highest total on record. Goal is to reach 1,000.
- Thirty six percent (36%) of the targeted age (6 to 14 years old) participated in the program.
- Over 400 youth could be found in the parks on a daily basis/averaging 46 children per park (9 parks open).

Mr. Wendel highlighted that the parks and recreation department has reached a milestone in revenue and cost recovery in 2006. He stated \$212,000 in revenue helped recover 51% of the operating budget and are on pace to surpass that milestone this year. Since 2001, revenues have increased from \$104,000 to \$212,000 in 2006. During that span, cost recovery efforts increased

from about 30% in 2001 to over 50% in 2006. Every year since 2001 has seen an increase in revenue and cost recovery with the exception of 2005 when the radio station sale impacted Sounds of Summer and Saturday in the Park revenue.

Mr. Wendel talked about the recreation database. He stated it was a long process getting it implemented, however, certainly has turned out to be a very efficient tool. The features add convenience for staff, but most importantly for our customers. Since March, 2007 over 200 people have registered online. It has proven to be a valuable source for program information, pavilion availability and park/facility information.

Mr. Wendel stated the registration for community-based services comprised of 5 core program areas:

- Health & Fitness 1,255
- Adult Enrichment 395
- Trips 411
- STARS 935
- Youth 2,242

He continued to say that Saturday in the Park, Sounds of Summer and the Holiday Tree Lighting attracted over 30,000 visitors to Springettsbury Park this year.

Mr. Wendel reported that the parks and recreation department received two awards for Excellence in Programming from the Pennsylvania Recreation and Park Society (PRPS) during its annual conference. The two categories were Community Festival and Celebrations (Saturday in the Park) and Senior Adult (STARS Program).

Mr. Wendel stated that he would like to utilize contracted services on the weekends during the summer months for custodial services; restrooms cleaned and trash removed. He said enough revenue is already being generated to cover that cost.

Mr. Schenck asked if the other parks would need to have contracted services on weekends as well, or was he just talking about Springettsbury Park.

Mr. Wendel replied that out of the 112 pavilion rentals, 94 of them were at Springettsbury Park; that is why the efforts would be focused there rather than any of the other areas.

Mr. Schenck stated that people renting pavilions at the County parks are required to take the trash with them at the end of the day.

Mr. Gurreri mentioned that the County parks have dumpsters on site and have park rangers monitoring the pavilions on weekends.

Mr. Wendel stated that most of the people renting the pavilions do remove their trash; however there are times when they do not. He then receives complaints from the people that have rented the pavilion the following day; that large amounts of trash were left behind.

Mr. Schenck stressed that it is important to keep up the “keep it clean” mentality.

Mr. Wendel said that overall, people abide by the rules.

Mr. Dvoryak asked if there was any talk about aquatic programs that may be offered to Springettsbury Township in conjunction with Central York High School’s new swimming pool.

Mr. Wendel replied that at this point, the school district is not even talking about offering it to the community. He has heard that at this point there will probably not be any timeslots left for community use.

Mr. Dvoryak asked about the plans for North Hills, Pleasureville and August Schaefer Parks. He wondered if there were any needs that are not currently being met that could be utilized at those areas.

Mr. Wendel replied that unfortunately, those facilities are not large enough to accommodate the needs that are not currently being met. There are issues of access to those areas.

Mr. Holman added that possibly North Hills Park could be a passive park with walking trails; possibly turning North Hills Park into a conservation area.

Mr. Wendel stated that the northwest quadrant is really absent of any Township parks.

Mr. Holman briefly mentioned that the Penn Oaks Park improvements project estimated cost is \$800,000. That includes 12 alternate items in the bid - to see where the number comes in. He told the Board that they would hear more about that during the Capital budget review.

Mr. Holman talked about the need for an indoor recreation center. He asked the Board if they would like to look into doing an architectural study.

Mr. Bishop stated he thought some kind of business analysis should be done.

Mr. Schenck agreed.

Mr. Bishop added that a cost benefit analysis/options should be looked at.

Mr. Schenck agreed. He would like to see the numbers; what is it costing us now to rent other facilities, etc.

Mr. Holman informed the Board that the projected revenues for Saturday in the Park were exceeded. We received \$10,000 more than expected. He stated the \$10,000 would be reserved for the 2008 Saturday in the Park event.

Mr. Dvoryak asked Mr. Wendel if there has been any significant vandalism in the park lately.

Mr. Wendel replied that there has been no significant vandalism for several months now. The surveillance equipment has been helpful and has even identified a perpetrator.

Mr. Schenck thanked Mr. Wendel for his budget presentation and expressed that the Board is very pleased with the Recreation Department.

Fire/EMS

Mr. Holman explained to the Board that the initial review of the Fire/EMS budget was done with Andrew Stern, Captain Dan Hoff and himself. The budget is proposed for the entire 2008 fiscal year for Fire/EMS. He stated the budget will need to be reviewed and adjusted after adoption as part of the York Area United Fire and Rescue (United Fire). This will include the revision of various employee benefits, professional services and insurance budgets.

Mr. Holman added that the EMT budget will not be affected by the merger. It should be noted that the United Fire Chief will be responsible for scheduling the EMT's and other management duties related to the ambulance service. It is important to remember that the EMT's count as additional firemen when EMT services are not required.

Mr. Holman stated there are no capital budget requests for the Fire or EMT budgets.

Interim Chief Hoff informed the Board that at the current time, 16 out of 17 of the firefighters are nationally accredited; certified as Firefighter II/EMT level. He said 6 out of 7 of the EMT's are nationally certified as Firefighters/EMT's.

Chief Hoff stated the fire department partnered with the recreation department and had good interaction with the children during the summer playground programs. He added that their department conducted fire extinguisher training for the public at Commonwealth Fire Company and it was received very well. He feels his department has been doing an outstanding job with training. Springettsbury is also doing joint training with Spring Garden, Manchester and York City. Things are going very well with the shared training and they anticipate continuing along that path for next year.

Chief Hoff mentioned that the fire department is having apparatus problems.

Mr. Schenck asked Chief Hoff his opinion of what he would recommend be repaired/replaced if he could do just one thing.

Chief Hoff answered that he really didn't know; the issues are not the same. The maintenance issues have not been the same. He said it is tough to say, however, would probably say the engine at Springetts Fire Company is overall in greater need of replacement.

Mr. Holman informed the Board that two firefighters have just graduated from fire school last Friday.

Chief Hoff stated once they are acclimated, the department's overtime will greatly decrease by the end of the year.

Mr. Holman stated the Fire budget was drafted as if we were an independent fire service. The budget will obviously need to be adjusted based on the merging of the two fire departments in February, 2008.

Mr. Schenck asked how the ambulance service comes together. He stated the Board really needs to know how it works; to be reeducated on how the whole ambulance service works.

Chief Hoff offered to compile a report for the Board.

Mr. Schenck stated he would appreciate that. He reiterated that the Board just needed a better understanding of how it all works.

Mr. Bishop agreed and stated perhaps an internal analysis should be completed. He would like to know if we are doing the best job we can. He also stated that he wasn't insinuating that we are not doing the best job we can right now.

Chief Hoff stated he understands what the Board is looking for. He added that the software they are currently using is able to generate that type of report. He stated he could provide that in the near future, possibly by the end of January, 2008.

#### Visioning Session

Mr. Holman stated he would like to have a general visioning session with the Board in the near future to set priorities to better target our resources. He offered that PSATS may be able to coordinate or suggest a way to accomplish this without violating the Sunshine Act.

Mr. Holman stated he needed to set up another budget work session to discuss Capital and Other Funds. He said he would provide some proposed dates/times to the Board via email.

Chairman Schenck adjourned the meeting at 8:50 a.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 18, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, October 18, 2007 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN**

**ATTENDANCE:** Don Bishop, Vice Chairman  
Nick Gurreri  
Mike Bowman  
George Dvoryak

**MEMBERS**

**NOT PRESENT:** Bill Schenck, Chairman

**ALSO PRESENT:** John J. Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Jack Hadge, Director of Finance  
Sandy Ratcliffe, Deputy Director of Finance  
Andy Hinkle, MIS

The Board of Supervisors held budget work session number two on the above date and time. The purpose of the work session was to discuss the 2008 proposed Board of Supervisors, Administration/MIS, Finance, Insurance/Employee Benefits, Professional Services and Other budget line items.

Vice Chairman Bishop called the meeting to order at 7:00 a.m.

MIS

Mr. Holman highlighted the following:

- Proposal to replace seven computers in 2008
- Continuing to address the needs for audio/visual improvements in the Board Room.
- Replacement of Nortel PBX telephone system with Voice Over IP.
- Installation of wireless internet access in Springettsbury Park
- Replacement of mail server to 64 bit processor and upgrade to Exchange server 2007.
- Replacement of CISCO PIX firewall with CISCO ASA 5510 firewall.
- Replacement of network switches

Mr. Bishop asked why the network switches were being proposed for replacement. Mr. Hinkle replied that the current switches are not powered over Ethernet and they need to be to utilize the proposed Voice Over IP system. He also stated replacement of the switches would speed up the network system.

Revenue and Appropriations

Mr. Holman stated the anticipated revenues show an increase of approximately \$400,000 while expenditures (general fund only) would increase about \$900,000; leaving a shortfall in the 2008 departmental General Fund budgets of \$500,000.

Finance Department

Mr. Hadge reported the major highlight of his office was the implementation of the ACH/direct deposits.

Mr. Dvoryak asked what percentages of the invoices were being paid with ACH. Mr. Hadge responded about 20 percent. Ms. Ratcliffe added that the State does not want to do ACH unless we process \$100,000 per month; currently we are not processing that large of an amount.

Mr. Holman stated that training of financial staff is ongoing. He would like to see the Finance Department begin doing budget projections, etc. through the MUNIS system and be able to take full advantage of the financial software.

Board of Supervisors

Mr. Holman reviewed the Board of Supervisor's line items. He noted that the materials and supplies line item includes \$3,000 for the York Area United Fire & Rescue Commission.

Township Manager/Administration

Mr. Holman stated impacts on the salary and wage line items are the total costs of the full time clerical for a full year and the shift of a portion of the Assistant to the Township Manager salary back into the 10400-11110 line item as opposed to the 10411-12110 account (fire department). Mr. Bishop requested that Mr. Holman provide the Board with a breakdown of the Assistant to the Township Manager salary line item.

Professional Services

Mr. Holman indicated the increase in line item 10404-31115 reflects the need to meet GASBY 45 and payment to Norfolk Southern under the Concord Road rail crossing agreement.

Contributions

Mr. Holman stated the 10481-54000 line item shows a \$37,000 contribution to Martin Library. Mr. Bishop stated he feels the Township's participation in Martin Library at Bradley Academy is a waste of money and is not serving the Springettsbury community very effectively. Mr. Gurreri stated he was in agreement with Mr. Bishop's statement.

Fixed/Sundry

Mr. Holman talked about the Property Insurance line item; stating the Med York property was included in the \$35,000 total proposed for 2008. He mentioned that the number would go down if the Board chooses to demolish the building.

Mr. Holman explained that the Environmental Liability Insurance line item (10486-53170) will expire at the end of 2008. The coverage is on a three year insurance cycle; renewal will occur in November/December 2008 for the 2009 through 2011 calendar years.

Mr. Holman noted the increase in funding for Insurance/Bonds (10486-53160) is due to the costs of deductibles in the insurance. He budgeted \$23,000 based on the last three years activity. He stated these costs are for the first \$5,000 and the majority fall under police liability claims, civil rights.

Mr. Dvoryak asked if anything is being done concerning the new IRS regulations re: employee cell phones. Mr. Holman stated that he is still reviewing it and noted that some Townships require payments from their employees. He continued to say his concern is the unreliable coverage with the current 911 system and that emergency personnel are relying heavily on their Nextel phones for emergency communications until the new 911 system is fully operational.

Mr. Holman discussed the workers compensation line item in more detail with the Board. He pointed out that the Township pays \$7,000 for workers compensation for the fire volunteers.

Adjournment

Mr. Holman reminded the Board that the next budget work session is scheduled for October 23, 2007 at 7:00 a.m.

Vice Chairman Bishop adjourned the meeting at 8:05 a.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 11, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 11, 2007 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Harish Rao, Economic and Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Teri Gilfillan, Grants and Public Relations/Events Specialist  
Dave Eshbach, Chief, Police Department  
Jean Abreght, Stenographer

**A. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Regular Meeting of the Board of Supervisors to order at 7 p.m. He asked Mr. Gurreri to lead the opening ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed everyone and stated that local government works best when the residents attend. He stated it was nice to see so many representatives of the Police Department. He asked that everyone keep the men and women in the armed services in their prayers asking the Lord to keep them safe. He led the Pledge of Allegiance.

**B. Recognition of Sergeant Gregory A. Witmer**

**SCHENCK** Chairman Schenck stated that Gregory A. Witmer is retiring, and the Township wanted to recognize him for his 27 years of service. The Board adopted a Resolution in his honor. Chairman Schenck read Resolution 07-50 and congratulated him on his retirement, along with his wife, Mary Ann and children Greg and Beth Ann.

**ESHBACH** Chief Eshbach added to the many accomplishments of his career presented him with his duty firearm, his Retired ID Shield and a Springettsbury Township Police Department mug. He wished him the best in his retirement and he thanked Mary Ann for her support.

**WITMER** Mr. Witmer stated it was an honor to serve Springettsbury Township and added that it was a special place to work.

**SCHENCK** Chairman Schenck indicated that no one serves with a career such as Greg Witmer without the support of the home. He thanked Mr. Witmer's parents, who were in attendance, for their effort as well.

**SPEICHER** Betty Speicher thanked Mary Ann for her patience and presented her with a dozen long-stemmed roses.

Mr. Witmer received a standing ovation.

**B. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

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

**C. COMMUNICATION FROM CITIZENS:**

**KAZAKOS** Ms. Paula Kazakos, 4227 Livingstone Drive, brought forward a situation concerning parking difficulties on Livingstone Drive. The situation had presented itself where her neighbor parks directly opposite Mrs. Kazakos' driveway making it difficult for vehicles to enter and exit her driveway. The LIU bus comes daily to pick up her daughter. Mrs. Kazakos does not believe that the neighbor, who has telephoned the LIU bus company requesting that they not pull into her driveway, should have the right to infringe upon activities on her property.

**SCHENCK** Chairman Schenck attempted to discern whether there was an obvious violation. He indicated that vehicles are permitted to park on a public street and that the Township has no authority to prevent the neighbor from calling the bus company.

**KAZAKOS** Mrs. Kazakos asked whether there might be an ordinance in place to prevent people from parking behind a driveway or whether an ordinance could be put into place. She noted that the street is 26 feet wide. With vehicles parked on the street, there is 20 feet between her car and the end of the driveway.

- SCHENCK** Chairman Schenck suggested that she spend some time with a lawyer to determine whether she would have any rights outside of the Township's jurisdiction.
- RAUSCH** Solicitor Rausch added that there is nothing the Township can do in this situation. He stated it really was between Mrs. Kazakos and the bus company.
- PERELMAN** Mrs. Barbara Perelman, 33 S. Kershaw Street, read a letter she and her husband prepared, which she thought echoed her neighbors thoughts as well. The letter expressed appreciation for the islands placed to reduce traffic volumes on their street. It was obvious that the volume of traffic had been reduced. They thanked the Township for the stop sign and the circle. They had noticed that since the stop signs had been removed on Eastern Boulevard there had been an increase in average speed on the Boulevard. They had watched cars intentionally ramp up the curb extensions and never slow for the traffic island. She indicated that the Township may want to consider the replacement of the stop signs on Eastern Boulevard.
- GURRERI** Mr. Gurreri thanked her for coming. He had received a letter from Dr. Paul Stambaugh of 2216 Eastern Boulevard also expressing similar thoughts. Once the traffic stop signs were removed the traffic speed had increased. He requested that the stop signs be replaced.
- UHLER** Judge John Uhler echoed Mr. Perelman's letter regarding the benefit that had been appreciated since the stop sign had been erected on Kershaw Street. He had not had anyone attempt to pass him when he entered his driveway since that time. Traffic had appreciable slowed down on that Kershaw stretch, as well as the number of cars going up and down Kershaw. He concurred with Pastor Stambaugh that there does appear to be a ramping up of speed on Eastern Boulevard, as well as cars going on to the slanted curb of the circle. It was well dealt with when all four stop signs were there, which was what the residents originally advocated for in the first place. The residents appreciate all of the Township's help and efforts made for the Kershaw residents.
- HAYS** Eugene Hays, 850 East 11<sup>th</sup> Avenue, brought forward the matter of a property in disrepair at 1100 Eberts Lane. He presented a Petition signed by 52 residents. He stated that the property has trees, grass and brush growing wild. He introduced Barbara Beck who lives adjacent to the property. Her husband is 80 years old,

and he helps to maintain this property that the younger resident cannot seem to do. Mr. Hays itemized the many items that are in disrepair on the property, not only outside, but also inside the residence. He noted that there had been previous requests to the Township to clean up the property, and the residents are, once again, requesting the Board's assistance in getting something done.

**SCHENCK**

Chairman Schenck commented that the Zoning Officer, Mr. Rao, had taken many notes during Mr. Hays' presentation and will follow up on the request.

**BECK**

Mrs. Beck stated that the Township had come out and inspected the property and the resident had mowed the grass and cut a few weeds.

**HAYS**

Mr. Hays noted that he appreciated the work that the Township had done in the neighborhood. He was sure it was difficult to get people to clean up their properties. Even though they say they're being fined, he did not believe that this individual had been fined as he would have no money left.

**STUHR**

Charles Stuhr, 3680 Trout Run Road, noted two items for the Board's consideration. He commented on the newspaper activity regarding errors in the new Zoning Ordinance. One pertains to pets, and if a resident has two pets and a goldfish the resident must obtain a kennel license. The second item pertained to charity events, which were permitted in the past but now are being denied making it necessary for charitable organizations to go to other municipalities. He suggested that the Planning Commission review those areas and make suggestions for improvement.

**GURRERI**

Mr. Gurreri noted he had a telephone call concerning Deininger Road. He asked whether any plans had been put into place.

**HOLMAN**

Mr. Holman responded that they had been addressed the Board's concerns regarding temporary solutions. Representative Gillespie is scheduling a meeting with PennDOT, the Parks and County personnel to begin the process of putting the temporary solution into place. The Board's concern was, if the right-hand turn is removed that there would be a type of physical barrier placed to guide motorists. There was a question as to whether or not the Board would be interested in making the no-left turn action during the Christmas Light Festival. That subject had been discussed during a meeting he had with Representative Gillespie and Mr. Rao. They will be meeting within the next week and he will provide a report to the Board.

**GURRERI** Mr. Gurreri commented that there had been a suggestion of making some changes at Posey's Place, but there was a pole or something in the way.

**LUCIANI** Mr. Luciani responded that there is an old stone wall that blocks the view.

**GURRERI** Mr. Gurreri stated that there is a bad situation at Deininger Road with left turns on the hill. He thought Posey's Place might be a safer place; however, he knew it wouldn't be fixed this year.

**LUCIANI** Mr. Luciani reported that, following the last Board meeting, PennDOT had cut the grass on the hill. Mr. Luciani, Tom Austin and Mr. Lauer reviewed some signals to see if they could come close to the warrant along with alternate access to the park. They had not finalized anything but will continue to work on short-term solutions, as well as longer term possibilities. Mr. Holman and County representatives have a role in that.

**GURRERI** Mr. Gurreri asked what he meant by another access road.

**LUCIANI** Mr. Luciani responded that it could possibly be Ridge Road.

**D. ENGINEERING REPORTS;**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER** Mr. Schober reported that progress had been very good on the Grit building project, which had been started with footers and walls poured. The weather had been great and the contractor had taken advantage of it. An evaluation and review with staff was done on different alternatives for disinfection of the chlorine limits for the BNR project. In addition, a meeting was held with staff and a Sludge Solids Handling Study was prepared in draft form. Additional reporting will be provided to the Board as they proceed with the design. A draft letter to DEP was prepared and provided to the Township and will be forwarded on. There were several pages of comments on the draft permit including a request for more information on the chlorine residual that was placed on it. The question is what the basis of the requirement is, science or water quality. Mr. Schober reported that PennDOT will be replacing bridges over Route 83 on Sherman Street and Eberts Lane and draft drawings were received. There will be an impact to the sewers and they are in the process of locating the areas and assessing what will need to be done. They will probably have to

be raised due to the new configuration of the bridges, which will be widened. In addition there will probably be some right-of-way needed so the 50% rule will not apply. PennDOT will have to bear all the costs.

**GURRERI** Mr. Gurreri reported that he had been advised replacing the bridge over Eberts Lane would cost \$10 million. He asked Mr. Schober if he thought that was correct.

**SCHOBBER** Mr. Schober indicated that it would not surprise him, but he had not seen any estimates.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani reported that the cost estimates were received for work on the Public Works Building project. References were checked and were satisfactory. The electrician previously had done all the electrical work at the Public Works building, and Mr. Lauer was pleased. Dueck Construction is the low bidder and seemed to be a responsible vendor. A field hearing may be scheduled early I November for the Davies Drive project. The PUC application was filed for the at-grade crossing. Erosion control plan approvals were received, and work on the Penn Oaks Park project can proceed. They are working with YSM and completed stormwater management, the DEP permits and the erosion control plan. The Federal Highway Administration reviewed a number of roads in York County, along with Mr. Luciani, Mr. Holman, Mr. Lauer and Lt. Laird. Several areas in the Township were targeted. A review will be made of the intersection of Market and Mt. Zion in conjunction with the State's project for widening Market Street to five lanes and discuss the Township's project to see how they will mesh along with Haines Road and Mt. Rose Avenue. The focus on the discussion was realignment of ramps, as well as the significant number of accidents on 83. A number of different solutions were reviewed, and Mr. Luciani thought there was an economic solution to that situation and more details will be forthcoming.

**GURRERI** Mr. Gurreri asked about the different scenarios for the exit ramp from 83 and whether anything had been selected.

**LUCIANI** Mr. Luciani responded that nothing had been selected but there was one clear solution that was better than any other, which came through the golf course. The Federal Highway Administration had not completed their environmental impact and other studies.

**5. ACCOUNTS PAYABLE:**

- A. Application for Payment No. 1 – Johnston Construction Company – Grit Removal Project in the amount of \$211,630.72.**
- B. Application for Payment No. 1 – B & R Electrical Contractors, Inc. – Grit Removal Project in the amount of \$8,657.10.**
- C. Authorization for Change Order – Doug Lamb Construction, Inc. – Mundis Mill/Sheridan Road Project in the amount of \$10,402.28.**
- D. Application for Payment No. 4 – Doug Lamb Construction, Inc. – Mundis Mill/Sheridan Road Project in the amount of \$10,402.28 (Final Payment).**
- E. Application for Payment No. 2 – Doug Lamb Construction, Inc. – Haines Road Improvements in the amount of \$28,000.**
- F. Regular Payables as detailed in the Payable Listing of October 11, 2007.**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A THROUGH F. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS:**

- A. Authorization to Enter into Agreement with Central Tax Bureau of Pennsylvania, Inc. for Mercantile and Business Privilege Tax Services.**

**SCHENCK** Chairman Schenck stated that a presentation had been made by Central Tax Bureau of Pennsylvania for the Mercantile and Business Privilege Tax Services.

**DVORYAK** Mr. Dvoryak recommended one change to the contract under the Terms of Agreement. He cautioned the Board on contracts where there is no end date sighted if they fail to take action. He would prefer that this would take action to actually be removed on the expiration of the agreement. Otherwise the Township could be in a situation where people forget about agreements five or six years down the road and continue to renew simply because no action is taken to stop it.

**SCHENCK** Chairman Schenck agreed that, as the contract is written, it is essentially an evergreen contract.

**DVORYAK** Mr. Dvoryak added to his point that it would go on forever.

**SCHENCK** Chairman Schenck stated that he had a fundamental issue with essentially turning “bounty hunters” loose on Township businesses. He had been involved from the opposite perspective.

**GURRERI** Mr. Gurreri asked who had been doing the audits.

- BISHOP** Mr. Bishop responded that one of the problems is that the audits had not been done. In the past, when they were being done, they were done by the Tax Collector, which would be the normal way.
- GURRERI** Mr. Gurreri noted that he had talked to the Tax Collector, who knows which businesses might be delinquent, but apparently she had been ill and unable to pursue it.
- HOLMAN** Mr. Holman reported that they had a meeting with the Tax Collector, who requested that the Township select someone to do the audits. They had looked for a firm with the expertise. He had received a concern from another Board member with regard to the percentage basis. Mr. Holman asked whether the Board would like to see an alternative billing structure.
- BISHOP** Mr. Bishop stated that he definitely has no problem with CenTax. He had a philosophical problem with the idea of someone getting paid an extra commission to find the problems. He agreed with Chairman Schenck's comment. He thought there might be another way to structure the contract that would be more acceptable.
- GURRERI** Mr. Gurreri asked whether it would be prudent to use an accounting firm.
- SCHENCK** Chairman Schenck stated that the issue is how to pay for it. The common scenario is that the firm is hired, but they get a pretty significant chunk out of the penalties and interest assessed from taxpayers. There's an argument on both sides of that. It motivates them to find it but then he had experienced an over-zealous situation.
- BISHOP** Mr. Bishop stated that there are very few safeguards. However, he thought the structure of the deal was important. He added that CenTax is really good at this.
- HOLMAN** Mr. Holman indicated that CenTax specializes, follows all the statutes, provide the notification and actually do the collection. Mr. Holman noted that he was waiting for the Tax Collector to provide him with a letter regarding this that was forwarded to them by CenTax. He indicated that holding this for two more weeks will not make a lot of difference. He will meet with CenTax to come up with an alternative billing structure. He added that he would make the amendment requested by Mr. Dvoryak.
- DVORYAK** Mr. Dvoryak stated that, in terms of how it's structured, he had been involved in contracts with firms similar to that group but

more in terms of business issues. Any time that he had seen them structured, the organization that hired the firm had the right of first refusal. In other words the auditor went out, got his findings and he came back and reported the assessment that he audited. The organization had the right to say well it may be a little too aggressive. Perhaps something like that would satisfy some of the concerns to add a right of refusal of the findings that came through.

**HOLMAN**

Mr. Holman indicated he would review that with CenTax and also have Solicitor Rausch check the statutes. All of this is based on tax collection and statutory and, if it's based upon what is required under the statutes, he was not certain if one could pick and choose who may or may not get penalty and interest. Mr. Holman indicated he would defer that to the Solicitor.

**Consensus of the Board was agreement to hold any action for further review.**

- B. Authorization to Award Professional Services Contract to Carroll Buracker & Associates, Inc. in the amount of \$49,500 for Professional Consulting Services Related to Implementation of the York Area United Fire and Rescue Service.**

**SCHENCK**

Chairman Schenck stated that the item was for professional services to the Fire Commission through the 150 day implementation of the York Area United Fire & Rescue Service including some work to recruit a Fire Chief. The amount is \$49,500, which is also the exact amount of the matching grant. The grant at stake is half of this amount from each township.

**HOLMAN**

Mr. Holman stated that the grant is \$24,750. Springettsbury's share of that is \$12,375 and Spring Garden has approved their \$12,375 matching share at its last meeting. They will be forwarding a check to Springettsbury to put on record. Specifically the grant was targeted for bringing a consultant on board to help through the next 150 days. That was the whole point. The Township's share was budgeted.

**SCHENCK**

Chairman Schenck added that the Commission will have a meeting October 12<sup>th</sup> to get everyone on the same page as to expenses; what might be anticipated and what funds are available.

**MR. DVORYAK MOVED TO AUTHORIZE AWARDED THE PROFESSIONAL SERVICES CONTRACT TO CARROLL BURACKER & ASSOCIATES IN THE AMOUNT OF \$49,500 FOR PROFESSIONAL CONSULTING SERVICES RELATED TO IMPLEMENTATION OF THE YORK AREA UNITED FIRE AND**

**RESCUE SERVICE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Authorization to Award Contract for Construction of Public Works Pole Building to Dueck Construction in an amount not to exceed \$154,870.**

**SCHENCK** Chairman Schenck noted that a bid tabulation had been provided for the Board's review.

**MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO AWARD CONTRACT FOR CONSTRUCTION OF PUBLIC WORKS POLE BUILDING TO DUECK CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$154,870. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- D. Authorization to Award Contract for Electrical Services for Construction of Pole Building to Electroventions in an amount not to exceed \$17,705.**

**MR. GURRERI MOVED TO AUTHORIZE TO AWARD CONTRACT FOR ELECTRICAL SERVICES FOR CONSTRUCTION OF POLE BUILDING TO ELECTROVENTIONS IN AN AMOUNT NOT EXCEED \$17,705. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. LD-05-18 – Time Extension – Market Street Commons Add on Lots – Plan Expires 10/26/07 (New Plan Date 1/26/08)**
- B. SD-05-13 – Time Extension – Market Street Commons Add on Lots – Plan Expires 10/26/07 (New Plan Date 1/26/08)**
- C. SD-06-11 – Time Extension – Becker Tract Residential – Plan Expires 10/25/07 (New Plan Date 1/25/08)**
- D. SD-07-06 – Time Extension – Triplet Springs Residential – Plan Expires 10/26/07 (New Plan Date 1/26/08).**

**MR. BISHOP MOVED TO ACCEPT TIME EXTENSIONS AS LISTED ON THE AGENDA A THROUGH D. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- E. LD-07-09 – Graystone Bank – Plan Expires 11/14/07 (Action)**

**RAO** Mr. Rao presented the project background as stated in a October 11, 2007 memorandum. He reported that the plan is proposed for the northwest portion of Village Green Shopping Plaza to construct a 2,436 square foot Graystone Bank with three drive-through teller lanes. The plan was filed under the old Zoning Ordinance and Stormwater and SALDO. The bank is a permitted use in the Commercial Zone. Mr. Rao noted that the Planning Commission

had some concerns with the color scheme of the bank; however, they were satisfied with the compromise made and they had approved the plan. Mr. Rao provided a review of the plan history, project location, adjacent zoning district, aerial photo, present site, elevation and site layout plan. The Graystone Bank is characterized by the trademark of a white siding and blue roof. The Planning Commission was concerned that the color scheme would not blend in with the Olde East York area because of the brightness of the colors and the Planning Commission asked the developer to reconsider. They responded with gray siding and a stone face and with the blue roof kept as part of the trademark. Mr. Rao provided information on the waivers and conditions also identified in the memorandum. He introduced Mr. Bob Sandmeyer and Dick Arcuri representing Graystone Bank for any specific questions.

**SCHENCK**

Chairman Schenck stated he wanted to learn about the sidewalk and stormwater.

**LUCIANI**

Mr. Luciani explained that there are a number of mature trees that were planted in previous developments. Discussions at Staff Meeting resulted in the fact that it would not make any sense to eliminate those trees. They will supplement with some landscaping. With regard to the sidewalk along Royal Street, curb line and sidewalk and a four-foot grass strip is normally required with snow plowing in mind. The only deviation from the ordinance is that the sidewalk in a few locations goes up against the curb. With regard to stormwater, the whole lot is currently paved. Fudruckers currently collects and manages the water. Township ordinance would force them to take this whole site and assume it to be in grass meadow condition. That will not be done. This is a re-development type situation and they are allowed to count reducing runoff, but they are not managing it.

**SCHENCK**

Chairman Schenck asked about the maintenance program.

**LUCIANI**

Mr. Luciani responded that there is a maintenance requirement both for stormwater and for landscaping. It requires the owner provide some recourse in situations where, after a rainstorm and in the event trees had not been cut down, the owner would be required to maintain the water runoff. Those maintenance notes are both for stormwater and landscaping.

**DVORYAK**

Mr. Dvoryak asked whether it is safe to assume that, since there are no comments related to parking that there is adequate parking.

**HOLMAN** Mr. Holman noted that it will be office space with one half of the first floor being the VA Clinic.

**LUCIANI** Mr. Luciani responded that there are cross parking easements between the two properties in effect for 99 years. Because the property is under construction, there is nowhere to park for staff. The perception of a parking problem is only temporary and there will be extra spaces available when construction is completed. There is a lot of spillover parking occurring, but there is a mixed use of parking at different times of the day. The plan does meet parking restrictions.

**BISHOP** Mr. Bishop asked what stormwater facilities are included in the maintenance agreement.

**LUCIANI** Mr. Luciani responded that there is a collection system with inlets. The developer will obtain a PennDOT permit and connect directly to the Market Street system. They have an underground storage system in a basin. The Township requires a standard maintenance agreement.

**HOLMAN** Mr. Holman added that it is to make sure that the inlet, grates, temporary storage, etc. are kept clean and that it can maintain its capacity.

**MR. BISHOP MOVED WITH RESPECT TO LD-07-09 GRAYSTONE BANK TO APPROVE THE FOLLOWING WAIVERS AND MODIFICATIONS:**

- **WAIVER OF SALDO §289-10 PRELIMINARY PLAN;**
- **WAIVER OF SALDO §289-11B, PRELIMINARY PLAN SPECIFICATIONS;**
- **MODIFICATION OF SALDO §289-23.A FOR SIDEWALKS;**
- **MODIFICATION OF SALDO §289-26 FOR LANDSCAPING AND BUFFER YARDS;**
- **WAIVER OF STORMWATER §281-7.B FOR DESIGN CRITERIA OF STORMWATER MANAGEMENT FACILITIES.**

**MR. BISHOP MOVED TO APPROVE THE LD-07-09 GRAYSTONE BANK WITH THE FOLLOWING SIX CONDITIONS:**

- **CONDITIONED UPON PRELIMINARY FINAL PLAN WILL BE DRAWN ON LINEN OR MYLAR;**
- **CONDITIONED UPON PRIOR TO RECORDING THE FINAL PLAN THE BOARD OF SUPERVISORS SHALL BE ASSURED BY MEANS OF A PROPER COMPLETION GUARANTEE IN THE AMOUNT OF 110% OF THE COST OF GUARANTEED IMPROVEMENTS;**
- **ALL REQUIRED FEES SHALL BE PAID PRIOR TO RECORDING THE PLAN INCLUDING ENGINEERING, LEGAL AND ADMINISTRATIVE COSTS;**

- **ALL STORMWATER MANAGEMENT FACILITIES SHALL BE BONDED;**
- **STOP BAR MARKINGS IN CONJUNCTION WITH STOP SIGNS WILL BE ADDED AT ALL THE EXITS;**
- **A MAINTENANCE PROGRAM FOR STORMWATER MANAGEMENT SYSTEM WILL BE PROVIDED. THAT AGREEMENT AND A SCHEDULE FOR INSPECTION AND CLEANING WILL BE INCLUDED AS A NOTE ON SHEET 2 OF THE PLAN SET.**

**MR. BOWMAN WAS SECOND.**

**GURRERI** Mr. Gurreri asked about the guaranteed amount of 110% and why it is not 100%.

**LUCIANI** Mr. Luciani responded that it is a Municipal Planning Code requirement. Required improvements are erosion control, stormwater, landscaping, sidewalks, and traffic control devices. The MPC specifically states 110% at the time when the improvements are expected to be completed.

**MOTION UNANIMOUSLY CARRIED.**

**F. LD-07-12 - Wellspan Administrative Offices – Plan Expires 12/31/07 (Action).**

**RAO** Mr. Rao presented background information regarding LD-07-12, which was documented in a October 11, 2007 memorandum. He explained that the plan proposed a building expansion at 3350 Whiteford Road of approximately 19,435 square feet with improved and expanded parking area with 195 spaces. The project is located in Mixed Use Zoning, and was filed under the new Zoning Ordinance. Planning Commission recommended approval to the Board with several waivers and conditions also documented in the memorandum. Mr. Rao provided the highlights including a plan history, project location, adjoining Zoning District, aerial photo, present site, present site of expansion, present site along Mt. Zion Road, existing conditions, parking and proposed plan, and architectural renderings. He indicated that Mr. Bob Sandmeyer and the Wellspan representatives were present for questions.

**SCHENCK** Chairman Schenck reported that he had received a copy of the York County Planning Commission comments, which are determined to be consistent.

**SCHENCK** Chairman Schenck asked whether the location of any required buffer yards adjacent to the Commercial Highway zoning district should be located on the plan.

- LUCIANI** Mr. Luciani responded that he was correct. The property is open space. The only commercial highway is across Route 30.
- SCHENCK** Chairman Schenck asked whether it should be zoned. He did not want to cause any inconsistencies.
- LUCIANI** Mr. Luciani stated that it is a condition that they cannot resolve. Comments had been addressed in staff, one of which was that there is a Type 2 buffer line. The argument made concerned a big basin and why the basin would be buffered from the road, inasmuch as it is a vegetated area. The strict interpretation of the ordinance would require buffering. The developer had no problem buffering the parking lot and the building, but buffering the basin did not make sense; thus, the requested waiver.
- SCHENCK** Chairman Schenck noted the Fire Chief's comments requesting the replacement of a pipe timing connection with a five-inch Storch.
- RAO** Mr. Rao responded that the pipe replacement would be more of a building code issue.
- SANDMEYER** Mr. Sandmeyer stated that it had been noted on the plan that it will be changed to a Storch connection.
- SCHENCK** Chairman Schenck suggested that the Board consider the elimination of the two County conditions to avoid any confusion. He asked what was requested in the Developers Agreement.
- LUCIANI** Mr. Luciani reported that lengthy discussions had occurred both at the Planning Commission and staff level concerning the sidewalk along Williams Road.
- GURRERI** Mr. Gurreri commented that there was sidewalk on Williams Road.
- LUCIANI** Mr. Luciani stated that there is no sidewalk on one side of the road, but the developer will install one. There was a lengthy discussion about pedestrian movements and the possibility of putting in a crosswalk. As a result, they are going to add crosswalks and provide sidewalks along Mt. Zion. A previous traffic plan proposed some traffic changes and some re-striping to improve visibility at that intersection. That plan was provided to the developer, and in the Developer's Agreement they agreed to implement those changes to allow pedestrian movements. In addition, their traffic study indicates they have a 2% hit on Pleasant Valley and Mt. Zion and they will pay a percentage of the traffic improvement.

**MR. BISHOP MOVED WITH REFERENCE TO LD-07-12, WELLSPAN ADMINISTRATIVE SERVICE BUILDING EXPANSION PRELIMINARY/FINAL LAND DEVELOPMENT PLAN, TO APPROVE THE FOLLOWING WAIVERS:**

- **WAIVER OF SALDO §289-10, PRELIMINARY PLAN SUBMITTAL;**
- **WAIVER OF SALDO §289-35 REQUIRING INSTALLATION OF TYPE 2 BUFFER YARD BETWEEN THE PROJECT SITE AND U.S. ROUTE 30;**
- **WAIVER OF STORMWATER §281-7.G REQUIRING THE MINIMUM BOTTOM SLOPE OF ALL DETENTION BASINS SHALL HAVE A MINIMUM BOTTOM SLOPE OF 4% IN UNPAVED AREAS AND 1% IN PAVED AREAS.**
- **WAIVER OF STORMWATER SALDO §281-7.1 BASIN SIDE SLOPES**
- **WAIVER OF SALDO §289-23.A – CURBING;**

**FURTHER WITH RESPECT TO THE SAME LAND DEVELOPMENT PLAN, MR. BISHOP MOVED TO APPROVE THE PLAN WITH CONDITIONS 1 THROUGH 7 AS FOLLOWS:**

- **SALDO §289-12.C & 38.C PRIOR TO RECORDING OF FINAL PLAN, THE BOARD OF SUPERVISORS SHALL BE ASSURED BY MEANS OF A PROPER COMPLETION GUARANTEE IN AN AMOUNT OF 110% OF THE COST OF THE REQUIRED IMPROVEMENTS.**
- **SALDO §289-68.D ALL REQUIRED FEES SHALL BE PAID PRIOR TO RECORDING OF THE PLAN FOR ENGINEERING, LEGAL AND/OR ADMINISTRATION COSTS;**
- **PENNDOT HIGHWAY OCCUPANCY PERMIT IS APPROVED;**
- **SALDO §289-13.A PRELIMINARY PLAN SHALL BE DRAWN ON MYLAR MATERIAL;**
- **SALDO §289-35.E.3 THE APPLICANT MAY BE REQUIRED TO ESCROW SUFFICIENT FUNDS FOR THE MAINTENANCE AND/OR REPLACEMENT OF THE PROPOSED VEGETATION FOR LANDSCAPING FOR AN 18-MONTH PERIOD;**
- **STORMWATER §281-11 THE TOWNSHIP SHALL ACCEPT DEPOSIT REGARDING FINANCIAL SECURITY OF THE COST OF STORMWATER MANAGEMENT FACILITIES;**
- **A DEVELOPERS AGREEMENT IS APPROVED BETWEEN THE TOWNSHIP AND APPLICANT.**

**MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. SD-07-05 – Wachovia Bank – Plan Expires 11/30/07 (Action)**

**RAO**

Mr. Rao presented background on the plan which was documented in a October 11, 2007 memorandum. He provided the highlights of the reverse subdivision plan. Presently there are two separately-owned parcels at the site owned by two different owners. The

reverse subdivision will combine both lots into one parcel to allow for the bank. It is filed under the old Zoning Ordinance. Banking is a permitted use within the zone. He reviewed the plan history, project location, adjacent zoning district, aerial photos, before reverse subdivision and after the reverse subdivision. Planning Commission recommended approval with several waivers and conditions identified in the memorandum. Mr. Rao introduced Anne Anderson of CEDG Engineers along with Mr. Bob McDevitt of Wachovia Bank to answer any specific questions.

**SCHENCK** Chairman Schenck inquired about the comment on electronic files. His understanding was that the Township required Mylar.

**LUCIANI** Mr. Luciani responded that electronic files are useful to provide to the GIS provider. The files will be drawn on both Mylar and sent electronically.

**ANDERSON** Ms. Anderson stated that they will provide the final plan on Mylar, just not the preliminary plan.

**BISHOP** Mr. Bishop asked why the completion guarantee of 110% of the required improvements would be a condition.

**LUCIANI** Mr. Luciani responded that the buffer requirements are included in the improvements for a subdivision plan. There is no stormwater. The property corners are required improvements so if they're going to do a subdivision, the six corners must be set. The subdivision ordinance requires mandatory improvements and that requires 110%. In addition, if, for some reason, they would decide not to build the building and combine those lots, the corner stones need to be set.

**BISHOP** Mr. Bishop asked why the subdivision would be contingent upon getting an HOP from PennDOT.

**HOLMAN** Mr. Holman noted that the condition is in both the subdivision and the land development plan.

**RAUSCH** Solicitor Rausch noted that it would not be needed. He asked Mr. Luciani whether there are rights-of-way for the access way from Eastern Boulevard to Market Street.

**LUCIANI** Mr. Luciani stated that there is a 20 foot access easement through to the drug store from Market Street all the way to Eastern Boulevard. As part of this plan it was pointed out that it needs to

be paved and they're going to overlay the area. There's a common access drive, and the drug store controls this property.

**MR. BOWMAN MOVED WITH REFERENCE TO SD-07-05, WACHOVIA BANK PRELIMINARY/FINAL SUBDIVISION PLAN, I MOVE TO APPROVE THE FOLLOWING WAIVERS:**

- **WAIVER OF SALDO §289-11.A, PRELIMINARY PLAN;**
- **WAIVER OF SALDO §289-11.B., PRELIMINARY PLAN DRAWN ON MYLAR;**
- **WAIVER OF SALDO §289-13.A, PLAN SCALE;**
- **WAIVER OF SALDO §289-26.C., BUFFER YARD DEPTH.**

**WITH REFERENCE TO SD-07-05, WACHOVIA BANK PRELIMINARY/FINAL SUBDIVISION PLAN, MR. BOWMAN MOVED TO APPROVE THE FOLLOWING CONDITIONS:**

- **SALDO §289-12.C & -38.C; PRIOR TO RECORDING OF FINAL PLAN, THE BOARD OF SUPERVISORS SHALL BE ASSURED BY MEANS OF A PROPER COMPLETION GUARANTEE IN AN AMOUNT OF 110% OF THE COST OF THE REQUIRED IMPROVEMENTS;**
- **SALDO §289-68.D, ALL REQUIRED FEES SHALL BE PAID PRIOR TO RECORDING OF THE PLAN FOR ENGINEERING, LEGAL AND/OR ADMINISTRATION COST;**
- **SALDO §289-11.B.5, NAME, SEAL AND SIGNATURE IS NEEDED FOR THE REGISTERED SURVEYOR RESPONSIBLE FOR THE SITE;**
- **SALDO §289-11.B.25, OWNER'S NOTARIZED SIGNATURE MUST BE PROVIDED ON PLAN COVER SHEET;**
- **A DEVELOPERS AGREEMENT IS APPROVED BETWEEN THE TOWNSHIP AND APPLICANT.**

**MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**H. LD-07-05 – WACHOVIA BANK – PLAN EXPIRES 11/30/07 (ACTION)**

**RAO**

Mr. Rao provided background on the plan, as documented in a October 11, 2007 memorandum. The proposed plan will develop the northwest corner of Eastern Boulevard and Haines Road intersection with construction of a 4,000 square foot Wachovia Bank with four drive-through teller lanes. The bank is a permitted use in the Commercial Zoning District and was filed under the old Zoning Ordinance. As part of the land development plan, adequate parking, shared driveway with Walgreen's, landscaping and curb/sidewalk will be done. He stated that a Developers Agreement is yet to be finalized. Mr. Rao provided highlights of the plan, history, project location, adjacent zoning district, present aerial photo, present site, elevation views, proposed site plan and site rendering. The Planning Commission recommended approval

with several waivers and conditions also documented in the October 11<sup>th</sup> memorandum.

**BISHOP**

Mr. Bishop asked for an explanation of the condition regarding the access agreement.

**RAO**

Mr. Rao responded that the developer must provide a copy of the existing access agreement. However, they have to negotiate for a stormwater access agreement. The Township needs a copy with an original signature before the plan is recorded.

**LUCIANI**

Mr. Luciani added that they are running their stormwater into an existing inlet on the Walgreen's property. That all occurs within the common access agreement, so approval of that common access agreement has to occur.

**CAPPUCCIO**

Mr. Mark Cappuccio, representative of Wachovia Bank stated that the access agreement exists and had been in place for several years. A stormwater agreement had been negotiated with Walgreen's and, as of this date, was accepted. The legal descriptions can be provided to the Township.

**SCHENCK**

Chairman Schenck indicated that the Township would want copies of both the access agreement and the stormwater agreement.

**BISHOP**

Mr. Bishop asked for clarification on the HOP numbers for access drives.

**LUCIANI**

Mr. Luciani stated that the driveway has a HOP which provides them access; however, because they are putting in a new curb line on Haines Road, the question was whether they could start construction because it will take some time to get an HOP for the modifications. The condition is the HOP. They will add those HOP numbers to the plan, but they are making modifications to Haines Road.

**CAPPUCCIO**

Mr. Cappuccio stated that there was an issue they wanted to discuss. They had received a letter from PennDOT raising an issue about a right turning lane on Haines Road into the property. The Bank had not anticipated that and the magnitude of the cost became a serious issue. He had reviewed this with the Engineer, Anne Anderson, and the Traffic Engineer, Chris Schwab, and both indicated that the issue is somewhat standard on all PennDOT letters for decision. Some discussions were held with Mr. Luciani, Mr. Rao and Mr. Holman and ultimately with PennDOT, which

indicated they would be in agreement with the Township's decision.

**SCHWAB** Chris Schwab, TRG, explained that PennDOT's letter indicated the need for right turn lanes on Haines Road should be investigated. Traffic will not be moving fast in that area of Haines Road and should not be an issue. It is not justified in this case because there is no need for a deceleration lane. If the township is supportive of that, PennDOT will not require it as part of the HOP application.

**BISHOP** Mr. Bishop asked whether the right-turn lane is a concept that is coming out of the Haines Road-Memory Lane Study that the Township did some time ago.

**SCHWAB** Mr. Schwab responded that it is not. It is strictly based upon the amount of turns into the bank. A Traffic Impact Study had been done, which revealed 60 right turns in the p.m. peak hour and 51 Saturday p.m. peak hour counts. PennDOT's criteria is 40 or more and then becomes an engineering decision.

**BISHOP** Mr. Bishop asked whether he had reviewed the Memory Lane Study that had been done some time ago.

**SCHWAB** Mr. Schwab responded that, yes, he had as TRG helped prepare the study. However, that study had five lanes through the entire corridor with no right turns into private commercial businesses.

**CAPPUCCIO** Mr. Cappuccio stated that one of the things offered to the Township is to dedicate the right-of-way. In addition, the bank agreed to install an emergency pre-emption device at the intersection. On Eastern Boulevard there were some questions about turning at the intersection and the bank had agreed to re-stripe that area of Eastern at the intersection of Haines. They offered to pay a \$20,000 contribution towards the improvements already done to Haines. One additional note of concern is that the Bank will not own the Walgreen's property.

**BISHOP** Mr. Bishop asked whether the township already had right-of-way in front of Walgreen's.

**SCHENCK** Mr. Schenck asked Mr. Luciani if the proposed right-of-way would allow for the widening.

**LUCIANI** Mr. Luciani responded that he thought the Township has the right-of-way. However, this site was not part of it. When they're done

it will allow for the extra lane. The right-of-way they would be granting matches what Walgreen's has.

**RAUSCH** Solicitor Rausch stated that was being handled as a note on the plan. The additional items will be covered in the Developer's Agreement.

**HOLMAN** Mr. Holman indicated that he and the Solicitor have been working on the contributions toward the improvements including the pre-emption device. Although not part of the motion, he would need to know whether or not it would be consistent with what is being done to sign off on a letter to say that the Township will not require that as part of this plan.

**SCHENCK** Chairman Schenck asked what the Planning Commission determined.

**LUCIANI** Mr. Luciani stated that the determination made at the Planning commission meeting was that the right-turn lane would not be significant.

**SCHENCK** Chairman Schenck indicated he supported the fact of having the right-of-way for future road improvements; however, he did not see the need for a right-turn lane. He reminded the Board to be specific in any motion.

**RAUSCH** Solicitor Rausch indicated that in terms of the financial security, the Bank will be submitting an escrow agreement, which is being negotiated between the Township and the Bank.

**MR. BISHOP MOVED WITH REFERENCE TO LD-07-05, WACHOVIA BANK LAND DEVELOPMENT PLAN, TO APPROVE THE FOLLOWING WAIVERS:**

- **WAIVER OF STORMWATER §281.7.B, DESIGN CRITERIA STORMWATER MANAGEMENT FACILITIES;**
- **WAIVER OF SALDO §289-11.A, PRELIMINARY PLAN SUBMITTAL;**
- **WAIVER OF SALDO §289-11.B, PRELIMINARY PLAN DRAWN ON LINEN OR MYLAR;**
- **WAIVER OF SALDO §289-26.C, BUFFER YARD DEPTH;**
- **WAIVER OF SALDO §289-27, STREETLIGHTS;**

**AND FURTHER MOVE TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **SALDO §289-12.C & -38C, PRIOR TO RECORDING OF FINAL PLAN, THE BOARD OF SUPERVISORS SHALL BE ASSURED BY MEANS OF A PROPER COMPLETION GUARANTEE IN AN AMOUNT OF 110% OF THE COST OF THE REQUIRED IMPROVEMENTS;**

- **SALDO §289-32.1, DEVELOPER WILL PROVIDE A COPY OF THE EXISTING RECORDED ACCESS AGREEMENT WITH THE WALGREEN'S PROPERTY AND THE NEW STORMWATER EASEMENT AGREEMENT TO BE NEGOTIATED;**
- **SALDO §289-68.D, ALL REQUIRED FEES SHALL BE PAID PRIOR TO RECORDING OF THE PLAN FOR ENGINEERING, LEGAL AND/OR ADMINISTRATION COSTS;**
- **PENNDOT HIGHWAY OCCUPANCY PERMIT IS APPROVED;**
- **A DEVELOPERS AGREEMENT IS APPROVED BETWEEN THE TOWNSHIP & APPLICANT;**
- **SALDO §289-11.B.5, NAME, SEAL, AND SIGNATURE IS NEEDED FOR THE REGISTERED SURVEYOR RESPONSIBLE FOR THE SITE;**
- **SALDO §289-11.B.25, OWNER'S NOTARIZED SIGNATURE MUST BE PROVIDED ON PLAN COVER SHEET.**

**MR. BOWMAN WAS SECOND.**

**BISHOP** Mr. Bishop asked whether the developer had been provided a copy of the briefing memorandum provided to the Board.

**RAO** Mr. Rao responded that they had not.

**BISHOP** Mr. Bishop noted that they probably should be and gave them his copy.

**MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**SCHENCK** Chairman Schenck reported that he received a call from President Commissioner Mitrick asking him to attend a ceremony at Bradley Academy in reference to their library. Bradley is changing its name and will conduct a ceremony and they wanted the Supervisors to attend to acknowledge Springettsbury's participation in that.

**SCHENCK** Chairman Schenck stated that he had received a letter from Jennifer Campbell. He noted that she was the individual with the Snyder Snack Food truck.

**BISHOP** Mr. Bishop commented that he was surprised she was not present and added that all of the Supervisors had received the letter.

**GURRERI** Mr. Gurreri indicated that it seemed a shame that we can't accommodate the truck parking there if that's the person's livelihood.

**BISHOP** Mr. Bishop wanted to recognize the entire staff and all the volunteers who contributed toward Saturday in the Park. It was an unbelievable success this year. The staff had really adopted the project and a lot of people took their time to come out and volunteer. The Manager had Public Works involved this year, and it significantly improved the event. The Police and Fire Department were involved and it all worked really well.

**HOLMAN** Mr. Holman added that it is an all-hands effort and everybody enjoys it.

**GURRERI** Mr. Gurreri commented that it is nice when you go and see all these people from the real young to the mature individual, different kinds of people. Over 3,000 people were there and they're all sitting there having a good time clapping and listening to music. It's just great to see that bringing our community together.

**BISHOP** Mr. Bishop added that David Wendel and Teri Gilfillan especially spent a lot of time on the event to make it work.

**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 reported he had one item for the record. There was a question with regard to the escrow payments and charges at the last meeting. He noted that the matter had been investigated and he had provided information to the Board that the escrow were properly charged and billed.

**11. ORDINANCES AND RESOLUTIONS:**

**A. Ordinance 07-17 – Amending Zoning Ordinance to Provide for Certain Permitted Uses in the Flexible Development District.**

**MR. GURRERI MOVED TO APPROVE ORDINANCE 07-17 AMENDING ZONING ORDINANCE TO PROVIDE FOR CERTAIN PERMITTED USES IN THE FLEXIBLE DEVELOPMENT DISTRICT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 07-50 – Recognition of Sergeant Gregory A. Witmer**

**MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION NO. 07-50 – RECOGNITION OF SERGEANT GREGORY A. WITMER. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – September 27, 2007**

**MR. GURRERI MOVED TO APPROVE MINUTES OF BOARD OF SUPERVISORS MEETING SEPTEMBER 27, 2007 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION CARRIED. MR. BOWMAN ABSTAINED AS HE WAS NOT PRESENT.**

**B. Board of Supervisors Budget Work Session – October 3, 2007**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS BUDGET WORK SESSION OCTOBER 3, 2007 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION CARRIED. MR. BOWMAN AND MR. SCHENCK ABSTAINED AS THEY WERE NOT PRESENT.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS::**

**BISHOP** Mr. Bishop requested an Executive Session to discuss a personnel matter.

**Consensus of the Board was to meet for an Executive Session immediately following adjournment.**

**15. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 3, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, October 3, 2007 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN ATTENDANCE:** Don Bishop, Vice Chairman  
Nick Gurreri  
George Dvoryak

**MEMBERS NOT PRESENT:** Bill Schenck, Chairman  
Mike Bowman

**ALSO PRESENT:** John J. Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
Jack Hadge, Director of Finance  
Mark Hodgkinson, Director of Wastewater Treatment  
Sandy Ratcliffe, Deputy Director of Finance  
Michael Schober, P.E., Environmental Engineer

The Board of Supervisors held budget work session number one on the above date and time. The purpose of the work session was to discuss the 2008 proposed Sewer Fund budget.

Vice Chairman Bishop called the meeting to order at 7:05 a.m.

Mr. Holman distributed 2008 budget review discussion papers to the Board of Supervisors. He explained that this initial work session will concentrate on Fund 80, Sewer Fund, and associated Springettsbury Township Sewer Capital and Springettsbury Township Sewer Inter-Municipal Capital Funds. Both the proposed budgets and the proposed new rate structure which is required to support sewer system funding requirements over the next five years.

He added that the Sewer Fund has been under constant review over the past few years. The reason for this is fairly simple; the Township and its user group partners have been aware of the Chesapeake Bay Agreement and the associate bio-nutrient reduction program. The costs associated with this program, as they apply to the treatment plant, are estimated to be \$30,000,000. Approximately 53% of the thirty million dollars will be the responsibility of Springettsbury Township.

Mr. Holman explained that the Township has also been working on a long range plan for improvements to its sewer infrastructure in order to maintain the quality of service currently provided by the Township over the next ten to twenty years. This report was provided to the Board of Supervisors under the title Springettsbury Township Collection System Long Range Planning Study, dated December 2006.

Finally, Mr. Holman stated the 2008 proposed budget is \$8,247,000 compared to the 2007 approved budget of \$7,369,000. The increase in the budget (12%) is due to the debt service which has increased by \$878,000. This cost is directly related to the BNR program

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 3, 2007  
APPROVED**

requirements. The overall budget, without the increase in debt, would have shown a 2% decrease compared to the 2007 approved Sewer Fund budget.

The Board asked staff various questions regarding the proposed rate increase and long term funding for residential and commercial sewer users.

Mr. Dvoryak requested staff prepare a comparison based upon maintaining the base usage number.

Additional Budget Work Sessions

Mr. Holman stated he would propose additional budget work session meeting dates and email them to the Board. The Board indicated a preference for 7:00 a.m. meetings.

Vice Chairman Bishop adjourned the meeting at 8:30 a.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION – TAX COLLECTION**

**SEPTEMBER 27, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, September 27, 2007 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
George Dvoryak

**MEMBERS NOT IN ATTENDANCE:** Nick Gurreri  
Mike Bowman

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Harish Rao, Economic and Community Development  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6:45 p.m.

**HOLMAN** Mr. Holman introduced Michael Hill, Vice President, Tax Compliance, Central Tax Bureau of Pennsylvania, Inc. They previously had provided a proposal for the board's review. Mr. Holman indicated that Mr. Hill was present to follow through. Mr. Holman further stated that the board had been reviewing a method of auditing the Mercantile and Business Tax issue. The Central Tax Bureau offers additional services including the Deputy Tax Collector position. Mr. Holman added that he and Mr. Hill had discussed the issues with the Township's Tax Collector, the Finance Officer and the Treasurer. He asked Mr. Hill to discuss the proposal.

**HILL** Mr. Hill thanked the Board for the opportunity to provide a presentation and further discuss the proposal. A summary of his presentation follows:

- Central Tax Bureau of Pennsylvania provides collection of Earned Income Tax, Business Privilege, Real Estate, Water, Sewer and other fees and taxes.
- Clients include over 850 municipalities and school districts in Pennsylvania.
- Expertise is provided in the audit discovery, collection and recovery of current and delinquent taxes.
- Tax role review is done with the Tax Collector and the use of their software database for a target segment of businesses to audit.
- Guidelines are established for audit selection.
- Experienced with Act 50, Taxpayer Bill of Rights and Act 511
- Software helps to ensure everyone is paying a fair share of taxes.

**HILL** Mr. Hill stated that a client listing had been provided to the Township for reference. In addition they provided sample audits. The Tax Collector

would provide a listing of taxpayers and amounts for review. Because of familiarity, the Tax Collector would suggest those selected for audit. Mr. Hill noted that a sample letter for Deputy Tax Collector would have to be executed prior to the beginning of service. He stated that they have a certificate of liability insurance and mentioned that they are very familiar with litigation cases in Pennsylvania.

**SCHENCK** Chairman Schenck asked for the number of clients for which they serve as Deputy Tax Collector.

**HILL** Mr. Hill responded that the number was between 50 and 100.

**SCHENCK** Chairman Schenck asked for clarification of the Deputy Tax Collector position since Springettsbury has an elected Tax Collector position.

**HOLMAN** Mr. Holman responded that the Tax Collector would appoint the Deputy Tax Collector who actually will do the collection.

**SCHENCK** Chairman Schenck asked who some of their typical clients might be.

**HILL** Mr. Hill responded that they collect Real Estate Taxes in Chester County for Pocopson and Charlestown Township.

**SCHENCK** Chairman Schenck stated that they must be First Class townships.

**HILL** Mr. Hill stated that it was not common for the elected Tax Collector to be the Business Privilege Tax Collector. In the Philadelphia, Pittsburgh and Wilkes Barre area, the Township usually handles those taxes. He added that their experience in discovery and collecting business taxes sets them apart from other firms. They always take a fair share approach. They outpace the Department of Revenue and the Internal Revenue Service with the percentage of businesses audited.

**HOLMAN** Mr. Holman stated that the Tax Collector felt very comfortable that they would review the books under her preview.

**HILL** Mr. Hill stated that they seemed to have a good rapport.

**SCHENCK** Chairman Schenck noted that there are other firms that do this under a business model. He asked Mr. Hill how they would handle that as many businesses are very complicated in determining their sources of revenue.

**HILL** Mr. Hill responded that they would refer to the Bill of Rights. They would be notified of an audit 30 days in advance along with extensions if needed. The firm would work with them but not be heavy handed.

**DVORYAK** Mr. Dvoryak asked how they would handle a dispute; for instance with the methodology used to assess the taxes versus the interpretation of the ordinance.

**HILL** Mr. Hill responded that Act 50 provides the taxpayer a Right of Review by either a Township Committee or a Hearing Officer. The ordinances would be reviewed in advance. They would review the accuracy of all information as well.

**DVORYAK** Mr. Dvoryak asked how far back they would review on an assessment.

**HILL** Mr. Hill responded that an initial review is three years.

**BISHOP** Mr. Bishop asked Mr. Hill to explain the methodology behind determining which delinquent accounts to audit.

**HILL** Mr. Hill responded that they would take listing that is represented from the Tax Collector and merge them with their database. That database provides a filter of Dun and Bradstreet reports along with number of employees, type of business, what they had reported and identifies red flags.

**HOLMAN** Mr. Holman asked whether they do random audits as well.

**HILL** Mr. Hill responded that they do just select random businesses to audit.

**BISHOP** Mr. Bishop asked for an explanation of the basic structure behind how they are compensated.

**HILL** Mr. Hill responded that the contractual terms would be compensation at one half an amount equal to one half of the penalty and interest assessed by the Taxpayer for audits that are presented by the Tax Collector of the Township. If no taxes are turned up, they would be compensated at \$50.00 an hour. An eight-hour cap was suggested, and over and above that express approval would be requested from the Township

**SCHENCK** Chairman Schenck asked whether they had worked under any different terms or models.

**HILL** Mr. Hill responded that they had not. In some circumstances they do care and administration but with the same standard contract to our current administration clients.

**SCHENCK** Chairman Schenck asked how the company would be compensated.

**HILL** Mr. Hill responded that the Township would compensate the firm.

- BISHOP** Mr. Bishop asked whether they are paid separately for acting as the Deputy Tax Collector.
- HILL** Mr. Hill stated that the contract calls for the Township to make payments directly not as a third party. He stated that the rationale is that they are recovering delinquent taxes and are being compensated by the penalty and interest provisions of that, i.e., one half of money that would normally not be collected.
- SCHENCK** Chairman Schenck stated that he was interested specifically in their services, for whatever reason, if the Tax Collector would be unable to perform the duties of Tax Collector. He asked whether their company could perform the entire service and how they would be compensated for that.
- HILL** Mr. Hill responded that they would charge a small percentage for current collections, which is normally between one and three quarters to two percent for a township of Springettsbury's size.
- SCHENCK** Chairman Schenck noted that the Township would still have to pay the Tax Collector.
- HOLMAN** Mr. Holman responded that he was correct.

**2. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 6:59 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**SEPTEMBER 27, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, September 27, 2007 at 6 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
George Dvoryak (6:15 p.m.)

**MEMBERS NOT** Nick Gurreri  
**IN ATTENDANCE:** Mike Bowman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Harish Rao, Economic and Community Development  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6 p.m. He stated the purpose of the meeting was a review of insurance services.

**2. CBIZ Insurance Services, Inc. Presentation**

**MAYERS** Mr. Michael A. Mayers, CIC, CPCU, AAI representative of CBIZ Insurance Services, Inc. provided a PowerPoint presentation with regard to Public Officials and Liability insurance

An overview of Mr. Mayers presentation included: Public Officials and Liability Coverage, Duties and Responsibilities, Duty of Care/Diligence, Loyalty, Obedience, Claims, Avoiding Problems including Employment Problems, Police Professional Coverage. He also discussed Pennsylvania Political Subdivision Tort Claims including the General Rule of Immunity and Exclusions.

**HOLMAN** Mr. Holman asked Mr. Mayer to explain the review of the joint fire services. He added that both Chairman Schenck and Mr. Bishop serve on that Commission.

**MAYER** Mr. Mayer explained that the individual's coverage falls under the Public Officials Coverage. The Commission itself buys its own coverage. The Errors and Omissions coverage will come from that particular policy.

**MAYER** Mr. Mayer reported that an additional item that was recently changed was in the Mutual Aid Agreement. The new proposed agreement includes a hold harmless agreement to hold the township police officers and

department harmless for activities resulting from any mutual aid situations.

**DVORYAK** Mr. Dvoryak asked whether he understood correctly that there is \$3 million in coverage for the Public Officials Liability and whether Mr. Mayer could comment on the factors used to arrive at \$3 million.

**MAYER** Mr. Mayer responded that \$3 million was the correct figure but he could not comment as to what would be adequate. He explained that there are many factors involved, such as the marketplace, the particular activities, size of other townships, higher limits. Budget constraints are an added factor.

**DVORYAK** Mr. Dvoryak stated that he thought it was relatively inexpensive coverage for liability issues.

**MAYER** Mr. Mayer indicated that Public Officials coverage is not very expensive.

**DVORYAK** Mr. Dvoryak asked how long the \$3 million in coverage had been in place.

**HOLMAN** Mr. Holman responded that it had been in place since 2001. He added that there are separate coverages for General Liability, Police and others.

**MAYER** Mr. Mayer added that Public Official coverage is for the issues, general liability for slip and fall occurrences, and automobile liability is separate.

**HOLMAN** Mr. Holman stated that each coverage has different limits on the total costs or aggregates. Within the \$3 million, if a claim is made during one year, the next year the \$3 million new policy period begins again.

**MAYER** Mr. Mayer explained that he is the Risk Manager for CBIZ. There are 5,000 employees. When the company is sued, the first thing to do is call the General Counsel to see what actually happened. People can sue for any kind of allegations and, in fact, when all of the information is obtained, the allegation never occurred. His suggestion is to get all of the information first before making a judgment.

**SCHENCK** Chairman Schenck asked how he would evaluate situations where someone does something out of bounds.

**MAYER** Mr. Mayer responded that the carrier will make that decision and will defend their decision with what is called a Reservation of Rights. They will reserve the right to decline their decision later if they find other information to the contrary.

- SCHENCK** Chairman Schenck posed a scenario where during a meeting, if any one board member goes down a path that maybe others of the board sense could be a problem, what would be the appropriate thing to expect to happen.
- MAYER** Mr. Mayer responded that there are the internal policies and procedures in place but if possible, he would delay anything until discussing it with the Solicitor. There are some resources at the state level as well. It would be internal for the time being, but it could get public, and that is where it goes to straight due process.
- SCHENCK** Chairman Schenck indicated he was thinking more of something that would happen in the heat of the moment. For instance, if one supervisor were to make a comment or suggest an action or make a motion, to fire an employee. He asked what would be the proper way to handle that from the insurance carrier's perspective.
- MAYER** Mr. Mayer responded that it should be addressed at that moment. Once everyone leaves the meeting it becomes a piece of the minutes and gives everyone time to think. It may have a tendency to grow.
- SCHENCK** Chairman Schenck stated that his question came from a conversation with another chairman, who had called him the next morning and discussed a situation where he should have softened the discussion.
- MAYER** Mr. Mayer indicated that it should be dealt with at the particular time
- HOLMAN** Mr. Holman stated that, in accordance with the internal meeting rules, there is never any discussion about personnel matters during Board of Supervisors meetings. There have been occasions where boards might break for a few minutes for discussion and come back into the session.
- MAYER** Mr. Mayer added that his experience taught him to just be quiet until he can defer action. He is a firm believer in using the resources you have with the Solicitor in place.
- HOLMAN** Mr. Holman reported that he and Mr. Mayer meet every quarter to review all insurance claims. They also have reviewed other issues such as Saturday in the Park to be sure that coverages are in place. Environmental is one that was reviewed as it is up for renewal again. All documentation is in place.
- MAYER** Mr. Mayer added that the quarterly review provides the opportunity to keep abreast of new developments and provide input prior to having any agreements in place.

**SCHENCK** Chairman Schenck stated that he appreciated that. He asked who carried the coverage for the volunteer fire companies.

**HOLMAN** Mr. Holman responded that they carry their own coverage through VFIS; however, the Township covers Workman's Comp for the fire companies.

**MAYER** Mr. Mayer suggested that when the merger of fire companies takes place, both policies should be merged into one policy for a single basis for the entire entity.

**SCHENCK** Chairman Schenck stated he appreciated Mr. Mayer's presentation and thanked him for his input.

**3. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 6:40 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 27, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 27, 2007 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
George Dvoryak  
Nick Gurreri (7:40 p.m.)

**MEMBERS NOT**

**IN ATTENDANCE:** Mike Bowman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Harish Rao, Economic and Community Development  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Dave Eshbach, Chief, Police Department  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Regular Meeting of the Board of Supervisors to order at 7 p.m.

**A. Opening Ceremony**

**SCHENCK** Chairman Schenck led the Pledge of Allegiance. He noted that Mr. Bowman will not be in attendance this date, and Mr. Gurreri will be joining the session later due to some other obligations.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that there were no Executive Sessions since the last meeting, and none were anticipated for this date.

**3. COMMUNICATIONS FROM CITIZENS:**

**STUHRE** Mr. Charles Stuhre, 3680 Trout Run Road brought several items forward. He stated that the new Concord Road improvement is wonderful with one minor problem. The two left turn lanes

eastbound have no demarcation lines to keep vehicles in their lane of travel. He noted that the traffic light is very short cycled. Mr. Stuhr asked what happened to the PVR improvement for left eastbound turns at Pleasant Valley Road. He mentioned a sunken manhole on Mt. Zion Road north slope, which is unavoidable to motorists. It is about 400 feet north of where the paving ends.

**SCHENCK** Chairman Schenck asked Mr. Luciani if he had noted the location.

**LUCIANI** Mr. Luciani responded that he had and would check on it.

**Deininger/Mt. Zion Roads**

**TRASBORG** Mr. Kirk Trasborg, 3475 Deininger Road, spoke about his and his neighbor's concern with the recent work done to the Deininger Road/Mt. Zion intersection. He acknowledged that before the work was done it was a very difficult intersection to navigate. It was dangerous with low visibility pulling out. The work that PennDOT did increase the width of the road, added two turn lanes and created more of a turn at the intersection. The stop line was pulled back and a retaining wall of several feet was added. The intersection has less visibility now than it had before. Mr. Trasborg, Mr. Luciani, State Representative Keith Gillespie and the state and county engineers met at the intersection to look at it, and everyone agreed that it is a very dangerous situation. He pointed out the additional traffic for Central School, the new shopping center and some 50,000 visitors to the park for Christmas Magic. All of these motorists will have to navigate the intersection. Some discussion was held concerning short-term solutions, such as blacking out the right-hand lane, painting directional arrows, bringing the stop line forward. A long-term solution might mean removing more of Mr. Rohrbaugh's property at that corner.

Mr. Trasborg requested that the Township use whatever means possible to continue to motivate, monitor the situation, work with the state and county and Mr. Rohrbaugh for short and long-term solutions.

**SCHENCK** Chairman Schenck thanked Mr. Trasborg for his comments, and assured him that was part of the Board's normal process. There is a decided interest by the Board in the intersection. There is a review being done to see if what was designed was actually what was built.

**HOLMAN** Mr. Holman reported that a possible temporary measure is to take out the right-hand turn lane and let straight-through and right and

left out of the same lane. He wanted to determine how long a time temporary would be. There is some discussion based on commitments in an old county plan with regard to the pavilions from six or seven years ago. With additional right-of-way, there may be a way to do something with the hill. Following the meeting he and Mr. Luciani reviewed the Preliminary Plans. He will be contacting the county and state officials. He will be following up and providing the Board with regular reports; some recommendations should be forthcoming by mid-October.

**TRASBORG**

Mr. Trasborg stated that he would check back with Mr. Holman in mid-October for some idea of what the immediate solution might be and perhaps some idea of a longer term.

**SCHENCK**

Chairman Schenck stated that Mr. Holman had briefed him prior to the meeting that he would be asking for direction from the Board on the short-term proposal. He further stated that he would take it up under New Business.

**LUCIANI**

Mr. Luciani indicated that he had photos of the field tour at the end of August to show the sight distance, which will be helpful for review.

**White Rose Credit Union**

**WARNER**

Mr. Brad Warner, White Rose Credit Union, 3498 Industrial Drive spoke about their request for a permit and the ordinance containing the words, "Temporary Use" shown in Article 26, Section 325-131. He assumed that the reason they were denied the permit related to the car sales and asked if that was a fair assumption.

**SCHENCK**

Chairman Schenck assured him it was not a fair assumption.

**WARNER**

Mr. Warner insisted that their company has a valid, pre-existing, non-conforming use, which they had used periodically for multiple years. It had created thousands of dollars worth of business for the credit union. The ordinance change denied the credit union the right to do business as ordinarily done. He asked why they could not be grandfathered.

**RAUSCH**

Solicitor Rausch asked whether an official application had been filed with the Zoning Hearing Board to allow the sale of used cars..

**WARNER**

Mr. Warner responded that they had done so and had presented themselves before the Zoning Hearing Board during its last meeting. However, due to the fact that several members of the Zoning Hearing Board were not in attendance, they had asked for a

continuance. They had been asked to send a letter. Mr. Warner did not feel that the professionalism was there. They believe it is necessary to bring the issue to the Township's attention as multiple organizations will be caught in the same circumstance.

**RAUSCH** Solicitor Rausch stated that the Zoning Hearing Board is the body that will be the determining board. The Board of Supervisors wrote the ordinance; the Zoning Hearing Board interprets the meaning of the ordinance.

**WARNER** Mr. Warner responded that it was fair, but it was also fair to bring to the Supervisor's attention that it was a Zoning Officer who denied the permit, which was exactly the same as the previous year. Because the issue was printed in the newspaper on August 30<sup>th</sup>, they felt their hearing had been pre-judged.

**RAUSCH** Solicitor Rausch responded that Zoning Hearing Board will make a decision based solely upon testimony heard in the hearing.

**WARNER** Mr. Warner stated that he understood and appreciated that.

**Mt. Zion Road Speed**

**SURTASKY** Mr. Tony Surtasky, 2245 Mt. Zion Road, suggested to set Vascar on Mt. Zion Road to clock and ticket speeders. He noted that he had lived on Mt. Zion Road for 53 years and at times he has to wait for 25 to 30 cars to pass before they get stopped at the red light at the school. He especially requested that no speed bumps be considered to slow the traffic.

**Deininger Road/Mt. Zion**

**WEAVER** Scott Weaver, 50 Doersam Court, stated he had been a resident for 21 years. He, too, spoke about the dangerous intersection at Deininger and Mt. Zion Roads. He understood that the Township had neither designed nor built the intersection inasmuch as it is a state road. He suggested a police presence at periodic intervals to let the public know that the road is being watched for speed. He also suggested a speed monitoring sign and possibly some speed bumps or rumble strips. He specifically mentioned the Christmas Magic show and suggested that the County Commissioners be encouraged to establish some volunteer traffic control people at that intersection. He noted that if there were an emergency during the Christmas Magic show, there would be no way an emergency vehicle could get in and out.

**SURTASKY** Mr. Surtasky commented that the Fire Police handled traffic during the Christmas Magic show last year for many long hours. He had been one of the Fire Policemen.

**WEAVER** Mr. Weaver indicated they had desperately needed help and had appreciated it.

**OLSEN** **Christmas Tree Lot – York County Food Bank**  
Mr. Glenn Olsen, 50 Mountain Vista Court, spoke as a Director of the York County Food Bank. He had been involved in the Christmas Tree Lot at Ollie’s for over 20 years. He and Fred Fisher of the York County Food Bank had partnered together with Christmas tree sales. He had applied for a temporary permit for the sale this year and had been denied the permit. Mr. Fisher had him read a letter with his comments which noted that the effort had provided financial support and donation of food items for York Countians and the loss of sales would affect many needy families who need food in York County. He stated that he thought the permit could be grandfathered inasmuch as they had done this same sale for many years within Springettsbury Township.

**BISHOP** Mr. Bishop asked Mr. Olsen what his relationship was to the Food Bank and to the Christmas tree sale.

**OLSEN** Mr. Olsen responded that he had a Christmas Tree lot himself years ago and wanted to have a retail lot. He had been friends with Fred Fisher and they put together a team effort to help grow the Food Bank and its interests in York County.

**BISHOP** Mr. Bishop asked whether there was any other entity that benefits from this sale other than the Food Bank.

**OLSEN** Mr. Olsen responded that it benefited only York County Food Bank.

**BISHOP** Mr. Bishop asked whether there was someone who sells the trees to the Food Bank.

**OLSEN** Mr. Olsen responded that he sells the trees to the Food Bank and along with other volunteers helps sell the trees on a Christmas tree lot set up for the York Food Bank.

**BISHOP** Mr. Bishop asked what percentage of the budget for the Food Bank comes from the Christmas tree sales.

**OLSEN** Mr. Olsen responded that it was about one half of one percent.

**Deininger/Mt. Zion Intersection**

**IRVINE**

Mr. Richard Irvine, 3350 Deininger Road, spoke about the intersection at Deininger Road. He reported that he will not make a left hand turn at Deininger onto Mt. Zion. He cuts through Spangler and exits at Posey's, which is a poor second choice. That sight distance also is poor and he had pointed out the clearances in the past. He would appreciate the Township addressing the problem.

**NITCHMAN**

Ms. Annette Nitchman, 2268 Spangler Circle, reported that she used Deininger and Mt. Zion four times a day, five days a week to go back and forth to work. She had been using alternate routes since the so-called improvements took place. She noted that some time ago the residents had requested traffic lights, which were denied due to the truck traffic starting and stopping on the hill. However, during the construction and during the winter they were able to start and stop. She emphasized that it is a very unsafe area.

**YOUNG**

Mr. Donald Young, 3347 St. John's Court, stated that his wife, Debra Young, wanted to be present but was unable to do so. She had written her comments and requested that they be made a part of the minutes. "I have lived in Woodlands Development since 1998. Trying to exit at Deininger Road onto Mt Zion Road is very dangerous. The clear view to the south on Mt. Zion Road is restricted. There has been increasingly more and more traffic through the years. People speed around the curve at high rates of speed. When I am in the process of pulling out a car comes flying around the curve and it is a very dangerous situation. Many times a week I have a close call. Sometimes as I pull out, the person will blow their horn, flash their lights and give me the finger." (Mr. Young added, "and tailgate you all the way down the hill.") "This situation has become worse since the recent construction at the curve. People seem to be flying around the curve at higher rates of speed. If you stop at the line at the stop sign, you cannot see around the corner at all, so you have to pull out almost to the traffic to see. Traffic from the Galleria Mall, Rocky Ridge Park and Central High School have all added to the traffic problem. We really need a light at this intersection".

Mr. Young echoed the request for traffic lights and cited other areas where there are lights along with steep hills and truck traffic. There are laws that speak about vehicles being able to operate on specific roads during ice and snow without chains or snow tires. If motorists are caught on a hill and can't maneuver it, they should be fined. He spoke of several different areas where traffic lights

would be beneficial along Deininger, Druck Valley, Long's Drive, Posey's Place. He noted that several years ago Springettsbury Township had not waited for the state and moved forward, did construction at Mt. Zion and Market Street. The Township had done a very good job and it is a credit to the Township.

Mr. Young noted that the substructure of Mt. Zion Road, especially to the north is not adequate for the truck traffic. The right-hand side going north is decaying and breaking away with deep ruts.

**PASCH**

Mr. Ken Pasch, 2270 Spangler Circle, spoke about the Deininger Road intersection. He commented that everyone who had spoken had some excellent ideas. There is a lot of difference between hearing about it and experiencing it. He suggested that the Supervisors should visit the site.

**SCHENCK**

Chairman Schenck responded that he had tried the intersection as soon as it was finished and was terrified. A motorist cannot stop at the stop bar and have visibility around the corner. He assured Mr. Pasch and the residents that the Township would do whatever is possible to fix it.

**PASCH**

Mr. Pasch added that he and his wife had some near misses many times. His wife goes around through the developments to come out at the bottom of Mt. Zion. He thought that was foolish to have motorists have to do that.

**KATHARMAN**

**Pasch Construction**

Attorney Katharman spoke on behalf of Tim Pasch Construction. They are concerned with two different items. They were not seeking any action this date. Attorney Katharman and Mr. Pasch had met with Messrs. Holman, Luciani, Rausch and Rao. There were two topics discussed: one was the practice that had occurred where Mr. Pasch put money in escrow with Springettsbury Township for Project A. At some point in time, unknown to Mr. Pasch, those funds were used to pay the engineer to review Project B. He had not been asked, nor advised of this and had not been allowed the 10-day period of time to review the bills. That subject was brought up during the meeting several weeks ago. A packet was provided to the Board.

The second issue that was raised involved the inspection process. If an inspection is done and items are punch listed, the contractor will fix those items. When a second inspection is done additional items are found to need work. Over the last year and a half Mr.

Pasch had attempted to finalize the work; however, additional items continue to be brought to his attention. Mr. Pasch is not seeking to evade any of his responsibilities. Attorney Katharman suggested that the Supervisors review the packet of information provided to them and respond to Mr. Pasch.

**SCHENCK** Chairman Schenck stated that prior to this meeting the Board had a training session by the insurance carrier. The gist of that presentation was, just as had been stated, there are two sides to every story, and not to react until both sides have been reviewed.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBBER** Mr. Schober reported that progress is being made on the Grit Removal system. A conference with the contractor was held on September 19<sup>th</sup>. The hole was dug; the foundation is being built; reinforced concrete is being poured. Bills will be presented at the next meeting. A meeting was held with staff with regard to the BNR Improvements. The project is about 50% complete. Drawings were reviewed, and details discussed. The Township received a new draft MPDES Permit regulating the effluent of the treatment plant. A review is being done with Mr. Hodgkinson, which included a chlorine residual limit, which is more strict than the current limit. They are also looking into fighting the chlorine limit with DEP.

**SCHENCK** Chairman Schenk asked whether that was across the board or whether it was tied in with the Chesapeake Bay Initiative.

**SCHOBBER** Mr. Schober reported that it is the science behind it. Several other clients had received draft permits which identify similar items.

**HOLMAN** Mr. Holman added that it is not something that was anticipated.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani stated, as Mr. Holman and others had discussed, site visits had taken place at Deininger Road not only today but also back on 8/30 when the Board had raised some concerns. Mr. Holman had pulled the plans for Deininger Road out of a very complete file. To summarize a lengthy discussion, Mr. Luciani noted the following:

- This is a PennDOT project.
- York County Planning provided a concept plan.

- No deficiencies were noted.
- Rear end accidents had been documented in the area of the pole, which was relocated.
- Radius needed to be enlarged.
- State added a right-turn lane, a through lane, and a left-turn lane into the park.
- On the 4/25/05 plan it called for rumble strips to alert motorists leaving the roadway.
- Rumble strips were not put in; noise issues.
- Plan also for raised pavement markings with reflectorized markers; again clearly not in.
- Stop bar location; motorists roll up to see clearly. Front end of cars out in travel lane.
- Property owner Rohrbaugh is upset that PennDOT had not compensated him for his land.
- The bank is filling up with weeds over 10 inches high. PennDOT is attempting to work with Mr. Rohrbaugh to put in low vegetation.

**GURRERI**

Mr. Gurreri suggested some plastic and stones for that area.

**LUCIANI**

Mr. Luciani indicated that had been discussed along with something that would not require maintenance. Mr. Luciani continued his discussion, as summarized:

- PennDOT suggested putting chevrons in the lane to blank it out.
- All turning movements and right turns would be made from one specific lane until a longer-term solution could be made.

**SCHENCK**

Chairman Schenck noted his concern about a temporary solution. If a lane is available whether it's a real lane or not, it is a paved surface or even a gravel surface, motorists will use it. His concern with just painting the lane will be totally ineffective. Unless some physical barrier is put there to eliminate that lane, it will not be eliminated.

**LUCIANI**

Mr. Luciani responded that this is discussion for short-term solutions. There are several constraints in that the project is about to be closed and the contractor disengaged from the project. In addition, by October 15<sup>th</sup> all paving work has to be completed until spring.

**HOLMAN**

Mr. Holman reported that PennDOT is going to cut that grass and weeds down by Monday. They are going back to the site and come back with temporary solutions.

- SCHENCK** Chairman Schenck noted that the entire Board knows what those temporary solutions are. He had been on the board 14 years and they had been trying to get this fixed for at least that long.
- LUCIANI** Mr. Luciani repeated that it is a temporary solution. The impetus from the people at the meeting including a resident or two was what can be done in the short term because someone will get killed out there. There was some discussion about a signal. Mr. Luciani reiterated the 7 warrants for a signal, which include the cross street traffic. PennDOT has to permit the signal. It will not meet the minimum threshold for a traffic signal. He noted that the challenge is that there are vertical problems. The road bends hard to the left which adds horizontal problems. Constraints were there which involved significant expenditures.
- HOLMAN** Mr. Holman asked for some direction.
- SCHENCK** Chairman Schenck noted that he had heard only one option for a temporary solution, which he thought should be accepted even if it was minimal.
- BISHOP** Mr. Bishop added that it looked as though some kind of physical barrier might make sense. In addition, a physical barrier might make the visibility worse.
- GURRERI** Mr. Gurreri commented that even with the installation of a cement barrier, some motorists will drive over it.
- RESIDENT** A resident suggested the tall plastic poles.
- SCHENCK** Chairman Schenck indicated that was a great idea. They can be hit and there is no damage to your car.
- RESIDENT** A resident indicated that the only problem would be that one couldn't see beyond any physical barrier.
- SCHENCK** Chairman Schenck stated that he envisioned something low.
- RESIDENT** A resident commented that even with a low physical barrier, by hitting the barrier it might slow them down.
- SCHENCK** Chairman Schenck stated he did not know what it would be. It has to be something that would keep a motorist from going over there other than paint.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 27, 2007  
APPROVED**

- GURRERI** Mr. Gurreri noted that even traveling 35, one comes up on that intersection very quickly.
- RESIDENT** A resident suggested pylons or orange traffic cones.
- RESIDENT** A resident noted that they still need more clear sight going left. Cutting the weeds and grass down, which needs to be done will help. He questioned why the wall height could not be lowered and filled in with stones.
- SCHENCK** Chairman Schenck noted that was one of the things they discussed.
- LUCIANI** Mr. Luciani reviewed the sight distance requirements. At a speed of 35 miles an hour, the very bare minimum in the PennDOT manual is the need to see 330 feet. The minimum was 220 feet, and this is 240 feet. Supposedly with these improvements they increased the sight distance only by 20 feet, which is still below the minimum.
- SCHENCK** Chairman Schenck questioned from what height.
- LUCIANI** Mr. Luciani responded that the eye level is at 3-1/2 feet, 42 inches off the ground. It is still sub-standard.
- RESIDENT** A resident asked if the speed limit could be lowered to 25.
- SCHENCK** Chairman Schenck responded that they had tried. There are very specific regulations and that road warrants 35 miles an hour speed limit. They had tried to ban trucks from the road with no success.
- RESIDENT** A resident suggested to have more police presence.
- RESIDENT** A resident suggested to divert truck traffic away from Mt. Zion hill. Trucks coming up over that hill are a disaster.
- RESIDENT** A resident suggested some sort of a mirror across the street to show oncoming traffic.
- SCHENCK** Chairman Schenck responded that years ago it had been determined that mirrors were not permitted in any area.
- RESIDENT** A resident commented that the residents had expressed a fear factor going southbound. Many of the residents pull out at Posey's Place where there is a sight distance problem as well. There is a telephone pole, fire hydrant and stone wall. The resident indicated

those items would be within the Township's control and could be either set back or moved.

- SCHENCK** Chairman Schenck agreed that it must be kept on the list of options. He hoped that the residents understand that the Board does understand the problem and is trying to work through it.
- BISHOP** Mr. Bishop suggested that the Board should consider an effort to do some kind of a planning/small engineering project to be able to use the constraints that PennDOT would be using as solutions. The gentleman who spoke about the Market Street/Mt. Zion Road action taken by the Board had a reasonable point.
- SCHENCK** Chairman Schenck agreed that, rather than working with PennDOT, he is suggesting that the Township actually do a design that the Board wholly believed, independent of their standards, and work through it.
- BISHOP** Mr. Bishop stated that this is one of those cases where the Board needs to consider it, assign some money in the budget and figure out how to fix the problem.
- SCHENCK** Chairman Schenck asked whether he was suggesting that as something to be initiated immediately as action, or at budget time.
- BISHOP** Mr. Bishop responded that immediately and budget time are very close and it is an item to be discussed during budgeting.
- GURRERI** Mr. Gurreri noted that many years ago there was discussion that there could be another road back in there to the park. He understood there was a road there that grew up and nothing had been done with it. He wondered whether that was something to look into and discuss.
- SCHENCK** Chairman Schenck asked when that comment was made.
- LUCIANI** Mr. Luciani recalled a discussion about a secondary access road.
- GURRERI** Mr. Gurreri added that he knows a person who knows where it is.
- LUCIANI** Mr. Luciani noted that the closest connection is at Hummel Road, a location with a real steep road with water problems. It is the closest connector to Rocky Ridge Park.
- SCHENCK** Chairman Schenck asked to keep all suggestions in the mix.

- BISHOP** Mr. Bishop stated that he would not have any problem with telling the County that the Board is not sure that having Christmas Magic this year will be safe.
- SCHENCK** Chairman Schenck agreed with Mr. Bishop to pass on to the County that, as a result of these disimprovements, the Board is very concerned about Christmas Magic.
- LUCIANI** **Haines Road Median**  
Mr. Luciani reported that the Haines Road median has some deficiencies in the pavement. His opinion was that traffic had been permitted on the road before the pavement had set. There are some repairs to be made before October 15<sup>th</sup>.
- Mr. Luciani reported that Public Works bids were received, and both Mr. Holman and Mr. Lauer seemed pleased with the numbers. References are being checked and insurance certificates. There was a good grouping of bidders
- SCHENCK** Chairman Schenck asked whether the specifications mentioned the exterior color of the building. He requested that the building be made as invisible as possible.
- LUCIANI** **Pasch Construction**  
Mr. Luciani reported that his inspector, Dave Redshaw, was present for additional information concerning the items for repair by Pasch Construction. Mr. Redshaw is a certified BCO and sits on the BCO State Board.
- Mr. Luciani provided PowerPoint pictures showing the deficiencies in construction at Fieldstone Manor that had been identified. The photographs were reviewed.
- Mr. Luciani understood Mr. Pasch's frustration; however, if the Township takes over a new development, there should be no need for additional work for at least 10 years. The deficient items would require maintenance in only a few years. He provided additional information concerning the rules and regulations required for residential developments. Mr. Luciani and Mr. Lauer met with Mr. Pasch about Fieldstone Manor and the AMC development in which one of the loop detectors still is not operational.
- LUCIANI** Mr. Luciani stated that the work is not first quality. The item concerning the mixing of escrow accounts related to the fact that

the AMC development had been attached to the Hoss' development by Mr. Pasch. It is not two separate things.

**HOLMAN** Mr. Holman reported that detail on the escrow just was transferred to him this date. When the items are fixed, then the Township will take the road.

**LUCIANI** Mr. Luciani stated that he will be visiting the site with Mr. Lauer, Mr. Redman, Mr. Beauregard and they will create a comprehensive and final punch list.

**RAUSCH** Solicitor Rausch noted that there are clear specifications identified in order to bring the deficiencies up to standard.

**5. ACCOUNTS PAYABLE:**

**A. Authorize Payment Nos. 1 and 2 to Kinsley Construction, Inc. – Concord Road Extended Project in the amount of \$440,123.75**

**B. Regular Payables as detailed in the Payable Listing of September 27, 2007.**

**MR. DVORYAK MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS A AND B. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS:**

**A. Authorization to Enter into Professional Services Agreement with Yost Strodoski Mears (YSM) for Park Master Plans (North Hills, Pleasureville and August Schaefer) in an amount not to exceed \$60,000.**

**HOLMAN** Mr. Holman reported that item A authorizes the Professional Services Agreement for the park Master Plan for North Hills, Pleasureville and August Schaefer for an amount not to exceed \$60,000. A \$30,000 grant was received from the Department of Community and Natural Resources and the matching funds are available from the Parks and Recreation Trust Fund.

**SCHENCK** Chairman Schenck noted that this is something that had been discussed, and work in the other parks was completed.

**HOLMAN** Mr. Holman responded that most of the other parks were completed, especially Springettsbury Park and Penn Oaks. This is the final portion. The contracts of the grant have been signed, and the contracts can be awarded.

- SCHENCK** Chairman Schenck commented on the North Hills Park. He indicated that a lot of money had been spent for design; however, the Board knows where we want to end up with that park.
- HOLMAN** Mr. Holman stated that by putting these plans together application can be made for funds to develop the park.
- SCHENCK** Chairman Schenck questioned whether North Hills Park should be developed.
- HOLMAN** Mr. Holman responded that this will provide options.
- DVORYAK** Mr. Dvoryak asked what was the driving force behind developing North Hills Park.
- HOLMAN** Mr. Holman responded that it had been a recommendation of the Comprehensive Plan, and it also was a recommendation in the Recreation Comprehensive Plan from the Park and Rec Board. North Hills had always been a part of it.
- BISHOP** Mr. Bishop noted that it wasn't a question whether it should be part of the project but rather a matter of degree. Since there are three different pieces of property, two of which are very important to develop and one with which not much should be done, the spending should be adjusted accordingly.
- HOLMAN** Mr. Holman noted that he could review it with Mr. Wendel of the Park and Rec Department.
- SCHENCK** Chairman Schenck asked whether this is a not-to-exceed contract.
- HOLMAN** Mr. Holman responded that he was correct.
- SCHENCK** Chairman Schenck commented that he would not want to see a design for six soccer fields at North Hills Park because it will not happen due to the power line across it. Very little can be done with it.
- BISHOP** Mr. Bishop commented that more than half the budget for three parks will be spent towards developing a park where a number of board members do not favor that development.
- HOLMAN** Mr. Holman stated that he would go back and review the allocation of funds.

**MR. BISHOP MOVED TO AUTHORIZE ENTERING INTO A PROFESSIONAL SERVICES AGREEMENT WITH YSM FOR PARK MASTER PLANS FOR NORTH HILLS, PLEASUREVILLE AND AUGUST SCHAEFER NOT TO EXCEED \$60,000. MR. SCHENCK WAS SECOND.**

**HOLMAN** Mr. Holman suggested that action be tabled until the next meeting in order to address the concerns of the Board. His concern was the losing the grant funding.

**MR. BISHOP MOVED THAT ACTION ON THE PREVIOUS MOTION BE TABLED FOR FURTHER INVESTIGATION. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Purchase 2008 Ford F-350 4x4 DRW Chassis and Supreme Spartan Strong Box Van Service Body Utilizing Pennsylvania COSTARS Program at a total cost not to exceed \$37,838.15 (WWT).**

**MR. GURRERI MOVED TO AUTHORIZE PURCHASE OF 2008 FORD F-350 4X4 DRW CHASSIS AND SUPREME SPARTAN STRONG BOX VAN SERVICE BODY UTILIZING PENNSYLVANIA COSTARS PROGRAM AT A TOTAL COST NOT TO EXCEED \$37,838.15. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Approve Scope of Services from Buchart Horn, Inc. to Replace Meadowlands Pump Station with a Gravity Line to Tie Into the East York Pump Station at a cost not to exceed \$75,000.**

**SCHENCK** Chairman Schenck questioned the work previously done with a gravity line.

**SCHOBBER** Mr. Schober responded that they had extended the force main from the line on Whiteford Road all the way to Mt. Zion. The flow from the force main was overtaxing that line.

**HODGKINSON** Mr. Hodgkinson added that it had caused problems at the insurance building with backup into the building.

**SCHENCK** Chairman Schenck asked whether the Meadowlands station would become a gravity line the other way.

**HODGKINSON** Mr. Hodgkinson responded that it would be abandoned.

**SCHENCK** Chairman Schenck asked whether it was a viable option.

**HOLMAN** Mr. Holman stated that the right-of-way was approved for running a line and granted when approval was granted for the substance treatment center.

**SCHENCK** Chairman Schenck asked where the line will pick up.

**HODGKINSON** Mr. Hodgkinson responded that it would go from the post office down along the stream near Food Lion in the swampy area.

**SCHOBER** Mr. Schober commented that it is very similar to what was done at Eden Road. There were a railroad crossing, environmental permit issues and right of way issues.

**MR. DVORYAK MOVED TO AUTHORIZE TO APPROVE THE SCOPE OF SERVICES FROM BUCHART HORN, INC. TO REPLACE THE MEADOWLANDS PUMP STATION WITH A GRAVITY LINE TO TIE INTO THE EAST YORK PUMP STATION AT A COST NOT TO EXCEED \$75,000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Enter into Reimbursement Agreement with PennDOT for Fifty Percent of the Cost to Raise Elevation of the Township's Sanitary Sewer Manholes for Paving on Mt. Zion Road.**

**HOLMAN** Mr. Holman stated that this is for a road PennDOT will be paving.

**MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO REIMBURSEMENT AGREEMENT WITH PENNDOT FOR FIFTY PERCENT OF THE COST TO RAISE ELEVATION OF THE TOWNSHIP'S SANITARY SEWER MANHOLES FOR PAVING ON MT. ZION ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Authorization to Enter into Supplemental Agreement with First Capital Engineering for Consultation and Inspection Services Related to Concord Road Extended.**

**HOLMAN** Mr. Holman stated that item E is a supplemental agreement from PennDOT with the Township and First Capital. It is needed to enter into as part of the close out process to make sure that the reimbursements for the project funds can be funneled properly. This is probably the third or fourth time it was adjusted. This should be the final time. It really is just administrative paperwork to make sure the reimbursements can be done properly for the grants for engineering services.

**MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO SUPPLEMENTAL AGREEMENT WITH FIRST CAPITAL ENGINEERING FOR CONSULTATION**

**AND INSPECTION SERVICES RELATED TO CONCORD ROAD EXTENDED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Authorization to Enter into Agreement with Susquehanna Stray Animal Shelter for 2008.**

**SCHENCK** Chairman Schenck indicated that the rate had gone up a little bit.

**HOLMAN** Mr. Holman requested that the Board table any action until the next meeting.

**G. Authorization to Enter into Agreement with Hemler/ACS for Animal Control Service for 2008.**

**MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO AGREEMENT WITH HEMLER/ACS FOR ANIMAL CONTROL SERVICE FOR 2008. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**H. Authorization to Enter into Agreement with URS for Planning Services.**

**HOLMAN** Mr. Holman stated that Marian Hull was the lead agent from KSK and did an excellent job with regard to the Comprehensive Plan and the ordinances. She has moved to URS. She was the key person at KSK. The Township would like to continue working with Ms. Hull with regard to the Town Center and Historic Resources project.

**BISHOP** Mr. Bishop asked whether the rates are comparable.

**HOLMAN** Mr. Holman responded that the rates are comparable to what KSK had charged. Ms. Hull will be the contact person on this project.

**BISHOP** Mr. Bishop asked whether there would be an violation of agreements currently in place with KSK.

**HOLMAN** Mr. Holman responded that the project with KSK was closed. The only project currently in place with KSK is the Recreation Comp Plan which would not impact this. The Township would not violate any agreements.

**MR. DVORYAK MOVED TO AUTHORIZE TO ENTER INTO AN AGREEMENT WITH URS FOR PLANNING SERVICES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. LD-07-11 – Time Extension – 84 Locust Grove Office – Plan Expires 10/11/07 (New Plan Date 1/11/08)**
- B. SD-07-03 – Time Extension – Spring Meadows Residential Development – Plan Expires 9/30/07 (New Plan Date 12/30/07)**
- C. SD-07-04 – Time Extension – Ridgeview Heights Residential Development – Plan Expires 9/28/07 (New Plan Date 12/13/07).**

**MR. BISHOP MOVED TO ACCEPT TIME EXTENSIONS AS LISTED IN ITEMS A THROUGH C ON OUR AGENDA. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- D. SD-06-03 – Chronister Farms Residential Development – Plan Expires 12/10/07 (Action).**

**RAO**

Mr. Rao presented background information with regard to the Chronister Farms Subdivision, as documented in a September 27, 2007 memorandum. The property is located at 4001 Pleasant Valley Road. The plan is to subdivide a parcel into 11 smaller parcels for single family residential development at the intersection of Alpine & Pleasant Valley Roads. The plan will include sidewalks, cul-de-sac and street lights. The plan was filed under the old ordinances prior to the June 28<sup>th</sup> adoption of new ordinances. It is in the R3 Residential zone. A zoning variance is required because of some impervious percentages due to the length of the cul-de-sac. Steep slopes are very prevalent in the site. The designer had to deal with a difficult constraint. A sidewalk will be installed between this development and the Pleasantrees Residential Development which is currently under construction. The plan originated in July of 2006 and moved through Zoning and Planning Commission; Preliminary Plan came before the Board of Supervisors in February, 2007. Mr. Rao provided a PowerPoint presentation showing the Project Location, Adjoining Zoning Districts, Aerial Photo of Proposed Lots, Present Site Photo, and Final Subdivision Plan. Final Plan is being submitted for the Board's consideration.

Conditions on the plan, which are not listed on the briefing sheet are: Final plan to be drawn on linen or Mylar; Guarantee, and Outstanding Fees must be paid before closing the project.

Mr. Rao introduced Alan Love, the designer of the plan, who was present to respond to any questions.

**BISHOP**

Mr. Bishop asked whether the sidewalks are all interior, as opposed to sidewalks along Pleasant Valley.

- LOVE** Mr. Love responded that he was correct.
- HOLMAN** Mr. Holman noted that there had been no changes from the Preliminary Plan to the Final.
- LOVE** Mr. Love added that the staff asked for a longer cul-de-sac to meet a better design criteria. It had been designed in accordance with the ordinance, but liked it better with the 624 feet so that it was done at the request of the staff.
- DVORYAK** Mr. Dvoryak posed a scenario if the AASHTO requirements were waived, what does the Township give up in street design by doing so.
- LUCIANI** Mr. Luciani explained that there is a provision in Township ordinance indicating that AASHTO requirements must be met. AASHTO stands for American Association of State Highway and Transportation Officials. Depending upon the speed of a road, their regulations indicate that the Township roads need to be designed for 35 miles an hour. No one will travel 35 miles an hour on this cul-de-sac, and as a result there would have to be tightened radii and super-elevated curves with a 10% slope. This did not seem appropriate, which resulted in the waiver.
- BISHOP** Mr. Bishop asked why it was so difficult to get a memo that was correct. He did not understand why it had happened so often. He indicated his frustration and asked that the Board could be provided with a memo that accurately gives us the information about a plan.
- RAO** Mr. Rao responded that not having the conditions was his fault.
- BISHOP** Mr. Bishop stated that he did not want to have to be reading off a PowerPoint and scribbling down notes about the conditions. The Board attempts to get these things right, and being prepared is part of getting that right.

**MR. GURRERI MOVED TO APPROVE SUBDIVISION 06-03, CHRONISTER FARM FINAL PLAN SUBDIVISION WITH THE FOLLOWING WAIVERS:**

- **WAIVER OF §281-7.G, ALL DETENTION BASINS SHALL HAVE A MINIMUM SLOPE OF 1%;**
- **WAIVER §289-11.B.19, ALL EXISTING STREETS ON, ADJACENT TO OR WITHIN 400 FEET OF ANY PART OF THE TRACT, INCLUDING NAME, RIGHT-OF-WAY WIDTH AND CARTWAY WIDTH SHOULD BE SHOWN ON PLANS;**

- **WAIVER OF §289-11.C.2, PREPARATION OF AN ENVIRONMENTAL IMPACT STUDY; WAIVER OF §289-32.J.6, TEMPORARY OR PERMANENT LOOP STREETS OR CUL-DE-SAC SHALL NOT EXCEED A CENTER LINE DISTANCE OF 600 FEET IN LENGTH AS MEASURED FROM THE CENTER LINE;**
- **WAIVER OF §289-32.G, LOCAL STREET PER AASHTO REQUIREMENTS.**

**REQUIRED CONDITIONS:**

- **SALDO §289-11.B, PLAN REQUIREMENTS – FINAL PLAN BE DRAWN ON LINEN OR MYLAR;**
- **SALDO §289-12.C, GUARANTEE – PRIOR TO RECORDING OF FINAL PLAN THE BOARD OF SUPERVISORS SHALL BE ASSURED BY MEANS THE PROPER COMPLETION GUARANTEE IN THE AMOUNT 110% OF THE COST OF REQUIRED IMPROVEMENTS.**
- **SALDO §289-68.D – ALL REQUIRED FEES SHALL BE PAID PRIOR TO RECORDING OF THE PLAN FOR ENGINEERING, LEGAL AND/OR ADMINISTRATIVE COSTS.**

**MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. LD-07-07 – East York Veterinary Center Expansion – Plan Expires 11/23/07  
(Action**

**RAO**

Mr. Rao provided background information for LD-07-07, all of which was documented in a September 27, 2007 memorandum. The East York Veterinarian Center plan will expand and provide more space and services with this land development plan in the Commercial Highway, C-H Zoning District. The plan was filed under the Old Zoning Ordinance and is to expand the existing veterinary center by 3,045 square feet and include an additional four parking spaces. The end total of 6,108 square feet building and 19 parking spaces is to be provided. The Planning Commission requested the applicant do additional buffering in the front of the property. An easement was requested between the adjacent property. Mr. Rao provided some PowerPoint information of the plan, which history which began in May, 2007, through the Planning Commission as a Briefing with Approval August 16<sup>th</sup> and before the Supervisors tonight as an Action item. He showed views of the Project Location, Adjoining Zoning District, Industrial Flex, Aerial Photo, Present Site, 3 Mile Run. Planning Commission requested the applicant and designer to clean up the area and add buffering to shield some overgrowth; also showed the existing plan, driveway easement between two properties; Preliminary/Final Land Development Plan for approval, and landscape plan, lighting and architecture.

**ESTROSKY** Mr. Ed Estrosky, representative of Harbor Engineering, the company which did the land development plan stated that he was present for questions and along with him was Valerie Miller, property owner.

**SCHENCK** Chairman Schenck commented that he had not seen Harbor Engineering's name.

**ESTROSKY** Mr. Estrosky indicated they are from Lancaster County.

**SCHENCK** Chairman Schenck indicated that his work had been very thorough and complimented him. He complimented Ms. Miller in her choice.

**MR. GURRERI MOVED TO APPROVE SD-07-07, EAST YORK VETERINARY CENTER LAND DEVELOPMENT PLAN WITH THE FOLLOWING WAIVERS AND MODIFICATIONS:**

- **WAIVER §281-11.A, PRELIMINARY PLAN;**
- **WAIVER §289-13.A, PLAN SCALE;**
- **WAIVER §289-22, SIDEWALK AND CURBING;**
- **MODIFICATION OF §289-26, LANDSCAPING AND BUFFER YARDS; USE EXISTING BUFFERING ALONG THE WESTERN AND NORTHERN FRONTAGES AS PER PLAN SET DATED AUGUST 13, 2007, REVISION #3, SHEET 4 OF 7;**
- **WAIVER OF §281-7.G, BASIN SLOPE;**
- **WITH THE FOLLOWING CONDITIONS:**
- **SALDO §289-11.B, PRELIMINARY/FINAL PLAN TO BE DRAWN ON LINEN OR MYLAR;**
- **SALDO §289-12.C, PRIOR TO RECORDING OF FINAL PLAN, THE BOARD OF SUPERVISORS SHALL BE ASSURED BY MEANS OF A PROPER COMPLETION GUARANTEE IN AN AMOUNT OF 110% OF THE REQUIRED IMPROVEMENTS;**
- **SALDO §289-68.D, ALL REQUIRED FEES SHALL BE PAID PRIOR TO RECORDING OF THE PLAN FOR ENGINEERING, LEGAL AND/OR ADMINISTRATION COSTS;**
- **SALDO §289-17.B, SET CONCRETE MONUMENTS AT THE SOUTHWEST CORNER OF THE PROPERTY.**

**MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI** Mr. Gurreri stated that Valerie Miller's property was very nice and well kept. He stated it was a pleasure to meet her.

**8. COMMUNICATION FROM SUPERVISORS:**

**BISHOP** Mr. Bishop reported that he saw a very interesting presentation by the County concerning a program they are initiating to create a database of any disabled people who would need help in the event of an evacuation. It is designed to be a great help.

**HOLMAN** Mr. Holman noted that it had been discussed in the Manager's Meeting.

**SCHENCK** Chairman Schenck added that the fire department does attempt to maintain a list.

**GURRERI** Mr. Gurreri reported that an article in the paper about the St. Joe's Yard Sale. Somebody had stolen all their signs.

**HOLMAN** Mr. Holman stated that he met with the priest, and the signs had been picked up.

**BISHOP** Mr. Bishop reminded everyone of Saturday in the Park on September 29, 2007.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated that he had provided a written report. In addition, he reported that he reviewed and signed the PUC application for Davies Drive rail crossing.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reminded the Board that Wednesday there will be a Work Session regarding the Budget with regard to the sewer. It is an advertised meeting. At the same time the meeting dates for the York Area United Fire and Rescue will be advertised for the third Tuesday of the month at 7 p.m.

**GURRERI** Mr. Gurreri commented that he had attended the Jt. Fire meeting, and sat in the back of the room. He stated that he could hear everything that was said.

**HOLMAN** Mr. Holman stated that there can be some difficulty hearing in the back. The plan is to get more speakers out in the lobby. He added that funding is available to upgrade the system.

**GURRERI** Mr. Gurreri reported that temporary repairs are being done to the bridge at Eberts Lane. He stated that later they are going to raise that bridge and make it higher. Mr. Gurreri wondered whether the bridge is really needed, since the road is not used that much.

**DVORYAK** Mr. Dvoryak stated that it is handy for short cuts.

**LUCIANI** Mr. Luciani indicated that he used it for short cuts too.

**11. ORDINANCES AND RESOLUTIONS:**

**A. Resolution No. 07-47 – Appointing Representatives to the York Area United Fire and Rescue Commission (YAUFR).**

**HOLMAN** Mr. Holman stated that Under the United Fire and Rescue Charter Agreement it states that the action will be done by Resolution with set time limits for the members appointed. This Resolution does that and had been prepared by Solicitor Rausch. The Board members had been approved, and this will set the time limits for re-appointments.

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 07-47 APPOINTING REPRESENTATIVES TO THE YORK AREA UNITED FIRE AND RESCUE COMMISSION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Advertise Ordinance No. 07-16 Amending Section 325-189 of the Zoning Ordinance to Provide for the Delivery of Enforcement Notices.**

**HOLMAN** Mr. Holman stated that during a hearing with one of the cases, it was brought up that the notification requirements should be clarified. The Judge requested that the Township make the minor changes in the notification requirements for Certified and Regular Mail.

**RAUSCH** Solicitor Rausch added that for some reason the ordinance states that the Zoning Officer must serve the enforcement Notice of Violations. There was a substitute District Justice at the hearing who took a hard line stance and that meant a personal service, so the MPC only requires that the notice be sent. Rather than working with a technicality, it was determined to make the change.

**MR. BISHOP MOVED TO AUTHORIZE TO ADVERTISE ORDINANCE NO. 07-16 AMENDING SECTION 325-189 OF THE ZONING ORDINANCE TO PROVIDE FOR THE DELIVERY OF ENFORCEMENT NOTICES. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – August 23, 2007**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES FROM THE BOARD OF SUPERVISORS MEETING AUGUST 23, 2007. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Sewer Long Term Funding: Impact of the BNR and Sewer Study Recommendations.**

**HOLMAN** Mr. Holman suggested that, if the Board wishes, the discussion regarding item A could be held until the Budget discussions on Wednesday morning.

**Consensus of the Board was agreement to hold item A until a later date.**

**B. Acknowledge Receipt of Minimum Municipal Obligation for Pension Plans**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF MINIMUM MUNICIPAL OBLIGATION FOR PENSION PLANS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Acknowledge Receipt of August 31, 2007 Treasurer's Report**

**MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF THE AUGUST 31, 2007 TREASURER'S REPORT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. York County Commissioners Correspondence: Gypsy Moth Program**

**SCHENCK** Chairman Schenck acknowledged receipt of the request from the York County Commissioners advising they will be spraying for any gypsy moth problem within the Township but the Township needs to pay 50% of it.

**HOLMAN** Mr. Holman stated that they are required to spray. They are asking the Township if it would be willing to provide 50%.

**SCHENCK** Chairman Schenck asked what will happen at Rocky Ridge Park. There is a serious problem at Rocky Ridge and it is in this Township.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 27, 2007  
APPROVED**

**HOLMAN** Mr. Holman stated that the Managers had no idea what the number would be, what the cost would be, and most of the boards in discussing this had questions about the costs, and why they would be incurring the cost.

**BISHOP** Mr. Bishop reiterated the seriousness of the traffic with Christmas Magic. There is a need to communicate with the County about that in order to find a solution because it will be here very quickly and it will be a mess.

**HOLMAN** Mr. Holman stated that he will send a letter to the County and discuss it with them.

**SCHENCK** Chairman Schenck noted that during the site visit at Deininger and Mt. Zion there were representatives from the County, PennDOT and State Representative Keith Gillespie. There is some level of County people who are aware of the problem.

**15. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**AUGUST 23, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, August 23, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Carolyn Pugh, Acting Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Harish Rao, Economic and Community Development  
Dave Eshbach, Chief, Police Department  
Charlie Lauer, Director of Public Works  
David Wendel, Director of Park and Recreation  
Andrew Stern, Managing Director of Fire and Rescue Services  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees and asked Mr. Dvoryak to lead the Opening Ceremony.

**A. Opening Ceremony**

**DVORYAK** Mr. Dvoryak welcomed the public and thanked everyone for their attendance. He led the Pledge of Allegiance.

**SCHENCK** Chairman Schenck welcomed Carolyn Pugh, Acting Solicitor for this date in the absence of Solicitor Rausch.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

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

**3. COMMUNICATION FROM CITIZENS:**

**WARNER** **White Rose Credit Union**  
Mr. Brad Warner, CEO and Representative of White Rose Credit Union, 3498 Industrial Drive, read a letter expressing disappointment with the denial in which

the Township Zoning Officer had administered their temporary use permit. White Rose Credit Union had been headquartered in Springettsbury Township since March, 1996 with 23 employees and 7,100 members. He explained in his letter that the Credit Union provides benefits to many charitable organizations. He elaborated on the various points and appealed the Township's decision.

**SCHENCK** Chairman Schenck asked when the decision had been made.

**RAO** Mr. Rao responded that it had been approximately two weeks ago.

**WARNER** Mr. Warner stated that the event was scheduled for September 15<sup>th</sup>, however, it could not occur on that date. They have a later date selected in October.

**SCHENCK** Chairman Schenck asked whether they had filed a formal appeal.

**WARNER** Mr. Warner responded that they had filed for September 6<sup>th</sup>.

**Rockburn Playground**

**FERNANDEZ** Mr. David Fernandez, 1843 Wallace Street, voiced concern about the parking lane at the Rockburn playground. The parking lane had to be there for the handicapped; however, it sits only 55 feet from the back of his house. He has had to called the Police Department for commotion in the playground after dark. He and his wife had found this to be frightening as they are elderly. He suggested that a spotlight be installed on the back of the Township building to shine directly on the parking lane.

**SCHENCK** Chairman Schenck noted that the parks close officially at dusk. He added that he should feel free to call the police any time after dusk that he would see activity.

**FERNANDEZ** Mr. Fernandez stated that he did not intend to patrol the area as he did not want to become involved in any form of drugs or weapons. He hoped the Board could understand his concern.

**SCHENCK** Chairman Schenck responded that he understood his concern; however, it is illegal activity.

**FERNANDEZ** Mr. Fernandez added that he thought a spot light might discourage the activities.

**SCHENCK** Chairman Schenck thanked him for calling when he observed the activity and for coming to the meeting to voice his concern.

**Neighborhood Watch**

**SCHAEFER** Mr. Tom Shaefer, 138 North Keesey Street, spoke on behalf of the Olde East York Neighborhood Association followed Mr. Fernandez' comment noting that over a year ago some of the residents approached the Police Department concerning setting up a neighborhood watch. At the time the situation was not feasible for the department due to the time, the facility and the manpower. A

number of grants had come in to the Township, and Mr. Shaefer wondered if some grant money could be applied to a neighborhood watch situation. Olde East York is attempting to be proactive and grant money could be a big help. He mentioned that there had been discussion during the Comprehensive Planning sessions of looking into first time home ownerships, and this might be the time to look into some community development grant money for that.

**SCHENCK** Chairman Schenck stated that he appreciated Mr. Schaefer's willingness to be proactive. He asked for further information concerning the grants.

**SCHAEFER** Mr. Schaefer responded that he would look into it further and added that it may be something with which Keith Gillespie could assist.

**SCHENCK** Chairman Schenck thanked him for his effort.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER** Mr. Schober reported that some sample letters had been created for the Township Manager to send out to the Barwood Road residents as notification to hook up to the sewer. Some residents had already started the process. The contractor for the Grit Removal project had not mobilized but does have all the shop drawings in and has all his equipment ordered; the work will begin soon. In addition, several sewer map updates had been created as a result of sewer planning.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani reported that he, Mr. Holman and Mr. Lauer visited the site of the Davies Drive PUC action. A motion to move forward to PUC action will be discussed during the meeting this date. The 911 Center and the Methadone Clinic are well under way and that road is connected through. There is only a short stretch of road that would need to be added as part of the Davies Drive project. There will be a review of plans for facilities from Davies Drive up to Concord Road to request six-month sidewalk notes. Mr. Luciani suggested that, as a result of that review, the businesses should be requested to put their sidewalks in for a network of sidewalks throughout the community, as stated in the Comprehensive Plan. Additional projects being worked on include the Suburban Safe Routes to School which included discussions on sidewalks, rights-of-way and potential integration with Haines Road Study. He will meet with Wil Clark of PennDot to discuss location of sidewalks. The County's recommendation for sidewalks is in front of Haines Road at Seventh Avenue and to push the sidewalk back as far as possible to be consistent with the Haines Road Study. Moving through that process they do not want to have to cut down trees and/or take property if that can be avoided. Mr. Luciani reported that a well test was performed at the Snowberger house adjacent to the Township building.

The well test yield is in excess of 15 gallons per minute. Mr. Lauer is looking at ways to preserve that well for other uses in the past.

**SCHENCK** Chairman Schenck asked Mr. Holman to keep the Board informed of the progress on the Public Works Building project.

**LUCIANI** Mr. Luciani reported that Mr. Lauer met with a building vendor and it was placed on a building prototype plan. The building was staked out, which revealed a need to revise the plan. It is a storage building with gravel floors within it which required a separate electrical spec. A good mechanical contractor provided the necessary specifications, which took some time; however, the project should be ready to go by August 27<sup>th</sup>.

**GURRERI** Mr. Gurreri asked whether the Township had signed off on the Deininger Road project.

**LUCIANI** Mr. Luciani responded that he did not think it was 100 percent completed. He had discussed it with Mr. Surtosky.

**HOLMAN** Mr. Holman added that the fire hydrant had been raised to its proper height. Mr. Surtosky had called Mr. Holman with that confirmation. The project is almost complete. Because it is a state project, they will be doing all the final inspections.

**GURRERI** Mr. Gurreri noted that when traveling out at Deininger Road onto Mt. Zion for a left-hand turn, there is still very little sight distance.

**LUCIANI** Mr. Luciani stated that he thought the intent of that project was to increase sight distance. He advised that it was a significant expense of over \$500,000.

**ACCOUNTS PAYABLE:**

- C. Authorize Payment to the STVFC for Reimbursement of First Quarter 2007 Expenses in the amount of \$32,587.59**
- D. Authorize Payment to Norfolk Southern (Progressive Payment No. 5) for Concord Road Rail Crossing in the amount of \$21,574.83.**
- E. Regular Payables as detailed in the Payable Listing of August 23, 2007.**

**MR. DVORYAK MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS A, B AND C AS LISTED ON THE AGENDA. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**5. BIDS, PROPOSALS AND CONTRACTS:**

**SCHENCK** Chairman Schenck commented that the Board had begun the process of reviewing the trash contract at the beginning of 2007. A number of meetings had

been held and a revised contract written. It was put out to bid and the results were received and reviewed.

**HOLMAN** Mr. Holman responded that he had reviewed the bids along with Solicitor Rausch and Mr. Lauer.

**SCHENCK** Chairman Schenck asked for a net impact for a resident with a three bag service.

**HOLMAN** Mr. Holman responded that the quarterly increase for the three bag service would be \$6.62 per quarter; adding the totter service it would be \$7.42 and for a one bag service it would be \$8.31.

**SCHENCK** Chairman Schenck noted that the rates had been the same for about six years.

**HOLMAN** Mr. Holman added that there had been a small minor change when the state required a brush pickup under state law.

**SCHENCK** Chairman Schenck stated that the low bidder was York Waste Disposal. He added that it was ready for award. He thanked Don Bishop for suggesting the process early, which worked out really well.

**HOLMAN** Mr. Holman stated that both bids were very close. The overall price difference by private contractor was \$100,000 to \$102,000.

**MR. GURRERI MOVED TO AUTHORIZE TO AWARD BID FOR RESIDENTIAL AND RECYCLING COLLECTION CONTRACT FOR THE PERIOD JANUARY 1, 2008 THROUGH DECEMBER 31, 2012 TO YORK WASTE DISPOSAL. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISION AND LAND DEVELOPMENT:**

- A. LD-07-05 – Time Extension – Wachovia Bank: Plan Expires 8/30/07 (New Plan Date 11/1/07)**
- B. SD-07-05 – Time Extension – Wachovia Bank: Plan Expires 8/30/07 (New Plan Date 11/1/07)**
- C. SD-06-10 – Time Extension – 34 Professional Office: Plan Expires 9/12/07 (New Plan Date 12/12/07)**
- D. SD-06-03 – Time Extension – Chronister Farms Residential Development: Plan Expires 9/10/07 (New Plan Date 12/10/07)**
- E. LD-06-07 – Time Extension – Dunkin Donuts: Plan Expires 9/10/07 (New Plan Date 12/10/07)**
- F. LD-02-02 – Time Extension – AWI, Inc.: Plan Expires 9/16/07 (New Plan Date 12/16/07)**
- G. LD-07-12 – Time Extension – Wellspan Admin Services: Plan Expires 10/11/07 (New Plan Date 12/31/07).**

**MR. BOWMAN MOVED TO GRANT TIME EXTENSIONS FOR LAND DEVELOPMENT AND SUBDIVISION ITEMS A THROUGH G. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**H. Consideration of Waiver Request for Sidewalks and Curbing: 1793-1829 Ridgewood Road**

**SCHENCK** Chairman Schenck asked for clarification of the request.

**HOLMAN** Mr. Holman explained that the project involves a single home and the gentleman had requested a waiver of sidewalks on Ridgewood Road. The Township requires sidewalks. He had discussed the waiver request with Solicitor Rausch because there had never been a request of this nature granted on a Building Permit. The only group that could grant such a waiver request would be the Board of Supervisors. Mr. Holman noted that in the near future there will be sidewalks in the area if the Triplet Springs project is approved.

**BISHOP** Mr. Bishop stated for clarification that in the past any time anyone has ever received a Building Permit they've been advised that they needed to install sidewalks.

**HOLMAN** Mr. Holman asked Mr. Rao for further information.

**RAO** Mr. Rao responded that the applicant for the waiver, Mr. Bruce Koller was present to discuss the request.

**KOLLER** Mr. Bruce Koller, 2025 Herman Court, made comments summarized as follows:

- The area in which they live has no sidewalks or curbing for at least a quarter of a mile;
- Pending construction is a quarter of a mile away;
- Adjacent properties have embankments that would make it financially very serious for them to put in sidewalk;
- Nobody is going to walk on them because there are no connecting sidewalks;
- Planning Commission indicated they didn't see that they had to be put in at this time.

**SCHENCK** Chairman Schenck asked whether this would be an issue for the Zoning Hearing Board.

**HOLMAN** Mr. Holman responded that it had gone before the Planning Commission, which had reviewed the request and recommended to send it to the Board of Supervisors and discuss it with Solicitor Rausch.

**BISHOP** Mr. Bishop noted that he assumed there was nothing in the ordinances about an appeal procedure.

**HOLMAN** Mr. Holman responded that there was not in this case. Under the SALDO, waiver of sidewalks can only come through the Board of Supervisors. He asked Mr. Rao what the Planning Commission had recommended.

**RAO** Mr. Rao responded that the Planning Commission recommended a six- month note.

**BISHOP** Mr. Bishop asked whether there would be any way of enforcing a six-month note on a Building Permit.

**RAO** Mr. Rao noted that we just have to make sure that someone remembers that it's on the note.

**BISHOP** Mr. Bishop reiterated that there would be no way of enforcement.

**HOLMAN** Mr. Holman noted that the plan would be put on the GIS system and if it would be brought up, the note would be there.

**BISHOP** Mr. Bishop stated that his inclination was that it is reasonable.

**KOLLER** Mr. Koller stated that he would be willing to install sidewalks at some point in the future when it made sense.

**BISHOP** Mr. Bishop stated that he was uncomfortable with the fact that the Board had spent a lot of time figuring out how to do so in subdivisions and making sure there is a way to enforce it; however, the Board had never enforced it. He suggested that there was a need to figure out how to do so. Mr. Bishop added that he thought just putting a note on a Building Permit did not seem strong enough.

**SCHENCK** Chairman Schenck asked whether there would be any technicalities with the deed.

**KOLLER** Mr. Koller indicated that he had become aware of the situation when they began thinking about building. He had investigated construction in the area. No one had installed sidewalks and he thought it was strange that he would be required when the other properties were not.

**GURRERI** Mr. Gurreri questioned whether he was in agreement with the six-month note. He commented that there is great value in sidewalk if they are continuous in neighborhoods.

**KOLLER** Mr. Koller assured him that he understood and was in agreement. He noted that there is anticipation that the area will grow as developments increase, and then sidewalks would make sense.

- HOLMAN** Mr. Holman stated that all the Board is asking is for a way to track any action taken on the sidewalk issue. The note will be on the Building Permit.
- SCHENCK** Chairman Schenck indicated that there wouldn't be a plan or a subdivision; only a Building Permit. A note cannot be added to an existing plan.
- LUCIANI** Mr. Luciani stated that anything that is an agreement can be recorded.
- HOLMAN** Mr. Holman stated that a Development Agreement could be recorded, which would be recorded with the deed.
- BISHOP** Mr. Bishop asked about his timeframe.
- KOLLER** Mr. Koller responded that he had hoped to get started as quickly as possible. The issues that surfaced have taken a long time to resolve.
- SCHENCK** Chairman Schenck noted that he had signed his application on June 1, 2007. He stated that he was in agreement provided a note can be attached to the deed.
- PUGH** Acting Solicitor Pugh stated that the agreement scenario seemed like the most logical way to proceed. It would not take a lot of time or effort to draft that.
- HOLMAN** Mr. Holman stated that he would draft a Development Agreement using and amending an existing agreement.

**MR. GURRERI MOVED TO GRANT THE WAIVER REQUEST FOR SIDEWALKS AND CURBING AT 1793-1829 RIDGEWOOD ROAD WITH THE STIPULATION THAT A SIX MONTH NOTE IS ATTACHED TO EITHER THE DEED OR THE PLAN. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**I. Consideration of Rezoning Parcel from Flexible Development to Commercial Highway: Former York Valley Inn, 3883 East Market Street**

- SCHENCK** Chairman Schenck stated that item I had been placed on the Agenda for discussion regarding re-zoning the York Valley Inn parcel from the current Flexible Development to Commercial. He commented that zoning is based on the best use of the property and not because of a particular project and asked that the Board keep that in mind during the discussion. Chairman Schenck stated that he thought the intent of Flexible Development was to allow things including Residential Development. He asked whether that had been removed.
- HOLMAN** Mr. Holman indicated that Residential was never part of Flexible Development.
- SCHENCK** Chairman Schenck disagreed. He recalled discussion about the Caterpillar site, which included single homes, apartments, stores, and factories.

**HOLMAN** Mr. Holman indicated that Residential was not in it when it was reviewed with Solicitor Rausch and Mr. Rao.

**GURRERI** Mr. Gurreri agreed that it had read that way.

**SCHENCK** Chairman Schenck stated that if the Board's intent was to allow that kind of use in Flexible Development, he would be inclined to look at the Flexible Development zone as opposed to re-zoning this particular parcel. It could be a very intense use that could allow a Sheetz, that could allow a used car lot or just about anything.

**HOLMAN** Mr. Holman indicated that it would be a letter and text change with regard to the definition of Flexible Development if that's what the Board wanted.

**SCHENCK** Chairman Schenck stated that he was hoping to stir some dialog. He did not think the Board was obligated to make an imminent decision.

**GURRERI** Mr. Gurreri noted that the Board would certainly like to see changes being made at that site.

**BISHOP** Mr. Bishop agreed to a modified zoning; however, he would prefer to have further discussion. He asked Mr. Holman how Commercial Highway would fit into that property.

**HOLMAN** Mr. Holman indicated that a Commercial highway property is across from that. Because that is probably the most distressed site in the Township, it was opened up for Flexible Development. If the Board would prefer to have further discussion regarding including a Residential overlay in the Flexible Development zone, it could be sent to the Planning Commission for review and recommendation.

**SCHENCK** Chairman Schenck stated that when he originally voted in favor of the Flexible Development it would have allowed this use anywhere that zone exists.

**Consensus of the Board was for the Planning Commission to review the Flexible Development zone and its permitted uses.**

**ENGLER** Tom Engler from C.S. Davidson, spoke in support of Mr. Rafaiudes on the issue. He stated for clarification that the Planning Commission is requested to review and recommend a verbiage change in the Flexible Development zone to reflect by right use for residential, specifically townhouses or condominiums.

**SCHENCK** Chairman Schenck responded that the Board will ask them to consider that to see if it makes sense which would result in a text change. In that event your words would be correct with a use by right as opposed to the one zoning. He added that the Township has other concerns because that site is not the only Flexible Development zone.

**ENGLER** Mr. Engler responded that they understood and agreed. They had been working on the project for three or four months and were under the impression through meetings with the Township and through three different professional reviews of the draft Ordinance that this was an acceptable use.

**SCHENCK** Chairman Schenck stated that the Board is encouraged that there could be some activity at that site. He did not want anyone to think that they were trying to discourage anything.

**ENGLER** Mr. Engler thanked the Board and indicated he understood.

**8. COMMUNICATION FROM SUPERVISORS**

**GURRERI** Mr. Gurreri reported that the Local Government Advisory meeting will be held September 25<sup>th</sup> at the Holiday Holidome at Loucks Mill Road at 6:30 p.m. He planned to attend. The Board had been invited by Wagmans Construction to Condo Night at Sovereign Bank on September 13<sup>th</sup> “What is a Condo?” at the old York Auto Parts building. A press conference will be held at 5:45 and at 6:30 p.m. Mr. Gurreri added that he had received a “Getting Smart Growth” from PSATS, which he forwarded to Mr. Holman. Mr. Gurreri reported that the Concord Road ribbon cutting ceremony was held earlier this date. He noted that it had been over 10 years since the Board had been attempting to get that completed. He thought it was the most outstanding thing that had been accomplished during his terms on the Board. It will improve the quality of life, and he thanked everyone who assisted in getting the project completed.

**BOWMAN** Mr. Bowman reported a resident complained with the new top of Mt. Zion Road. The resident indicated that he really needed to pull out far to see, and now the cars are traveling faster up to the top of the hill.

**GURRERI** Mr. Gurreri attested to that as he nearly was hit at that spot.

**BOWMAN** Mr. Bowman asked whether there had been any problems reported.

**HOLMAN** Mr. Holman responded that he was not aware of any accidents; however, it had been under construction and motorists had been more careful traveling in that area. He will be visiting the site with Mr. Luciani and PennDot.

**SCHENCK** Chairman Schenck had reviewed the Zoning Hearing Board ruling about Triplet Springs. He was confused about the variance they had been granted due to the timing of the change in the Zoning Ordinance. He understood that their plan was filed under the old Ordinance.

**RAO** Mr. Rao responded that he was correct; it had been submitted under the old Ordinance.

**LUCIANI** Mr. Luciani explained that they filed a plan prior to the July 4<sup>th</sup> date. They had a lot of outstanding comments that went through, but it was an accepted plan. Based on that plan that was filed under the previous Ordinance. They had need of some coverage things and they wanted a variance for frontage of lots to create a traditional neighborhood type development.

**SCHENCK** Chairman Schenck stated that his point was that they filed for a variance to build essentially a traditional neighborhood development, which does not exist in the old Ordinance. He needed clarification about the dates and what the variance was actually granted for based on what ordinance.

**LUCIANI** Mr. Luciani stated that a track was created leaving the older piece of the property undeveloped, which would be considered as the commercial component, and then they wrote up mixed use.

**SCHENCK** Chairman Schenck stated that, if they filed a plan for commercial use and they filed it under the old Ordinance it did not allow commercial use.

**LUCIANI** Mr. Luciani indicated that there is no development shown there. It was left as a piece of undeveloped land.

**HOLMAN** Mr. Holman reported that the Triplet Springs Development only applied for the residential portion of their development. They have not submitted an application for the development of the commercial portion; they specifically kept that out. All they did was show the two or three entrances to the homes. The only thing that's being reviewed at this point is the Residential. When they submit a plan for the Commercial site, that will be done under the new Ordinance. Mr. Holman offered to review and provide the dates and a report for Mr. Schenck.

**LUCIANI** Mr. Luciani reported that they were permitted to put residences on that site; the intent is for senior housing. They will not have the coverage or the lot front, but they liked the old Ordinance versus the new Ordinance. In addition, the Planning Commission had reviewed the plan and made a similar recommendation.

**HOLMAN** Mr. Holman stated that the whole argument was to try and leave more open area and to develop less area.

**SCHENCK** Chairman Schenck stated that he was not opposed to the variance; however, he needed clarification about which ordinance, which zoning and dates.

**9. SOLICITOR'S REPORT:**

**SCHENCK** Chairman Schenck stated that Solicitor Rausch had submitted his written report.

**PUGH** Acting Solicitor Pugh responded that she had nothing further to add to Solicitor Rausch's report.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated that he had provided a regular and a supplemental report. He had nothing to add. However, there will be consideration of some appointments following any action during the New Business portion of the meeting.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

- A. Motion to Approve Application to Public Utility Commission for Rail Crossing at Davies Drive and for the Township Manager to Execute Documents to Obtain Approval of the Rail Crossing.**

**MR. DVORYAK MOVED TO APPROVE APPLICATION TO THE PUC FOR THE RAIL CROSSING AT DAVIES DRIVE AND FOR THE TOWNSHIP MANAGER TO EXECUTE DOCUMENTS TO OBTAIN APPROVAL OF THE RAIL CROSSING. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Ordinance No. 07-11 – Establishing Stop Intersection on South Kershaw Street and Eastern Boulevard, both Northern and Southern Approach**

**SCHENCK** Chairman Schenck stated that the Board could establish the Ordinance now, but the intersections would not be configured that way until all the work was completed.

**HOLMAN** Mr. Holman reported that the construction had begun and is estimated to be completed by mid-September.

**MR. BOWMAN MOVED TO APPROVE ORDINANCE NO. 07-11 ESTABLISHING STOP INTERSECTION ON SOUTH KERSHAW STREET AND EASTERN BOULEVARD, BOTH NORTHERN AND SOUTHERN APPROACH EFFECTIVE SEPTEMBER 15, 2007. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Ordinance No. 07-12 – Establishing Rotary Traffic Island on Eastern Boulevard and South Kershaw Street**

**MR. BISHOP MOVED FOR THE ADOPTION OF ORDINANCE 07-12 ESTABLISHING A ROTARY TRAFFIC ISLAND ON EASTERN BOULEVARD AND SOUTH KERSHAW STREET. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- D. Ordinance No. 07-13 Authorizing Agreement between Spring Garden Township and Springettsbury Township to Provide for the Creation of York Area United Fire and Rescue to Provide Fire Services to the Various Municipalities**

**SCHENCK** Chairman Schenck explained that Ordinance No. 07-13 will place Springettsbury Township into the York Area United Fire and Rescue Department. He stated that Spring Garden Township had already adopted the Ordinance.

**MR. BISHOP MOVED FOR THE ADOPTION OF ORDINANCE 07-13 AUTHORIZING AGREEMENT BETWEEN SPRING GARDEN TOWNSHIP AND SPRINGETTSBURY TOWNSHIP TO PROVIDE FOR THE CREATION OF THE YORK AREA UNITED FIRE AND RESCUE WHICH WILL PROVIDE FIRE SERVICES TO THE MUNICIPALITIES. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck asked Mr. Stern how long the process had taken.

**STERN** Mr. Stern responded that it had been five years.

**E. Ordinance No. 07-14 – Garage and Yard Sale Permit Ordinance**

**SCHENCK** Chairman Schenck inquired whether Ordinance 07-14 had been advertised.

**HOLMAN** Mr. Holman responded that it had been advertised.

**MR. DVORYAK MOVED TO ADOPT ORDINANCE 07-14 GARAGE AND YARD SALE PERMIT ORDINANCE. MR. BOWMAN WAS SECOND.**

**GURRERI** Mr. Gurreri stated that it may be necessary to have more signs especially for residences that are hidden on side streets.

**BISHOP** Mr. Bishop commented that all the signs are going to be hidden because signs are not permitted in the right-of-way. By definition residents have to put it somewhere where no one can see it. He added that he thought it was ridiculous to write laws knowing no one will or can obey them.

**SCHENCK** Chairman Schenck suggested to state, “Two off premises signs shall be permitted” and strike the rest that says it has to be within the right of way. He asked the Board for a Consensus.

**Consensus of the Board was agreement with the suggested change.**

**MOTION UNANIMOUSLY CARRIED.**

**F. Ordinance No. 07-15 - Revised Stormwater Ordinance**

**HOLMAN** Mr. Holman noted that this Ordinance is an update of the Stormwater Ordinance based on the approved zoning and planning and the MS4 updates from DEP. It has been reviewed by the Township Engineer. The Ordinance is very technical, but it does meet the MS4 requirement.

**LUCIANI** Mr. Luciani responded that he had not reviewed the final draft but he believed that to be so.

**HOLMAN** Mr. Holman added that this was one of the last ordinances that was reviewed by Marian Hull of Kise, Straw and Colodner.

**MR. BOWMAN MOVED TO APPROVE ORDINANCE NO. 07-15 FOR THE AMENDMENT OF THE STORMWATER ORDINANCE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Resolution No. 07-45 – Upgrade Street Light in 700 Block of Plymouth Road from 175-Watt Mercury Vapor to 100-Watt High-Pressure Sodium Vapor Luminaire**

**HOLMAN** Mr. Holman noted that this is a new light that is provided by the electric company which provides as much light but lowers electric usage.

**MR. GURRERI MOVED TO APPROVED RESOLUTION NO. 07-45, UPGRADE STREET LIGHT IN THE 700 BLOCK OF PLYMOUTH ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**H. Resolution No. 07-46 – Annual Road Projects – Request for County Aid**

**HOLMAN** Mr. Holman stated that the Township had Development Agreements with the County in which the County provides the Township \$60,000 in County liquid fuel funds. This Resolution authorizes the Township to draw those funds down with the County.

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 07-46 – ANNUAL ROAD PROJECTS FOR COUNTY AID. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**I. Authorization to Enter into Easement Agreement for Construction of Sidewalks – Green Ridge Lane and Mundis Mill Road (Parcel No. 460001500500000000) Application for County Aid**

**J. Authorization to Enter into Easement Agreement for Construction of Sidewalks – Mundis Mill Road (Parcel No. 460001500190000000)**

**K. Authorization to Enter into Easement Agreement for Construction of Sidewalks – Hammond Road and Green Ridge Lane (Parcel No.460001500510000000)**

**HOLMAN** Mr. Holman reported that items I, J, and K deal with the easement for sidewalks for the Central School project. Two easements are secured and one additional is anticipated any day.

**SCHENCK** Chairman Schenck asked what it cost.

**HOLMAN** Mr. Holman responded that the costs were \$500, \$4,000 and I believe \$7,200. There was a tree involved in one and that raised the cost; however, it is within the budgeted amount.

**SCHENCK** Chairman Schenck provided direction that items I, J and K could be acted upon with one motion.

**MR. BISHOP MOVED TO AUTHORIZE THE EASEMENT AGREEMENT ITEMS I, J AND K ON THE AGENDA. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Joint Municipal Fire Services Meeting – June 19, 2007**

**SCHENCK** Chairman Schenck asked whether Spring Garden Township would approve an identical set of minutes.

**HOLMAN** Mr. Holman responded that Springettsbury will approve them and Spring Garden will approve the set of minutes as well. He had not received any corrections.

**MR. GURRERI MOVED TO APPROVE BOARD OF SUPERVISORS JOINT MUNICIPAL FIRE SERVICES MEETING JUNE 19, 2007 AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Regular Meeting – July 26, 2007**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING JULY 26, 2007 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. Discussion Regarding Board of Supervisors Meeting Schedule (September 13, 2007)**

**SCHENCK** Chairman Schenck indicated that at least three of the Supervisors are unable to attend the September 13<sup>th</sup> meeting resulting in lack of a Quorum. He asked whether anything was time sensitive.

**HOLMAN** Mr. Holman responded that anything that was time sensitive has been addressed.

**SCHENCK** Chairman Schenck asked whether the recommendation would be to cancel the September 13<sup>th</sup> meeting.

**HOLMAN** Mr. Holman responded that it might be best to do so and go to the September 27<sup>th</sup> for the next meeting. Many of the items already acted upon were in preparation for not holding the September 13<sup>th</sup> meeting so there is nothing critical that should need action.

**SCHENCK** Chairman Schenck noted that another option would be to meet the week before on September 5<sup>th</sup>, a Wednesday, since the meeting room is already reserved for Thursday night.

**HOLMAN** Mr. Holman noted that any issues with regard to community development had been addressed. There is nothing pressing that would require a meeting at this point. Mr. Holman asked for a motion to cancel the meeting for lack of a Quorum.

**MR. GURRERI MOVED TO CANCEL THE SEPTEMBER 13, 2007 BOARD OF SUPERVISORS MEETING DUE TO LACK OF A QUORUM. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**14. NEW BUSINESS:**

**A. FY2007: NIMS Compliance Form**

**SCHENCK** Chairman Schenck indicated that he needed to execute a document indicating the Township is NIMS compliant.

**MR. BISHOP MOVED TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE 2007 NIMS COMPLIANCE FORM. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Dogs in Parks: Park and Recreation Board Proposal**

**SCHENCK** Chairman Schenck stated that the Park and Recreation Board had many discussions concerning allowing people to walk dogs in the parks. They had created a proposal for the Board to consider. It would mean a change to the Ordinance because the park rules are by Ordinance so that there can be some level of enforcement. The procedure would be to draft a new Ordinance, advertise and adopt it.

**BISHOP** Mr. Bishop stated that something would have to be done about the issue. There had been no enforcement of keeping dogs out. Mr. Bishop was concerned that there did not seem to be unanimity among the Park and Rec Board. He'd like to understand the differences and the issue a little better.

**GURRERI** Mr. Gurreri commented that people are walking their dogs in the park now and it is difficult to stop. The biggest problem is cleaning up after them. He suggested to designate areas where the dogs can't be, such as in the amphitheater. Mr. Gurreri agreed with the idea.

**SCHENCK** Chairman Schenck asked for suggestions on how to get a better understanding from the committee. He asked what the tone was of the dissension.

- WENDEL** Mr. Wendel responded that there was one member of the Park and Recreation concerned about resident dogs and another member was not in favor.
- BISHOP** Mr. Bishop indicated that one of the things that concerned him was the fair amount of discussion concerning the issue. In addition, the recommendation basically says that dogs are allowed anywhere as long as they are on a leash in all the parks. He understood that it was under discussion and not recommendations.
- WENDEL** Mr. Wendel stated that the position was to recommend to allow dogs on leashes in parks and then have the dog friendly/park friendly proposal.
- SCHENCK** Chairman Schenck indicated that it was a good guide, but a policy could not be enforced. He suggested to have either the Park and Rec Board or staff draft real rules that would be part of the Ordinance so it had some enforcement teeth. If someone was in the amphitheater they could be escorted out. He did not necessarily like the word “playgrounds” which was pretty vague. His opinion of a playground would be August Shaffer’s, which is not a park. Chairman Schenck thought that what was intended was to not have dogs around swing sets and play structures, and that should be documented within the text of the actual Ordinance or rules that would go along with the policy. He thought that staff might be better equipped to write that.
- HOLMAN** Mr. Holman stated he would work with Mr. Wendel, the Solicitor and members to draft something. It would be an amendment to the rules within the Ordinance and must be very specific about where dogs are allowed or not allowed.
- BOWMAN** Mr. Bowman recalled that during the last summer concert, shortly after an announcement was made concerning no dogs allowed in the park, a dog owner walked in with his dog on a leash.
- SCHENCK** Chairman Schenck stated that the County allows dogs everywhere except Nixon Park. They might be a good resource as they have a lot of experience with it. As far as aggressive dogs there are state laws that cover that, and nothing needs to be done about that.

**B. Approval of Job Descriptions:**

- a) **Administrative/Human Resource Assistant**
- b) **Administrative Assistant – Police Department**

- HOLMAN** Mr. Holman noted that there are two vacancies, and as a matter of procedure, each Job Description is reviewed for updates and the job functions. Reviews were made where Ms. Amspacher had served as the Administrative/Human Resource Assistant and the Police Department Administrative Assistant.
- BISHOP** Mr. Bishop commented that they were two of the best Job Descriptions he had seen.

**MR. BISHOP MOVED TO APPROVE THE JOB DESCRIPTIONS A AND B AS ITEMIZED ON THE AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Acknowledge Receipt of July 31, 2007 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE JULY 31, 2007 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Ordinance Creating Partnership in the Jt. Fire Commission.**

**SCHENCK** Chairman Schenck stated that action had been taken to adopt the Ordinance creating the Joint Fire partnership. Two members and an Alternate need to be appointed to the Commission.

**BISHOP** Mr. Bishop commented that what was in place seemed to be working.

**SCHENCK** Chairman Schenck stated that the option is open to anyone who wants to serve, which would include an Alternate.

**GURRERI** Mr. Gurreri asked whether it would be necessary to be a Board member.

**SCHENCK** Chairman Schenck responded that the individual must be a Board member. The first At-Large appointee comes from Spring Garden for a two-year term.

**HOLMAN** Mr. Holman confirmed that in two years there will be a new term Township appointee.

**MR. BOWMAN MOVED TO APPOINT DON BISHOP AND BILL SCHENCK AS PRIMARY COMMITTEE MEMBERS AND NICK GURRERI AS ALTERNATE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:30 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JULY 26, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, July 26, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**NOT IN**

**ATTENDANCE:** John Holman, Township Manager

**ALSO IN**

**ATTENDANCE:** Charles Rausch, Solicitor  
Harish Rao, Economic and Community Development  
Mike Schober, Environmental Engineer  
Chris Beauregard, Civil Engineer  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Andrew Stern, Managing Director of Fire and Rescue Services  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Teri Gilfillan, Grants and Public Relations/Events Specialist  
David Eshbach, Chief, Police Department  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m. He asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees. He congratulated David Wendel and the Park and Recreation Department for the fine job they are doing in the park. Mr. Gurreri had attended the Legends concert in the amphitheater and noted how everyone had enjoyed themselves. Mr. Gurreri led the Pledge of Allegiance.

**B. Oath of Office – Patrolman Ryan W. Thomas**

**ESHBACH** Chief Eshbach introduced Ryan Thomas, who joined the Police Department on July 2, 2007. He provided Ryan's background and training information.

**SCHENCK** Chairman Schenck led Patrolman Thomas in the Oath of Office.

**ESHBACH** Chief Eshbach presented Patrolman Thomas with his official badge, #33.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that there had been no Executive Sessions 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 reported on the BNR System. The new system is in and sampling began this week. An additional system is coming in on Monday, July 30<sup>th</sup>. The two systems will be running side by side, and Mr. Schober indicated he thought there would be very good results.

**SCHENCK** Chairman Schenck commented that one of the Barwood residents asked when they would be permitted to connect.

**SCHOBBER** Mr. Schober responded that the system is ready. Notifications need to be sent by the Township and the process initiated.

**SCHENCK** Chairman Schenck asked Mr. Hodgkinson whether everything was ready.

**HODGKINSON** Mr. Hodgkinson stated that, as soon as Mr. Holman returns, the letters will be mailed.

**SCHENCK** Chairman Schenck noted that there are several residents who are very anxious. He asked whether those residents could come to the Township to begin the connection process.

**SCHOBBER** Mr. Schober responded that it would be acceptable to do so since the system is ready.

**HODGKINSON** Mr. Hodgkinson added that their tap in fee was paid by the project.

**C. Civil Engineer – First Capital Engineering**

**BEAUREGARD** Chris Beauregard, First Capital Engineering, provided the report in Mr. Luciani's absence. He noted that the Board had been provided an article from Civil Engineering magazine, which was informative and related to some of the recent Land Development Plans that had come to the Township. He reported on the following:

- I-83 – No major restrictions with turning movements on the ramp.
- Concord Road – Progress is moving along. Portion of road south of tracks is blocked. Northern section near York Town Center will be paved week of July 30<sup>th</sup>. Road will be opened mid-August.
- York Butterfly – Minor issues with access. Meeting with staff to resolve.
- Eastern Boulevard Traffic Circle – Project is moving ahead; relates to the medical center going in on Eastern Boulevard.
- Greystone Bank – Correction to the Engineer's Report which indicated Green Springs Shopping Center and the restaurant as Applebee's. The correction is that it is actually in the Village Green Shopping Center and the restaurant is Fuddrucker's.
- Plan reviews taking place on Spring Meadows Subdivision.
- Land Development Plans include York Rail, York Veterinarian, York Container, Triplet Springs, York Water and Tammy Dallmeyer Subdivisions.
- Davies Drive – Moving forward with the connection to Concord Road and Market Street
- Haines Road – Some deficiencies were found during the final inspection of the waring course in the northbound through lanes and left-turn lanes of the portion between Haines and Eastern Boulevard. A meeting will be held with PennDot and the contractor on Monday, the 30<sup>th</sup>, in order to resolve the issues within the next two weeks.

**SCHENCK** Chairman Schenck recalled approving a Land Development Plan for York Container several years ago. He asked whether the plan coming forward is a different plan.

**BEAUREGARD** Mr. Beauregard responded that it is a different Land Development Plan. They are looking to expand to the south increasing some of their paved area and some modifications to their stormwater management system.

**5. ACCOUNTS PAYABLE:**

- A. Regular Payables as detailed in the Payable Listing of July 26, 2007.**

**MR. DVORYAK MOVED TO APPROVE PAYABLES AS OUTLINED IN LISTING OF JULY 26, 2007. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS AND CONTRACTS:**

- A. Authorization to Advertise for Bids – Public Works Storage Building/Garage**

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE FOR BIDS, PUBLIC WORKS STORAGE BUILDING/GARAGE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Authorization to Purchase a 2007 CUES TV Pipe Inspection Van Utilizing the PACC Contract through U. S. Municipal Supply, Inc. in the amount of \$232,321.**

**SCHENCK** Chairman Schenck asked whether the item had been budgeted.

**HODGKINSON** Mr. Hodgkinson responded that it had been budgeted.

**BOWMAN** Mr. Bowman asked what would be done with the old truck and what it might be worth.

**HODGKINSON** Mr. Hodgkinson responded that it would be sold outright. He added that the vehicle is 10 years old and could be useful to a smaller municipality. He added that the value would be between \$10,000 and \$15,000.

**MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO PURCHASE A 2007 CUES TV PIPE INSPECTION VAN UTILIZING THE PACC CONTRACT THROUGH U. S. MUNICIPAL SUPPLY, INC. IN THE AMOUNT OF \$232,321. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISION AND LAND DEVELOPMENT:**

- A. LD-07-01 – Time Extension – Members First Federal Credit Union – Plan Expires 8/10/07 (New Plan Date 11/10/07).**
- B. LD-07-03 – Time Extension – York Water Company – Plan Expires 8/8/07 (New Plan Date 11/8/07)**
- C. LD-07-06 – Time Extension – York Container Company – Plan Expires 8/25/07 (New Plan Date 11/25/07).**
- D. LD-07-07 – Time Extension – East York Veterinary Addition – Plan Expires 8/23/07 (New Plan Date 11/23/07).**

- E. LD-07-08 – Time Extension – Heritage Hills Hotel Addition – Plan Expires 8/23/07 (New Plan Date 11/23/07).**

**MR. DVORYAK MOVED TO APPROVE SUBDIVISION LAND DEVELOPMENT ITEMS A THROUGH E AS OUTLINED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- F. LD-07-04 – Service Tire & Truck Expansion (Action) – Plan Expires 9/26/07.**

**RAO** Mr. Rao presented the plan for approval. He provided background information, also documented in a July 26, 2007 memorandum. The plan is being developed under the previous zoning ordinances. The Planning Commission had approved the plan with several waivers and conditions, noted in the memorandum. Mr. Rao provided PowerPoint documentation of the plan timetable, photos of the project location, the zoning district, an aerial photograph, and existing site photo. Mr. Rao commented on several waivers and conditions requested. He noted that the applicant’s engineer, Jim Holly, was present to respond to any questions.

**BISHOP** Mr. Bishop asked what the rationale was for waiving street lights.

**RAO** Mr. Rao responded that currently street lights exist within 200 feet.

**BISHIOP** Mr. Bishop noted that the memo on conditions mentioned that the Preliminary Plan should be drawn on Mylar or linen; however, the Preliminary Plan is being waived.

**RAO** Mr. Rao responded that it should read, “Preliminary/Final should be on linen or Mylar.”

**SCHENCK** Chairman Schenck asked whether that was a Township or a County requirement.

**RAO** Mr. Rao responded that he believed it to be a County requirement.

**HOLLY** Jim Holly stated that he thought it was a Township requirement.

**RAO** Mr. Rao added that the County would not accept it.

**SCHENCK** Chairman Schenck asked whether the requirement was good or bad in today’s world. He understood Mylar was more durable, but asked who used it.

**BEAUREGARD** Mr. Beauregard stated that it is an antiquated requirement. He stated that there is no particular need for it and many townships had done away with linen or Mylar.

**SCHENCK** Chairman Schenck indicated it was an issue to think about.

**RAO** Mr. Rao responded that he would review it.

**SCHENCK** Chairman Schenck noted that the Board had been advised by the Solicitor that as long as the memo is properly referenced, the motions can be made including that text.

**MR. BOWMAN MOVED TO APPROVE LAND DEVELOPMENT PLAN 07-04, SERVICE TIRE & TRUCK EXPANSION WITH SUGGESTED WAIVERS AND CONDITIONS AS DOCUMENTED ON JULY 26, 2007 PERTAINING TO SURFACE DRAINAGE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**LOWMAN** Mr. Scott Lowman of Argyle Drive wanted to encourage the Board to use an abundance of care when considering requests for waivers of zoning ordinances. He asked that they please carefully consider the effects of development on surrounding communities.

**RAUSCH** Solicitor Rausch responded that the Board of Supervisors does not waive zoning ordinances.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri stated that he spoken to a resident, 3280 Lynwood Lane about brush in the back yard.

**RAO** Mr. Rao responded that he had an inspector check it and the brush had been removed. The resident was given over the weekend to work on it.

**GURRERI** Mr. Gurreri asked whether he had been notified or whether he had done it on his own.

**RAO** Mr. Rao responded that he had done it on his own.

**GURRERI** Mr. Gurreri reported that the Chamber had invited the Board to a meeting of the Economic Club breakfast for a discussion on Route 30 changes. John Klinedinst did a nice job discussing the different changes, signage, and speed, along with lots of different changes. He stated it had been a very interesting meeting.

- BOWMAN**                   **Feral Cats**  
Mr. Bowman reported that a resident of Fayfield from Kershaw to K Mart indicated there were a lot of feral cats; no bunnies or birds around, only cats.
- BOWMAN**                   **Fire Hydrants**  
Mr. Bowman reported that a resident of Haines Acres lives by a fire hydrant that had been out of commission for about a month. He was concerned because he receives a discount for living close to a hydrant. He called the water company, which reported that parts had been ordered.
- SCHENCK**                   Chairman Schenck asked Mr. Stern for his interpretation of the situation.
- BOWMAN**                   Mr. Bowman noted that he had seen some of the hydrants being repaired.
- STERN**                     Mr. Stern reported that some of the hydrants date back to the 50's or older. They do notify the fire department when they are out of service, and a list is kept at the fire house. He indicated that at any given time there may be a half dozen out of service, which is not unusual.
- GURRERI**                   Mr. Gurreri asked how the fire department would know if the hydrants are in working order.
- STERN**                     Mr. Stern responded that the water company has a program where they go around the community testing the hydrants. It's the fire department's assumption that they work and it is rare for a public fire hydrant that's not on that list not to work. The only problem the firemen have is getting them turned off when the fire is out.
- SCHENCK**                   **Argyle Drive**  
Chairman Schenck reported he had received a letter addressed to his home from Ed Lyons of Argyle Drive. He indicated that the letter should be kept in the file for the proposed development in that area.
- SCHENCK**                   **Triplet Springs**  
Chairman Schenck stated that he had been questioned about Triplet Springs with regard to the Zoning Hearing Board ruling made that was to reduce lot size. He asked whether it had been because of an overlay.

- RAO** Mr. Rao responded that the developer wanted to maintain more open space. They had to move the lots closer together. He added that the plan came in under the old ordinance.
- SCHENCK** Chairman Schenck asked what the requirements would be under the new ordinance.
- RAO** Mr. Rao responded that the lot size would be much bigger and there would be less green space.
- SCHENCK** Chairman Schenck asked whether that was contingent on where the green space is or was it more of a general variance.
- RAO** Mr. Rao responded that a review was made of where it is located on the property where some of it is hilly and some flat. That was a consideration in the decision.
- SCHENCK** Chairman Schenck questioned whether the plan would proceed under the new ordinance if a variance was granted under the old ordinance.
- RAO** Mr. Rao responded that this plan is under the old SALDO.
- SCHENCK** Chairman Schenck commented that there could be no commercial development there if they're under the old zoning.
- RAO** Mr. Rao responded that it is correct. They chose to be under the old ordinance. They submitted before the adoption date.
- SCHENCK** Chairman Schenck stated that there are people who attend the meeting who are aware there is some unrest with the surrounding property owners.
- RAO** Mr. Rao stated that a number of property owners came in to see the plan.
- SCHENCK** Chairman Schenck asked where the project is in the process.
- RAO** Mr. Rao responded that they will be submitting a Preliminary Plan based on the Zoning Hearing Board's variances and revising that. The Planning Commission should probably see it at their September meeting.
- GURRERI** Mr. Gurreri questioned whether the Board had received the Planning Committee Minutes? He stated that he had not received

them and indicated that many times the public knows more than the Supervisors.

**RAO** Mr. Rao responded that he was not aware the Board wanted the Planning Commission Minutes as well.

**9. SOLICITOR'S REPORT:**

**SCHENCK** Chairman Schenck noted that Solicitor Rausch had submitted a written report. He wanted to be sure that the Supervisors were in agreement with his counsel on the York Town Letter of Credit. He added that no action was necessary.

**RAUSCH** Solicitor Rausch stated that he wanted to review the Addendum to the trash contract. He reported that a non-mandatory pre-bid meeting was held. Two bidders attended: York Waste and Penn Waste and they picked up bids. One other company, a broker service, had a bid package mailed to them, and it could be possible that there would be additional bids. The bid specifications were reviewed during the meeting.

Solicitor Rausch reported on the suggested changes:

- Cardboard had been required to be in 4X4 bundles. Cardboard pick up will be an alternate to the bid as opposed to being part of the actual program. After discussion with the bidders, they preferred to see it as a regular part of the pickup, but to reduce the size of the cardboard from 4X4 to 2X2, as 4X4 is cumbersome for the workers to handle and causes more safety concerns; 2X2 is a lot easier to handle.

**GURRERI** Mr. Gurreri noted that moving boxes are bigger than 2X2 and they are only flattened and put out for the trash hauler. Some of the trucks are not suitable to take them. He figured that was the reason for the smaller requirement.

**RAUSCH** Solicitor Rausch responded that he was correct.

- Tipping Fee – The trash haulers wanted to be sure that, in the event that there is a state-mandated change in the tipping fee, the increase would be allowed as a pass-through. The burden would be on the Township, which would certify that the increase was due to a state or local mandate.
- Appliances – The phrase “Freon free” was eliminated as it was easier for the contractors to take care of it.

**RAUSCH** Solicitor Rausch commented that no action was necessary on the Addendum; they will process it and send it to the two bidders.

**GREENEWALT** Mr. Bill Greenewalt asked who the two bidders were.

**RAUSCH** Solicitor Rausch responded they were York Waste and Penn Waste.

**SCHENCK** Chairman Schenck asked the Board if they had any further thoughts about the clarifications to the garbage contract.

**Consensus of the Board was Agreement with the Amendments and clarifications.**

**RAUSCH** Solicitor Rausch stated that it was fairly strong and that's why it was determined to go to a straight five-year contract and not a two-year contract. The contractors wanted to exonerate Mr. Dvoryak as they were in favor of what he argued for in terms of requiring the Township surcharge to be paid regardless of whether or not they collected.

**DVORYAK** Mr. Dvoryak commented that it was interesting.

**SCHENCK** Chairman Schenck asked when the bids are due back.

**RAUSCH** Solicitor Rausch responded that the date is August 19, 2007.

**10. MANAGER'S REPORT:**

**SCHENCK** Chairman Schenck reported that an application had come forward filled out by First Capital for erosion control and stormwater submission for the Penn Oaks Park Project. The application is to be submitted to DEP. In his absence, Mr. Holman asked that the Board approve the submission of the application.

**MR. BOWMAN MOVED TO APPROVE SUBMISSION OF THE E&S AND STORMWATER PERMIT APPLICATION TO DEP FOR THE PENN OAKS PARK PROJECT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 07-10 Setting Maximum Speed at 35 MPH for Concord Road between Mt. Zion Road and Northern Way.**

**SCHENCK** Chairman Schenck asked whether item A had been advertised and was assured that advertisement had been done.

**MR. BOWMAN MOVED TO APPROVE ORDINANCE NO. 07-10 SETTING MAXIMUM SPEED AT 35 MPH FOR CONCORD ROAD BETWEEN MT. ZION ROAD AND NORTHERN WAY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 07-43 – Acceptance of Dedication of Rights-of-Way for Davies Drive.**

**SCHENCK** Chairman Schenck noted that item B covered a right-of-way on Davies Drive in order to make application for the railroad crossing.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION NO. 07-43, ACCEPTING THE DEDICATION OF RIGHTS-OF-WAY FOR DAVIES DRIVE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 07-44 – Renewing the Memorandum of Understanding with the Watershed Alliance of York, Inc. (WAY).**

**MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 07-44, RENEWING MEMORANDUM OF UNDERSTANDING WITH THE WATERSHED ALLIANCE OF YORK, INC. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Advertise Ordinance Authorizing Acceptance of Draft Charter Agreement for York United Fire and Rescue Joint Fire Service**

**SCHENCK** Chairman Schenck stated that item D covered the advertisement of the Ordinance authorizing the Draft Charter Agreement for the York United Fire and Rescue Joint Fire Service. Spring Garden Township had authorized advertisement previously, and Chairman Schenck had cautioned them to understand that once the Ordinance is adopted that a timeline begins.

**BISHOP** Mr. Bishop commented that Mr. Holman had scheduled it as to specifically what will happen and when.

**MR. GURRERI MOVED TO APPROVE AUTHORIZATION TO ADVERTISE ORDINANCE AUTHORIZING ACCEPTANCE OF DRAFT CHARTER AGREEMENT FOR YORK UNITED FIRE AND RESCUE JOINT FIRE SERVICE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Authorization to Advertise Ordinance Defining and Regulating Garage and Yard Sales.**

**SCHENCK** Chairman Schenck noted that this Ordinance needed to be re-established, as it had been dropped out of the last codification.

**MR. DVORYAK MOVED TO AUTHORIZE ADVERTISING ORDINANCE DEFINING REGULATING GARAGE AND YARD SALES. MR. BOWMAN WAS SECOND.**

**BISHOP** Mr. Bishop commented that the item had been dropped out on purpose. It had not been left out accidentally. Mr. Bishop added several points regarding signs advertising yard sales.

The ensuing discussion included several points as summarized below:

- Ordinances/laws are of no value if they cannot be enforced.
- Ordinance was removed from zoning and placed in general for more strict enforcement; offenders would be sent to a District Justice with a \$1,000 maximum fine.
- Signs should not be placed on utility poles.
- Signs on street corners must be removed following the sale.
- Signs could only be permitted on the property of the sale.
- Permits must be issued for garage sales; only two a year.
- Signs can't be erected until a permit is issued.
- Suggested to prohibit signs on major street corners attached to utility poles and street signs; must be removed within 24 hours after the sale.
- Consider establishing a time frame prior to the sale as well.

**RAUSCH** Solicitor Rausch stated the proposed language for Section 4, item 7 to read: Sales are permitted on the property of the sale only. Street signs are strictly prohibited. All signs must be removed within twenty-four (24) hours after the sale ends." Solicitor Rausch indicated he would incorporate the Board's wishes.

**SCHENCK** Chairman Schenck noted that the motion was simply to advertise, and additional changes can be made before adoption.

**MOTION UNANIMOUSLY CARRIED.**

**F. Authorization to Advertise Amendment of Stormwater Ordinance**

**RAO** Mr. Rao explained that the SALDO had been updated, but the storm water calculations had not been brought up to current standards.

**RAUSCH** Solicitor Rausch clarified that it was being brought up to state regulations.

**BISHOP** Mr. Bishop asked whether it was in the SALDO.

**RAO** Mr. Rao responded that it is not; stormwater is in section 281 of the standard regulations.

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE AMENDMENT OF STORMWATER ORDINANCE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – June 28, 2007**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING JUNE 28, 2007 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of June 30, 2007 Treasurer's Report**

**SCHENCK** Chairman Schenck acknowledged receipt of the June 30, 2007 Treasurer's Report.

**BISHOP** Mr. Bishop noted that the report indicated a healthy financial picture.

**RAUSCH** Solicitor Rausch reported that Safe Routes to School documentation is being prepared on the sidewalk project. Signatures will be obtained during the week of July 30, 2007.

**15. ADJOURNMENT:**

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

Respectfully submitted,

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JULY 26, 2007  
APPROVED**

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JUNE 28, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, June 28, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Harish Rao, Economic and Community Development  
Dori Bowders, Manager of Administrative Operation  
Betty Speicher, Director of Human Resources  
Jack Hadge, Finance Director  
Andrew Stern, Managing Director of Fire and Rescue Services  
David Eshbach, Chief, Police Department  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees. He stated that local government worked best when the residents attend and the Board was anxious to hear their comments. Mr. Gurreri led the Pledge of Allegiance. He reminded the public to keep the men and women in uniform and the Armed Services in their prayers.

**B. Oath of Office – Firefighters Craig Harlacker and Edward Morin**

**SCHENCK** Chairman Schenck asked Andrew Stern to introduce the Firefighters.

**STERN** Mr. Stern introduced the two Firefighters and provided background information which indicated both gentlemen bring a lot of experience to Springettsbury.

**SCHENCK** Chairman Schenck administered the Oath of Office to the Firefighters. He congratulated them and welcomed them to the fire department.

**STERN** Mr. Stern introduced family members who had come to in support.

**SCHENCK** Chairman Schenck acknowledged a number of Firefighters in attendance also in support of the new Firefighters.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck stated that there had been no Executive Sessions since the last meeting and none had been scheduled for this date.

**3. COMMUNICATION FROM CITIZENS:**

**Argyle Drive**

**LOWMAN** Mr. Scott Lowman, 1734 Argyle Drive, indicated that he had obtained 143 signatures from residents of Sagamore, Pelham, Argyle, San Gabriel and North Hills Road. Their concern was the plan which had been returned to the Planning Commission for a traffic study to be done to consider running Argyle Drive from North Hills Road out to Pleasant Valley Road. He voiced concern of the residents about increased traffic in their neighborhood. He requested the Board to require a new Preliminary Plan from the developer and also to refer to the Comprehensive Plan which included “a community, tight knit with small streets.”

**SCHENCK** Chairman Schenck responded that to date the plan had not changed, nor had anything been re-submitted showing the road. He assumed the developer was waiting for the results of the traffic study.

**Police Department/Neighbor**

**WALKER** Mr. Frank Walker, North Sherman Street reported that his mail box had been demolished with evidence of blood on it. He had contacted Springettsbury Township Police Department and was advised that the man responsible was in custody. Mr. Walker had purchased another mailbox as a replacement. The Police Department advised him that they needed a receipt for reimbursement purposes. Mr. Walker had misplaced the receipt, attempted to obtain one but was unable to produce proof of his purchase. When he reported that to the Police Department, they indicated he needed proof, and he felt that he was treated more like a criminal than a victim. Even though he had received an apology from the Police Department, he did not believe the issue was resolved. He asked his friend, who was with him during the ordeal to attest to the situation.

**STINE** Ms. Hilda Stine stated that she had been with Mr. Walker and knew about the entire situation. She reported that she had lived in Springettsbury Township since 1981. She indicated that she had not had any satisfactory dealings with the Springettsbury Township Police Department. She did not believe that the police are out to protect the citizens, but rather the criminals. She provided some information concerning other difficulties she had with her personal property in which she was not treated fairly. She stated that the people who are dealing drugs seem to be more protected. She indicated that she felt someone is getting paid off.

**WALKER** Mr. Walker continued his statement concerning the on-going activity at his neighbor's home. He presented some photographs to the Board for their review. He stated that he had a letter from another neighbor who was unable to attend, which he asked the Chairman to read.

**SCHENCK** Chairman Schenck stated that while this was the public comment section of the meeting, he would not read the letter presented to him. He advised that the meeting was not the proper forum for taking or giving testimony. He did offer to review Mr. Walker's photographs.

**WALKER** Mr. Walker continued that he had been denied permission to put a fence up between him and his neighbor. He had been out of town and came home and his neighbor had erected a building. Mr. Walker measured and found that the building was 15 inches from the property line.

**SCHENCK** Chairman Schenck asked whether the building is a legal structure and whether the resident had secured a Building Permit.

**RAO** Mr. Rao responded that at the time Mr. Walker had called, there was no Building Permit; however, a Building Permit and an Assembly Permit had since been secured.

**SCHENCK** Chairman Schenck asked Mr. Walker how he could help him.

**WALKER** Mr. Walker responded that he thought if he brought proof that the neighbor does whatever he wants that he would get some satisfaction.

**BISHOP** Mr. Bishop commented that he had listened very carefully to the accusation by his friend that this Board was on the take. He stated that Mr. Walker needed to be very careful about his accusations, and he was particularly interested in hearing the accusations being made against this Board and the Police Department.

**WALKER** Mr. Walker added an additional scenario about the Police Department coming down Mack Alley with no lights on. Mr. Walker had been advised that they were cleaning out the block. However, Mr. Walker had not read anything in the newspaper about it.

**BISHOP** Mr. Bishop asked Mr. Walker if he was unhappy that he had been told that an arrest had been made but that he hadn't read about it in the newspaper, so he didn't think it actually happened.

**WALKER** Mr. Walker indicated he was correct. He thanked them for their time and stated that he would be back with his other neighbor.

**Mt. Rose Avenue/Camp Betty Washington/Tractor-Trailer Parking**

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**BYERTS** Ms. Cathy Byerts of 190 Crown Pointe Drive, a town home community behind the Gabriel Bros shopping center off of Mt. Rose Avenue, stated that the Township had prohibited a left-hand turn from Greensprings Drive onto Mt. Rose Avenue heading west. She understood that traffic pattern change. However, all the residents living in Crown Pointe, Greensprings Apartments, Heritage Hills and the Fountains who head toward the city or need access to Interstate 83 must use the small access road behind El Dente' Restaurant. Many cars attempt to pull out there and at high traffic times it becomes a nightmare to get out. She wondered whether the Township would be doing any type of traffic study in that area that might help the situation. In addition, Ms. Byerts asked whether tractor-trailer parking was permitted on Greensprings Drive.

**HOLMAN** Mr. Holman responded that there is a portion of Greensprings Drive that is Commercial where a tractor-trailer can park. That area is zoned Commercial and had been reviewed by the Police Department and Code Enforcement.

**BYERTS** Ms. Byerts asked whether they could park on the residential side of the street.

**SCHENCK** Chairman Schenck responded that tractor-trailers are prohibited from parking in a Residential zone.

**BYERTS** Ms. Byerts indicated that there had been one and now there are two parked there on the weekends. She asked whether the zoning could be changed.

**SCHENCK** Chairman Schenck responded that anything could be changed. The Township had not had much success in limiting truck parking in a Commercial zone; however, they had been able to ban it in residential zones. He added that it is a growing problem, and there are tractor-trailers parked all over the Township because of the way that business operates. He stated that if she observed tractor-trailers parked in a Residential zone, she could determine where the line is, and perhaps with some help, report it. He was sure that the staff would come out and visit the site. Chairman Schenck stated that, in response to her first question concerning Camp Betty Washington and Mt. Rose Avenue, that area had been studied traffic-wise inside and out, and to the best of his knowledge the road is a private driveway off the shopping center.

**HOLMAN** Mr. Holman stated that he was correct, and the public has the right of way to use it. There is an HOP permit from the owner to repair the dip as motorists exit.

**SCHENCK** Chairman Schenck stated that the section of Haines is state road, which is another issue; it is not a Township road to regulate. However, it is being studied as part of the 83 corridor study. There are all sorts of plans to improve the area.

**Ridgeview Heights**

**TRASBORG** Michelle Trasborg, 3475 Deininger Road, stated that she had met with the Zoning Officer concerning the Ridgeview Heights development plans. She stated that the

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residents of Rocky Ridge have great concerns and want to be involved in any and everything they can. She reported that they understood that right-of-way privileges will be exercised and that Deininger Road is to be expanded. Also that 20 feet of all of their properties will be taken to expand that road. They are very concerned and saddened about all the houses that will go in there and that they will miss the wildlife presently there. They do not understand why, when a development is going in along the road with 13 acres why their land will be used to expand the road.

**GURRERI** Mr. Gurreri asked why she thought her land would be taken.

**TRASBORG** Ms. Trasborg responded that it looked like that from the plans; 20 feet from the front of her property would be used to make a shoulder and a curb.

**SCHENCK** Chairman Schenck indicated that the Board had not seen the plans.

**RAO** Mr. Rao noted that the plan shows that there is right-of-way there.

**SCHENCK** Chairman Schenck asked if she understood what that meant.

**TRASBORG** Ms. Trasborg responded that she understood and wanted to be pro-active. It would destroy the area taking the front 20 feet of Heuter's and interfere with their quality of life. They are simply asking, as the development process goes forward, to have that road move into the undeveloped area.

**SCHENCK** Chairman Schenck asked whether the proposed development will be across the street.

**LUCIANI** Mr. Luciani confirmed it would be across the street.

**TRASBORG** Ms. Trasborg noted that it would be located from Steve Butler's and her house, which is next door to Heuter's, all the way down to the curve where Ray Abhoud lives. There are 10 plots, one right next to the other and according to the plans it would be finished on both sides, which she didn't understand. One side would have sidewalks. The residents are simply requesting that if the plan is approved to please leave their land untouched.

**SCHENCK** Chairman Schenck asked about the location.

**LUCIANI** Mr. Luciani responded that there is about 1000 feet of frontage for sidewalk and curb widening. It would be on the other side.

**SCHENCK** Chairman Schenck noted that typically any widening is only done on the side where the development occurs. He suggested that Ms. Trasborg follow the plan through the process, which is at the Planning Commission level.

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- LUCIANI** Mr. Luciani stated that the plan has to go to the Zoning Hearing Board because they don't have enough frontage to create 10 lots. They can create 9 legally. They want to construct a flag lot and are asking for a waiver to put a lot way behind the lots on the back. That hearing is July 5<sup>th</sup>.
- SCHENCK** Chairman Schenck added that he was sure it would go back to the Planning Commission after that.
- BISHOP** Mr. Bishop stated that the Planning Commission meeting will be the forum where the residents will have an impact.
- SCHENCK** Chairman Schenck stated that the July 5<sup>th</sup> meeting is the Zoning Hearing Board where they will request a variance to build 10 lots and probably will not deal with the road widening. The Planning Commission will deal with the road widening. The Planning Commission meets the 3<sup>rd</sup> Thursday of every month at 6 p.m. with the next meeting on July 19, 2007.
- TRAZBORG** Ms. Trasborg thanked the Board for their time.
- JACOBS** Argyle Drive  
Diane Jacobs, 1694 San Gabriel Drive stated her opposition against the business park development and potential roadwork to be done in their community. She cited small children and families who walk pets in the neighborhood.
- SCHENCK** Chairman Schenck responded that the land is available for development. The Board can not control whether it gets developed; however, they can be certain that it meets Township ordinances, laws and zoning regulations. They can't say no just because they don't like something; however, some of the things that this particular plan has requested will require some action that the Board does control.
- JACOBS** Ms. Jacobs indicated that they lost a previous home when Route 30 was constructed. This would be the second time that they would have to go through something like this, and they really would hate to have that happen. She thanked the Board.
- KNOKEY** Mr. Charles Knokey, Jr, 1774 S. Gabriel Drive, urged the Board to remember that the decision on the road will not just affect one street. It will affect the other four or five streets. Traffic will back up onto Sagamore, San Gabriel and Pelham especially during Christmas time.
- KANE** Ms. Barbara Kane, 1763 Argyle Drive was concerned about the children going to the school. Buses go in and out of there picking up the children which should be a consideration.
- GRIMES** Matthew Grimes, 1791 San Gabriel Drive, voiced his concern for the plan.

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He and his wife recently purchased their home on San Gabriel. They had lived in the city and moved so that their children would have an open and safe environment in which to play. They found a beautifully quiet community where their children could ride their bikes and the neighbors look out for them. He and his wife do not want to see the road extension. He requested, in addition, some Children At Play signs for protection of the children.

**GURRERI** Mr. Gurreri welcomed the Grimes family to Springettsbury Township and thanked him for coming to the meeting.

**HUEGEL** Ms. Betty Huegel, 1783 Argyle Drive stated that she had lived in the development before it was developed and is the oldest citizen there. There are a lot of elderly people who live there with limited income. They cannot afford sidewalks which would be installed if Argyle Drive would be opened up. The elderly are unable to take care of driveways and sidewalks. In addition, there are holes along North Hills that needed fixed. With the addition of trucks going through there the streets will be ruined.

**SCHENCK** Chairman Schenck stated that to the best of his knowledge the sidewalk issue is new to him. He would not anticipate that.

**HANSON** Ms. Deb Hanson, 1778 San Gabriel Drive, stated that there are two and three generations in the neighborhood. There are a lot of children which is a big concern. The discussion keeps returning back to the original contract in 1950. It's 57 years later and the whole place has changed. This is the third time this development has come up against this situation, and it needs to be ended once and for all.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBBER** Mr. Mike Schober reported that the final walk through was completed with the Township staff, Charlie Lauer, and Jim Crooks to review the final punch list items for the Barwood Road project. The contracts for the Grit Removal project are ready for the Chairman and the Manager's signatures, and Notice to Proceed will be issued. Pre-construction conferences will be scheduled with the three contractors. Some shop drawings were received and will be reviewed moving forward. There are two additional manufacturers coming in to run pilot tests for the BNR project. In addition, return sludge pumps are being designed, along with the new head works facilities, blowers and laboratories.

**C. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. John Luciani reported that there are eight plans to be submitted to the Planning Commission. He reported progress on the following projects:

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- Rutter's, North Hills Road – Staff meeting on Tuesday to discuss the PUC application. In addition, a follow up meeting with Mike Snyder concerning a right-of-way take.
- Haines Road – On the Agenda for payment; there are a few punch list items. Mr. Holman had reduced the dollar amount but they will do a final walk through with PennDot to wrap that project up; there are some cosmetic things that need to be changed.
- Concord Road project is moving ahead. Some minor design changes are being made behind Sam's Club. An amount had been authorized for a sink hole repair.
- Kinsley is splitting their crews between Concord Road and Mt. Zion Road. They have limited hours on Mt. Zion Road that they can work, so as soon as they are allowed to work on Mt. Zion they shift to that site. Even though they haven't progressed very far on Concord, it's because they are splitting crews. However, Mr. Luciani had no concern that they would not meet the time deadline to open the road in late August.

**BISHOP** Mr. Bishop suggested that during the Wachovia Bank project, if there's an opportunity there to make some sort of a connection behind there, it's something that should be reviewed. He had noticed that there is a sign on Eastern Boulevard advising that customers can get to Walgreen's back that alley.

**LUCIANI** Mr. Luciani responded that the project will be coming to the Planning Commission so that input is important. Starting at Market Street there is Walgreen's, and the Wachovia Bank will go in with their parcel, which is L-shaped in that they have frontage onto Eastern Boulevard. They are planning to overlay that alley towards Market Street and run into the drive through at the convenience store. However, there will be enough for two lanes going around that drive through, so there will be a common access drive between Market Street and Eastern. A traffic study was just completed and is being reviewed. In addition, discussion will be held concerning their contributions to the median that was recently placed.

**BISHOP** Mr. Bishop asked about the status of the Penn Oaks Park project.

**HOLMAN** Mr. Holman responded that the application was sent to DEP for the work to be done at the wetlands along the stream, and that's really what has that project in a stall at this point. As soon as that permit is received the project will move forward.

**LUCIANI** Mr. Luciani added that there are two bridge crossings as part of that plan. The Township is doing the bridge permits to cross that stream that's through there. We had a very favorable meeting with DEP several weeks ago.

**BISHOP** Mr. Bishop asked whether the funding for that project was in place.

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**HOLMAN** Mr. Holman responded that the funding is in place, and the project is behind schedule. However, he is making sure the grant funding is maintained within the timeline. Mrs. Gilfillan keeps him posted on the timing. He had made the timeline abundantly clear to the engineer and the architect on the project as to when it must be completed.

**5. ACCOUNTS PAYABLE:**

- A. Doug Lamb Construction, Inc. – Payment No. 1 and Close Out of Contract – Haines Road Median Project in the amount of \$138,767.50.**
- B. Acknowledgement of Payment to Norfolk Southern Corporation – Concord Road Improvements Project – Invoice Nos. 1705152540 and 1705152566 in the total amount of \$123,980.25**
- C. Regular Payables as detailed in the Payable Listing of June 28, 2007.**
- D. Doli Construction Payment #2 - Barwood Road Project in the amount of \$59,635.48.**

**HOLMAN** Mr. Holman requested that the authorized payment to Doug Lamb Construction be lowered to \$75,767.50 as this payment will not be a close out of the project. He did not anticipate that to occur until July or August. There were some revisions for review with PennDot.

**MR. DVORYAK MOVED TO APPROVE ACCOUNTS PAYABLE, ITEMS A THROUGH D WITH THE NOTE OF AMOUNT IN ITEM A BEING REDUCED TO \$75,767.50. MR. BOWMAN WAS SECOND. MOTION CARRIED. (Supervisor Bishop was out of the room during this vote – 8 p.m.)**

**6. BIDS, PROPOSALS AND CONTRACTS:**

- A. Authorization to Award Bid for Three Year Employee Uniform contract to Coyne Textile Services in the amount of \$12,571.52 per year.**

**HOLMAN** Mr. Holman indicated that item A had been properly advertised. He advised that it was a three-year contract with an option to renew for three more years with the same costs. The cost for the uniforms for this contract are less than was paid in the previous three years. The Township received excellent bids. He noted that Messrs. Hodgkinson and Lauer had worked very hard on the project.

**MR. GURRERI MOVED TO APPROVE AUTHORIZATION TO AWARD BID FOR EMPLOYEE UNIFORM CONTRACT TO COYNE TEXTILE SERVICES IN THE AMOUNT OF \$12,571.52 PER YEAR. MR. DVORYAK WAS SECOND. MOTION CARRIED.**

- B. Authorization to Award Bids for 2007 Material and Resurfacing Project as Outlined in the June 18, 2007 Memorandum from the Public Works Director.**

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**HOLMAN** Mr. Holman stated that item B had been properly advertised and Mr. Lauer was very pleased with the bids.

**MR. DVORYAK MOVED TO AUTHORIZE AWARDING THE BID FOR 2007 MATERIAL AND RESURFACING PROJECT AS OUTLINED IN THE JUNE 18, 2007 MEMORANDUM FROM THE PUBLIC WORKS DIRECTOR. MR. GURRERI WAS SECOND. MOTION CARRIED.**

**Note: Supervisor Bishop returned to the Board Room at 8:05 p.m.**

**C. Authorization to Advertise and Accept Sealed Bids for New Residential Garbage and Recycling Collection Contract for the Period January 1, 2008 to December 31, 2012.**

**SCHENCK** Chairman Schenck introduced item C to authorize and accept sealed bids for the new garbage and recycling collection contract and stated that there had been many meetings along with reviews by the Board of the draft. He asked whether anyone had any concerns or questions.

**DVORYAK** Mr. Dvoryak noted an item on page 23 and suggested that the Township should insist that it be paid for the amount that is billed as opposed to the amount that the waste hauler collects.

**HOLMAN** Mr. Holman commented that it would add the administrative fee.

**DVORYAK** Mr. Dvoryak indicated that administratively that would help to monitor that the Township is being paid the correct amount. It puts the burden of responsibility on the trash hauler to collect.

**BISHOP** Mr. Bishop indicated that he would be concerned about the potential unintended consequences that would put significant impetus on the contractor to collect that money along with over-zealous collection activity by any one of the contractors, which may not be in the Township's best interests. It always ends up coming back to the Board in negative ways. He did not think it would have a significant benefit on the revenue side.

**SCHENCK** Chairman Schenck asked whether there was any way to establish a dollar amount.

**DVORYAK** Mr. Dvoryak commented that part of the problem is that the Township does not know how much it's not getting.

**HOLMAN** Mr. Holman stated that the Township receives the collection of the delinquent fee. The Township provides the authorization to file a lien on the property on behalf of the Township if that's what it actually gets to and they go to collection.

**SCHENCK** Chairman Schenck asked whether that was when the fee is recovered.

**DVORYAK** Mr. Dvoryak stated that the contract says the Township is supposed to, but his point is administratively he didn't think that it was monitored. He doubted that there was a practical way to monitor that unless there's an audit of the trash contract.

**BISHOP** Mr. Bishop asked about the number of customers.

**HOLMAN** Mr. Holman stated that they know how many customers there are and what their service is along with what is collected. He could do a calculation against the total number of customers against the fee on a quarterly basis. The trash haulers are required to provide the Township with that annually or when requested.

**SCHENCK** Chairman Schenck stated that it would be prudent to do that.

**HOLMAN** Mr. Holman stated that he could set that up on an administrative basis.

**SCHENCK** Chairman Schenck thanked Mr. Dvoryak for his suggestion.

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISEMENT TO ACCEPT SEALED BIDS FOR A NEW RESIDENTIAL GARBAGE AND RECYCLING COLLECTION CONTRACT FOR THE PERIOD JANUARY 1, 2008 TO DECEMBER 31, 2012. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-05-13 – Time Extension – Market Street Commons Add-Ons – Plan Expires 7/26/07 (New Plan Date 10/26/07)**
- B. SD-06-11 – Time Extension – Becker Tract Residential Development – Druck Valley Road – Plan Expires 7/25/07 (New Plan Date 10/25/07).**
- C. SD-07-01 – Time Extension – Beatrice Rowe/Historic York – Plan Expires 7/11/07 (New Plan Date 10/11/07).**
- D. SD-07-03 – Time Extension – Spring Meadows Residential Development Plan Expires 6/30/07 (New Plan Date 9/30/07).**
- E. SD-07-04 – Time Extension – Ridgeview Heights Residential Development/Dallmeyer Property – Plan Expires 6/28/07 (New Plan Date 9/28/07).**
- F. LD-05-18 – Time Extension – Market Street Commons Add-Ons – Plan Expires 7/26/07 (New Plan Date 10/26/07).**
- G. LD-07-03 – Time Extension – York Water Company Addition – Plan Expires 7/9/07 (New Plan Date 9/7/07).**
- H. LD-07-05 – Time Extension – Wachovia Bank – Plan Expires 7/23/07 (New Plan Date 8/30/07).**

**SCHENCK** Chairman Schenck noted that one item up for action also is up to request for an extension. He asked Mr. Rao for comment.

**RAO** Mr. Rao responded that the item is simply a precaution.

**BISHOP** Mr. Bishop added that he had noted the item and considered it wise not to be backed into a corner.

**HOLMAN** Mr. Holman noted that it would provide a little more time for the Board if they have any questions that cannot be answered.

**MR. BISHOP MOVED TO ACCEPT TIME EXTENSIONS ITEMS A THROUGH H.  
MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**I. LD-06-08 – St. Johns Lutheran Church Addition – Plan Expires 9/12/07 (Action).**

**RAO** Mr. Rao provided background information as documented in a memorandum of June 28, 2007. He presented the plan for action. He provided a PowerPoint presentation showing highlights of the plan including the proposed addition, easements, location, aerial photo and site view of the church, along with Hartford Road sidewalks. One modification concerning the sidewalk along Hartford Road indicated that easements have been granted by the church and are noted on the plans for Mt. Rose Avenue. Waivers requested and documented in the June 28 memorandum have all been recommended approval by the Planning Commission at the November 16, 2007 meeting. There were several conditions for consideration including name, seal and signatures of the surveyor engineer, financial security provided and all fees paid prior to recording the plan.

**RUNGE** Mr. John Runge, Gordon Brown Associates, represented the plan. He spoke of the mutual cooperation between the church and the Township staff, which resulted in an agreement with a note placed on the plan as well as identification of the easement area.

**SCHENCK** Chairman Schenck noted that it had been a long time since he had seen a plan that included a grinder pump. He asked who would provide the maintenance.

**RUNGE** Mr. Runge responded that the church would maintain the pump.

**LUCIANI** Mr. Luciani responded that the requirement indicated it could be placed inside or outside the building.

**RUNGE** Mr. Runge noted that it will be located in a little quad area that falls between the addition and the existing building. It comes out of the kitchen area for the fellowship hall and ties into the existing mechanical room.

**BISHOP** Mr. Bishop asked for further clarification on the sidewalk along Mt. Rose Avenue. He asked whether the Township still has the ability to do whatever it is that needs to be done.

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**LUCIANI** Mr. Luciani responded that the instructions from the Board were to make that happen. The instructions were to make sure there is sufficient right-of-way to provide the sidewalk area consistent with the PennDot plan, which was provided on the drawing. The Township is attempting to find a source of funding. When PennDot comes through with their plan, if there is an existing sidewalk, they will replace it.

**BISHOP** Mr. Bishop's concern was the note that was actually on the plan that reiterates that sidewalks across the frontage of the property at Mt. Rose Avenue were permanently waived by the Springettsbury Township Supervisors August 27, 1987 Supervisors meeting, in return for a 40-foot right-of-way along Mt. Rose Avenue. That statement indicated that it doesn't say that the requirement that the property owner install sidewalks and could conceivably be construed to say that possibility of sidewalks are waived.

**LUCIANI** Mr. Luciani indicated his understanding in the discussions was that the Board did not want to obligate the church.

**BISHOP** Mr. Bishop agreed that it was exactly the goal not to obligate the church; however, he did not want to preclude the Township from ever placing the sidewalks in that location.

**RUNGE** Mr. Runge stated that the note that was mutually agreed upon is on sheet 4 of 5. It was stated in the actual easement area that is highlighted on the plan. The note reflects the temporary grading easement instruction as required.

**SCHENCK** Chairman Schenck asked whether there would be any detriment to adding the note on the front referencing the old action.

**RUNGE** Mr. Runge stated that he would be glad to do that.

**SCHENCK** Chairman Schenck suggested cross referencing both notes.

**BISHOP** Mr. Bishop stated that the note appeared to be fine but agreed that a cross reference would be appropriate.

**LUCIANI** Mr. Luciani indicated his agreement, especially for future reference.

**MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT PLAN 06-08, ST. JOHN'S EVANGELICAL LUTHERAN CHURCH WITH THE FOLLOWING WAIVERS:**

- **WAIVER OF §281-7.G INFILTRATION BEDS TO ALLOW A MINIMUM OF 0% BOTTOM SLOPE;**
- **WAIVER OF §289-11.A PRELIMINARY PLAN TO SUBMIT ONLY A FINAL PLAN;**

- **WAIVER OF §289-11B.19 WILL NOT SHOW ALL EXISTING STREETS WITHIN 400 FEET;**
- **WAIVER OF §289-13.A THE FINAL PLAN SHALL BE AT A SCALE OF ONE INCH = 30 FEET;**
- **WAIVER OF §289-13.A.8 A COMPLETE STREET LAYOUT SHALL BE PROVIDED AT A SCALE OF ONE INCH EQUALS 2000 FEET SCALE MAP;**
- **WAIVER OF §289-15.F WILL NOT PROVIDE A COPY OF A TRAFFIC STUDY;**
- **MODIFICATION OF §289-23.A SIDEWALKS SHALL BE INSTALLED ON THE WEST SIDE OF HARTFORD ROAD;**
- **WAIVER OF §289-26.A – LANDSCAPING PLAN WILL NOT BE PROVIDED TO ADEQUATELY ILLUSTRATE THE PROPOSED BUFFER YARDS FOR THE RESIDENTIAL DEVELOPMENT;**
- **MODIFICATION OF §289-27 STREETLIGHTS WILL NOT BE REQUIRED TO BE INSTALLED IN ALL SUBDIVISIONS AND LAND DEVELOPMENTS IN ALL ZONING DISTRICTS AND WILL NOT BE IN ACCORDANCE WITH TOWNSHIP SPECIFICATIONS;**
- **CONDITIONED (§289-68.D) UPON THE APPLICANT SHALL POST WITH THE TOWNSHIP ACCEPTABLE FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER, JOHN LUCIANI, TO GUARANTEE COMPLETION OF IMPROVEMENTS SPECIFIED ON THE PLAN;**
- **CONDITIONED (§289-68.D) UPON ALL REQUIRED FEES SHALL BE PAID PRIOR TO THE RECORDING OF THE PLAN;**
- **CONDITIONED (§289-13.A.5) UPON THE NAMES, SIGNATURES AND PROFESSIONAL SEALS OF THE REGISTERED SURVEYOR AND ENGINEER SHALL BE PROVIDED.**

**MR. BISHOP WAS SECOND.**

**BISHOP** Mr. Bishop noted that the applicant had agreed to place a reference between note 18 on the plan to the sidewalk reference on sheet 4.

**MOTION UNANIMOUSLY CARRIED.**

**J. SD-07-01 - Beatrice Rowe/Historic York – Plan Expires 10/11/07 (Action)**

**RAO** Mr. Rao provided background information as documented in a memorandum of June 28, 2007. He presented the plan for action. He stated that the property is located on Locust Grove Road south of Camp Security. He reported that the applicant wanted to divide the one tract into two individual tracts of five and 119 acres. The Schultz home, which is in the middle of the tract, is a farmstead with a home and will be donated to Historic York which will be protected for historical purposes. The home is considered the oldest property in York County built in the early 1700's. A variance had been requested from the Zoning Hearing Board in December of 2006 for a 50-foot street frontage for an R-2 Residential District.

He provided highlights of the plan in a PowerPoint presentation showing a one-tract parcel location in the southeast section of the Township near the Windsor Township line. The tract is in the R3 District. Additional views of the project showed the present site with home, farm and barn, the larger lot, aerial view showing lot lines of proposed subdivision. The Comprehensive Plan indicated that there is a proposed connection between Kingston Road and to Locust Grove Road. This plan would help that connection. Several waivers, conditions and modifications were requested as documented in the June 28 memorandum and were recommended to approval by the Planning Commission at their March 15, 2007 meeting.

**DICARA** Mr. Brian Dicara of LSC Design offered to answer questions and provide additional detail.

**SCHENCK** Chairman Schenck asked for a better illustration as to where the extension of Kingston Road would line up.

**RAO** Mr. Rao provided that it would line up in the area of Locust Grove.

**SCHENCK** Chairman Schenck commented that it appeared to be a neighborhood street. He asked whether that street was in Wilshire.

**DICARA** Mr. Dicara responded that it was in lower Wilshire.

**SCHENCK** Chairman Schenck asked whether it would create that right-of-way.

**RAO** Mr. Rao responded that it would not; it was a step towards the recommendation from the Comprehensive Plan.

**LUCIANI** Mr. Luciani stated that Historic York received a gift of this tract. They did not get the whole 119 acres, but they got 5 acres. The purpose of the subdivision is to take their gift

**SCHENCK** Chairman Schenck noted that he understood that part. He asked for further explanation of Historic York's role and their charter to preserve this gift.

**ARNOLD** Ms. Karen Arnold, Executive Director of Historic York, stated that they had been approached approximately 10 years ago by Mrs. Rowe to explore ways to possibly preserve her house for perpetuity. It is the oldest known house in all of York County including Springettsbury Township built in 1734. It does have a date stone. She had decided to model her gift to Historic York on some of our earlier projects much like the Willis House, which is a 1761 house in East Manchester Township. The property would be deeded to Historic York. Historic York would do some limited restoration, whatever is necessary to be done and list the property to the National Register of Historic Places and then add protective covenants and easements to the property that would convey with it long term.

There are no long-term plans for the building. It may be leased; however, it will remain residential or ultimately sold as well. She explained that Historic York is a 501-C-3 organization recognized by the Commonwealth of Pennsylvania to wholly preserve and promote the preservation of historic buildings and resources throughout York County.

**SCHENCK** Chairman Schenck noted that they could potentially sell it. The assumption would be to put the covenants in, but it would not be necessary.

**ARNOLD** Ms. Arnold responded that it could be sold without protective covenants, but it would be a misrepresentation to their agreement with Mrs. Rowe.

**SCHENCK** Chairman Schenck understood and added that he was not suggesting that; he just wanted to be sure he understood.

**ARNOLD** Ms. Arnold stated that they currently hold 68 easements to own properties throughout the County. And continually monitor them. They have had no litigation to defend the easements.

**SCHENCK** Chairman Schenck stated that it was a wonderful gift.

**ARNOLD** Ms. Arnold stated that they are very pleased, and it was a very generous gift.

**SCHENCK** Chairman Schenck asked whether there could be more coming.

**LUCIANI** Mr. Luciani indicated that it was possible with the additional 119 acres. He knew of a number of developers who had an interest in that piece of ground.

**SCHENCK** Chairman Schenck noted that the signature would be for the current owner on the plans.

**ARNOLD** Ms. Arnold stated it would be her Power of Attorney. She added that Mrs. Rowe is in her 90's.

**MR. GURRERI MOVED TO GRANT SD-07-01 TO WITH THE FOLLOWING  
WAIVERS, MODIFICATIONS AND CONDITIONS:**

- **WAIVER OF §289-10.A PRELIMINARY PLAN;**
- **MODIFICATION OF §289-11.B.14 PLAN WILL SHOW FIVE-FOOT CONTOUR INTERVAL LINES;**
- **WAIVER OF §289-11.C.2 ENVIRONMENTAL IMPACT STUDY NOT TO BE REQUIRED;**
- **WAIVER OF §289-11.C.7 EROSION AND SEDIMENTATION PLAN NOT TO BE REQUIRED;**
- **MODIFICATION OF §289-15.A STEEP SLOPES. ALL PLANS INVOLVING LANDS THAT POSSESS SLOPES EXCEEDING 15% SHALL REQUIRE THE**

**PREPARATION OF A STATEMENT BY AN ENGINEER OR LANDSCAPE ARCHITECT LICENSED BY THE COMMONWEALTH OF PENNSYLVANIA.**

- **MODIFICATION OF §289-17.A MONUMENTS ARE PROPOSED TO BE SET AT STREET RIGHT-OF-WAY AND AROUND THE FARM TRACT AND IRON PIPES AND CAPS TO BE SET AT ALL OTHER PROPERTY CORNERS;**
- **MODIFICATION OF §289-17.B.1 MONUMENTS. MONUMENTS ARE PROPOSED TO BE SET AT STREET RIGHT-OF-WAY AND IRON PIPES AND CAPS TO BE SET AT ALL PROPERTY CORNERS;**
- **WAIVERS OF §289-23.A AND §289-23.C SIDEWALKS. A SIX-MONTH NOTE HAS BEEN ADDED TO THE COVER SHEET INDICATING THAT SIDEWALKS SHALL BE INSTALLED WITHIN SIX MONTHS OF BEING NOTIFIED BY THE TOWNSHIP;**
- **WAIVER OF §289-27 STREETLIGHTS. NO PROPOSED CONSTRUCTION IS ANTICIPATED;**
- **CONDITIONED UPON PRELIMINARY PLANS SHALL BE DRAWN ON LINEN OR MYLAR;**
- **CONDITIONED UPON NAME, SEAL AND SIGNATURE OF THE REGISTERED SURVEYOR RESPONSIBLE FOR ANY PROPERTY LINE OR MONUMENTATION LOCATION AND/OR NAME AND SIGNATURE OF REGISTERED PROFESSIONAL ENGINEER IS NEEDED, AS REQUIRED BY PENNSYLVANIA STATUTE;**
- **CONDITIONED UPON A NOTARIZED STATEMENT TO THE EFFECT THAT THE APPLICANT IS THE OWNER OF THE LAND;**
- **CONDITIONED UPON ALL REQUIRED FEES PAID PRIOR TO RECORDING OF THE PLAN.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**ARNOLD** Ms. Arnold thanked the Township staff and engineers, who had been very helpful throughout the process.

**8. COMMUNICATION FROM SUPERVISORS:**

**19 Rockburn Street**

**GURRERI** Mr. Gurreri commented about the property at 19 Rockburn Street. He understood that Mr. Holman visited the property.

**HOLMAN** Mr. Holman reported that they had visited the property and met with the property owner. They are routinely checking the property on week days and weekends. The owner has advised that he is not running a business out of the house; however, they had advised him that, in accordance with the Zoning Hearing Board's decision, the Township will continue to monitor the property to ensure that the Zoning Hearing Board's decision is maintained that a business is not to be run out of that house. The next step will be to take it to court.

**SCHENCK** Chairman Schenck asked how they find proof and whether they are actively trying to find proof.

**HOLMAN** Mr. Holman responded that it takes a while and is not an easy process; however, they had found proof the last time. He added that they are actively enforcing the Zoning Board's decision by monitoring and taking pictures.

**RAO** Mr. Rao reported that his inspectors driving through the area with inspections to monitor the activities. He personally drives through there on weekends while shopping just to monitor. Neighbors are also watching and contacting him if there's anything strange.

**SCHENCK** Chairman Schenck asked what he would see that would indicate a business is operating out of the house while patrolling.

**RAO** Mr. Rao responded that he would see multiple vehicles along South Rockburn Street with business logo on the side of trucks. He would see business items, such as concrete, cement, wood, remodeling materials, things like that; employees coming and going throughout the day. The residents do know that the Township is monitoring.

**GURRERI** Mr. Gurreri recalled that they had been told that they were being monitored, so they know they are on notice.

**RAO** Mr. Rao stated that he was correct, they are on notice.

**1759 Wallace Street**

**GURRERI** Mr. Gurreri asked about the property at 1759 Wallace Street. He noted there are two uninspected cars in the driveway, one that has a wheel coming off. The property is in dilapidated condition. He was sure that Mr. Holman and Mr. Rao had visited the property.

**HOLMAN** Mr. Holman noted that the enforcement notices are being sent to the property owner. He recalled that he had been before the Magistrate previously. He will review the file and continue to follow the property until it is brought back up.

**GURRERI** Mr. Gurreri stated that he appreciated their going out and looking at it as it is a mess.

**HOLMAN** Mr. Holman agreed that the property needed a lot of work.

**Swimming Pool/Deck Issue**

**BOWMAN** Mr. Bowman asked about the status of the swimming pool behind Mr. Greenewalt's house.

**RAO** Mr. Rao responded that the applicant applied to the Zoning Hearing Board for a variance for the setback for the pool at the July 5<sup>th</sup> meeting.

**GURRERI** Mr. Gurreri asked whether Mr. Greenewalt had been informed of that July 5<sup>th</sup> meeting.

**RAO** Mr. Rao responded that it had been posted and documented in the newspapers, and they do alert the neighbors.

**Swimming Pool/Fence Issue**

**DVORYAK** Mr. Dvoryak asked about a newly-installed swimming pool installed near Sheraton Road. It had been filled with water but had no fence.

**HOLMAN** Mr. Holman responded that there is an orange hazard fence around it and they do have a permit for the fence itself to go up, but in the meantime, as in most pools, the orange hazard fence about four feet high is up. He had visited the area to double check.

**RAO** Mr. Rao added that they do have a fence permit and have approval; they are just waiting for the contractor to get materials.

**HOLMAN** Mr. Holman indicated that they are monitoring that orange fence to make sure it stays up until the permanent fence is installed.

**Roving Pickup Truck Signs**

**SCHENCK** Chairman Schenck asked about the status of the roving pickup truck sign business. He had noticed one parked on Diehl's lot. He could not believe they would permit that.

**RAO** Mr. Rao stated he had discussed the issues with Solicitor Rausch. Enforcement of the current ordinance makes it very tough to go after them because they are mobile signs unless they are parked within the public right of way. As it stands they are on private property, which makes it very difficult.

**HOLMAN** Mr. Holman added that they are notifying Diehl Toyota as that would be considered a temporary sign.

**SCHENCK** Chairman Schenck asked whether they have a temporary sign permit.

**RAO** Mr. Rao responded that they do not.

**HOLMAN** Mr. Holman indicated that was why they were notifying Diehl Toyota, which is the only avenue available with the temporary sign permit.

**SCHENCK** Chairman Schenck asked what the enforcement options would be if someone has a temporary sign up without a permit.

**RAO** Mr. Rao responded that they would be given the courtesy to remove the sign within three days.

**SCHENCK** Chairman Schenck questioned whether he received that notice.

**RAO** Mr. Rao responded that he had not yet issued the notice.

**BISHOP** Mr. Bishop asked how much time elapses before the notice is sent. The sign had been there for some time. He asked whether there was any confusion that it is the Board's general intent to enforce those ordinances. It seemed as though the only time things happen is when a Board member asks about it, and then it happens the next day.

**RAO** Mr. Rao responded that there was no confusion but that he could issue the notice, they move the sign, and the process starts over again.

**HOLMAN** Mr. Holman commented that another one will be submitted the next time it goes up. They will keep chasing it around until all the property owners are notified. He assured the Board that they are going after the temporary signs.

**SCHENCK** Chairman Schenck stated that it is not fair to the businesses that follow the rules. He indicated it was very hard for him when he is approached by those folks to justify why the other guy can do apparently what he pleases. There's another side to this issue.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported that the only update to his written report was that the Zoning Officer was giving issue and Notice of Public Denial for the YS Wellness Center for not providing the proper certification and documentation for massage therapy.

**RAO** Mr. Rao stated that the Notice was sent June 27, 2007 Certified Mail.

**RAUSCH** Solicitor Rausch added that it was being monitored.

**SCHENCK** Chairman Schenck asked about the Meyers versus Springettsbury issue.

**RAUSCH** Solicitor Rausch responded that the Pre-Trial Conference is scheduled for September.

**GURRERI** Mr. Gurreri wondered how much it had cost the Township for this situation.

**RAUSCH** Solicitor Rausch responded that they had reached an agreement with RK&K to carry the ball for the most part.

**HOLMAN** Mr. Holman added that the deductible had been met under the insurance coverage.

**GURRERI** Mr. Gurreri asked about the attorney fees. He asked how it could be stopped.

**RAUSCH** Solicitor Rausch indicated that they had tried mediation with the two parties. He didn't know if the Township would want to try that again.

**HOLMAN** Mr. Holman anticipated that it will go to the Pre-Trial Conference on September 7<sup>th</sup> unless something changes.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that he had provided his monthly report as well as a supplemental report. There are some action items under there, under Resolutions, Motions and Agreements. If the Board would permit, he requested to yield his time to Mr. Michael Reiner, the Auditor, to present the Audits which is noted under New Business.

**REINER** Mr. Reiner stated that he was present to provide three reports, which the Board had received in advance. There are three separate audits for the Township, one an audit of the DEP Recycling Grant. A clean opinion was issued on the grant and the financial statements for an unqualified opinion on those. That is required under the contractual agreement with the Department of Environmental Protection. He continued with his audit report as follows:

There is a Springettsbury Township Sewer Fund Compliance Audit that was done in accordance with the Inter-Municipal Agreement for the sewer operations. They had issued a clean and unqualified audit opinion on those statements and schedules. This is a statement that actually does go to all the inter-municipal partners in that Agreement.

The third report is the Audit and Financial Statements. He did not review the report in detail; however, he stated that they issued an unqualified opinion on all the statements, which does include the 10 governmental funds that the Township operates. It includes the Sewer Fund as well, the 7 Trust Funds, Pensions and related Trust Funds, as well as the component units. In addition, they have the Springettsbury Fire Companies, ambulance association and this year the Springettsbury Township Development Authority was added as a component unit of the Township.

He reviewed the report sections and stated that there are six non-major funds audited as a collective effort. They're not treated individually. They are audited collectively. Major funds are audited individually. The six marine funds are audited collectively. They had issued unqualified opinions on all of the financial statements. There are several comments as part of the by-product of the audit. The audit began on February 27<sup>th</sup> and was completed on May 24, 2007. It is an extensive report. Five reports were generated in that period of time.

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**SCHENCK** Chairman Schenck asked Mr. Reiner to expand on the audit of the Volunteer Fire Company.

**REINER** Mr. Reiner responded that they are audited collectively as a component unit. They had reviewed the procedures and fiscal records provided by the fire company in conjunction with the Township's records. The correlations can be seen on page 3 of the financial statements. Springettsbury Township Volunteer Fire Company represents \$287,000 of a combined \$20 million operation. It is audited in conjunction with all the other funds. They require outside verification of bank accounts and revenue sources for the major revenues. They verify loan agreements and balances. They verify the revenue paid from the Township to the Fire Company, which are the largest revenue sources. There were no problems found other than minor adjustments made for interest that was not placed in the annual report.

**BISHOP** Mr. Bishop asked what, if any, deficiencies you saw that led you to the recommendation with regard to the Tax Collector and specifically Deputy Tax Collector.

**REINER** Mr. Reiner responded that the recommendation had been part of last year's audit and concerned the transfer of money from the Tax Collector to the Township. There had been on-going issues with getting the money to the Township in a timely manner in compliance with the DCED requirements of law as well as getting records turned over. They would like to see those procedures improve and feel that if she is unable to do that because of health issues, a Deputy Tax Collector would be able to hopefully alleviate that problem. The money must be turned over in monthly collections of the Tax Collector within 10 days after the end of the month to the governing bodies, school districts, etc. They had issues with the monies not being turned over as timely as they should be.

**DVORYAK** Mr. Dvoryak asked what the remedy is for that.

**REINER** Mr. Reiner responded that there is limited remedy within the state law. The Township has the ability under state law to issue financial penalties against the Tax Collector.

**BISHOP** Mr. Bishop asked whether performance in the past two years had been such that the Township would be justified in leveling penalties.

**REINER** Mr. Reiner responded that from the fiscal records at the end of the year the Township has collected all of the taxes that it is due based on the records provided. The real estate taxes are turned over, and any uncollected taxes are turned over to the Delinquent Tax Collector, year end. The real estate taxes are being collected. The Mercantile and Business Privilege Taxes are being turned over in conformity with the tax records provided. They are materially correct as far as the information that is provided. They do limited testing of those revenues.

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REGULAR MEETING**

**JUNE 28, 2007  
APPROVED**

We had requested a year-end reconciliation from the Tax Collector, and she was unable to provide that. They then went back to the data that was provided on a quarterly or period basis and audited from that perspective which was a little more difficult but no discrepancies were found based on her records of what she submitted to the Township.

**BISHOP** Mr. Bishop asked whether, in his experience, he was aware of anything else that could be done other than appointing a Deputy Tax Collector that might help the situation.

**REINER** Mr. Reiner stated that the law is there but does not provide a lot of legal remedies to exercise that other than gross neglect of the responsibilities, but she's not. She's turning over the money maybe a couple days late, but she's turning over the money; she's turning over the records.

**SCHENCK** Chairman Schenck thanked Mr. Reiner for his report.

**BISHOP** Mr. Bishop recognized and thanked Mr. Hadge and his staff for a good audit.

**HADGE** Mr. Hadge noted that it had been done through the cooperation of all the staff.

**BISHOP** Mr. Bishop commented that the efforts are appreciated, along with Mr. Holman's effort as well.

**HOLMAN** Mr. Holman requested a motion by the Board to accept the Audit Reports.

**MR. BISHOP MOVED TO ACCEPT THE AUDIT REPORTS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance 07-08 – Adoption of New Zoning Ordinance**

**SCHENCK** Chairman Schenck introduced items A and B with comment that they were part of a long process along with a Public Hearing June 14, 2007. No real changes were made since that meeting.

**BISHOP** Mr. Bishop noted that Solicitor Rausch had provided a report with regard to the County comments.

**SCHENCK** Chairman Schenck indicated that he would reserve comment regarding the County input for later in the meeting.

**MR. BOWMAN MOVED TO APPROVE ORDINANCE 07-08 – ADOPTION OF NEW ZONING ORDINANCE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Ordinance 07-09 – Adoption of New Subdivision and Land Development Ordinance (SALDO).**

**MR. BOWMAN MOVED TO ADOPT ORDINANCE 07-09 – ADOPTION OF NEW SUBDIVISION AND LAND DEVELOPMENT ORDINANCE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck thanked Marian Hull for her part as she had represented the community well and her help was appreciated.

**BISHOP** Mr. Bishop added that the Board had made an excellent selection in choosing the Consultant to work on this project. He thanked Ms. Hull and stated that everything had worked out very well.

**HOLMAN** Mr. Holman stated that he was thrilled that, after three years, to be at this stage. He indicated that anything submitted prior to the effective date of this Ordinance will fall under the old Ordinance. The Solicitor is preparing a letter that we can offer to anyone who requests to move under the new Ordinance. Anyone operating under the new Ordinance cannot revert back to the old Ordinance.

**RAO** Mr. Rao stated that the effective date will be five days from today, July 5, 2007.

**C. Resolution No. 07-41 – Authorizing the Township to Proceed with Any and All Acts Necessary to Analyze and Implement the Creation of York area United Fire and Rescue.**

**SCHENCK** Chairman Schenck stated that the documentation had been distributed at the Joint meeting on June 19<sup>th</sup>. He indicated that if the Board desired it would put into effect a pretty significant item, which is to start the ball rolling on the creation of the York Area United Fire and Rescue Service.

**BISHOP** Mr. Bishop noted that this had been another long process that had been handled very well so far and everyone involved had done a pretty good job. He wanted to be sure that the Board acknowledged the request from Don Eckert to be certain to include the Volunteer Fire Company in any discussions.

**HOLMAN** Mr. Holman thanked Chairman Schenck because he had put a lot of effort into inviting the volunteers to participate in the process at every meeting, and they had a few separate meetings with Les Adams.

**SCHENCK** Chairman Schenck echoed Mr. Bishop's point and suggested that an avenue would be open to review Mr. Eckert's concerns.

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 07-41  
AUTHORIZING THE TOWNSHIP TO PROCEED WITH ANY AND ALL ACTS**

**NECESSARY TO ANALYZE AND IMPLEMENT THE CREATION OF YORK AREA UNITED FIRE AND RESCUE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorize Execution of PennDot Agreement for Abandonment of Portions of State Route 1033 (North Sherman Street Project).**

**HOLMAN** Mr. Holman reported that the Township, by this action, will re-accept from the state Old Sherman Street. This road is eligible for liquid fuels. There is additional right-of-way being turned back to the Township on the other side of Mundis between Springettsbury's and Mrs. Long's property. Solicitor Rausch and Mr. Luciani had been reviewing the abandonment to be sure the liquid fuels issue is resolved and make sure the roads were in good condition and the rights-of-way were where the Township specified.

**BISHOP** Mr. Bishop stated for clarification that PennDot is the entity abandoning the road.

**HOLMAN** Mr. Holman indicated he was correct; the Township is taking it back.

**MR. GURRERI MOVED TO AUTHORIZE THE EXECUTION OF PENNDOT AGREEMENT FOR ABANDONMENT OF PORTIONS OF STATE ROUTE 1033 (NORTH SHERMAN STREET). MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Authorization to Advertise Ordinance Setting Maximum Speed at 35 MPH for Concord Road between Mt. Zion Road and Northern Way.**

**MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO ADVERTISE ORDINANCE SETTING MAXIMUM SPEED AT 35 MPH FOR CONCORD ROAD BETWEEN MT. ZION ROAD AND NORTHERN WAY. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Authorization to Advertise Ordinance Establishing Stop Signs on South Kershaw Street at Eastern Boulevard, both Northern and Southern Approach.**

**HOLMAN** Mr. Holman stated that the item included the roundabout. The developer is getting ready to build it. This will either be adopted at the July or August meeting. The advertisement will be within the 60-day time frame and will depend on when he finishes that project for the Township to move the stop sign.

**MR. GURRERI MOVED TO AUTHORIZE ADVERTISEMENT ESTABLISHING STOP SIGNS ON SOUTH KERSHAW STREET AT EASTERN BOULEVARD, BOTH NORTHERN AND SOUTHERN APPROACH. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- G. Resolution 07-42 – Application for Police Officer, Ryan W. Thomas, to Attend Basic Training Program.**

**HOLMAN** Mr. Holman stated that the item includes Police Officer training.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 07-42 FOR POLICE OFFICER TO ATTEND BASIC TRAINING PROGRAM. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- H. Authorize Township Manager to Apply for Grants for Two Pre-Arrest Breath Testing Devices**

**MR. BISHOP MOVED TO AUTHORIZE TOWNSHIP MANAGER TO APPLY FOR GRANTS FOR TWO PRE-ARREST BREATH TESTING DEVICES. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- I. Authorize Township Manager to Enter into Contract for Park Improvements with Choice Security in an Amount Not to Exceed \$16,080.**

**SCHENCK** Chairman Schenck indicated that item I is covered under Costars state contract.

**HOLMAN** Mr. Holman added that it is not required to be bid.

**MR. DVORYAK MOVED TO APPROVE AUTHORIZATION TO ENTER INTO CONTRACT FOR PARK IMPROVEMENTS WITH CHOICE SECURITY IN AN AMOUNT NOT TO EXCEED \$16,080. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Regular Meeting – May 24, 2007**  
**B. Board of Supervisors Public Hearing – June 14, 2007**

**MR. GURRERI MOVED TO APPROVE BOARD OF SUPERVISORS REGULAR MEETING AND BOARD OF SUPERVISORS PUBLIC HEARING MEETINGS AS ITEMIZED ON THE AGENDA AS PRESENTED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. BOWMAN ABSTAINED AS HE WAS NOT PRESENT DURING THE MAY 24, 2007 REGULAR MEETING. MESSRS. GURRERI AND DVORYAK ABSTAINED AS THEY WERE NOT PRESENT DURING THE PUBLIC HEARING JUNE 14, 2007.**

**13. OLD BUSINESS:**

- A. Springettsbury Township Volunteer Fire Company (STVFC) Bylaws Update.**

**HOLMAN** Mr. Holman stated that he had received no comments from the Board. If there are no comments, he will forward them back to the Volunteer Fire Company. Mr. Holman stated that he appreciated the Volunteer Fire Company providing them for review as that is not a requirement.

**MR. BISHOP MOVED TO ACKNOWLEDGE THAT THE BOARD OF SUPERVISORS HAD RECEIVED THE PROPOSED BYLAWS CHANGES AND ARE IN CONCURRENCE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Sheridan Road Update**

**HOLMAN** Mr. Holman noted that a meeting had been held at the site with the engineer, John Luciani and Mr. Dvoryak asked to be updated on the subject. Mr. Luciani was working on the cost of taking of rights-of-way.

**LUCIANI** Mr. Luciani responded that the taking involved almost an acre. The bulk of the take would be on the west side of Sheridan Road and would be approximately \$50,000 an acre, But there are special provisions for removing almost an acre of trees. The raw land cost would be an additional cost. There were two or three property owners on the west side with mature trees.

**HOLMAN** Mr. Holman noted that the accident reports indicated the occurrence was down to one accident over a few year period. The road has been widened by the developer and he has a few things to do to finish that. The question is whether the Board wants to pursue this. The state indicated that they really do not want to continue with this project at this time.

**SCHENCK** Chairman Schenck commented that he thought it was time to make a decision to either continue forward or to stop rather than to keep carrying the project. His personal opinion is that the Board and staff had done everything possible as a Township to get something done on a state road, and it is time to stop.

**DVORYAK** Mr. Dvoryak added that he had visited the site and the section they reviewed was only a portion of the roadway. There is a whole other section with the same issues to deal with such as sharp curves and narrow roadways, etc. He was not sure spending the money there will provide the anticipated benefits on that entire stretch of road.

**BISHOP** Mr. Bishop stated he thought that every effort had been spent.

**GURRERI** Mr. Gurreri noted that the water is running on the road and gets icy in the winter time. It's dangerous.

A further lengthy discussion took place with the following summary:

- Sheridan Road is a state road.

- Drainage had been placed in strategic locations; additional drainage not likely due to cartway width.
- With road widening and improvements made by the contractor, there had been a reduction in accidents.
- An additional storm drain will be placed on the west side by the developer.
- Some residents still receive a lot of water off the road.
- There is an open PennDot permit with S&A Homes; they are winding up their project.
- Contractor does the paving with the HOP permit.
- Stopping now does not preclude any work there in the future.
- Minimum cost would be \$50,000 to maximum of \$150,000 with land taking.
- Residents don't want it.

**SCHENCK** Chairman Schenck stated that the Board and staff had spent a great deal of time and effort on this project.

**Consensus was agreement to stop the process.**

**Safe Routes to School – Sidewalk Issues**

**DVORYAK** Mr. Dvoryak mentioned the Safe Routes to School Program. He had visited with Mr. and Mrs. Schroeder and one of the things that he would encourage was to design the sidewalks within that neighborhood to minimize the environmental impact on the existing trees and mature landscaping that is there. He was not exactly sure how that can be done, but one possibility would be to put the buffer requirement between the street and the sidewalk. He asked whether there would be any way to adjust that in those two spots for that to occur. It would be his desire, to the extent possible, to minimize the impact with the sidewalk design.

**Consensus was agreement to attempt to minimize the environmental impact.**

**SCHENCK** Chairman Schenck noted to balance that with Public Works needs and the environmental impacts.

**HOLMAN** Mr. Holman indicated that Mr. Luciani had designed a plan which is being adjusted some to try not to hit as much of the foliage in the right-of-way as possible.

**LUCIANI** Mr. Luciani responded that there are some tree wells that they will try to preserve. If it is possible they will put a tree well around it.

**DVORYAK** Mr. Dvoryak stated that one comment he had received from a landscaper was that Silver Maples are the worst trees for sidewalks because of the roots. To the extent possible try to convince the property owners that removing a Silver Maple may be in their long term best interests, as it will be their responsibility should that tree uproot sidewalks.

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**GURRERI** Mr. Gurreri noted that during the convention he learned of a new sidewalk material that is a type of rubber. When the sidewalk lifts up, they can lift it and make the correction and put it back down. It was an interesting idea.

**A. 2006 Audit Reports**

This item had been reviewed earlier during the meeting.

**B. Authorization to Refund Fire Company fund (Fund 22) from Real Estate Transfer Tax in the amount of \$7,533.96**

**HOLMAN** Mr. Holman stated that he had received the revenue and real estate transfer tax and needed authorization to put it back into Fund 22. They received the checks from both the school districts. The authorization will allow Mr. Holman to move the funds back into the Fire Fund. The only organization that did not provide a refund was the state in the amount of \$15,000.

**SCHENCK** Chairman Schenck suggested passing that information on to Dean Fernsler.

**MR. DVORYAK MOVED TO AUTHORIZE TO REFUND THE FIRE COMPANY FUND FROM THE REAL ESTATE TRANSFER TAX IN THE AMOUNT OF \$7,533.96. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Acknowledge Receipt of May 31, 2007 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE MAY 31 2007 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck had mentioned earlier during the meeting that he had an additional item to discuss concerning the new Zoning and Subdivision Ordinances. He personally thought the Board should have some response to the York County Planning Commission whether it's a face-to-face meeting or a letter. Chairman Schenck felt that they put the Board in a very awkward situation. From what he understood it had been driven by one individual with one item, and that was not right. Chairman Schenck wanted to know how the rest of the Board felt.

**BISHOP** Mr. Bishop agreed that something should be done, and he would encourage that it be done in writing. The people who need to know that need to have a record of it.

**SCHENCK** Chairman Schenck indicated that it would be awkward for the staff to do that, and he did not mind drafting a letter for circulation to the Board to gather their input.

**BISHOP** Mr. Bishop thought it was a great idea.

**14. ADJOURNMENT:**

**SPRINGETTSBURY TOWNSHIP  
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**SCHENCK** Chairman Schenck adjourned the meeting at 9:35 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY/SPRING GARDEN TOWNSHIPS  
JOINT MUNICIPAL GOVERNING BODIES**

**JUNE 19, 2007  
APPROVED**

Springettsbury and Spring Garden Townships Joint Fire Services Committee meeting convened on Tuesday, June 19, 2007 at 6 p.m. at the Springettsbury Township offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS PRESENT:** Austin Hunt, Spring Garden Township  
Bill Schenck, Springettsbury Township  
Jon Countess, Spring Garden Township  
Ellen Freireich, Springettsbury Township  
Holly Gumke, Spring Garden Township  
Bill Mader, Spring Garden Township  
John Fullmer, Jr., Spring Garden Township  
Zane Sjoberg, Spring Garden Township

**ALSO IN ATTENDANCE:** John Holman, Springettsbury Township Manager  
Greg Maust, Spring Garden Township Manager  
Barry Emig, Spring Garden Township Fire Chief  
Andrew Stern, Managing Director of Fire and Rescue Services  
Les Adams, Carroll Buracker & Associates, Inc.  
Steve Hovis, Solicitor  
Bob Scarborough, Representative of Mike Waugh's Office  
JoAnna Shovlin, Representative of Stan Saylor's Office  
Various members from Spring Garden/Springettsbury FC  
Amanda Amspacher, Administrative Clerk, Springettsbury  
Jean Abreght, Stenographer

**1. Call to Order**

**SCHENCK** Chairman Bill Schenck called the joint meeting of the Springettsbury Board of Supervisors and the Spring Garden Commissioners to order at 6 p.m. He stated that the purpose of the meeting was for the two governing bodies to jointly examine what is known now as the draft Charter Agreement for the proposed regional fire service. One reason for the venture is to improve levels of service and in so doing insure the safety of the firefighters.

**2. Pledge of Allegiance**

**SCHENCK** Chairman Schenck requested a Moment of Silence in recognition of the nine firefighters who lost their lives in Charleston, South Carolina. Chairman Schenck led the Pledge of Allegiance.

**3. Acknowledge Receipt of October 17, 2006 and November 21, 2006 Joint Fire Committee Work Session Minutes**

**SCHENCK** Chairman Schenck noted that the Joint Fire Services Committee, which was composed of citizens and volunteers, worked for over a year on this proposal. He wanted to acknowledge and thank the entire group. He asked each one to come

forward: Don Bishop, Jon Countess, Ellen Freireich, John Fullmer, Austin Hunt, Todd Langeheine, Bill Mader, and Zane Sjoberg. Chairman Schenck commented that the project will affect not only our Townships, but also the state, the country and perhaps even the rest of the world. He thanked each of the participants.

**GUMKE** Commissioner Holly Gumke stated that all of the individuals had spent a lot of time and worked very hard over the last several years to study all of the aspects for the draft agreement. She thanked each of the Township Managers as well. She added that it was a monumental occasion for firefighters and individuals who had helped. She presented certificates to each of the members.

**SCHENCK** Chairman Schenck commented that some time ago, he and Austin Hunt had discussed the idea of merging the fire departments. He stated that without Mr. Hunt's drive in the process, the project would not have moved so quickly. He presented Austin Hunt with a jacket with the new logo of the merged fire services.

**HUNT** Mr. Hunt thanked everyone for the jacket and for their help in the process.

**SCHENCK** Chairman Schenck acknowledged several distinguished guests including Robert Thompson of Gilbert Armstrong's office, Bob Scarborough from Mike Waugh's office and JoAnna Shovlin from Stan Saylor's office and Dean Fernsler from DCED, a great supporter.

**4. Presentation of Joint Charter Agreement: Steve Hovis**

**SCHENCK** Chairman Schenck introduced Steve Hovis, who was responsible for drafting the Joint Charter Agreement.

**HOVIS** Attorney Hovis reported that he had been working with the Jt. Fire Services Committee in the preparation of the Charter Agreement originally presented to the Committee, as well as the governing bodies of Springettsbury and Spring Garden Townships. His goal was to review the original presentation along with changes that had been made. In the past six months the Committee had met on numerous occasions, and the draft had taken many different versions. Over time they had created what is believed to be a final document that is now ready to be presented to the governing bodies of Springettsbury and Spring Garden Townships for their consideration. At this time, the Committee will hand over the Charter Agreement for the townships to begin the implementation stage. The Charter Agreement is the basic operating agreement for the regional fire department. Therefore, it is important that when the townships review this, it is reviewed with an understanding that this is the governing document. The Agreement identifies the rules and regulations under which the joint regional department will operate, be funded and be governed. With that in mind, some of the changes that were implemented over the past six months include five different categories summarized below:

- The name, York Area United Fire and Rescue Charter Agreement, appears on each page of the entire Agreement.
- Language changes were made to include the concept of future municipalities which will join, along with the addition of commission members/mayors, etc. of other governing bodies.
- Budget finance and fiscal provisions were strengthened with language under Article 3, Subpart C, the Jurisdiction and Authority of the Commission. Some additional provisions concerning long-term borrowing limitations were specified to \$100,000 without receiving at least 75% of the charter municipality approval. Additional changes were documented under Article 3, Subpart E – Salaries, Wages, Benefits and Ranks not only of firefighters, but also non-uniformed employees. New employees from departments joining the regional department would be given no less than what they had. DCED had created specific language which would encompass many different municipalities with different collective bargaining provisions, salary, benefit and pension structures with the intent to have an equivalent. Article 7, under Finance, the budget process was amended to require the commission to create a budget and present it to the charter municipalities by September 1. The budget will include a detailed line item allocation for revenue and expense items anticipated for the budget year, along with a five-year capital expenditure and finance plan.
- Article 14, Joinder Municipalities – The decision-making process was strengthened with the requirement that 100% of the existing charter municipalities approve the joinder municipality’s terms and conditions under which the new charter municipality would be accepted. If a municipality wanted to contract the fire department for services, the approval of the charter municipalities was increased from two-thirds to 75%.
- Volunteer Component – Additional language was added to recognize the importance of volunteer firefighters to the entire concept. The specific language reads, “Springettsbury and Spring Garden acknowledge the vital role and contribution volunteer firefighters and companies play in the overall municipal fire protection and service provided to local municipalities. The commission is committed to work with and incorporate such volunteer firefighters and companies to insure the future success of the department and insure the highest level of regional fire protection.”

**HOVIS**

Solicitor Hovis stated that the next process will be for each of the governing bodies to review the Charter Agreement and then adopt it by ordinance. That ordinance would be adopted under the Intergovernmental Cooperation Act as well as the Pennsylvania Constitution. He had provided two documents, one a Resolution and one an Ordinance. The Resolution sets forth the background and history and plan of the Joint Fire Services Committee and study team. It

authorizes the staff to prepare the ordinance and begins the process. The Ordinance is to provide for the creation of the Regional Fire Services an is enacted under the Intergovernmental Cooperation Act.

**GUMKE** Commissioner Gumke thanked Attorney Hovis for the huge amount of work he had done.

**HOVIS** Attorney Hovis responded that it had been his pleasure to work with the committee.

**SCHENCK** Chairman Schenck asked the Committee members for any questions they might have on the Charter Agreement.

**FULLMER** Mr. Fullmer asked about missing dates on the Charter Agreement. He asked how the municipalities could cooperatively come up with dates when the Ordinance is adopted.

**HOVIS** Attorney Hovis responded that when both municipalities adopt the Resolution, it will be a matter of establishing the operational dates and finalizing the Ordinance.

#### **5. Public Comment on Joint Charter Agreement**

**SCHENCK** Chairman Schenck noted that the meeting is public and the floor was opened for public comment. Hearing none, he called for comment from the Township Managers.

**HOLMAN** Mr. Holman stated that the process could not have been done without the cooperation of both boards working together, along with the membership of the boards who had been very supportive. Having reviewed all the progress that had been accomplished, along with the hurdles and problems, he especially thanked Les Adams for helping to steer the process. He thanked everyone who helped and expressed hope that the process could continue.

**MAUST** Mr. Maust echoed Mr. Holman's comments. He had been part of the effort from its beginning three years ago and stated that two of the keys that he saw was that it was started with the elected officials from both municipalities, with their support and patience. He also expressed the hope that the process continued. He stated that the assistance of Dean Fernsler of DCED, and other public officials had been invaluable in the undertaking of new territory. He thanked all those who had supported the project.

**BISHOP** Mr. Bishop whether Attorney Hovis could elaborate on the creation of what had been termed an unincorporated non-profit association.

**HOVIS** Attorney Hovis responded that it related to identifying the regional concept. The Commonwealth, DCED and other municipalities came up with the fact that it is

an unincorporated association made up by the participating municipalities but that is recognized under the Commonwealth of Pennsylvania law as an entity and by the Intergovernmental Cooperation Act. It is not a corporation or a political subdivision.

**BISHOP** Mr. Bishop asked whether there were other examples in Pennsylvania.

**HOVIS** Attorney Hovis responded that the other examples are with Northern Regional Police Department, York Area Regional Police Department and Southern Area Regional Police Department.

**BISHOP** Mr. Bishop asked whether there are others outside the realm of government cooperation.

**HOVIS** Attorney Hovis was not aware of any.

**ECKMAN** Mr. Dave Eckman, Professional Fire Fighters Association in Springettsbury, indicated he had just received a copy of the draft Charter Agreement and had not had an opportunity to really digest it. He asked for some clarification of Section E, the two alternatives A and B, which related to the consolidation of the collective bargaining units.

**HOVIS** Attorney Hovis responded that it reflected several ways that the municipalities could proceed. There are a number of issues, contracts and obligations that currently exist with each department, The collective bargaining units are contractual obligations. Both associations would meet to enter into a collective bargaining agreement for the regional department and could decide to agree or not. What would be contemplated is to continue under each existing contract until the expiration, at which time it would be disbanded and a new joint department formed.

**ECKMAN** Mr. Eckman added that Alternative A suggests that a consolidated regional fire contract, a signed agreement, would not be submitted to a panel of arbitration.

**HOVIS** Attorney Hovis responded that he was correct.

**ECKMAN** Mr. Eckman commented that the consolidated unit would be a result of the negotiated agreement. He asked whether that negotiation could proceed to Act 111 interest arbitration.

**HOVIS** Attorney Hovis responded, in his opinion, most likely not.

**ECKMAN** Mr. Eckman asked how it would be possible to enter an Act 111 collective bargaining process and not have an end to it in a board of arbitration if the parties could not come to an agreement.

**HOVIS** Attorney Hovis responded that it would be all voluntary at that time; each would have the ability to decide whether to continue under their existing contract.

**HOLMAN** Mr. Holman asked for an explanation as to what would happen when both contracts expire.

**HOVIS** Attorney Hovis responded that the new association would be formed and would enter into negotiation. At that point it would be something that would then go to arbitration.

**ECKMAN** Mr. Eckman commented that there would be the option of forming the consolidated collective bargaining unit or letting the contracts run until they expire. When that time comes it would then proceed to arbitration if it's an impasse. He then asked about the statement in Alternative B stating "unless the Spring Garden Fire Department or Springettsbury Fire Department oppose the regionalization of fire services." He noted that by Ordinance, the township recognized that the fire department is three components: employees, volunteers and the Chief. This seemed to indicate that the Springettsbury Township Volunteer Fire Department could oppose it.

**HOVIS** Attorney Hovis noted that the volunteers would have some ability to do so, and indicated he would look into it.

**ECKMAN** Mr. Eckman noted that it indicated all the Statutes would apply. For all intents and purposes, for collective bargaining purposes and others, he asked whether this is being viewed as a municipal employer.

**HOVIS** Attorney Hovis responded that that is one of the problems when a regional entity is created as it includes boroughs, first class townships, second class townships, cities, etc. They are all dictated by borough code, first class township code, second class township and city codes. They have different provisions concerning civil service. The Commonwealth of Pennsylvania has done a poor job of identifying and recognizing regional departments and, therefore, in order to avoid the ambiguity and uncertainty as to whether these apply, language is applied as to what provisions and statutes would apply in this case.

**ECKMAN** Mr. Eckman commented that in the case of, for instance, an unfair labor practice with the PLRB where he thought case law existed where the regional commission is not the entity that gets served with that charge; it is one of the joint municipalities because they are a joint employer.

**HOVIS** Attorney Hovis responded that he had not taken this that far into the concept.

**ECKMAN** Mr. Eckman noted that this is being designed as an Act 600 pension system.

- HOVIS** Attorney Hovis responded that it was an option. There are two very different pension plans currently in place. Creating a pension plan for the regional fire department will be one of the challenges facing the governing bodies during the implementation stage.
- ECKMAN** Mr. Eckman posed a situation where the regional department would run for several years and at the end of the day it dissolves. According to the agreement the employees who came from the incumbent townships go back to their respective employers. He asked what would happen to people who have been hired by the commission who would not be incumbent employees.
- HOVIS** Attorney Hovis stated that the Agreement does not provide any obligation for the charter municipalities to accept them as their own employees. What would most likely happen upon dissolution of the commission and the department, the collective bargaining agreement would expire.
- ECKERT** Don Eckert, Springettsbury Township Volunteer Fire Company, commented on the fact that the two governing bodies will be enacting an Ordinance at which time there would be a legal charter that must be followed. He asked what process would be used as it related to the capitalization and the effects of regionalization on the existing departments concerning the conveyance and assigning of all existing fire department vehicles, equipment and supplies. He asked what process is anticipated to be used in Springettsbury Township to do that because heretofore, while there has been three years or so, there had been little discussion about that.
- HOVIS** Attorney Hovis stated that there is an inventory of the capital assets currently under control or ownership of both municipalities. At some point a determination will be made as to whether those are assets that will be part of the regional department or outdated. At that point both municipalities are committed to fund and provide sufficient capital to have the department up and running.
- SCHENCK** Chairman Schenck stated that the key is that there are assets currently held by each municipalities. However, equipment in Springettsbury is owned by the Volunteer Company.
- ECKERT** Mr. Eckert noted that the Agreement is silent about facilities.
- HOVIS** Attorney Hovis commented that under the authority of the commission, it allows the commission to purchase or lease real estate, vehicles or real property and personal property. Therefore, with respect to facilities if they don't own the facilities and need to lease them, they need to enter into a lease. If they don't own certain of equipment, and it is determined it should be leased, then it needs to be leased.

- ECKERT** Mr. Eckert indicated there is only one piece of equipment, the ladder truck, that is co-owned between volunteers and the township. Everything in its entirety is owned by the volunteers.
- SCHENCK** Chairman Schenck stated that he had commented all along that the cooperation of the Volunteer Fire Department in Springettsbury was absolutely necessary.
- ECKERT** Mr. Eckert noted that there had been little discussion about the issue. If ordinances are being created and a commission established, there must be some decisions made to resolve the regional fire service. It is a hurdle ahead.
- HOVIS** Attorney Hovis noted that there is recognition under the powers and duties and jurisdiction of the commission to do all those things that have been identified. In addition, it is their responsibility to undertake whatever they need to actually get the fire department up and running and part of that is meeting with the volunteers on those issues.
- ECKERT** Mr. Eckert noted that there is a very short deadline, 60 days, which was his point.
- SURTASKY** Mr. Tony Surtasky, Mt. Zion Road, indicated he was curious about the big savings in money during the early discussions. He had read an article that did not indicate any savings but rather the costs involved. He asked what happened between the savings and the cost.
- SCHENCK** Chairman Schenck stated that he hadn't seen the particular article. However, the cost analysis stands as it had been. There were some long range projections based on capital needs, which showed the savings.
- GUMKE** Commissioner Gumke indicated there had been some cost associated with the regionalization, but the long term will be where the savings will be realized. Purchased equipment will be shared long term.
- SHORB** Matt Shorb, Spring Garden Township, stated that he was still somewhat confused by the unincorporated association and asked where the legal liability would fall.
- HOVIS** Attorney Hovis responded that the commission and the department are a separate entity. It is the employees of the commission and the department, not employees of Spring Garden Township or Springettsbury Township. The commission is authorized on behalf of the department to purchase liability insurance in order to protect the commission from certain causes of action. Of all of the instances that he was aware of with respect to regional departments most of the time the loss is filed against the regional entity. That is not to say that someone will sue anyone and everyone, but actually the liability of the operation of the department lies within the department and the commission.

**GODFRY** Richard Godfry wanted to be sure he understood the example of fire Department A in contractual agreement with professional firefighters expiring 2009 and Fire Department B expiring 2010. He asked whether there would be an extension or would they work under the terms of the old contracts.

**HOVIS** Attorney Hovis responded that they would continue operating under the existing contract.

**GODFRY** Mr. Godfry asked what would happen when the one expires in 2009.

**HOVIS** Attorney Hovis stated that they would continue to operate under that existing contract unless they want to negotiate a one year contract that will take them up to the deadline of the other contract.

**GODFRY** Mr. Godfry asked who they would negotiate with.

**HOVIS** Attorney Hovis responded that they would negotiate with the municipality for which they currently have a contract.

#### **6. Discussion of Joint Charter Agreement by Governing Body Members**

**SCHENCK** Chairman Schenck asked either of the Managers to review the revised schedule.

**HOLMAN** Mr. Holman responded that a revised schedule was provided based on an end of July adoption date; end of August adoption date. The original schedule as provided in the joint fire services plan by Buracker & Associates, requested an update at the end of July or August. Each of the scheduled dates were slid over to make it easier. There were target dates that we knew we would have to meet if this moves forward. The dates will continue to be revised to meet the target dates. All of this assumes that the Resolutions are reviewed because it's not the Ordinances but the Resolutions are reviewed over the next couple of weeks and months. The decision will enable the staff to move forward.

**SCHENCK** Chairman Schenck noted that he understood the timing of the Resolution, should the municipalities determine to move forward. With respect to the Ordinance, that would not have to follow the timing so quickly after the Resolution.

**HOLMAN** Mr. Holman responded that the Ordinance would fall in about August or September. The position of Chief will need to be created and someone brought on board as a Joint Chief to begin the staffing, create the policies and procedures, etc.

**SCHENCK** Chairman Schenck asked whether the Ordinance would allow for the employment.

**HOLMAN** Mr. Holman stated that the Ordinance sets the Commission and the Commission then does the hiring.

**HOVIS** Attorney Hovis provided a time frame. The Agreement indicates once both parties approve the Ordinance, the effective date would be within 30 days. Both municipalities would appoint the Commission members. At that point in time the Commission is obligated to hold its initial organizational meeting within 45 days of the effective date of that and shall take all necessary steps within its power to make the department operational within 150 days. Therefore, it is important for the commission to be operational and begin the search for the Chief to move forward.

**SCHENCK** Chairman Schenck asked whether there was any further discussion. Hearing none, he expressed the appreciation of Dean Fernsler for his efforts. He had been behind the scenes from the beginning and had been a great supporter and voice for the effort in Harrisburg. He thanked him for coming to the meeting.

**8. Adjournment**

**SCHENCK** Chairman Schenck adjourned the meeting at 7 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 14, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, June 14, 2007, at 6:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**MEMBERS NOT**

**IN ATTENDANCE:** Nick Gurreri  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Stacey MacNeal, Solicitor  
Harish Rao, Director, Community Development  
Marian Hull, Kise, Straw and Kolodner  
Jean Abreght, Stenographer

**A. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Public Hearing to order at 6:03 p.m. and welcomed the attendees. He stated that the Hearing had been advertised and the purpose of the meeting was to take public comment on the new, proposed Zoning Map, Zoning Ordinance and Subdivision and Land Development Ordinance. He explained that the process had been in place for almost three full years during the Comprehensive Plan project with much public input, and the intent of the meeting this date was for a final hearing. Chairman Schenck added that he was aware of the residents of the Argyle Drive area were present, and although this Public Hearing was intended for the stated purpose, he would provide an opportunity for the residents to comment.

**B. NEW BUSINESS:**

**HULL** Ms. Marian Hull of Kise, Straw and Kolodner, summarized the results of the process and background. She reported that the planning process began in September 2004 with the Comprehensive Plan project, developing that which was ultimately adopted in June of 2006. Since that time, they had been working on implementing ordinances which applied to the Comprehensive Plan vision and goals for development in the Township. The Zoning and Subdivision Ordinances are the tools to implement the changes.

A summary of Ms. Hull's presentation follows:

- Comprehensive Plan Committee – Included residents of Springettsbury, Supervisors and members of Planning Commission.
- Survey done of community residents for future goals.
- Stakeholder interviews conducted and community meetings held.
- Planning Commission generated a report and held Public Hearing in April, 2007.
- Zoning and Subdivision draft Ordinances displayed on Township website, Township building, and York County law library and various other locations.
- Community workshops held in December and January;
- Summary of SALDO changes – Zoning:
  - Semi-detached/twins allowed in R-7; older historic neighborhoods
  - R-7 much smaller than previous R-3
  - Historic overlay added to East Market Street neighborhood commercial districts; retail uses not permitted. Reverts to older office/apartment and residential use.
  - Eastern Boulevard – Rezoned to neighborhood commercial; allows small scale retail use.
  - Decrease in minimum lot size under open space preservation in Rural Residential district. Initially: 30,000 square feet, now reduced to 20,000 square feet.
  - Reduce density under open space in R-20 district. No environmentally sensitive land; flood plain, steep slope can be included towards acreage.
  - Encourage duplex/twins in open space district for additional land preservation. R-20 district allows 5,000 square feet lot minimums; Rural Residential allows 7,500 square foot as minimum.
  - Market/Mt. Zion parcels zoned from Residential to Neighborhood Commercial.
  - Parcel next to Heritage Hills changed from Residential to Mixed Use.
  - Height limit of accessory structures in Residential district from 14 to 18 feet.

Additional changes requested by Planning Commission:

- Change neighborhood of Commercial on Eastern Boulevard to Mixed Use – Planning Commission stated it was too intense a use for small lots immediately adjacent to single family residential
- Intensify retail uses in neighborhood Commercial to be larger allowing for some Mixed Use.
- Rural Residential district – Five-acre lot minimum; state planning law indicates there is not the environmental or agricultural resource to justify legally. Set at two acres to allow for septic systems.

Subdivision changes include mostly editorial changes, updates for consistency, compliant changes to the Municipal Planning Code, environmental impact studies, certifications, requirements and procedures for public dedication.

Specific complex projects within subdivisions – preliminary plan and final plan review. Specific projects include projects needing a Highway Occupancy Permit; improvements to be dedicated to the Township, recreation dedication; on-site water/sewer, multiple phases.

Subdivision as a stand-alone process – Both subdivision and land development projects will have separate application; separate legal process; handled simultaneously.

Environmental studies – historic resources require applicant to photo document site; in addition a letter to the Historic Preservation Committee as notification. Hydrological study included in the environmental study. Increased minimum lot size for on-site water and sewer to two acres. Additional requirement to document known or suspected hazardous materials on a site.

Street design standards; made consistent to recognized standards.

Traffic volumes added as a tool to determine street classification.

Management tools – Maintenance of roadway capacity including shared access by providing internal circulation.

Two high priority ideas from community – a Town Center with zoned uses and Historic Resource Protections.

**MACNEAL**

Attorney Stacey MacNeal reported that the York County Planning Commission had reviewed the Ordinances and submitted formal comments to the Township. She indicated that the comments had been provided to the Supervisors. She reported that during the three-year process the Township had worked closely with York County Planning on the Comprehensive Plan as well as the Ordinances and staff members had been present as well. The initial first draft of the Zoning Ordinance was sent to County Planning, which was followed by several pages of comments. Most changes had been made based on the comments. A response was sent to the County with regard to the changes that were not made with an explanation. Staff recommended adoption of both Ordinances with only one comment on the SALDO and six comments on the Zoning Ordinance; those comments had been diminished from some 40 initial comments. She noted that she and Mr. Holman attended the County Planning Commission meeting last Tuesday. Unfortunately, one or two county planning members did have one or two issues with the Zoning Ordinance that resulted in them not adopting the staff comments and instead giving what the Board had been provided, which is a recommendation not to adopt on the Zoning

Ordinance. But, again, the comments that were provided haven't changed. They are the same comments previously discussed, really at length with County Planning as well as in the Comprehensive Plan Committee. Two small editorial changes will be made based on their comments; however, staff did not recommend any changes based on the York County Planning Commission comments.

**HOLMAN** Mr. Holman asked whether Attorney MacNeal had been able to express an opinion with regard to the York County Planning Commission.

**MACNEAL** Attorney MacNeal stated that their concerns will be addressed; however, she was not permitted to address them at that time.

**SCHENCK** Chairman Schenk noted that the Board had received a letter that only included one recommendation.

**MACNEAL** Attorney MacNeal responded that it related only to the SALDO. She noted that initially the staff recommendation was the same as presented, and staff continued to recommend adoption of the Ordinance. The only change is that the York County Planning Commission indicated they would not recommend adoption of the Ordinance; however, the comments themselves have not changed. There are six comments on the Zoning Ordinance.

**SCHENCK** Chairman Schenk asked what direction the Board should take.

**MACNEAL** Attorney MacNeal stated that response to York County Planning would be that there will be some editorial changes and that their recommendation, which had been thoroughly reviewed by staff, was appreciated. No substantive changes will be made to the Ordinance.

**BISHOP** Mr. Bishop asked a logistic question in terms of the recommendation for adopting and timing of the adoption. He asked when the adoption actually would take place.

**MACNEAL** Attorney MacNeal responded that the effective date would be five days following adoption. If the Board does adopt the Ordinances on June 28<sup>th</sup>, they would take effect the beginning of July.

**BISHOP** Mr. Bishop asked whether there is some flexibility. He noted that no one is sure what will happen, and then the Board acts and it's in effect immediately. There could be questions as to which rules by which to abide.

**MACNEAL** Attorney MacNeal responded that the Ordinance could be amended to provide for a specific effective date. There might be a question as to whether it would have to be re-advertised.

- HOLMAN** Mr. Holman indicated that any developer that had been before the Planning Commission or the Board of Supervisors up to this point would be following the old Ordinance. Following adoption of a new ordinance, they will remain under the old Ordinance unless they elect to go under the new Ordinance and in such cases would not be permitted to revert back to the old Ordinance. It would be on a voluntary basis by any developer that submitted a plan by July 5, 2007.
- HOLMAN** Mr. Holman indicated that there are very few developers out there that do not know that Springettsbury Township had been going through this process and will be up for adoption on June 28<sup>th</sup>. In some cases developers may have submitted a plan so that they could have that option should it be adopted. In other cases they decided not to do so at this time.
- SCHENCK** Chairman Schenck asked the Board for their thoughts on the York County comments.
- BISHOP** Mr. Bishop responded that he would like to have a better understanding of it.
- SCHENCK** Chairman Schenck stated he thought that some of their comments were valid. However, he wanted to understand what the Board should do with their recommendation.
- MACNEAL** Attorney MacNeal indicated that there were only two comments that were an issue for the Planning Commission. She stated that the one comment under Zoning related to the fact that they were concerned the Township is encouraging development of the Rural Residential district with the extension of public water and sewer into those areas. The response to them was that the Township already has a good deal of public water and sewer in that district. The second issue was that through all of the design standards in place in the Rural Residential, everything possible that can be done is being done to discourage development. She added that she thought there would be some balancing done and there had been additional discussions with staff and during the Comprehensive Planning Committee members both with and without County Planning members present. Development may or may not happen in the Rural Residential district. If development occurs, they would prefer to see public water and sewer in place rather than a community on-lot system.
- HOLMAN** Mr. Holman noted that the Township would become responsible for a community on-lot system and would have to license individuals. DEP would not look to the community to manage that system.
- RAUSCH** Solicitor Rausch noted that the comment is very comment, as he had seen it come up in public context, not just in Springettsbury Township. His perspective on the issue is that if it is in a Subdivision and Land Development, the Board of Supervisors has control and that provision can be waived by the Board with any issue concerning public water and sewer. The Board should have the opportunity to evaluate and make a decision.

- HOLMAN** Mr. Holman noted that one of the members on the County Planning Commission had attempted to explain that, and staff was very supportive.
- SCHENCK** Chairman Schenck asked what other comment was made.
- MACNEAL** Attorney MacNeal responded that the only other one that was mentioned is the one in relation to the open space district. There's some, you know, feeling that possibly that could be considered spot zoning. However, this is not a change from your existing ordinance. This is what you currently have, and obviously we've been working with it and not having any difficulties. Their office has reviewed it, and does not consider that to be a spot zoning issue.
- RAUSCH** Solicitor Rausch stated that spot zoning is when a benefit or a determination is conveyed to a specific land owner, which is different from everything else.
- SCHENCK** Chairman Schenck noted that they are not talking about any substantive change. They're just talking about calling it something different because it might be a problem some day.
- RAUSCH** Solicitor Rausch added that another aspect of this related to the public by the Department of Environmental Protection. If DEP could, they would probably want to have the entire state connected to public sewer but when they can't it becomes a septic system. When problems arise with septic systems, the Township becomes the responsible party.
- SCHENCK** Chairman Schenck stated that the Board would probably want a little more information.

**C. PUBLIC COMMENTS:**

- SCHENCK** Chairman Schenck stated that it was an advertised public hearing and opened the floor for comments concerning the new proposed Subdivision or Zoning Ordinances.
- DEAMER** Mr. Alan Deamer, 3405 East Market, stated that he had previously discussed increasing the structure size in the Neighborhood Commercial zone and had discussed some about a bakery. He noted that it had been turned down. He reported that he had read in the Pennsylvania Business Journal recently where Panera Bread was building a new structure near Harrisburg, 4,200 square feet. He thought that would probably be a permitted use in the Neighborhood Commercial, but evidently 4,200 square feet is what they need to make that economically sound. He questioned whether 3,000 square feet in Neighborhood Commercial is sufficient. In addition, how difficult would it be to obtain a special exception something like that would arise where it would seem like the business would be compatible with an area, but the square footage is too small. He asked the Board to look at that again.

- SCHENCK** Chairman Schenck responded that his comments were the purpose of having a Public Hearing.
- CALTAGIROME** Michael Caltagirome echoed Mr. Deamer's comments. He thought that something like an art gallery, personal care services, retail service/sales would need more than 3,000 square feet to be viable. It would be adequate for an individual house, but not for a substantial type of business. A reception area, office, including bathrooms, utility rooms all take up a lot of square footage. He wouldn't ask for 10 but perhaps six.
- LOWMAN** Argyle Drive  
My name is Scott Loman of Argyle Drive commented that there were a number of residents from the Argyle Drive area with him. He thanked the Board for providing some time for their comment. He asked whether there could be some way of notifying the neighborhood when there is no primary plan and no waivers necessary.
- SCHENCK** Chairman Schenck noted that when he read the information, there had been mention about a separate access that would trigger notification. He thought they were looking for an alternate access area.
- HOLMAN** Mr. Holman noted that with regard to the planning, because there would be public improvements or streets that need to be dedicated to the Township, a Preliminary Plan would be required to be filed.
- LOWMAN** Mr. Lowman commented that their main concern is connecting arterial traffic to a closed loop community, which would qualify as a significant impact. He added that there was just a cul-de-sac planned, an emergency access in their neighborhood. However, he stated that extending that lane, that arterial lane behind the mall throughout neighborhood would impact on their community. He would like to see that added to the list.
- BISHOP** Mr. Bishop stated that, as Mr. Holman had noted, anything that would be offered for dedication would qualify or force the notification process.
- SCHENCK** Chairman Schenck clarified for the residents that when a developer builds something and they put roads in there that eventually will become township roads, they have to dedicate those to the Township. That would be the trigger point. And in the case of the Argyle neighborhood under this scenario, that would have been a non-waivable requirement. Whatever they do there, you know, they would have to dedicate to the Township.
- LOWMAN** Mr. Lowman stated his second concern regarding the notion of going across other people's property lines to access public rights-of-way. He had reviewed the York County GIS information system on this plot in our neighborhood, the property line comes to the north of the right-of-way by 20 feet. That would

require them to come across the Graham Packaging. I believe it belongs to Pleasant Valley Realty, the realtor that owns that piece of property. So that's a real concern that it would sneak past the 20 foot property line. He wondered how a developer could then gain access to that right-of-way. If Graham Packing, Pleasant Valley Realty decided not to use that right-of-way; it's theirs - then how does that allow the second developer to come and say, let us use it. It's 20 feet away but it can be crossed over.

**SCHENCK** Chairman Schenck responded that the point had been discussed when the developer was before the Board several weeks ago. It was noted that they do not actually have that property.

**HOLMAN** Mr. Holman added that they had not shown the Township that they have any access to that property.

**SCHENCK** Chairman Schenck stated that would require either an agreement or some land transfer, whether it's just a pure straight agreement with Graham or some minor subdivision to parcel that off.

**LOWMAN** Mr. Lowman stated that, as a novice looking at those maps, if have right to the access to the right of way they could use it. At that point they would be able to cross property lines and allow access to this 50-foot roadway.

**SCHENCK** Chairman Schenck stated that what had been mentioned earlier was during the development of internal access which would be some internal connector between the development and Graham's parcel so motorists would not have to go back out on the street and could go from business to business without having to access main roads. The township encourages developers to do that, and will be taking a stronger stand on that.

**LOWMAN** Mr. Lowman commented on changes in the zoning map in that area from Mixed Use. It was Office in the former Comprehensive Plan. Mixed Use includes residential, commercial when it was only office previously. They are concerned that their neighborhood will become an island within Mised Use, R-1. He was aware that the 34 Office plan had been on the Agenda and was removed in order to complete a traffic survey on Argyle Drive. The plan had not come to the resident's attention until the surveyors were in their yards. Mr. Lowman had reviewed a plan which did not seem unreasonable and which showed the access road with a gate that only would let fire and police through. Mr. Zalenski, who lives on that corner had some great concern about crime there in that woods and he would like to see that road put through all the way. However, Mr. Lowman did not think that anyone would be opposed to an emergency entrance. They are concerned that the traffic study was continuing even though a final plan just indicated an access road. In addition, it seemed like the changes of Mixed Use from R-7 was creating a division of class. They feel like they are getting squeezed in the middle. Many of the residents had lived in their homes since the day they were built. They saw the road go from a dirt to a paved road to houses

built there on Argyle, Sagamore and Pelham to fighting a proposed extension through there three or four times. He purchased his home because it was a great neighborhood, a closed loop community, no arterial traffic, etc. He thanked the Board for allowing him to speak. He hoped to obtain a good compromise, which may be that road. He hoped it will be considered going forward with the plan.

**SCHENCK**

Chairman Schenck thanked Mr. Lowman. He added some comments in an attempt to clear up what is a very complicated process. A plan had been filed for a proposed development in the land behind Graham. There were some major defects in the plan with issues that were not able to be resolved between the Township and the developer. They wanted to do some things that weren't allowed by ordinance, which is not unusual. They have been working with the staff to try to work through those issues. It came before the Board several weeks ago with one of the issues being this road/connection. The Board decided that there was not enough information to know whether there should or should not be a connection there, and hence the Traffic Study was requested to learn more about what actually is going on there. A Traffic Study does not assume anything and is just a way to gather information. The developer provided a 90-day extension to work on the plan and for the Board's action. Chairman Schenck encouraged the residents to attend the Planning Commission meetings, which is the body that goes through the plan with the developer.

**RESIDENT**

The resident inquired why notices aren't put in the paper instead of on the web site; they do not have access to a computer.

**SCHENCK**

Chairman Schenck stated that the meeting notices are put on in the paper as a requirement for a public meeting, although the Agenda is not required.

**BISHOP**

Mr. Bishop commented on the fact that it is incredibly expensive to buy advertising in the newspapers. He added that there are several ways to get information.

**RESIDENT**

A resident stated that they have a lot at stake.

**SCHENCK**

Chairman Schenck encouraged the residents to attend the Planning Commission meeting on the third Thursday of every month. The resident can call in to the Township and asked about the Agenda. The plan is known as 34 Professional Office. In addition, the Board of Supervisors normally meet the second and fourth Thursday of each month with the exception of June, July and August when the meeting is held only on the fourth Thursday.

**RESIDENT**

A resident commented that during heavy shopping and traffic it is very difficult to get out on North Hills there at Route 30.

**SCHENCK**

Chairman Schenck stated that the Board will take everything into consideration.

- RESIDENT** A resident commented on the businesses and old Whiteford Road, the car dealerships. She questioned why there couldn't be some access from that road to this specified area.
- SCHENCK** Chairman Schenck responded that the issue is that within the township Ordinance, there is a requirement for a development of that size to have two ways in and out. It is for public safety as a way for emergency vehicles to access sites.
- RESIDENT** A resident asked about the road that goes up by Ridgewood which could be a road in and out.
- SCHENCK** Chairman Schenck noted that this proposed development has the main entrance off of Pleasant Valley. What the developer suggested was that the required secondary access point was the connection to Argyle. The original thought was to make that a gated emergency only access point.
- RESIDENT** A resident asked whether they could rely on that as a gated emergency exit.
- SCHENCK** Chairman Schenck indicated he could not state that for a fact at this point.
- RESIDENT** A resident commented that they have years invested in their property and feel that they will lose so much.
- SCHENCK** Chairman Schenck noted that there is another contingent of people that said that the road had been drawn on every township map for many years. It should not be a total surprise that Argyle had been stubbed out on purpose to be a road that connects to Pleasant Valley. There are at least two plans that show that as a proposed right-of-way for a road.
- RESIDENT** A resident stated that on the Comprehensive Plan map there is a line drawn through the property.
- SCHENCK** Chairman Schenck stated that was correct; the Comp Plan shows it as a property line. However they typically get rights-of-ways on property lines because that's the best place for them.
- RESIDENT** A resident commented that they had fought this before and won and will fight it again.
- SCHENCK** Chairman Schenck stated that there is some time. A decision is not going to be made immediately. He encouraged the residents to get involved.
- RESIDENT** A resident wondered why, when the Township laid that out, they didn't put in a wider street at that time knowing that it could be opened up at some point in the future with sidewalks, etc.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 14, 2007  
APPROVED**

**SCHENCK** Chairman Schenk responded that it was a fair question. That was the way the Township built things back then. Any of the newer modern developments have wider streets.

**SCHENCK** Chairman Schenk concluded the Public Comment time. He stated that he had promised some time for comments. He hoped the residents will get involved and attend the Planning Commission meetings and the Board of Supervisors meetings.

**LOWMAN** Mr. Lowman thanked the Board for allowing them the time to address the project.

**D. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 24, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 24, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
George Dvoryak  
Nick Gurreri

**MEMBERS NOT IN ATTENDANCE:** Mike Bowman

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Harish Rao, Economic and Community Development  
Dori Bowders, Manager of Administrative Operation  
Betty Speicher, Director of Human Resources  
Andrew Stern, Managing Director of Fire and Rescue Services  
David Eshbach, Chief, Police Department  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees and wished everyone a Happy Memorial Day. He asked that the men and women in the Armed Services be remembered in prayer. He led the Pledge of Allegiance.

**GURRERI** Mr. Gurreri congratulated Don Bishop and Mike Bowman on their Primary Election to continue on the Springettsbury Board of Supervisors.

**SCHENCK** Chairman Schenck announced that Mr. Bowman would be unable to attend the meeting due to a business commitment.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

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

**3. COMMUNICATION FROM CITIZENS:**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 24, 2007  
APPROVED**

- GREENEWALT** Mr. Bill Greenewalt, 2540 School House Lane, called attention to the property at 2541 Raleigh Drive, about which he had spoken previously. He explained that the property has a swimming pool, which was not up to codes and regulations. He reported that the lessee had started to build a deck on the pool. Mr. Greenewalt had been under the impression that the owner was notified that the pool should be moved. He wanted to know whether a permit had been issued for the deck.
- HOLMAN** Mr. Holman noted that an appointment had been scheduled with Judge Kessler. When the appointment was scheduled, the Township did receive a call from the owner and the perspective buyer of the property, the lessee, who advised that he will be filing an application with the Zoning Hearing Board for a variance for the pool due to the fact that it had been built incorrectly.
- RAO** Mr. Rao added that Judge Kessler advised him that the Township's action cannot be put on hold. Charges are to be withdrawn pending the application to the Zoning Hearing Board.
- HOLMAN** Mr. Holman stated that with the application to the Zoning Hearing Board, that would be the administrative remedy that can be availed, should it be necessary to go to court..
- GREENEWALT** Mr. Greenewalt asked about the permit for the deck.
- RAO** Mr. Rao responded that the permit was issued late last year as part of the swimming pool.
- GREENEWALT** Mr. Greenewalt stated that the application did not call for a deck, and it was not a part of the application. He asked how the lessee got a permit.
- RAO** Mr. Rao responded that he would check his records again but had been told it was part of the pool.
- GREENEWALT** Mr. Greenewalt stated that it was incorrect and that he was really upset about the issue. It had been 11 months, and his property continues to be devalued every day. He wanted to see some action. Even though the lessee said he was going to purchase the property, Mr. Greenewalt wondered whether there was anything in writing to substantiate that.
- HOLMAN** Mr. Holman responded that he would check for Mr. Greenewalt and contact him.
- RAUSCH** Solicitor Rausch stated that Mr. Greenewalt had the right to attend the Zoning Hearing Board meeting.

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- GREENEWALT** Mr. Greenewalt responded that he planned to attend.
- HOLMAN** Mr. Holman added that Mr. Greenewalt would be made aware of the Zoning Hearing Board meeting since his property is located within 200 feet of the property in question.
- GREENEWALT** Mr. Greenewalt thanked the Board.
- SCHROEDER** Mrs. Cindy Schroeder, 605 Hammond Road, asked whether she should provide her presentation on the sidewalk project under Citizen comment or under Old Business.
- SCHENCK** Chairman Schenck responded that she could comment now or wait until Old Business.
- SCHROEDER** Mrs. Schroeder responded that she would wait.
- SCHENCK** Chairman Schenck noted that he had a call that Mrs. Schroeder hoped to provide a PowerPoint presentation. He stated that it was not something the Board allowed during public comment.
- SCHROEDER** Mrs. Schroeder responded that she had printed copies for the Board. She asked whether PowerPoint presentations might be considered in the future.
- SCHENCK** Chairman Schenck stated that it had never been considered before.
- BISHOP** Mr. Bishop noted that he, personally, would have a difficult time making the leap from citizen's right to make comment as some sort of a requirement to let people make PowerPoint presentations. He did not think it would add anything to the objective, which is to find out what people are thinking and understand the issues.
- SCHROEDER** Mrs. Schroeder noted that she was prepared either way.
- CHARLES** Mr. Gene Charles, 705 Hammond Road, stated that he was mainly concerned about the sidewalks. He wanted to know the status of that along with his concern that he will be losing some mature trees.
- SCHENCK** Chairman Schenck responded that it was an Agenda item under Old Business.
- CHARLES** Mr. Charles asked whether there were any details of that proposal on the website.

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**HOLMAN** Mr. Holman responded that it had been on the website for about two and a half years. It had been updated every so often based upon cost of construction, estimated costs of the project, etc.

**SCHENCK** Chairman Schenck asked whether there was any specific information he hoped to find on the website.

**CHARLES** Mr. Charles responded that it was the distance or the size of the sidewalks.

**HOLMAN** Mr. Holman responded that the physical plan is there; however, they had gone to the site with the residents and shown them right about where the sidewalks will be. He had done some walking around the area with the Township Engineer and done some measurements, and he will be more than happy to review the area for Mr. Charles.

**CHARLES** Mr. Charles responded that he would like that. He understood that the project was not yet an approved project.

**SCHENCK** Chairman Schenck responded that it was not as of yet but that by the end of the meeting a decision will be made.

**SCHROEDER** Mr. Richard Schroeder, 605 Hammond Road, provided a letter that he had been requested to read at the meeting from one of the residents. They were unable to attend the meeting. Mr. Schroeder read a letter in its entirety from John and Diane Degmen of 725 Hammond Road, who expressed their hope that the sidewalk project would not go forward. They indicated that traffic had actually diminished on their road since the improvements at Mundis Mill and Sherman Street, and losing their front shrubs, Japanese red maple with sentimental value will be impossible to replace. The letter was provided to the Supervisors for the project file.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineering – Buchart Horn, Inc.**

**SCHOBER** Mr. Mike Schober reported on the Barwood Road Sewer Project that the final sewer tapes had been reviewed with excellent results. Paving had been done and an application for payment #2 had been forwarded to the Township. The project is completed except for the paperwork and payments. The Grit Removal Project is on the Agenda for action tonight.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. John Luciani reported several updates. Finishing touches had been completed on Haines Road. The Township had received approval to use a substitution material, and the waring course was laid this date. The

quantities were slightly higher than what was actually used; however, Mr. Holman had been successful in negotiating a discount from the contractor to alternate the material. A meeting had been held with Kinsley on Concord Road. When the base course is complete, a road closure sign was requested to keep traffic off the road until a later date. Barricades will be placed on a daily basis. Mr. Luciani met with PennDot regarding several issues. Market and Mt. Zion project is proceeding. The same individuals are involved with the proposed work on Mt. Rose Avenue and 83. A significant number of accidents, 141, had been reported in the area. The statistical accident occurrence had been discussed with PennDot and it was agreed to be a big problem. They further agreed that any 83 ramp improvements will not occur for a decade or less. Several options were discussed about what can be done, including a green arrow rather than a green ball. Further meetings will be held to explore intermediate measures. Mr. Lauer has equipment that could enable such a change with not a significant cost; however, they want to be sure that other traffic delays won't become a bigger safety problem. Some conclusions will be drawn within the next two weeks as to how to make that a safer movement.

**DVORYAK**

Mr. Dvoryak noted that it was his understanding that York County Planning now is agreed with stop signs at Eastern Boulevard and Kershaw.

**HOLMAN**

Mr. Holman indicated that discussions had been held regarding traffic safety, and TRG, which provided the engineering study, indicated that the stop signs should reverse; the stop to Kershaw instead of Eastern Boulevard when the traffic improvements are done.

**LUCIANI**

Mr. Luciani added that in other traffic circles there is ample distance for reaction time. However, at the intersection of Kershaw and Eastern, yield signs would not provide enough reaction time - only 20 or 30 feet. The consensus of the Police Chief, Solicitor Rausch, Mr. Holman all agreed with the intent of what York County stated, which was backed up with the TRG study.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as detailed in the Payable Listing of May 24, 2007.**

**GURRERI**

Mr. Gurreri commented that electronic payables were not noted on the listing.

**HOLMAN**

Mr. Holman responded that the process is nearly complete with setting up with the banks. There are no electronic funds on the list since the process had not begun at this point.

**MR. DVORYAK MOVED TO APPROVE PAYABLES AS LISTED ON THE LISTING OF MAY 24, 2007. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS AND CONTRACTS:**

**SCHENCK** Chairman Schenck introduced the Grit Removal Improvement items. He stated that the state required that the contracts be bid separately, whereas in the general public/business world, a bid might be awarded to one company for all activities. The Township is required to bid Mechanical, Electrical and General contracting separately. The bids have been reviewed and are all qualified, suitable bidders and all are the recognized low bidder.

- A. Authorization to Award Bid to Johnston Construction Company for Grit Removal Improvements (General Construction) – Contract No. 2007-01G in an amount not to exceed \$2,772,080.**
- B. Authorization to Award Bid to TMI Commercial, Inc. for Grit Removal Improvements (Mechanical Construction) – Contract No. 2007-01M in an amount not to exceed \$167,749.**
- C. Authorization to Award Bid to B&R Electrical Contractors, Inc. for Grit Removal Improvements (Electrical Construction) – Contract No. 2007-01E in an amount not to exceed \$579,000.**
- D. Authorization to Approve Proposal by Buchart Horn, Inc. for Grit Removal Project Inspection Services – Project No. 70056-50 in an amount not to exceed \$182,000.**

**MR. GURRERI MOVED TO APPROVE BIDS A, B, C, AND D AS STATED ON THE AGENDA. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck stated that the project is part of the Township's commitment to cooperate with the State of Maryland to get the nitrogen out of the Chesapeake Bay. This is the first phase of that project.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. LD-02-02 – Time Extension – AWI, Inc. – Plan Expires 6/17/07 (New Plan Date 9/17/07)**
- B. LD-06-07 – Time Extension – Dunkin Donuts – Plan Expires 6/10/07 (New Plan Date 9/10/07)**
- C. LD-07-04 – Time Extension – Service Tire and Truck Center – Plan Expires 6/26/07 (New Plan Date 9/26/07)**
- D. LD-06-08 – Time Extension – St. Johns Church – Plan Expires 6/12/07 (New Plan Date 9/12/07).**

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- E. SD-06-10 – Time Extension – 34 Professional Office – Plan Expires 6/12/07 (New Plan Date 9/12/07)**
- F. SD-06-03 – Time Extension – Chronister Farms Residential Development – Plan Expires 6/10/07 – (New Plan Date 9/10/07)**

**SCHENCK** Chairman Schenck noted that items A through F included Time Extensions and could be handled collectively.

**MR. DVORYAK MOVED TO ACCEPT TIME EXTENSIONS AS OUTLINED A THROUGH F ON THE AGENDA. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- G. LD-07-02 – Central York School District – High School Expansion (Action); Plan Expires 8/10/07.**

**RAO**

Mr. Rao presented the Central York School District project for action, which was documented in his May 17, 2007 memorandum. The site is currently the Central York High School, with proposed additions and alterations to be used as educational facilities. The plan was received on February 19, 2007. Mr. Rao provided a PowerPoint presentation identifying areas as summarized:

- Project highlights – Planning for 537 more students for the school including 24 new classrooms, additional dining/cafeteria area, indoor swimming pool, areas where conversion to educational spaces will be required, added team rooms for the sports programs. Variances were obtained for impervious limit coverage. The below-ground geothermal heat source will continue to be used. Current zoning is R4 but will become R20 upon adoption of the Ordinance. Lastly, there are no public improvements to be dedicated to the Township on this plan.
- Project Location – Northwest Sector of the Township
- Aerial View of Current School
- Existing Plan
- Proposed Additions
- Stormwater Plan
- Current Stormwater Pond

Mr. Rao stated that several waivers had been requested, for which Planning Commission recommended approval:

- SALDO §289-11 – Preliminary Plan Procedure
- SALDO §289-1.B – Preliminary Plan shall be 24” x 36”

Mr. Rao stated that several conditions were placed on the plan, which were recommended approved by the Planning Commission:

- Financial Guarantee is needed to provide for traffic timing adjustments on Mundis Mill and the School District intersection; some stormwater

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and erosion and sedimentation control. The amount will be reviewed and determined by the Township Engineer.

- Any outstanding fees must be paid in full with the Township prior to recording.

- LUCIANI** Mr. Luciani stated that some internal traffic issues had been studied and documented. The internal adjustments were made causing all traffic entering to flow to the right and students go around the school for parking on one side.
- BURD** Mr. Rick Burd had video-taped the traffic patterns beginning at 20 minutes before school with a 20-second video every minute. He provided that video clip for the Supervisors. Throughout the time it revealed that traffic was flowing well.
- RAUSCH** Solicitor Rausch questioned the cars heading east which he noted that not many were turning left.
- BURD** Mr. Burd responded that for those turning left, there is a turning arrow. They can turn left as long as there are no other cars coming through the intersection.
- BISHOP** Mr. Bishop asked when the internal changes were made.
- BURD** Mr. Burd responded that it was done in February/March.
- LUCIANI** Mr. Luciani stated that the intersection levels of service, as repaired indicate that the level of service is B's and C's, which is the result of the significant investment of the improvements. However, there were some members of the Planning Commission who drop children off at the school who stated they were fighting congestion. The School District took a proactive stand with the internal changes to force the vehicles to circulate counter-clockwise around the entire school to find parking, and as long as that continues, the backup will be minimized.
- BISHOP** Mr. Bishop questioned whether there will be some additional changes made at the light.
- LUCIANI** Mr. Luciani responded that Sheridan and Mundis were to be hardwired to Greenridge. However, TRG recommended a GPS clock be installed, which would call for identical timing in signals. That seemed like a good solution.
- BURD** Mr. Burd added that it was mentioned that the signal at Sherman Street was to be made a little longer on red at times in order to keep some of the

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traffic back so it wouldn't be so congested. It is not a problem at the end of the day, only during the morning rush.

**SCHENCK** Chairman Schenck thanked Mr. Burd for his presentation.

**RAO** Mr. Rao stated that the Engineer and Architect were present if there were additional questions.

**SCHENCK** Chairman Schenck noted that the suggested motion included the Fire Chief's comments regarding the Emergency Access lane. He was not sure exactly why it should be considered.

**HOLMAN** Mr. Holman reported that there was a question of paving or not paving the stone portion of the Emergency Access road because there were some difficulties with keeping it plowed in last year's storms. He indicated that the school is willing to make sure that does remain plowed and cleared so that vehicles can get through and, if necessary, that could be made as part of the motion and put on the plan.

**DELLER** Mr. Casey Deller, C. S. Davidson, stated that part of the legal documentation between the Township and School District requires that the School District provide the maintenance for that access drive which slipped a little bit during this past winter. The School District recognized that it was their responsibility to maintain that access road and will do so in the future.

**SCHENCK** Chairman Schenck asked Mr. Stern whether his comments concerning paving related more to a maintenance issue.

**STERN** Mr. Stern responded that he was only concerned that they can be maintained. The access road serves no purpose if it's covered with snow, has mole holes or pot holes. As long as it's maintained and the fire apparatus can get through it serves its intended purpose.

**SCHENCK** Chairman Schenck noted that the item was in an prior agreement.

**HOLMAN** Mr. Holman assured him that it was part of another agreement and the school had committed to maintain that access road for the Township.

**SCHENCK** Chairman Schenck noted an additional comment concerning a Knox Box on the gate which would be an easy solution. He asked whether it was a breakaway gate at this time.

**STERN** Mr. Stern responded that it was not an issue for this plan. The gate actually belongs to the Sewer Department, and that will be resolved.

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- DELLER** Mr. Deller stated that there are actually two gates that were reviewed as part of the plan. One is the secondary access coming off Mundis Mill road; the second being the stoned access drive across the Township property, and part of the plan had indicated that Knox Boxes will be placed on each of those gates.
- SCHENCK** Chairman Schenck commented that the amount of financial security needed to be determined.
- LUCIANI** Mr. Luciani responded that he was correct; traffic features need to be added and that will be resolved with the school.
- DELLER** Mr. Deller noted that there had been an omission from the previous document, which brings the total to be bonded up to a little over \$31,000. The School District had begun the process through Stock and Leader to start their bonding and they're actually going to bond \$33,000, which is over and above that amount as well.
- LUCIANI** Mr. Luciani stated that the bonding is to be provided.
- BISHOP** Mr. Bishop questioned whether the Conservation District Letter of Adequacy had been received.
- LUCIANI** Mr. Luciani responded that it was received and had been dated 5/18/07.
- BISHOP** Mr. Bishop asked whether there were any outstanding fees. He noted that Mr. Rao had commented about some outstanding fees.
- RAO** Mr. Rao responded that it was part of a standard condition in order to be sure there is money in the escrow funds for recording fees and any outstanding balances to First Capital or Solicitor's fees.
- SCHENCK** Chairman Schenck questioned for future knowledge whether the proposed R20 zone would change their available lot coverage so they don't have to keep coming back for variances.
- HOLMAN** Mr. Holman responded that it will change to approximately 24.7%.

**MR. BISHOP MOVED WITH RESPECT TO LAND DEVELOPMENT 07-02, CENTRAL YORK HIGH SCHOOL EXPANSION THAT THE FOLLOWING WAIVERS BE APPROVED:**

- **WAIVER FOR SALDO §289-11 – PRELIMINARY PLAN;**
- **WAIVER FOR SALDO §289-1.B – SIZE OF PRELIMINARY PLAN.**

**MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**MR.BISHOP MOVED WITH RESPECT TO LAND DEVELOPMENT 07-02, CENTRAL YORK HIGH SCHOOL EXPANSION TO APPROVE THE LAND DEVELOPMENT PLAN WITH THE FOLLOWING CONDITIONS:**

- **CONDITIONED ON FINANCIAL SECURITY IN AN AMOUNT TO BE DETERMINED BY THE TOWNSHIP ENGINEER.**

**MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**H. SD-06-10 – 34 Professional Office Subdivision (Action); Plan Expires 9/12/07.**

**RAO**

Mr. Rao presented the Subdivision Plan for action for 34 Professional Office as documented in his May 18, 2007 memorandum. The site is currently used for agricultural purposes. It is proposed to develop the parcel by subdividing the parent tract and servicing the proposed office uses by a cul-de-sac from Pleasant Valley Road. The parcels are reportedly to be used as office space and will be developed individually as users become available. Mr. Rao provided a PowerPoint review of the plan summarized:

Project Highlights:

- Lot area for consideration for subdivision is 33 acres.
- Proposal is for six lots for office buildings;
- Currently zoned Professional Office and will be Mixed Use upon adoption of the Ordinance. Secondary access into the site was required.
- Traffic study was done and shows additional impact to the surrounding road network.
- Developer wishes to dedicate public improvements to the Township.

Project Location: Pleasant Valley Road

- Aerial View
- Zoning District
- Site Conditions
- Proposed Plan
- Emergency Access
- Argyle Drive

Several waivers were requested:

- Waiver of SALDO §289-26 – Buffer yard and landscaping
- One of the lots, Lot 4, has mature trees and the developer wishes to continuing using those mature trees as part of their buffer between neighborhood residential and the office buildings. Planning Commission recommended approval.
- Waiver of SALDO §289-32.J.6 – Cul-de-sac shall not exceed a maximum length of 600 feet. Planning Commission recommended approval but staff recommended denial of the waiver.

Mr. Rao noted that there were several Conditions on the plan which included buffer yards, written guarantees, distances to intersections, cul-de-sac lengths, and the average daily trips for a residential subdivision of 250 or more. He stated that any outstanding fees including all bills payable to the Solicitor and Engineer must be paid in full before recording of the plan.

**SCHENCK**

Chairman Schenck commented about several items that he wanted to be sure he understood. One item indicated that, “the plan should show proposed measures to insure that current and predicted failing intersection service is not exacerbated.” He had never seen that before as a condition.

**LUCIANI**

Mr. Luciani responded that a traffic study had been done, and based on the six lots at their full use and the amount of building yield, it is estimated there would be about 1700 trips a day. One of the intersections that would be affected is at Whiteford and Pleasant Valley Extended near Diehl Toyota and Bel Paese. A right-turn lane is required and the developer will add 15% of the impact to it. They will contribute 15% of what is believed to be the total cost but they have not mitigated that 100%. Other outstanding items involve the ordinance, which indicates that if there are more than 250 trips in and out of an entrance, and this is a cul-de-sac, a waiver will be needed. With 1700 trips they are well above that. Their proposal is to connect to Argyle but only as an emergency access to be used intermittently. The ordinance indicates that a cul-de-sac cannot exceed 600 feet in length. The decision by the Planning Commission was a recommended denial of the cul-de-sac length. The result is a deficient plan with a cul-de-sac length of 1100 feet. Mr. Luciani suggested that the Board could approve the plan with waivers of the two entrances and exits and the second with the cul-de-sac length. Secondly, the Board could deny the plan on either of those two counts of number of trips. Thirdly, the Board could allow more time to figure things out with some direction. Mr. Luciani recalled a discussion during the road tour concerning whether or not it would be desirable to connect to Argyle.

**HOLMAN**

Mr. Holman asked for the plan action date.

**LUCIANI**

Mr. Luciani responded that the Board had provided a Time Extension to September so there is some time to work out the details.

Additional discussion was held concerning the cul-de-sac issues, variances, street frontages, plan revisions, roads, buildings, number of trips, gated access to Argyle Drive

**JOHNSTON**

Mr. Eric Johnston of Johnston & Associates, Engineer for the plan reported that he had begun the process last September. Prior to his work on the plan, another engineer had presented some sketch plans, one which was shown as a slide. The plan had been a journey based on staff's and

Planning Commission input, which resulted in a cul-de-sac with an emergency access. Planning Commission acted upon the plan/proposal and did approve the requirement to have only one entrance for over 250 trips; however, they denied the cul-de-sac length waiver. His client had purchased 33 acres zoned Professional Office. There is a stubbed 60-foot right-of-way off of Argyle Drive to the west and limited frontage along Pleasant Valley Road. He would connect that street if it was deemed acceptable to the Board; however, the input received was that it was not desired. He concluded that the two waivers required concern the cul-de-sac length and 250 trips per day. That equates to approximately 20,000 square feet of office space total for the 33 acres or 25 residential housing units for that type of traffic impact.

**BISHOP**

Mr. Bishop noted that the recently-adopted Comprehensive Plan spent a lot of time considering traffic issues within the Township. One of the recommendations that it made pretty strongly was that whenever possible the Board should be creating interior linkage among neighborhoods and between neighborhoods and areas to alleviate some of the congestion on major routes, providing alternative accesses for emergency vehicles and for other safety valves. On the surface it appears that this is one of those options that was at least considered in the past as an option for one of those other kinds of connections. Mr. Bishop stated that it was something to definitely be considered in causing that to be a regular road through may really alleviate some problems elsewhere.

**SCHENCK**

Chairman Schenck asked whether it was ever a granted right-of-way.

**HOLMAN**

Mr. Holman responded that it had been. The Township had offered it to the two adjoining property owners back in the '70's. Letters confirm that they never accepted it so the right-of-way still exists.

**SCHENCK**

Chairman Schenck asked about the adjacent property that had been reviewed on the road tour.

**HOLMAN**

Mr. Holman stated that the next property would belong to the 34 Professional Office. They would have to dedicate that.

**JOHNSTON**

Mr. Johnston indicated that the current paved improvements are maintained for snowplowing and stop at their property line. That's again the natural conclusion he would draw was that it was thought to extend into the property.

**BISHOP**

Mr. Bishop indicated that it wouldn't require any additional rights of way provided that the property owner that's before the Board today would provide that and may need some help from Graham Packaging.

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**LUCIANI** Mr. Luciani responded that the property owner owns about half this road and a little bit of ground from Graham Packaging.

Further discussion ensued concerning right-of-way, 1972 plans, 1988 plans, lots at Argyle Square footage of the office building at 140,000 square feet, topographic constraints, Mixed Use zoning, elderly housing, residential density, small shops, offices.

**SCHENCK** Chairman Schenck indicated that he thought the plan needed additional work and they needed more direction.

**JOHNSTON** Mr. Johnston responded that they are willing to go back to the drawing board with further guidance. If the Board wanted a through street, they would design and provide it. If they want the cul-de-sac with just an emergency connect, they will provide that. Shortening the 250-trip waiver would greatly reduce the proposed office development, which they would not deem a reasonable use of that property. They want to work with the Township and will grant any time extensions to get back to the drawing board but do need direction.

**GURRERI** Mr. Gurreri indicated he would certainly be open to opening Argyle Road, not as a secondary road, but opening it as a real road.

**DVORYAK** Mr. Dvoryak stated he would like to hear the thoughts of the resident's reaction.

**JOHNSTON** Mr. Johnston asked whether there had been any thought toward the offer of a public street to continue all the way to Pleasant Valley. It would not be a private road.

**BISHOP** Mr. Bishop commented that was his thinking at this moment.

**HOLMAN** Mr. Holman added that the private road related more to the cul-de-sac issue. They prefer not taking roads with cul-de-sacs.

**BISHOP** Mr. Bishop stated that there would be no point in having a cul-de-sac since there is the ability to link to a public road and link to another road on the other side. He did not doubt for a minute that there will be residents in the neighborhood not thrilled with that idea. The opportunity should be offered to them to hear their thinking. Mr. Bishop thought it made a lot of sense.

**SCHENCK** Chairman Schenk agreed.

**JOHNSTON** Mr. Johnston asked whether there was a procedure or mechanism in place to get that feedback for the Board. He asked whether a decision could be made within a month or so for final guidance in the form of a motion that

could be taken back to the drawing board. He stated that he had heard verbally that it sounded like a connect. If the Board wanted the opportunity for feedback from the neighbors, that would certainly be acceptable.

**GURRERI** Mr. Gurreri commented that the Board certainly liked the idea of making it a through road.

**SCHENCK** Chairman Schenck stated if the plan were provided with the road, there would be no reason for any waiver request.

**LUCIANI** Mr. Luciani responded that he was correct.

**BISHOP** Mr. Bishop noted that the goal would be to make a connection but not to make it a thoroughfare. If there can be a connection as a public road and consider some kind of traffic calming or something along those lines that would discourage high levels of traffic so that the neighborhoods are not exposed to a lot of unnecessary traffic, that would be something that he would like to consider.

**JOHNSTON** Mr. Johnston stated that the road is a public dedicated right-of-way. Those two waivers will be eliminated, and Solicitor Rausch will know the legalities of it, but there should be the ability to connect to that street. He indicated that was what he had heard.

**SCHENCK** Chairman Schenck confirmed that he had heard correctly.

**JOHNSTON** Mr. Johnston thanked the Board for the time and stated that he would go back to the drawing board.

**RAUSCH** Solicitor Rausch stated for the record that the applicant actually requested a Time Extension to September 12, which was acknowledged by the Board. Procedurally it's a little bit awkward because the applicant came asking for action by the Board on the plan. For the record the time extension was not withdrawn.

**JOHNSTON** Mr. Johnston stated that their request for action would be withdrawn, and the Time Extension granted until September 12<sup>th</sup>.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported that he attended the groundbreaking ceremony of the Keystruct project on the site of the former Ohev Shalom Jewish Temple. The Mayor of North York was introduced. Mr. Gurreri had not known of the Mayor's plans to attend and would have liked to have had the

opportunity to welcome him to Springettsbury Township. He added that the project will be a plus to the neighborhood.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated that informally he had received comment from one of the legitimate billboard companies. They do appreciate the Township's efforts in trying to restrict and eliminate the mobile billboards that are on flatbed trucks, etc. The legitimate ones have been abiding by all the rules and regulations regarding signs in the Township, and they appreciate the Township's efforts toward control.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reminded the Board that June 19<sup>th</sup> is the Joint Fire meeting and June 14<sup>th</sup> is the Public Hearing on Zoning and SALDO. He reported that the old factory is being demolished at North Hills and Industrial. Kinsley is in charge of the demolition.

**GURRERI** Mr. Gurreri reported that Springettsbury Township received a membership in York County Economic Development Corporation. He presented the documentation to Mr. Holman.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 07-06 – No Left Turn – Intersection of Cortleigh Drive and Eastern Boulevard.**

**GURRERI** Mr. Gurreri commented that the last time the Board voted on this Ordinance he had voted against it, and he had misunderstood. He thought there was a left-hand turn from Moul Street to Eastern Boulevard.

**MR. GURRERI MOVED FOR APPROVAL OF ORDINANCE 07-06, NO LEFT TURN, INTERSECTION OF CORTLEIGH DRIVE AND EASTERN BOULEVARD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Ordinance No. 07-07 – No U-Turns – Eastern Boulevard, West of Moul Street.**

**MR. GURRERI MOVED FOR APPROVAL OF ORDINANCE 07-07, NO U-TURNS, EASTERN BOULEVARD, WEST OF MOUL STREET. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 07-40 – Authorizing Submission of Request for Reimbursement from PennDOT for Manhole Grade Adjustments on Mt. Zion Road.**

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 07-40. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Advertise New Subdivision and Land Development Ordinance.**

**SCHENCK** Chairman Schenck noted that item D requested authorization to advertise the new Subdivision and Land Development Ordinance. He asked Mr. Holman whether that would provide the appropriate timeframe for the June 14<sup>th</sup> Public Hearing date.

**HOLMAN** Mr. Holman responded that he was correct. He thanked Solicitor Rausch for the scheduling in order to ascertain that all rules and regulations were followed.

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISEMENT OF THE NEW SUBDIVISION AND LAND DEVELOPMENT ORDINANCE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Trash Work Session – March 29, 2007**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS TRASH WORK SESSION MARCH 29, 2007 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Regular Meeting – May 10, 2007**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING MAY 10, 2007 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. Safe Routes to School Project Update**

**HOLMAN** Mr. Holman stated that he had provided a packet for the Board with a review of the history from the last three years up to slightly before the Central School public meeting. He had a memorandum from Chief Eshbach commenting on the pedestrian safety issues and traffic at the main entrance.

**SCHENCK** Chairman Schenck noted that when viewing the aerial mark up with the newer development on Woodside with existing sidewalk, and the existing sidewalk on Mundis Mill Road, and the proposed sidewalk for the area, it would complete it.

- HOLMAN** Mr. Holman stated that it will provide connectivity throughout the development, which was the main reason for doing this. In a review of the original plan, the right-of-way was put aside for public improvements for consideration in the future. In the neighborhood there are about 67 students who attend the school. Central expects that number to increase to an additional 537 students. Right-of-way existed except in the area of Greenridge Road. The development was not built according to the plan; it was offset due to that steep slope on the west side of Greenridge. The Township has right-of-way up to the resident's front door.
- LUCIANI** Mr. Luciani indicated that the right-of-way is at the base of the curb at the edge of the right on one side and an extra 25 feet on the other.
- DVORYAK** Mr. Dvoryak asked whether elementary and middle school students were included in the 67 student count.
- HOLMAN** Mr. Holman responded that it included all of the Central Schools, not just the high school.
- SCHENCK** Chairman Schenck asked whether the plan had the standard six-month note that had been used since the Board started considering sidewalks.
- HOLMAN** Mr. Holman responded that the note on the plan was reserved just for future public improvements; it was not stated as we normally do for sidewalks. The standard now is for roads, curbs and sidewalks. Back then they just reserved the public right-of-way in case some requirement may occur in the future.
- DVORYAK** Mr. Dvoryak asked whether there was any input from the public meeting held March 25, 2006 either for or against the project. He wondered whether there were minutes from that meeting.
- HOLMAN** Mr. Holman indicated he had not pulled the minutes from that meeting.
- LUCIANI** Mr. Luciani recalled that during the meeting it actually covered both the Central High School and road improvements.
- HOLMAN** Mr. Holman commented that much of the discussion dealt with the no parking request by the residents; at the same time sidewalks were also presented.
- SCHENCK** Chairman Schenck opened the floor to Cindy Schroeder as he had promised her that she could comment.

**SCHROEDER**

Mrs. Schroeder had prepared a PowerPoint presentation, which she presented in paper copy form. She thanked the Board for waiting until she and her husband had come back from vacation to comment on the sidewalk project in their neighborhood. She stated that on April 12, 2007 the residents whose properties will be directly affected, provided a Petition respectfully requesting cancellation of the project. She provided facts, questions and comments, as summarized:

Facts:

- An overwhelming majority, 87%, of the property owners are opposed to the project.
- Lack of notification to the property owners; first information learned at the 6/24/07 meeting.
- Public opinion never was researched.
- There were only letters of support from Municipalities, County and School District; none from the public.
- Township will own and maintain the finished project; once completed property owners will be responsible.
- Negative environmental impacts – Loss of at least 12 huge trees, medium sized trees and mature landscaping.
- Eminent Domain is required for this project; need for land acquisition.
- No reduction in Central School's busing. Creating an unsafe Route to School by the installation of sidewalks; children walking on a hazardous route; must be bused.
- Diversion of funds; taxpayer's grant money better used for other schools
- Liability – Students walking will create potential liability for the School District and Township.
- Diversion of grant dollars to other schools causing less public opposition.

**SCHROEDER**

Mrs. Schroeder concluded her presentation and, along with the property owners of Greenridge Development, respectfully requested the cancellation of the sidewalk project. She thanked the Board for allowing them time to make their concerns known.

**DVORYAK**

Mr. Dvoryak thanked Mrs. Schroeder for all her time and putting the presentation together in which she presented very good facts. He asked whether within the resident support there were young, under 12 age children.

**SCHROEDER**

Mrs. Schroeder responded that she could find out but did not know the actual number who have high school and younger children.

**DVORYAK**

Mr. Dvoryak commented that he focused more on those under 12 who might be walking to a bus stop at some end of the development.

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- SCHROEDER** Mrs. Schroeder mentioned that their development is much more quiet since the road improvements had been made.
- SCHENCK** Chairman Schenck asked about the comment and documentation regarding the ownership and maintenance of the sidewalks.
- HOLMAN** Mr. Holman responded that Township Ordinances clearly state that sidewalks are to be maintained, once installed, by the resident.
- SCHENCK** Chairman Schenck asked who would own the sidewalk.
- HOLMAN** Mr. Holman responded that the sidewalk is considered right-of-way, owned and maintained by the homeowners. Mr. Holman asked Mr. Luciani whether the intersection had been designed with pedestrian crosswalks for safe crossing.
- LUCIANI** Mr. Luciani responded that it has a hand-manned, push button activated signal so if you are a handicapped person or anyone who approached that signal and pushed the button that would register.
- HOLMAN** Mr. Holman noted that even if a special needs person would cross that street, at this point there would be nowhere to go.
- LUCIANI** Mr. Luciani responded that there was a landing area only which stops there.
- HOLMAN** Mr. Holman stated that there had been a question about right-of-way. At the time of application, it had noted that there would be changes due to the steep slope on the other side.
- LUCIANI** Mr. Luciani responded that he was correct; there's a 50-foot right-of-way initially allocated, and it's a 26-foot wide roadway. After that it's 13-foot which left enough room for a curb, a 4-foot grass strip and a 4-foot sidewalk. Because of the slope adjoining that the sidewalk it really didn't move outside of the right-of-way but the adjustments and temporary grading easement for the slope and the retaining wall would need to be in that area. The Ordinance contemplates the streets, the sidewalk, the grass strip all within that right-of-way.
- HOLMAN** Mr. Holman agreed that the right-of-way on the west side of Greenridge was short due to the offset of the road when it was built.
- LUCIANI** Mr. Luciani noted that when the grant application was submitted, they had reviewed the site plan which showed the road built in the middle of the right-of-way; however, when the area was surveyed, the road had been moved to one side by the developer.

- BISHOP** Mr. Bishop asked whether there was sufficient right-of-way.
- LUCIANI** Mr. Luciani responded that on the other streets in the development on Hammond there is a 50-foot right-of-way where there is room for the sidewalks. Coming down Greenridge Lane, the road was built offset. There is room to put the sidewalks on one side. There are some areas where there may need to take some land.
- HOLMAN** Mr. Holman indicated that would not begin until appraisals are complete.
- LUCIANI** Mr. Luciani stated that the hope is not to use condemnation; however, negotiations will be made with offers for fair market value for land.
- BISHOP** Mr. Bishop asked Mrs. Schroeder about the source of her ideas about the number of trees that will be lost and on what it was based.
- SCHROEDER** Mrs. Schroeder responded that she had counted what she considered the huge trees that are in the sidewalk project area that would definitely have to come down.
- BISHOP** Mr. Bishop noted that one of his concerns was whether the actual placement of the sidewalks is known.
- HOLMAN** Mr. Holman indicated they had walked the entire site and intend to make some adjustments in an attempt to avoid some of the trees.
- SCHENCK** Chairman Schenck stated that the house where the yard drops away, Mr. Nye's home, the Township right-of-way goes right to his front door. Without a site visit and only a review of a plan, it would seem that there is plenty of room for a sidewalk. However, in this case it is not practical at all. It is, however, viable across the street.
- HOLMAN** Mr. Holman stated that there is approximately 4 feet of right-of-way inside the curb line. The other 4 feet would be into the area where for snow plowing.
- SCHROEDER** Mrs. Schroeder noted that would bring up the issue of the retaining wall.
- HOLMAN** Mr. Holman stated that Mr. Luciani had addressed that issue in some of the plans and specs.
- NYE** Mr. Nye stated that on the Hammond Road side he has 4 large pine trees that would definitely be impacted; 50-foot trees at least.

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- SCHENCK** Chairman Schenck asked Mr. Holman whether the Safe Routes project for York Suburban Elementary was moving forward.
- HOLMAN** Mr. Holman responded that it was. There are some additional impacts by the State and additional meetings will be held. It is not scheduled for construction until 2008 or 2009 based on the State's schedule.
- HOLMAN** Mr. Holman noted that the Grant money was only approved for this Safe Routes to School project as it was deemed a high priority. The money is not transferable.
- GURRERI** Mr. Gurreri indicated that sidewalks will enhance property value.
- SCHENCK** Chairman Schenck noted that the Board had focused on sidewalks in many areas where people now walk. Any opportunity to install sidewalks the Board will do so as a public safety concern.
- SCHROEDER** Mrs. Schroeder asked about the liability issue for the Township and the School District encouraging the kids to walk through that intersection.
- HOLMAN** Mr. Holman indicated that the intersection was designed to be a pedestrian crossing and is considered a safe intersection for pedestrians.
- RAUSCH** Solicitor Rausch stated that the liability issue cuts both ways because if there's a Safe Routes to School project for which grant money is secured, and a kid gets hit and that sidewalk isn't put in, the question will be why the sidewalks weren't put in. The intersection was reviewed as part of the grant application. If it had been determined to be an unsafe intersection and children should not be directed to walk in the intersection to cross, it would be better to have them cross at the light than elsewhere.
- BISHOP** Mr. Bishop added to Mr. Schenck's point that the commitment to sidewalks is forward thinking. The Board looks at the community as it will be in the future. There is an opportunity right now to do something that will make the neighborhood safer, which is really the driving force.
- GURRERI** Mr. Gurreri commended Mrs. Schroeder for the great job she had done with all this work.
- SCHROEDER** Mrs. Schroeder thanked him.
- RAUSCH** Solicitor Rausch added an additional concern with general principles of municipal law. Under the Second Class Township Code, regardless of the Safe Routes to School project, if a Board of Supervisors deems it necessary for public safety to install sidewalks, they can mandate that and

take 15% of the assessed value of the property toward those sidewalks and that requirement can be imposed at any time.

**HOLMAN** Mr. Holman stated that he needed to know whether or not to proceed. The environmental reports are all done and approved by the State. The only thing left to do is the assessment for the properties and then the actual plan will be sent to the state for the Federal Highway Administration to review the plans and specifications. This goes through the same process that as the specification review for the Concord Rail Crossing because there are Federal dollars in the project. The staff had just begun getting specifications together. In a few weeks they will begin to stake the project. With FHA approval, the job will bid in August.

**SCHENCK** Chairman Schenck stated that would be the first required Board action.

**GURRERI** Mr. Gurreri asked whether any of the trees could be saved.

**LUCIANI** Mr. Luciani responded that they had looked at them in the field. He thought it would depend on the depth of the roots, location of the sidewalk, and it would be on a case-by-case basis.

**HOLMAN** Mr. Holman noted that when they did the walk through they had looked at how to adjust the sidewalk to stay away from some of the trees to allow those trees and some of the bushes to stay in but still leave enough of a grass strip so that it can be properly plowed and taken care of. That was the last walk through about four months ago. Mr. Kessler walked with us; a number of neighbors came out. Mr. Kessler was concerned because he wanted to have enough time to move his ornamental bushes and he was advised that he would have plenty of time once the contract was ready to bid a contract.

**GURRERI** Mr. Gurreri had seen areas where the sidewalks were placed right against the curb.

**LUCIANI** Mr. Luciani stated that Mr. Lauer needs some room for snow when the plow goes through.

**DVORYAK** Mr. Dvoryak asked how many owners will need to provide right-of-way.

**HOLMAN** Mr. Holman responded that there are two owners where the right-of-way is needed because of where the road is cut across, and there's one just for a construction easement.

**DVORYAK** Mr. Dvoryak asked about the application. He did not want to infer that there were any inaccuracies in the application; however, if there were

inaccuracies in the original application, would there be any issues down the road that the Township would need to be concerned about.

**HOLMAN** Mr. Holman responded that he had worked closely with the State with regard to the application. He had worked closely with the grant and the grantsman, with Mr. Luciani. He was not aware of any inaccuracies.

**Consensus of the Board was to proceed with the project.**

**SCHENCK** Chairman Schenck stated that the Board appreciated the presentation, which probably was not the answer Mrs. Schroeder wanted. However, she had raised some valid questions, which the Board felt needed answered even though it did not change the decision.

**SCHROEDER** Mrs. Schroeder responded that they had taken a 50/50 chance and really appreciated the Board's listening to the residents.

**B. Trash Contract Development and Update**

**SCHENCK** Chairman Schenck reported that Mr. Holman had provided a copy of the latest draft contract.

**HOLMAN** Mr. Holman reported that the document had been reviewed by both him and Solicitor Rausch. He provided the document to the Board for their continued review as the authorization to bid will be scheduled at the June meeting. Additional review will be done for further typos and adding the total tonnages for the past six years. He intended to double check the audit area, about which Mr. Dvoryak had a concern, to be sure the Township has the right to call for an audit. The Solicitor will handle that within the contract. He thanked everyone for their help on the project.

**SCHENCK** Chairman Schenck commented that Mr. Bishop had prompted the Board to begin the process early in an attempt to do it right and he thought it had been accomplished.

**14. NEW BUSINESS:**

**A. Springettsbury Township Volunteer Fire Company Bylaws Update**

**SCHENCK** Chairman Schenck reported for the Springettsbury Township Volunteer Fire Company. Under the original agreement for the first five years of that department, they were required to come to the Board for approval of any changes in the bylaws. It had actually been 7 years. A lot of time and effort had been spent, and they did a good job. The Board has the opportunity to review the bylaws.

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**HOLMAN** Mr. Holman added that he had spoken with Don Eckert and advised him that he would be giving the draft bylaws to the Board. Mr. Holman stated that he really appreciated him continuing in that process so the Board had a chance to review them for the June meeting.

**SCHENCK** Chairman Schenck indicated that the key things to know is that they have been tweaking the structure of the board. There's a lack of people willing to serve and the original by-laws wrote people out after a couple years on their Board. They're thinking now that those who are willing to serve and are elected can continue. They made sure that the Township Representative cannot be President of the Fire Co, and they expanded the role of the Treasurer who does not necessarily have to be a member of the Board of Directors. What was never written in the bylaws was that the new Volunteer Fire Company would own their own assets. That was never in the bylaws and had been added.

**HOLMAN** Mr. Holman suggested that the Supervisors review the document. He will be meeting again with Don Eckert and provide a summary for the next meeting.

**C. Acknowledge Receipt of April 30, 2007 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE THE APRIL 30, 2007 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 9:35 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 10, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 10, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman  
George Dvoryak  
Nick Gurreri

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Harish Rao, Economic and Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
David Eshbach, Chief, Police Department  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees and stated that local government works best when the residents attend. He congratulated the Police Department, which does a great job, and they are appreciated. He urged residents to get out and vote on Tuesday, Election Day. He asked everyone to remember the men and women in uniform in their prayers. Mr. Gurreri 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:**

**North Hills/Ridgewood – Tractor-Trailers**  
**SOWERS** Mr. Mike Sowers, 1704 Ridgewood Road, on the corner of North Hills and Ridgewood reported a 30-year old problem with tractor-trailers attempting to turn around on the corner. In their turn-around attempts they had done a lot of damage to resident's properties. The Police Department

had been called to the area many times. Mr. Sowers wanted to find a way to prevent them from coming to that area. He attempted to send them out to Sherman Street, back down over the hill to get back on Route 30. Many of the truckers are lost; some are making local deliveries to the school and church. Met Ed's pole had been damaged and street signs had been replaced many times.

**HOLMAN** Mr. Holman stated that he had added the area to the road tour scheduled for Monday, May 14<sup>th</sup>, and he had added it to his traffic improvement report. There had been a speed study done in that area. A new study will be done to see how many semi's are wandering up there.

**SOWERS** Mr. Sowers stated that he had spoken with the Police Department, who suggested that he call every time one comes up. Mr. Sowers felt that it would cost a lot of Township money to have them come there every time. He thought perhaps some directional signs would help.

**SCHENCK** Chairman Schenck stated that the Supervisors would look at the area during the road tour.

**GURRERI** Mr. Gurreri thanked him for coming.

**Spring Garden Township – Gate Access**

**PAGE** Mr. Tim Page stated that he had lived in the York area for 25 years and was absolutely impressed with what the Supervisors had done with Springettsbury Township, a Township which was very fortunate compared with the rest of the County. Mr. Page reported that he had some property that he had been using and is planning to buy in Spring Garden Township. There's a gate across the rail where the Ma and Pa Railroad used to travel at Mt. Rose and the York Water Company. He had investigated the matter with Greg Maust, Spring Garden Township Manager, and they looked through their records and had no record of it. He spoke with Commissioners Chronister and Kilgore who directed him to the railroad personnel who told him it was a public right-of-way. However, the gate is owned by Springettsbury Township. The right-of-way down the railway is the only way to get to their property, which is still in Spring Garden Township. He had discussed the matter with Mr. Holman. Mr. Page had obtained a list of property owners, who are only interested in having access to their properties.

**HOLMAN** Mr. Holman responded that the history is being researched. It goes back to the old Sewer Authority and involves pulling old easements and deeds. He added that the research will take some time. He was specifically looking for the Deed of Easement with requirements and restrictions. He suggested that Mr. Page call him in 90 days. He explained to the Supervisors that the gate actually controls access to the meter pit located

back quite a distance. Mr. Hodgkinson provided Mr. Holman with the history.

**PAGE** Mr. Page indicated that they wanted to get DEP approval so they could put a sub-base there and be able to use it for a lot. Mr. Eckert parks his equipment there. He built a bridge across the creek and someone went after him with a deed. He spent a lot of unnecessary money and all he tried to do was use his land.

**SCHENCK** Chairman Schenck responded that no one could build a bridge across a creek in Pennsylvania without DEP's permission. .

**PAGE** Mr. Page indicated that he had researched the deeds at the court house, and he would provide copies of them to Mr. Holman.

**SCHENCK** Chairman Schenck asked that Mr. Page would give the Township the time to do the proper research and assured him that Mr. Holman would do so.

**PAGE** Mr. Page indicated that they were not asking to remove the gate; simply to allow the property owners to drive through it to get to their property. If that is possible the problem would be resolved.

**SCHENCK** Chairman Schenck stated that the research will be done.

**PAGE** Mr. Page thanked them for the time.

#### **4. ENGINEERING REPORTS:**

##### **A. Environmental Engineer - Buchart Horn, Inc.**

**SCHOBBER** Mr. Schober provided the bid results from the bid opening for the Grit Removal System. Three general construction bids were received with the low being Johnston Construction at just over \$2.7 million; one electrical construction contract from BNR Electrical at \$579,000 and one mechanical contract from TMI Commercial, \$167,000. They were very pleased and very familiar with Johnston having worked with them here in the Township. They will be reviewing TMI as they were not as familiar with them. They expect to have the bid tabulation done and a recommendation ready for the next Supervisor's meeting.

**SCHENCK** Chairman Schenck asked what the estimate had been.

**SCHOBBER** Mr. Schober responded that a final cost estimate had not been done when they finished the design. They did a planned phase estimate at approximately \$2.5 to \$3 million, which was higher than expected two years ago.

Mr. Schober reported that application for payment #1 for the Barwood Road project was submitted. The project is done with the exception of paving. He met with the contractor this week with regard to paving and resolved the issues. Paving is scheduled to be completed by May 18<sup>th</sup>.

Mr. Schober reported that they had talked to another manufacturer who would like to bring in their pilot testing equipment free of charge for the BNR project. The previous pilot test cost the Township \$25,000.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani reported several updates. Traffic calming on Eastern Boulevard at Kershaw the contractor had re-marked the improvements to be made, and we think they will be done in the next month or so. Messrs. Holman, Lauer and he will be meeting to fine tune some of those improvements. There will be an ordinance presented some time next month for the required signage that will go along with that. Haines Road will probably be completed this week. PennDot had been specifying Superpav; however, in heavy traffic areas they had specified a different number, which was very hard to get. Mr. Luciani discussed the difficulty with PennDot, and they are attempting to revise the specification in an effort to complete the work. Messrs. Luciani and Holman had inspected the work being done on Concord Road. The railroad is working to complete the ties beneath the rail crossing.

**HOLMAN** Mr. Holman interjected that they were laying the concrete base and rubber will be going in. The work is to be completed by the end of Sunday, May 13<sup>th</sup> because the train starts running again on Monday.

**LUCIANI** Mr. Luciani added that the gate work won't be completed yet, but the crossing itself will be completed by Sunday.

Mr. Luciani stated that there had been periodic traffic review meetings and Mt. Rose Avenue ramp improvements had been discussed. There had been significant letters received, and one was an email about the number of accidents going westbound on Mt. Rose Avenue. Southbound on 83 there had been a change in the phasing. Mr. Luciani sent a letter to PennDot requesting a meeting, and PennDot received a mirror letter from State Representative Gillespie. Several meeting dates were provided, and May 21<sup>st</sup> will be the date to discuss some interim improvements. Initially PennDot indicated it would be fixed but not for another 10 years, which is not an acceptable time frame.

**HOLMAN** Mr. Holman wanted to see what had caused the change in traffic patterns.

- SCHENCK** Chairman Schenck asked about the status on Cinema Drive.
- LUCIANI** Mr. Luciani responded that the permit still is not satisfied. The loops had been milled out and apparently there is a hump in the pavement that is problematic. Mr. Lauer advised that there are serious deficiencies that need to be corrected, and the Township is not in a position to take that road until all the issues are resolved.
- SCHENCK** Chairman Schenck asked whether PennDot would have any leverage there.
- LUCIANI** Mr. Luciani responded that PennDot had bonded the improvements and could take those bonds. In addition, the township has bonding. In some cases there is double bonding, and in the case of the improvements at Locust Grove and Market, PennDot has a separate bond amount. They probably have not released all the money, so they have some leverage.
- BOWMAN** Mr. Bowman reverted to discussion on Haines Road and asked whether or not the heavy material will be used.
- LUCIANI** Mr. Luciani responded that the contractor can't get the oil for the higher specified material. He explained the numbers, which are 64-22, the conventional ID2, and 76-22, the synthetic material. In some other cases, PennDot allowed the contractor to change the material in the field to a supplement.
- BOWMAN** Mr. Bowman commented that he questioned it because the road had been redone so many times due to the big trucks hitting the brakes resulting in the wash boarding of the road.
- LUCIANI** Mr. Luciani responded that was the purpose of Superpav, even though it is not ID2. Superpav is an upgrade from ID2 and it required a Federal Highway Department study. The pavement structures indicate that roads must be designed for the climate. Roads in Florida or Maine won't be the same as in Pennsylvania. The material designed for this Pennsylvania road is not available, and Mr. Luciani had a problem leaving the road in the milled condition for another 60 days. However, if a Township uses Liquid Fuels money, the requirement is the use of Superpav, which is a product that had been used for about a year.
- SCHENCK** Chairman Schenck asked about the six-foot high fence along the road at Kingswood Estates and whether or not it was legal.
- RAO** Mr. Rao responded that he had approved the fence due to the fact that the ordinance will be changing in a few weeks and will be legal at that time.

- BISHOP** Mr. Bishop noted that would be an ordinance that requires Board of Supervisors approval.
- LUCIANI** Mr. Luciani stated that they are having a walk through on Wednesday with the developer from Kingswood and all the sub-consultants, such as Ryan Homes and others.
- HOLMAN** Mr. Holman added that there is a punch list of remaining public improvements there.
- HOLMAN** **Review of 2007-2008 Road Improvements**  
Mr. Holman presented a PowerPoint review of the 2007-2008 Road Improvements. He explained that the review did not include Route 83 or exits 18 and 19. Application for grant funding will be made for only one project, the Northern Way/Market Street project. He explained that the entire presentation was available for review on the Springettsbury website.
- BOWMAN** Mr. Bowman asked about the widening from Market Street/ Mt. Zion Road east where the median will be placed. He asked whether it would be widened to Bloomingdale.
- HOLMAN** Mr. Holman responded that Kinsley will widen the right-hand turn lane as part of the project. It will be widened to five lanes all the way down past the median to Bloomingdale.
- BOWMAN** Mr. Bowman asked about the reason for the medians.
- HOLMAN** Mr. Holman responded that it was dangerous to do the crossing.
- LUCIANI** Mr. Luciani added that PennDot is funding that project. The median is their design. It also eliminates turns into the motel, which congested traffic.
- GURRERI** Mr. Gurreri commented that they originally wanted to put the median the whole way to Locust Grove Road.
- HOLMAN** Mr. Holman stated that the Board worked it back to Bloomingdale. From Bloomingdale there will be two lanes and one turn lane. That should help the Market Street situation there.
- SCHENCK** Chairman Schenck indicated that the loop detectors also will be fixed.
- HOLMAN** Mr. Holman stated that the loop detectors were milled out by the contractor. They must be put back in so that the lights operate properly. The Township has not adopted Cinema Drive roadway.

**BISHOP** Mr. Bishop commented on the Haines Road Safe Routes to Schools. He wanted to remind the Board of the Haines Road/Memory Lane traffic study, since one of the determinations of that study was that the goal should be to discourage traffic in that area. Traffic was to be encouraged north of Market Street, but to the south of Market Street all along Haines Road it was to be discouraged. Hopefully as the work is being done to add lanes and reposition things, it will not turn that road into a super highway. The Board really wanted to protect that neighborhood as much as possible.

**LUCIANI** Mr. Luciani reported that during discussions that he had attended regarding the Interstate 83 meetings to discuss ramps, PennDot and the township was advised on record that the Township did not want to convey a lot of vehicles down Haines Road. There are a lot of plans and they need to be reminded. PennDot is saying well they just need to get them through the intersection, but the plan for Haines Road is a three-lane configuration that would allow people to make left turns to go to those retail areas and some of the residential areas. It's not a five-lane section.

**5. ACCOUNTS PAYABLE:**

- A. DOLI Construction Corporation – Barwood Road Sewer Project – Application for Payment No. 1 in the amount of \$224,329.68**
- B. Regular Payables as Detailed in the Payable Listing of May 10, 2007**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A AND B. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

There were none for discussion.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. LD-06-09 – K/G Whiteford – Warehouse Addition (Action)**

**RAO** Mr. Rao presented the plan for K/G Whiteford Limited Partnership located at 1201 Eden Road. The plan was presented as a preliminary final plan. Documentation was provided in a memorandum dated May 3, 2007. The site is currently used for manufacturing and the proposed 80,000 square foot addition will be used for manufacturing and storage. The site is located at the corner of Route 30 and Eden Road on the southeast corner. The zoning district is Industrial. With the proposed zoning changes, it will become General Industrial.

Mr. Rao provided overhead photographs of the site showing the following views:

- Front view of the location.
- Proposed addition.
- View of docks from Interstate 83.
- Existing buffer yards between Eden Road and K/G Whiteford's property.
- View of the buffer yard and Eden Road.
- Proposed subdivision plan – additions, existing buildings, Interstate 83, Eden Road, Route 30, Mill Creek.

**LUCIANI** Mr. Luciani stated that they are asking for a waiver for sidewalks due to the lot configuration, which will not allow both sidewalks and buffering.

**RAO** Mr. Rao continued with some notes for consideration. The addition is just outside the flood plain area. The existing building is within the flood plain. The developer submitted an appraisal as required by zoning ordinance, which resulted in less than 50% improvements as compared to the whole project.

**HOLMAN** Mr. Holman added that the result was that the developer does not need to meet the storm water requirements for flood proofing as stated in the ordinance.

**RAO** Mr. Rao listed several waivers and conditions, all of which the Planning Commission had approved on April 19, 2007.

**CONLY** Kathy Conly, LSC Design, engineer for the project spoke for the plan. She provided some overhead views of the plan. They proposed an 80,000 square foot facility, which does lie outside of the flood plain. New Parking is proposed and some new loading dock areas. Additionally, they propose a storm water outflow pond. She pointed out the buffering areas. The locations are fairly tight for additional buffering and the amount would not meet the ordinance. They will upgrade the buffer with plantings that will be moved to other positions which will make the buffer more dense. Ms. Conly advised that they had worked with the Township staff in addressing all comments offered by First Capital. There are five waivers.

**SCHENCK** Chairman Schenck indicated he had never heard the term outflow determination pond and asked if it was a new definition. .

**LUCIANI** Mr. Luciani responded that it is a storm water ordinance where people normally don't get waivers. The problem is due to the location of the flood plain. A pond conveys runoff through pipes; however, during the larger storms, there are flat areas and the water that needs to be discharged cannot get out. It is a unique waiver. The goal was to provide for emergency outflow during a 10, 25 and 50-year storm.

**LUCIANI** Mr. Luciani added that the facility user is Worthington Steel, which makes collapsible crates for Harley-Davidson.

**CONLY** Ms. Conly added that the addition is for them specifically and is a very needed item.

**LUCIANI** Mr. Luciani explained that the plan was submitted in December or before, and the flood plain issues that Mr. Holman referred to earlier would not allow for the expanded building. However, this expansion will not exceed 50% of the value of the building. He added that there are two more plans coming in the future involving these issues.

**SCHENCK** Chairman Schenck stated that, in his personal opinion, everyone had collectively done a great job of meeting the intent of the requirements that the Township needed, as well as the needs of the tenants. He was pleased with how this came together.

**RAUSCH** Solicitor Rausch stated that they had worked out all those issues in the flood plain.

**CONLY** Ms. Conly stated that the addition is actually even higher than the 18-inches in the flood plain.

**BISHOP** Mr. Bishop questioned the second condition about mud-free streets, etc. He wondered whether Mr. Rao had placed that as a condition.

**RAUSCH** Solicitor Rausch stated that it was an MPC requirement.

**LUCIANI** Mr. Luciani indicated that the condition really doesn't need to be there as it related more to a residential property.

**BISHOP** Mr. Bishop stated that it didn't make a lot of sense to him.

**LUCIANI** Mr. Luciani stated that it will be bonded as a temporary measure. He noted at the very end of it it states that unless it has been guaranteed in financial security. That could be shortened that to "require financial security."

**BISHOP** Mr. Bishop called attention to the fact that financial security is mentioned several other times in the list of conditions. Mr. Bishop noted that the single mention of "financial security" should be sufficient.

**HOLMAN** Mr. Holman stated that if the Board considered the plan this date, it is listed as a preliminary/final plan. He suggested indicating "The Developer shall pay all costs associated with the review of the plans prior to filing of

the plans.” It will clean up the escrow, and the Township Engineer will have already reviewed the plan.

**MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT 06-09 K/G WHITEFORD TO APPROVE THE PLAN WITH THE FOLLOWING WAIVERS:**

- **WAIVER OF STORMWATER §281-7 B – OUTFLOW DETERMINATION,**
- **WAIVER OF STORMWATER §281-7.F – EMERGENCY SPILLWAY REQUIRED FOR ALL DETENTION AND RETENTION BASINS.**
- **WAIVER OF SALDO §289-10 – PRELIMINARY PLAN PROCEDURE.**
- **WAIVER OF SALDO §289-23.A – LANDSCAPE STRIP BETWEEN SIDEWALKS AND EDEN ROAD,**
- **WAIVER OF SALDO §289-26 – LANDSCAPING AND BUFFER YARDS.**

**MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT 06-09, K/G WHITEFORD, TO RECOMMEND THE PLAN BE APPROVED WITH THE FOLLOWING CONDITIONS:**

- **THE DEVELOPER SHALL PAY ALL COSTS ASSOCIATED WITH THE REVIEW OF THE PLANS BY THE TOWNSHIP ENGINEER PRIOR TO FILING THE PLANS.**
- **PRIOR TO FINAL PLAN APPROVAL FINANCIAL SECURITY FUNDS WILL BE PROVIDED BY THE DEVELOPER FOR ALL COSTS RELATED TO REQUIRED IMPROVEMENTS.**
- **REQUEST WAIVER §281-7.B – OUTFLOW DETERMINATION SHOULD BE ADDED TO THE LIST ON SHEET LD-2.**

**MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Resolution Adopted April 19, 2007 by the Springettsbury Township Planning Commission Recommending Approval of Proposed New Zoning Ordinance for Adoption by Board of Supervisors.**

**HOLMAN** Mr. Holman requested that the Board acknowledge the receipt of the Resolution.

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE RECOMMENDATION FROM THE PLANNING COMMISSION OF THE PROPOSED NEW ZONING ORDINANCE FOR ADOPTION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**DVORYAK** Mr. Dvoryak reported that he had seen an article in the newspaper indicating that Harley-Davidson was appealing its tax assessment. The School District had hired an appraiser to assist them in that process. Mr. Dvoryak was just curious as to what involvement the Township has to elect to take or not take in that process.

**HOLMAN** Mr. Holman responded that the Township will follow the School District's lead. The School District usually hires the attorneys and appraisers to defend the appraisals as they are the largest taxing body.

**BISHOP** Mr. Bishop commented that the School District gets 90% and the Township gets 6%.

**DVORYAK** Mr. Dvoryak asked what the Township's exposure would be if Harley was successful.

**HOLMAN** Mr. Holman responded that he would provide documentation to Mr. Dvoryak; however, the Township's exposure was not large, but the School District's is large.

**Resident Complaint - Animals**

**BOWMAN** Mr. Bowman asked about the follow up with the neighbor who had 18 dogs.

**RAO** Mr. Rao responded that she had come to his office. She had advised him it was a personal vendetta with one of her neighbors about the dogs.

**SCHENCK** Chairman Schenck asked what it was all about.

**BOWMAN** Mr. Bowman stated that she had 18 dogs in her house.

**HOLMAN** Mr. Holman stated that she needed to file for a kennel permit since there were over three dogs.

**BISHOP** Mr. Bishop asked whether the Township was inclined to grant a kennel permit.

**HOLMAN** Mr. Holman responded that it would go through the Zoning Hearing Board. She would have to request a variance to run a kennel in an area where kennels are not allowed.

**RAO** Mr. Rao added that she does not meet the criteria.

**BOWMAN** Mr. Bowman understood that she had been given a certain period of time to correct the situation, and he believed that time was up. He asked whether there was any ordinance against barking dogs constantly barking and annoying neighbors.

**ESHBACH** Chief Eshbach responded that there is not an ordinance. The Police Department would handle it through disorderly conduct. They will visit the residence, discuss the dogs and give them a warning. If the nuisance

continues, the disorderly conduct charge will be issued. If it goes to court, it will depend upon who wins. He suggested that Mr. Bowman have the neighbor call the Police Department and they would address it.

**South Rockburn – Construction Business**

**BISHOP** Mr. Bishop referred to the resident who had come to a meeting and complained about the neighbors running the construction company out of their house next door. He stated that it was a horrendous situation. The resident was absolutely justified in complaining to the Board, and Mr. Bishop hoped that something was being done about it.

**HOLMAN** Mr. Holman responded that he and Mr. Rao are scheduled to pay a visit to the location and deal with it. There are additional issues to be addressed, such as trash and other things that are obvious. It's one where if you look at it during normal business hours it's not a problem; go there on a Saturday evening the problem is more obvious.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch alerted the Board to the situation at the proposed Rutter's site. On the Agenda is the adoption of the 2006 edition of the Property Maintenance Code. If that is adopted then he planned to meet with Mr. Holman and Mr. Rao to develop a game plan under that Property Maintenance Code to address that property issue. Action will be taken shortly.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman brought forward a request from York Township that the Springettsbury Planning Commission take over the review of the Heritage Hills Hotel addition. Their Planning Commission will be reviewing the residential structures. Springettsbury had reviewed the hotel addition previously. He wanted to make the Board aware of it. If there's no problem voiced by the Board he will respond to Ms. Heathcote and let her know that the Planning Commission will review the hotel addition, the majority of which will be in Springettsbury Township.

**RAO** Mr. Rao added that it will include storm water and traffic.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 07-03 – St. Joseph School Zone Amendment**

**MR. GURRERI MOVED TO APPROVE ORDINANCE 07-03 – ST. JOSEPH SCHOOL ZONE AMENDMENT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Ordinance No. 07-04 – Establishing Procedure for Towing Operations**

**SCHENCK** Chairman Schenck asked whether there was a capable towing company in Springettsbury Township.

**GURRERI** Mr. Gurreri asked whether anyone could provide the service.

**ESHBACH** Chief Eshbach responded that anyone within the Township can apply under the ordinance. If the department gets below the threshold and no vendors want to tow, then they go out and look for other vendors. They do meet the requirements of the ordinance.

**BISHOP** Mr. Bishop noted that the towing company simply has to meet the requirements.

**SCHENCK** Chairman Schenck stated that he didn't want to write an ordinance if no one could meet it.

**MR. BOWMAN MOVED TO ADOPT ORDINANCE NO. 07-04 – ESTABLISHING PROCEDURES FOR TOWING OPERATIONS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Ordinance No. 07-05 – Adopting the 2006 Edition of the International Property Maintenance Code**

**GURRERI** Mr. Gurreri questioned the property lines citing 25 feet from the rear and 35 feet from the front. He asked whether that had changed.

**RAO** Mr. Rao responded that it had changed in Haines Acres.

**GURRERI** Mr. Gurreri noted that it had only changed in certain areas. It was different zoning in different areas.

**RAO** Mr. Rao responded that he was correct.

**GURRERI** Mr. Gurreri noted that it would not work in his neighborhood.

**RAO** Mr. Rao responded that it would go from 15 to 10.

**HOLMAN** Mr. Holman stated that it is in the Zoning Ordinance.

**MR. DVORYAK MOVED TO APPROVE ORDINANCE 07-05 ADOPTING THE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Advertise Ordinance to Erect No Left Turn Sign at the Intersection of Cortleigh Drive and Eastern Boulevard.**

**BOWMAN** Mr. Bowman asked why a No Left Turn sign would be needed at Cortleigh and Eastern.

**ESHBACH** Chief Eshbach responded that motorists are turning left and going the wrong way.

**HOLMAN** Mr. Holman stated that the signage had been reviewed by the county engineers and recommended.

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISING A NO LEFT TURN SIGN AT CORTLEIGH AND EASTERN BOULEVARD. MR. BOWMAN WAS SECOND. MOTION CARRIED. MESSRS. BISHOP, BOWMAN, DVORYAK AND SCHENCK VOTED IN FAVOR; MR. GURRERI VOTED NO.**

**D. Authorization to Advertise Ordinance Prohibiting U-Turns at the Terminus of the Median on Eastern Boulevard, West of Moul Street**

**MR. GURRERI MOVED TO AUTHORIZE FOR ADVERTISEMENT AN ORDINANCE PROHIBITING U-TURNS AT THE TERMINUS OF THE MEDIAN ON EASTERN BOULEVARD, WEST OF MOUL STREET. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – April 26, 2007**

**MR. DVORYAK MOVED TO APPROVE MINUTES FROM THE BOARD OF SUPERVISORS MEETING APRIL 26, 2007. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. Trash Contract Development and Update**

**HOLMAN** Mr. Holman stated that he, staff and Solicitor Rausch proofed the draft contract line by line. Some adjustments were made for additional clarification, especially bid item 1 (being a five-year contract) and bid item 2 (being the option to bid a two year with three year options to renew). They went through it and took out all the typos and some of the problems. They knew the intent and made the contract much clearer. It was suggested by Solicitor Rausch that the Township should authorize an item concerning the Solid Waste Authority. Should that Authority change its tonnage number, the cost per ton to be disposed of, that the successful

contractor could come back and meet with the Township with regard to that. That would be a change to a number that he would have absolutely no control over.

**RAUSCH** Solicitor Rausch stated that there had been some concern with the Solid Waste Authority raising the tipping fee. There are some bills pending for under Growing Greener to add just the tipping fees for the state's purpose. Rather than having the bidders try to estimate or anticipate that now in raising the price of the garbage contract, it was determined if that were to take place, they would need an increase because of some statutory action.

**SCHENCK** Chairman Schenck questioned whether the increase would have to be defined.

**RAUSCH** Solicitor Rausch responded that he thought it would be just a pass through.

**HOLMAN** Mr. Holman noted that the contractor would have to come in and sit down with the Township.

**RAUSCH** Solicitor Rausch added that there is no fuel escalator in the contract.

**SCHENCK** Chairman Schenck noted that none of the contractors seemed to think it was very important. He recalled specifically asking them. He asked Mr. Holman if he intended to email a revised draft to the Board.

**HOLMAN** Mr. Holman indicated he would and added that the project had moved much further along than he anticipated; however, a lot of preliminary research had been done.

**RAUSCH** Solicitor Rausch stated that any substantive change, typos, etc. will be highlighted. However, the tipping fee language will be added so that the Board can see the substantive changes.

**HOLMAN** Mr. Holman noted that Mr. Dvoryak had called his attention to the question of the contractor actually auditing his people going out on a pick up to be sure they were doing it correctly. He thought that should be double checked that the Township could request an audit at any time.

**DVORYAK** Mr. Dvoryak indicated a few additional items, one of which was to be sure to number the pages. In addition, there was a note stating, "The contractor shall remit to the Township on a monthly basis by the end of the following month, the amounts collected under the Township's surcharge, (the amount of the surcharge per bill multiplied by the number of bills collected). He stated it would be a subtle change but he thought it would make a big difference to the Township to be paid the amount that is billed rather than the amount that's collected. He thought it had been determined

that it is the contractor's responsibility to collect. He'd rather be paid for what was billed.

**HOLMAN** Mr. Holman indicated that he could incorporate that.

**GURRERI** Mr. Gurreri thought it was kind of unfair because they might not collect it.

**DVORYAK** Mr. Dvoryak indicated that was the process of doing business.

**BISHOP** Mr. Bishop thought they would figure out a way to get it which they will ultimately figure out a way to get back to us anyway. I guess it doesn't really matter.

**DVORYAK** Mr. Dvoryak noted that the pick up days had not been specified to the contractors. He was accustomed to the Monday pick up. He assumed that any new contract might cause some confusion unless the days were specified.

**HOLMAN** Mr. Holman responded that was the reason for such a detailed advertising requirement with phone call numbers and everything else in the beginning for them to inform the public. If the contract stayed on schedule it will be printed in the next two newsletters.

**SCHENCK** Chairman Schenck commented that the contractor should be able to determine that schedule. The contract clearly states one pick up a week.

**BISHOP** Mr. Bishop noted that if they determined that it was more efficient to do Springettsbury in four days rather than five days, I don't think we would want to force them into a less efficient, more expensive way. They're business people.

**SCHENCK** Chairman Schenck asked whether it specified Mondays or Fridays. He did not think anyone would want a Saturday or Sunday as a normal pick up day.

**DVORYAK** Mr. Dvoryak stated Monday through Friday.

**HOLMAN** Mr. Holman added that Saturdays could be the exception during special holidays, etc. I guess they could do Monday through Thursday.

**14. NEW BUSINESS:**

**A. ACH Payment Form**

**SCHENCK** Chairman Schenck stated that Mr. Holman provided the Board with a packet including a form for ACH transfers.

**HOLMAN** Mr. Holman reported that, unlike wire transfers, ACH transfers cost no more than issuing checks; actually less. He reported that the program was set up for the Township to take ACH numbers, or bank numbers and make a transfer directly into a vendor account. The process is almost exactly the same as issuing checks. When it's typed in it's the same reports. Following Board approval, there are two people, the Finance Officer and the Deputy Finance Officer who would set up the ACH transfers, approve it and then the second person has to actually release the payment. The auditor had reviewed the program with positive results. It should save man hours in producing, folding paper checks, postage, toner, ink etc. It will reduce the positive pay costs in the Sewer and the General Fund. He indicated that there are about 750 residents who do ACH payments to the Township for sewer. In addition, there is a requirement in the Teamsters contract where we have to transfer funds electronically to the Teamsters because they need it by the first of the month. Overall it is a good program.

**BISHOP** Mr. Bishop asked whether he indicated there were 750 sewer customers.

**HOLMAN** Mr. Holman responded that he was correct, and they are very happy with the system. He wanted to make the Board aware and asked them to accept the form. Solicitor Rausch had reviewed the forms, which met all legal guidelines. The banks reviewed them as well and provided some samples.

**GURRERI** Mr. Gurreri asked whether that was the card that the Board signed.

**HOLMAN** Mr. Holman responded that the Board had updated the signature cards, which will allow for ACH.

**GURRERI** Mr. Gurreri stated that it made a lot of sense to save money and he thought it was a good idea as long as the Board continues to get a list of the payables.

**HOLMAN** Mr. Holman stated that they will get the list because they will be authorizing it at each meeting, just like the check register. It'll be the same list.

**DVORYAK** Mr. Dvoryak added that there will be no more check signing. It will be eliminated.

**GURRERI** Mr. Gurreri stated that it would not eliminate everything; there still will be some checks to sign.

**DVORYAK** Mr. Dvoryak stated that it would eliminate as many as possible.

**GURRERI** Mr. Gurreri was in favor as long as the Board still sees the items on the payables. It's their job to be sure it's documented.

**DVORYAK** Mr. Dvoryak noted that, if there is a downside to it, he doubted very much the it would offset the savings. He had discussed security issues with Mr. Holman. Obviously with an electronic issue the right security measures must be in place. Mr. Holman has done a good job in covering the bases on that.

**HOLMAN** Mr. Holman noted that there were a few additional security measures, which he did not want to discuss in a public venue.

**GURRERI** Mr. Gurreri commented that the same thing was being done with the Authority, and the Board receives a listing of those.

**HOLMAN** Mr. Holman responded that he was correct, and it worked very well.

**B. Request from the Springettsbury Township Volunteer Fire Company that the Board of Supervisors Authorize a Donation to the American Red Cross in the amount of \$500.**

**SCHENCK** Chairman Schenck reported that the local American Red Cross Fire Hurts Campaign, had been really cleaned out with all the recent fires in the city, other places and in Springettsbury. The Springettsbury Volunteer Fire Company made a secondary donation to the American Red Cross in the amount of \$500.00 because of that. They sent a letter asking if the Township would just match their donation as a sign of support of that activity.

**HOLMAN** Mr. Holman noted that they had helped a number of Springettsbury residents recently in two of the major fires. He thought it would be a good thing to do.

**DVORYAK** Mr. Dvoryak commented that the Red Cross is a great organization that had helped dozens of people. However, there are dozens of other non-profit services in the community. The challenge he had with it was that he was not sure the Board would want to get into a position of picking and choosing to whom their tax money is being donated. He indicated he was a little uncomfortable from that perspective of assigning tax dollars.

**SCHENCK** Chairman Schenck indicated he could not argue with his point of view.

**GURRERI** Mr. Gurreri thought it was a great idea.

**RAUSCH** Solicitor Rausch stated that he was on the Board of the Red Cross. He stated that a donation could be made to the Volunteer Fire Company.

**BISHOP** Mr. Bishop indicated that Mr. Dvoryak made a really valid point. However, he thought that the request was coming because of an extraordinary circumstance with something like 17 fires in a six or eight-week period. That had seriously depleted that fund, and to some extent it can be justified from the point of view that the Township has an explicit responsibility for public safety and providing fire service. This is sort of a corollary for that. Mr. Bishop agreed with Mr. Dvoryak's point and did not want to get into the position of picking and choosing which charity to support with taxpayer funds. That is kind of an uncomfortable situation. However, this one, because of the way it came and the way it works, it seemed reasonable to him.

**SCHENCK** Chairman Schenck stated that it is an expenditure and a motion is necessary in order to do this.

**MR. BISHOP MOVED TO AUTHORIZE A DONATION MATCHING THE \$500 DONATION THAT SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY MADE TO THE LOCAL AMERICAN RED CROSS FIRE HURTS PROGRAM. MR. GURRERI WAS SECOND. MOTION CARRIED. MESSRS. BISHOP, BOWMAN, DVORYAK, AND GURRERI VOTED IN FAVOR. MR. DVORYAK VOTED NO.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:55 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 26, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 26, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Harish Rao, Economic and Community Development  
Betty Speicher, Director of Human Resources  
Christie Brown, Intern  
David Eshbach, Chief, Police Department  
Jean Abreght, Stenographer

**I. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:05 p.m.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees. He asked everyone to remember those affected by the Virginia Tech shootings in their prayers, along with the men and women in the Armed Services. Mr. Gurreri 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.

**2. COMMUNICATION FROM CITIZENS:**

There were no citizen comments.

**3. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER**

Mr. Schober reported that the basic sewer construction was completed on the Barwood Road project, and the final connection on Overview was made. All laterals have been installed and the contractor is mulching and will pave next week. Next Friday the televising will be done as part of the contract. Following the televising and testing, property owners may tie into the system. A pre-bid conference was held on April 20<sup>th</sup> for the Grit Removal Improvements project and five contractors have bid documents. Bids will open on May 8 at 10 a.m. Pilot testing is continuing with the manufacturer.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI**

Mr. Luciani provided a few brief updates in addition to his April 18<sup>th</sup> written report. Central High School's addition plans were discussed during the Planning Commission meeting on April 19<sup>th</sup>. Central High School re-evaluated all of the study intersections that were redeveloped when the school was initially built, and those intersections showed marked improvements. Planning Commission had a concern about the internal movements at the school, which caused some traffic problems on Mundis Mill Road. Some minor corrections were made with counter-clockwise movements, as shown on a brief video, which worked very well. Mr. Luciani stated that the Thirty-four Professional Center is a cul-de-sac project off of Pleasant Valley Road near Graham Packaging's new headquarters. The Planning Commission approved a number of waivers to the Board, but one they did not approve. The particular waiver concerned the request for an 1100 foot cul-de-sac. They wanted to truncate that 600 feet. The Board will want to review that plan, which will come before the Board within the next several weeks. Mr. Luciani reported on several Public Works projects. Haines Road Median road project has been milled. Mr. Bowman had provided some feedback in that some traffic movements had degraded probably because the loop detectors are not operational. They will be able to reinstall that within the next few weeks. Repaving will be done at night. Mr. Luciani reported that a bank had indicated some interest in the area next to the cellular store on Haines Road. A Concord Road coordination meeting will be held on April 25<sup>th</sup> at 2 p.m. with Norfolk Southern and Kinsley.

**HOLMAN**

Mr. Holman commented that Norfolk Southern had been at the site welding the rail together for the rail crossing. They expect to have the rail crossing, but not the gates, completed by the end of the week of May 4<sup>th</sup>.

**4. ACCOUNTS PAYABLE:**

- A. Authorize Payments to STVFC for Commonwealth Fire Station Roof Repair in the amount of \$41,130.**
- B. Regular Payables as detailed in the Payable Listing of April 26, 2007**

**GURRERI** Mr. Gurreri asked whether the roof item was the result of shoveling snow off the roof.

**HOLMAN** Mr. Holman responded that it was not the result of shoveling snow off the roof. The repair had been planned beforehand. The fact that the roof had not been repaired prior to the rain caused the damage inside the building, which was paid by insurance. The insurance will not pay for a leaking roof that was already scheduled for repair.

**GURRERI** Mr. Gurreri asked whether the repair would include the entire roof or just half of it.

**HOLMAN** Mr. Holman responded that it is the lower half of the roof that had not been repaired last year. The upper half was repaired previously; this year the lower half will be repaired.

**SCHENCK** Chairman Schenck added that roof repairs are scheduled in phases.

**MR. GURRERI MOVED TO PAY ACCOUNTS PAYABLE A AND B. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**5. BIDS, PROPOSALS AND CONTRACTS:**

- A. Authorization to Advertise for Bids for Uniforms**

**HOLMAN** Mr. Holman commented that the uniforms are for the Public Works and Wastewater employees under the contract and will authorize going out to bid for the uniforms.

**MR. DVORYAK MOVED TO AUTHORIZE ADVERTISEMENT FOR BIDS FOR UNIFORMS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Authorization to Award Professional Engineering Services Contract to Buchart Horn, Inc. for “BNR Improvements Design Phase” in an amount not to exceed \$775,000.**

**SCHENCK** Chairman Schenck noted that item B was for Bucharth-Horn to move into the design phase of the Bio-Nutrient Reduction program, which he assumed had been reviewed.

**HOLMAN** Mr. Holman reported that he and Mr. Hodgkinson had reviewed it and it was found to be reasonable in accordance with what the total project will cost. The work does need to be done, which was confirmed during the PSATS conference.

**MR. GURRERI MOVED TO APPROVE AUTHORIZATION TO AWARD PROFESSIONAL ENGINEERING SERVICES CONTRACT TO BUCHART HORN INC. FOR BNR IMPROVEMENTS DESIGN PHASE IN AN AMOUNT NOT TO EXCEED \$775,000. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-05-13 – Time Extension – Market Street Commons – Plan Expires 4/26/07 (New Plan Date 7/26/07)**
- B. LD-05-18 – Time Extension – Market Street Commons – Plan Expires 4/26/07 (New Plan Date 7/26/07)**
- C. LD-07-02 – Time Extension – Central York School District – Additions and Alterations to CYHS – Plan Expires 5/10/07 (New Plan Date 8/10/07).**
- D. LD-07-01 – Time Extension – Members 1<sup>st</sup> F. C.U. – Preliminary/Final Land Development Plans – Plan Expires 5/10/07 (New Plan Date 8/10/07).**
- E. LD-07-03 – Time Extension – York Water Company – Plan Expires 5/9/07 (New Plan Date 7/9/07)**
- F. LD-06-09 – Time Extension – K/G Whiteford, LP – Preliminary/Final Land Development Plans – Plan Expires 5/9/07 (New Plan Date 8/9/07)**
- G. SD-07-02 – Time Extension – Beverly Long/Columbia Gas Minor Subdivision – Plan Expires 5/10/07 (New Plan Date 8/10/07).**
- H. SD-06-11 – Time Extension – Druck Valley Residential Subdivision – Plan Expires 4/26/07 (New Plan Date 7/26/07)**

**MR. BISHOP MOVED TO GRANT TIME EXTENSIONS AS LISTED ON THE AGENDA, ITEMS 7A THROUGH H. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri commented on having to sign a bank card this date. He recalled some discussion concerning having the Board's names electronically used to sign checks. Mr. Holman had assured him that the card he signed had nothing to do with the electronic signatures. Mr. Gurreri wanted to be sure that his name was not on anything that he hadn't actually signed. Mr. Gurreri reported that

he had attended an awards dinner for Spring Garden Fire Company. They honored Don Eckert with a plaque for his service. They had two Fire Chiefs from Adams County who joined four volunteer fire companies. Mr. Gurreri reported that he had attended the recent PSATS convention and had voted on all the Resolutions. He had attended the legislative luncheon, had discussions with local legislators and listened to excellent speakers. Some of the subjects discussed were the Iraq war, health care, surfing the Internet/pedophiles and drug dealers. Mr. Gurreri suggested sending some of the Township employees to the convention in the future for educational purposes.

**SCHENCK** Chairman Schenck thanked Mr. Gurreri for his attendance.

**BOWMAN** Mr. Bowman reported that he had a discussion with a member of the York Motorcycle Club regarding their entrance or access way. Their site is very near the Galleria, and when they pull out of their driveway, the sight distance is too close. Mr. Bowman was advised that the bank was supposed to be moved back; however, that may not be in writing. The Motorcycle Club's interpretation was that the drive was to be an entranceway only and not an exit.

**GURRERI** Mr. Gurreri responded that it is a very dangerous situation. He recalled that it had come up in the past, and he, Mr. Lauer and the Manager at the time visited that site. They were to see about going out the back into the parking lot. There is a Met Ed road in back of their property, which could be extended. They would have to have Met Ed permission. He recalled that at that time Target had been involved as well.

**SCHENCK** Chairman Schenck asked whether Mr. Bowman was suggesting researching the old plan to see if there was any reference made.

**BOWMAN** Mr. Bowman responded that would determine what actually was the intended plan for that driveway.

**HOLMAN** Mr. Holman offered to get out the old plan and determine what it indicated. That is a combined driveway proposal with York Galleria Mall and the Target/Kohl's which are separate. There's some sort of joint agreement between the two of them.

**SCHENCK** Chairman Schenck asked whether the roadway is a Township road.

**HOLMAN** Mr. Holman responded that Whiteford Road is a Township road.

**GURRERI** Mr. Gurreri reported that he had received a call concerning a lot of garbage behind K-Mart.

**HOLMAN** Mr. Holman responded that they would check the area.

**SCHENCK** Chairman Schenck reported that he read literature concerning a bill working through the state mandating pensions to be available in 20 to 25 years.

**HOLMAN** Mr. Holman responded that it was for police and firemen, and PSATS is addressing that and will be requesting actuarial figures for the impact and costs.

**SCHENCK** Chairman Schenck wondered where something like that would originate.

**HOLMAN** Mr. Holman responded that representatives probably introduced it on behalf of some organization that might be interested in retiring five years earlier.

**GURRERI** Mr. Gurreri noted that they had had a bill for Supervisors, which was denied at convention, but that doesn't mean it couldn't happen. He thought it would be difficult for the Township if all of its Supervisors received a pension.

**SCHENCK** Chairman Schenck stated it would be ridiculous.

**8. SOLICITOR'S REPORT:**

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

**SCHENCK** Chairman Schenck noted that the Sheriff's Sale item appeared to be getting more complicated.

**RAUSCH** Solicitor Rausch responded that there had been discussion of bankruptcy; however, filing for bankruptcy would not ultimately remove the lien.

**GURRERI** Mr. Gurreri commented on Henry's beer distributor property. He noticed that partial sidewalks were installed; however, they don't have any expansion joints in any of the sidewalks. According to the ordinance, expansion joints must be installed every five feet.

**RAO** Mr. Rao reported that the owner of Henry's Beverage told the Judge that he will take out the sidewalk that is there now. First Capital will visit the site to inspect.

**9. MANAGER'S REPORT:**

**HOLMAN**

Mr. Holman reminded Messrs. Schenck and Bishop of the Jt. Fire meeting at 7:30 a.m. Monday, April 30, 2007.

Mr. Holman noted that he needed Messrs. Bowman, Bishop and Schenck's signatures for Citizens and Sovereign Bank.

Mr. Holman stated that the Planning Commission held a Public Hearing on the Zoning Ordinance, which was very successful. Members of the Board, with the exception of Mr. Gurreri, will be able to attend the Public Hearing on June 14<sup>th</sup> which will constitute a Quorum for the new Zoning and SALDO Ordinance.

Mr. Holman reported that the Comp Plan Committee is on hiatus, having made their final recommendations. The Planning Commission will be setting up another committee to work on Phase II, which includes the Town Center and Historic Areas after the summer months in September or October.

**10. ORDINANCES, RESOLUTIONS AND AGREEMENTS**

**A. Authorization to Enter into Cooperative Services Agreement for Highway and Traffic Markings**

**HOLMAN**

Mr. Holman stated that item A involved an update to the agreement adding Springettsbury and two other members. Documents had been prepared for the Chairman's signature. Mid-Atlantic Marking was the successful bidder. Mr. Lauer had completed the review and was very happy with the costs. The program is excellent, and Mr. Holman was pleased that the Township could participate.

**MR. DVORYAK MOVED TO AUTHORIZETO ENTER INTO COOPERATIVE SERVICES AGREEMENT FOR HIGHWAY AND TRAFFIC MARKINGS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK**

Chairman Schenck commented that the successful bidder took his prices out to three decimal points.

**HOLMAN**

Mr. Holman stated that the double yellow line painting will not be an increase in cost. Mr. Lauer was willing to part with the old line painting machine.

**B. Authorization to Advertise Ordinance to Apply the 2006 ICC Edition to the Municipal Code.**

**HOLMAN** Mr. Holman stated that item B covered authorization to advertise to amend the ordinance to apply the 2006 International Construction Code. Every three years they update the ICC and it is necessary to incorporate the changes to the Township ordinance. Mr. Holman and the Solicitor had reviewed it with Mr. Lauer and it is correct.

**RAUSCH** Solicitor Rausch stated that the only substantive change will involve enforcement by the Building Code Official, but the fine previously was a minimum of \$10.00. That was raised to a minimum of \$100.00 and a maximum of \$1,000 depending on the seriousness of the violation.

**MR. GURRERI MOVED TO AUTHORIZE FOR ADVERTISEMENT ORDINANCE TO APPLY THE 2006 ICC EDITION TO THE MUNICIPAL CODE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 07-39 Authorization to Enter into Agreement for Grant Funding for Safe Routes to School; York Suburban Project.**

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 07-39 AUTHORIZATION TO ENTER INTO AGREEMENT FOR GRANT FUNDING FOR SAFE ROUTES TO SCHOOL; YORK SUBURBAN PROJECT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**11. ACTION ON MINUTES:**

**A. Board of Supervisors Trash Work Session – March 1, 2007**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS WORK SESSION MARCH 1, 2007 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Regular Meeting – April 12, 2007**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING APRIL 12, 2007 AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. OLD BUSINESS:**

**A. Trash Contract Development and Update**

**BROWN**

Christie Brown, Intern, provided the Board a PowerPoint presentation. A summary of her presentation follows:

- Current contract awarded in 2002 to Penn Waste; expires December, 2007.
- New contract will go into effect January 1, 2008.
- Current contract offers the residents one or three-bag service with option of a toter and weekly pickup of large items and yard waste collection.
- Contracts of neighboring townships were researched; statistics and data were compiled.
- Comparative Trash Analysis was completed by comparing and contrasting contracts and collection policies.
- Tonnage charges and graphs analyzed; broken down into recycling, trash and yard waste.
- Pay-as-you-throw program was researched for advantages and disadvantages.
  - DEP provided information that promoted this program. Also looked into townships that had utilized the program, which revealed they overwhelmingly left this program and went back to a service similar to Springettsbury's. It was indicated that this program would not work for Springettsbury Township.
- March 1 – Contract Trash Work Session held at Springettsbury Fire Company – Board of Supervisors, Solicitor, Recycling Committee and public were present. Free exchange of ideas were presented; list of action items generated.
- Legal draft of the contract was generated followed by additional review meetings to tweak the contract.
- March 29<sup>th</sup> – pre-bid meeting with waste haulers. Every hauler in attendance received the draft copy of the 2008 contract, as well as the Board of Supervisors and the Recycling Committee. The public was also invited to attend this meeting.
- Board asked the haulers questions regarding the waste removal and got their professional input regarding the draft contract. Pros and cons reviewed from an efficiency point of view.
- Next step is for the Board to finalize the contract and advertise for bid.
- Trash contract calendar provided dates for action; all dates subject to change.
  - May 10 – Second draft review of contract.
  - May 24<sup>th</sup> – Final draft distributed to Board and Recycling Committee.

- June 28 – Tentative authorization by Board for bids on the contract.
- July 18 – Second pre-bid meeting.
- August 3 through 16 – Review of submitted bids.
- August 23 - Staff and Solicitor present recommendations to Board for decision.

**SCHENCK** Chairman Schenck asked a general timeline discussion. He asked when the actual bids will become available. He thought the period between July 18<sup>th</sup> to August 3<sup>rd</sup> seemed short.

**HOLMAN** Mr. Holman responded that the bids will be available June 28<sup>th</sup>. As soon as it is authorized for bids for the contractors they are available. The July 18<sup>th</sup> pre-bid meeting will be the last chance for the bidders to get questions in. Further review will be made and questions answered.

**SCHENCK** Chairman Schenck commented that the haulers would have about five weeks to work on it, which seemed reasonable.

**HOLMAN** Mr. Holman reported that the presentation, as well as the revised contract was emailed to the Recycling Committee members. He asked the Board to please review this over the next two weeks and advise any questions and/or changes. Mr. Holman will be sitting down with Solicitor Ehrhart to review the contract in more detail.

**GURRERI** Mr. Gurreri had previously provided a document with some suggestions to see if any of it might be useful. He thought the document from Mr. DiAngelo was very interesting.

**HOLMAN** Mr. Holman responded that he had reviewed the information with Mr. Raber; however, there were no apples to apples comparisons.

**SCHENCK** Chairman Schenck commented that, having scanned through the contract, he questioned the fact that there was no cardboard noted.

**HOLMAN** Mr. Holman responded that an alternate will be included for cardboard if it can be added to the contract. The boxes would be cut down to a 2X2 size, about the size of a newspaper.

**BOWMAN** Mr. Bowman commented that there had been some discussion concerning the time the waste haulers could start. He was certain that, even though the current contract stated 7 a.m., they were actually starting to pick up at 6 a.m. He wondered whether it had been changed in the new draft contract.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 26, 2007  
APPROVED**

- HOLMAN** Mr. Holman responded that it had been a recommended change. Some of the other comments related to late fees or penalties, which he will be reviewing with the Solicitor. One of the suggestions was to add a \$10.00 fine could be added to late payments.
- GURRERI** Mr. Gurreri thought that a \$10.00 fee would be excessive.
- RAUSCH** Solicitor Rausch offered to review the issue, as there are certain restrictions to be followed.
- HOLMAN** Mr. Holman added that they are reviewing the penalties allowed in other municipality's contracts for late fees.
- SCHENCK** Chairman Schenck stated that the information which Mr. Gurreri had provided included an item that the Township could participate in the recycling revenue stream.
- HOLMAN** Mr. Holman responded that the Township currently participates with the bids for the recycling materials. Any money the Township receives helps to offset the cost of what they bid for the contract. He explained that there were several ways to look at it. One is to allow the contractor to take the money in for the recycling and factor that in to his costs when bidding; or indicate the Township wants a portion of that, so that may in and of itself raise the cost of trash.
- GURRERI** Mr. Gurreri noted that it would depend on whether it is in the bid. If they go with a 95 or a 35 gallon can instead of having the two or three bags they only make one trip; it saves time and saves money. It seemed like it would be more efficient.
- BISHOP** Mr. Bishop commented that they had not heard that from any other carrier.
- HOLMAN** Mr. Holman noted that there are 827 people on the one bag plan; the \$5.00 seemed to make a difference to some people.
- GURRERI** Mr. Gurreri stated that the information indicated it would bring costs down.
- SCHENCK** Chairman Schenck added that there is an additional list of potential bidders.
- HOLMAN** Mr. Holman noted that BMX had requested to be added to the bidders list, which had been done.

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**SCHENCK** Chairman Schenck asked whether there was anything else Mr. Holman needed from the Board.

**HOLMAN** Mr. Holman requested that the Board review the contract for a full discussion at the next meeting.

**13. NEW BUSINESS:**

**A. Acknowledge Receipt of March 31, 2007 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE MARCH 31, 2007 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. 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**

**APRIL 12, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 12, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman  
George Dvoryak  
Nick Gurreri

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Harish Rao, Economic and Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
David Eshbach, Chief, Police Department  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees. He congratulated Dan Flohr, who had retired from the Fire Service and had done an excellent job. He asked everyone to remember the men and women in the Armed Services in their prayers. Mr. Gurreri 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** **Used Car Lot – R4**  
Mr. Charles Stuhre, 3680 Trout Run Road, noticed a used car lot had surfaced in the R4 zoning district in the area of 3800 block of Druck Valley Road. He requested that a Township official visit the site.

**RAO** Mr. Rao responded that he would send someone to the location to investigate.

**19 South Rockburn Street**

**KNUDSEN** Mrs. Sara Knudsen, 21 South Rockburn Street, Olde East York brought forward several issues concerning the property at 19 South Rockburn Street. The Board of Supervisors had denied the operation of a business license. However, Mrs. Knudsen reported that the business continued to operate there. She cited the following:

- Employees picking up paychecks.
- Trucks continuously sitting there rarely leaving to a job site; one used as a storage unit continues to be parked in front of her house.
- Her family continues to deal with inconsiderate neighbors.
- She and her husband lost the sale of their home because of the issues at 19 South Rockburn, which was documented in a letter.
- Condition of the neighbor's property needs to be addressed; rubbish in the back yard.
- Neighbors attempting to leave the area because of this property.
- School buses have difficulty negotiating the street because of the work trucks parked along the street. Six houses along the street have small children.

**KNUDSEN** Mrs. Knudsen provided photographs of the property for the Board's review. She asked what their recommendations would be and whether they have any rights as property owners. They would like some relief.

**GURRERI** Mr. Gurreri responded that he was sorry that they were having the problem. If the trucks have current inspection stickers and are properly licensed, there is nothing that could be done as far as their parking on a public street.

**SCHENCK** Chairman Schenck stated that there had been similar cases within the Township. The property owner had been denied a home business request. He asked Mr. Rao what enforcement tools would be available and whether it could be determined that there is a business operating out of the home.

**RAO** Mr. Rao responded that it is very difficult to determine and they would have to prove that there were products being delivered there and clients coming to the property.

- KNUDSEN** Mrs. Knudsen stated that the business can be located on line. She felt that there may be a need to change the law in cases like this. Continually allowing this trend will degrade the neighborhood. She loved Olde East York and would love to continue to live there; however, she hoped the Board would consider this type of activity during the zoning changes.
- BOWMAN** Mr. Bowman asked if the fence was illegal.
- RAO** Mr. Rao responded that it had been there for years.
- RAUSCH** Solicitor Rausch suggested getting the date when the fence was put up.
- HOLMAN** Mr. Holman indicated he would review the issue with Mr. Rao.
- SCHENCK** Chairman Schenck added that, as a minimum, since a zoning ruling was made and denied the operation of a home business, staff will attempt to determine whether they, in fact, are operating such business out of the house. If the vehicles are properly registered and are legal, there's not much that can be done.
- BISHOP** Mr. Bishop suggested an additional avenue to consider with regard to the zoning ordinance project, this particular situation should be brought to the attention of the consultant who is in the process of rewriting the ordinance. There may be some counsel and/or enhancements for enforcement. He added that, in general, property maintenance issues had come up, but he was not certain that it had specifically been addressed in the Comprehensive Plan process.
- GURRERI** Mr. Gurreri commented that it seemed as though there were more of this type of thing in the Township and not much the Township could do about it. He agreed with discussing it with the consultant.
- BOWMAN** Mr. Bowman asked whether there was an ordinance which would limit the number of vehicles owned within a household.
- HOLMAN** Mr. Holman noted that the area where vehicles are parked is limited to a proper parking surface.
- RAUSCH** Solicitor Rausch stated that there are some Zoning Ordinances which restrict commercial vehicles from parking in a residential neighborhood. The issue needs to be very specific in the definition.

- BOWMAN** Mr. Bowman stated that, based on the photographs, it is still a work truck.
- RAUSCH** Solicitor Rausch pointed out that it would have to be defined as to how restrictive it will be, and it will apply to everybody.
- KNUDSEN** Mrs. Knudsen added that the street is too narrow and congested. There are several duplexes in the area and everyone has one or two vehicles. Because of these work vehicles, it is very difficult to see when pulling out of driveways, etc. Snow removal had been hampered and it had caused significant issues.
- GREENEWALT** **2541 School House Lane/Raleigh Drive**  
William Greenewalt, 2540 School House Lane, York, PA related to Mrs. Knudsen in her difficulty with neighborhood. He has similar problem looking out the back of his house to see junk. He presented photographs for the Board's review. He cited:
- Garbage in the same pile for weeks.
  - Pool not in proper set back; pool water spilled over onto his garden
  - Fence improper at three feet high; should be at four feet.
- GREENEWALT** Mr. Greenewalt consulted Mr. Holman regarding an enforcement letter he had sent out with several deadline dates. He asked whether anything had happened.
- HOLMAN** Mr. Holman responded that the first letter provides 30 days; the second provides 7 days. Failure to respond to that, the matter is sent to court. Mr. Holman stated that the property owner lives in Arizona, and they are attempting to locate him.
- GREENEWALT** Mr. Greenewalt asked about the mention that the Township Code Enforcement Officers visit to the property specifically with regard to the latch to the gate surrounding the pool. He asked whether it was actually a portion of the notice or whether it will be in the future.
- HOLMAN** Mr. Holman responded that it is all included. He added that the issue had not been ignored.
- RAO** Mr. Rao added that the process is very slow.
- GREENEWALT** Mr. Greenewalt asked whether there was a written policy concerning these issues.

- HOLMAN** Mr. Holman responded that there is a policy written by the Solicitor, and there is a specific time frame for everything done.
- GREENEWALT** Mr. Greenewalt asked whether he could obtain a copy of that policy in order to follow up.
- HOLMAN** Mr. Holman added that it is instruction advising the Township staff how to enforce items of this nature according to the ordinance, both the MPC, the property owner's right and the Township's need to maintain property.
- GREENEWALT** Mr. Greenewalt indicated he understood that the Township needed to protect the property owner's rights, but in this case he felt his rights had been lost. He hoped that the matter could be expedited. He had lived there for 40 years, but he didn't want to live there under these conditions.
- MEHRING** **Commercial Property**  
Ms. Lynn Mehring, 1433 Memory Lane Extended, asked about zoning changes being made. She had provided an article from the paper from Manchester Township stating her concern about her residence, which had been rezoned to Commercial several years ago. She had not realized the impacts of that zoning change and appealed to the Board to help alleviate those impacts.
- HOLMAN** Mr. Holman responded that the issue had been addressed in the new Zoning Ordinance. It concerned being able to rebuild the home if it should be destroyed. In the new Ordinance she would be able to rebuild. It had been reviewed very early in the process. The Planning Commission will review this at their next public meeting on April 19<sup>th</sup>. He added that the proposed Zoning Ordinance is on the web site for review.
- RAUSCH** Solicitor Rausch suggested to look in the non-conforming use section of the proposed Zoning Ordinance.
- GURRERI** Mr. Gurreri commented that it had been changed because she had come to a meeting and brought it to the Board's attention.
- SCHROEDER** **Green Ridge Development/Safe Routes to School Sidewalks**  
Mrs. Cindy Schroeder, 605 Hammond Road, Green Ridge Development., discussed the sidewalk project provided for by a grant from the state. She indicated she had a lengthy letter, as well as a Petition signed by her neighbors who feel that the sidewalks will impose an unfair burden on the homeowners through maintenance and loss of existing landscaping and retaining

walls. They requested that the sidewalk project be cancelled. The Petition was signed by 26 opposed, 2 in favor and 2 unable to find at home; however, it represented 81% of the affected households.

**SCHENCK** Chairman Schenck stated that he thought there had been early dialogue and communication with the residents. He expressed some disappointment because the project was very close to beginning.

**HOLMAN** Mr. Holman added that there had been quite a bit of correspondence, meetings at the school. The purpose was for safety for students and for people walking along the roads.

**GURRERI** Mr. Gurreri noted that it had all come about because of the school and it is a safety issue and a traffic problem.

**SCHROEDER** Mrs. Schroeder noted that they had been advised of one meeting at the high school but it wasn't just about the sidewalks. Other than that, they had not been contacted.

**SCHENCK** Chairman Schenck requested that she leave her information with the staff for review.

**SCHROEDER** Mrs. Schroeder noted that was why she had included the cover letter because they had not just waited to the end. They never had a neighborhood meeting. The residents who are opposed are adamantly opposed and are a vast majority. She understood that the Township was working with residents for rights-of-way issues. She also understood that the grant money could only be used for that project or would be reassigned to another sidewalk project. She commented that there were very few children who actually walk to the school.

**SCHENCK** Chairman Schenck responded that a review will be made of the extent of the entire project to determine whether it moves forward.

**SCHROEDER** Mrs. Schroeder noted that the neighbors were disappointed that there hadn't been more communication. Some of them had called the Township, but no one from the Township had been in touch with them. A lot of residents thought the project died. She asked how she could learn of any decisions in order to report back to the residents.

**SCHENCK** Chairman Schenck stated that Mr. Holman will correspond with her. He encouraged her to come to any Supervisors' meeting as

well. He added that they actually do appreciate all the comments and input which drive changes.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer - Buchart Horn, Inc.**

**SCHOBER** Mr. Schober noted that several items on the Agenda will complete the Eden Road project. Barwood Road project had been slowed due to the wet weather on the lower Overview portion, which is the only piece remaining to complete the project. The Grit Removal project had been advertised and bid openings will be on May 8<sup>th</sup>. A pre-construction conference is scheduled for 4/20.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani reported several brief updates to his written report. A summary is provided:

- Concord Road pre-construction meeting held; project to begin shortly.
- Presentation simulation to YAMPO re/Mt. Zion and Market; funds may become available as the roads are part of their master plan on Market.
- Additional road improvements on Mt. Zion; five lanes on Market going east; overlay from Market to 1700 feet north of Druck Valley Road.
- Approach to Market Street discussed with YAMPO; suggested improvements on Edgewood.
- Rutter’s PUC meeting held; Township must be applicant for revised traffic signal at North Hills and Industrial. Track is to be widened; discussion re/gated arms and traffic signals. Norfolk Southern prefers traffic signals. Ballpark figure \$250,000 for PUC coordination.

**HOLMAN** Mr. Holman added that traffic signals would be a warning device further down Industrial to alert motorists they are approaching a rail crossing. However, coming out of the Rutter’s store where Industrial is, a southbound turn would be permitted on North Hills.

**BOWMAN** Mr. Bowman cited situations in downtown York where trains seem to hold up traffic for a long time. He asked whether there were any rules in place to govern that.

**LUCIANI** Mr. Luciani responded that the timing is 30 seconds prior to getting to the crossing. It’s based on the speed of the train. The reason why the delay down town is because there are a lot of spurs

and a lot of maneuvering done. They're still within a specific zone and the gates remain shut.

**BISHOP** Mr. Bishop asked whether there had been a resolution concerning the St. John's Lutheran Church sidewalks.

**LUCIANI** Mr. Luciani responded that the amount of right-of-way had been resolved.

**HOLMAN** Mr. Holman noted that Mr. Rao will provide a report on the project.

**RAO** Mr. Rao reported that he, Mr. Holman and Mr. Luciani met with the engineer and a representative of St. John's approximately two weeks ago. They had a productive meeting, and there is plenty of right-of-way available for the sidewalks. Some grading slopes and easements will be needed. They'll be revising their plans and coming back to the Planning Commission within the next month or so.

**HOLMAN** Mr. Holman noted that they agreed to provide all the necessary right-of-way for both the PennDOT improvement and for installation of the sidewalk along Mt. Rose Avenue. The Township will investigate alternate funding in order to install the sidewalks as part of this project, and they will work with the Township on that funding. As part of their contribution they will provide the right-of-way to PennDOT and the Township to allow the sidewalks to go in. They will be putting sidewalks on Hartford up to Mt. Rose. There will be that connection from Hartford down to where the apartments are. That's the blank area.

**5. ACCOUNTS PAYABLE:**

- A. DOLI Construction Corporation – Change Order No. 1 – Eden Road Interceptor/Tulip Tree Lane Sewer Project in the amount of \$40,968.56**
- B. DOLI Construction Corporation – Application for Payment No. 3 (Final) – Eden Road Interceptor/Tulip Tree Lane Sewer Project in the amount of \$90,243.48 (includes \$40,968.56 change order).**
- C. Regular Payables as Detailed in the Payable Listing of April 12, 2007**

**GURRERI** Mr. Gurreri questioned an item showing a 2008 Ford Escape at \$24,909. He had not realized that was to be purchased and asked about its use.

**HOLMAN** Mr. Holman responded that it would replace an old police vehicle that blew a rod. It had been primarily used as one of three Admin vehicles. He added it was a Hybrid vehicle.

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A, B, AND C ON THE AGENDA. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

**A. Authorization to Advertise for Sealed Bids – 2007 Road Materials**

**MR. DVORYAK MOVED TO AUTHORIZE ADVERTISEMENT FOR SEALED BIDS FOR 2007 ROAD MATERIALS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-07-01 – Time Extension – Beatrice Rowe Subdivision – Plan Expires 4/12/07 (New Plan Date 7/12/07).**

**MR. GURRERI MOVED TO ACCEPT SD-07-01 TIME EXTENSION, BEATRICE ROWE SUBDIVISION TO 7/12/07. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. SD-06-12 – York Butterfly, LLC - Application to Create Three New Lots (Action)**

**RAO** Mr. Rao provided background information with regard to the preliminary and final plan York Business Center, Lots 5, 6, and 7. Mr. Rao provided an overhead view of the property. He stated that the York Business Center is the old Caterpillar site and the particular subdivision is located on the eastern side of the Center. He pointed out the location of Lots 5, 6, and 7. He stated that he had worked with York Butterfly, the Fire Chief and the Engineer to negotiate a secondary access into the three lots. The access will start at Memory Lane, and he pointed out the routing on the overhead view. A secondary access is available for emergency fire and police vehicles.

**LUCIANI** Mr. Luciani noted that there was no paperwork documentation presented to the Board which included the waivers, modifications and conditions.

**SCHENCK** Chairman Schenck stated that it was awkward for the Board not to have any documentation to refer to, especially one with a number

of items. He noted that he did not want to put the Township at risk, nor did he want to inconvenience a customer.

**Following some additional discussion concerning the situation, consensus was that Messrs. Rao, Luciani, Brassler and Bieber move to a caucus room to put together the necessary information on waivers, modification and conditions in order to move forward. After a 20-minute caucus they returned to the Board room with written documentation provided to the Board.**

**LUCIANI** Mr. Luciani asked whether the Board had plans for the site.

**SCHENCK** Chairman Schenck responded that plans had been provided.

**LUCIANI** Mr. Luciani apologized both to the developer and to the Board for the lack of information. He called their attention to the document, which was a February 8, 2007 memorandum, which was revised as of this date, April 12, 2007 at 8:30 p.m. He explained the processes that take place with the Planning Commission and ensuing work to eliminate outstanding items. He verbalized all the waivers. The unofficial proposal is to create a sit down restaurant, a hotel and a movie theater with 2400 seats. In addition, a traffic study was done which would bring traffic in from Memory Lane. Some secure fencing will be put into place to eliminate straight through short cuts; however, emergency access will be available with the provision of gates accessible by Knox Box. Because motorists will be exiting from the same entranceway, that required a waiver. The Planning Commission had approved the plan with the waivers, modification and conditions.

**RAUSCH** Solicitor Rausch asked whether the emergency access was on a separate lot.

**BIEBER** Mr. Bieber responded that it is not a separate lot. It is an easement designated in red. It is part of the existing Lot 1, which is the old complex.

**RAUSCH** Solicitor Rausch noted that Mr. Bieber was referring to an easement, but that emergency access is for the benefit of the new lots 5, 6 and 7.

**BIEBER** Mr. Bieber responded that it could be considered also for that benefit because the only point of access is through the light at Memory Lane.

**RAUSCH** Solicitor Rausch asked whether it was shown on the plan that there would be cross easements. He commented that if York Butterfly sold Lot 1 to a new owner, there could be two separate owners. Solicitor Rausch wanted to be sure that in the future no one could take away that emergency access or any right to use it.

**BIEBER** Mr. Bieber agreed that, from a legal standpoint, there should be an egress created there to grant everyone their rights.

**RAUSCH** Solicitor Rausch suggested that it could be done on the plan and could be enforceable in the future.

**SCHENCK** Chairman Schenck indicated that the easement condition would be added for emergency access. He stated that there are three waivers, nine modifications and seven conditions plus one for emergency access.

**MR. GURRERI MOVED TO APPROVE SUBDIVISION SD-06-12, YORK BUTTERFLY, LLC APPLICATION TO CREATE THREE NEW LOTS WITH THE FOLLOWING: 3 WAIVERS, 8 CONDITIONS, 9 MODIFICATIONS AS EDITED ON THE FEBRUARY 8, 2007 MEMORANDUM. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BRASSLER** Mr. Brassler thanked the Board and stated that everyone they had dealt with since September had been very professional and had expedited and made the process a pleasure. It had been done well and was appreciated. He noted that they are at 95% occupancy in the industrial area and are nearing completion of the planning for the site. It had taken six years and had been very expensive. However, it was a project they were very proud of and hoped that the people of Springettsbury buy and develop the sites.

**LUCIANI** Mr. Luciani asked whether there was a time frame for submittal of Land Development Plans for the out parcels.

**BRASSLER** Mr. Brassler responded that he was unsure. His plan is to begin construction on this road as soon as possible so that it is prepared and ready. Each site will have a Land Development Plan.

**SCHENCK** Chairman Schenck stated that he appreciate Mr. Brassler's comments very much.

**GURRERI** Mr. Gurreri added that he was glad that Mr. Brassler bought that piece of property and that it was 95% filled. The Board didn't think it could happen, but Mr. Brassler was the right man to do the job.

**8. COMMUNICATION FROM SUPERVISORS:**

**SCHENCK** Chairman Schenck reported that a nice thank you letter was received from Mr. Gurreri with regard to his recent loss of his brother.

Chairman Schenck reported that he received a call from a resident regarding traffic on East Market Street because of the Route 30 project. It was very specific to the new signal light at Cinema Drive at the new Turkey Hill and the Road House. Mr. Luciani confirmed that the loops are not working in the road because when the developer of the Cinema Drive project attempted to do his required PennDOT improvements, he milled the loops out and has yet to replace them.

**BISHOP** Mr. Bishop noted that the Township had not yet accepted dedication of the road.

**BISHOP** Mr. Bishop commented on the Comprehensive Plan, which had been adopted. The process of re-doing the Zoning Ordinance is nearing the end. In addition, the Subdivision and Land Development Ordinances are being re-written. Mr. Bishop noted that during these projects there were some quality of life ideas and some exciting ideas that he didn't want to fall by the wayside. He did not think there was any specific action plan in place.

**HOLMAN** Mr. Holman responded that there is an action plan in place, which is the different phases of the Comp Plan. Phase I is redoing the Zoning and the SALDO, and there are a few elements in Phase II There is a Phase III and Phase IV, but it's important to keep that Comprehensive Plan in mind and always available. That action plan will be followed.

**BISHOP** Mr. Bishop asked whether it was Mr. Holman's impression that Phase II is contingent upon completion of Phase I of the action plan.

**HOLMAN** Mr. Holman responded that his plan involved getting the foundation in place and moving forward from there. It is important to move into the neighborhood of the Community Town Center concept.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reminded the Board that a District Justice hearing will be held on the 17<sup>th</sup> regarding Henry's Beverage citing him for violations for not completing the sidewalk and maintaining the exterior per the ordinance, items which need to be addressed.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated that he had nothing additional to report. He will be away from his office Friday, 4/13 and Monday, 4/16 of next week.

**DVORYAK** Mr. Dvoryak asked about the \$10 million being invested next week. There were some proposals solicited from some banks and some quotes provided. Under normal circumstances it would be the way to approach it. Mr. Dvoryak wondered, given that this is going to be an arbitrage situation, if the return should take a back seat to preserve the principle. He asked whether there will be any risk to the principle by placing all this money with one bank.

**HOLMAN** Mr. Holman responded that the principle goes back into Sovereign Bank. His plan is not to be running into an arbitrage situation and expected to make the six month and one year time frames easily, which is 10% within six months, 45% within one year. The funds were received on April 10<sup>th</sup> and are currently sitting in Sovereign Bank. Literally Sovereign Bank loaned us the money and then Sovereign Bank put it into an account at about 5.17%. Mr. Holman offered to go over it all with Mr. Dvoryak, as well as the arbitrage rules.

**DVORYAK** Mr. Dvoryak thanked him for his response.

**GURRERI** Mr. Gurreri brought forward the item concerning Eastern Boulevard at Kershaw Street. The circle and islands project had been scheduled for May, 2006; moved to August 2007 and in the latest Manager's Report it is not scheduled.

**HOLMAN** Mr. Holman responded that Keystruct Construction had started the office building construction at the site of the old Synagogue. No Occupancy Permit will be issued until the rotary is put in at Kershaw and Eastern, which was a condition of the plan in the Developer's Agreement.

**SCHENCK** Chairman Schenck called attention to the Developer's Agreement.

**HOLMAN** Mr. Holman stated that both he and the Solicitor had reviewed the Developer's Agreement. He recommended approval of the

Agreement conditioned upon receiving the amount of the financial security under item 2a from the engineer. This does meet all the requirements under the traffic study.

**SCHENCK** Chairman Schenck commented that the engineer probably would not be able to represent that number this date.

**HOLMAN** Mr. Holman responded that he was correct; however, it could be conditioned upon receipt of the number by the engineer.

**RAUSCH** Solicitor Rausch stated that it dovetails with the prior Developer's Agreement with York Butterfly where they contributed \$100,000 to improvements on Concord Road so this is supplemental to that now with this additional subdivision.

**HOLMAN** Mr. Holman indicated the timing of the traffic lights will have to be optimized.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Resolutions No. 07-38 – Revision of Township Fee Schedule**

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 07-38, REVISION OF TOWNSHIP FEE SCHEDULE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Advertise Ordinance Establishing School Zone Speed Limits on Kingston Road and Cortleigh Drive**

**MR. DVORYAK MOVED TO AUTHORIZE ADVERTISEMENT OF ORDINANCE 07-03 ESTABLISHING SCHOOL ZONE SPEED LIMITS ON KINGSTON ROAD AND CORTLEIGH DRIVE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Advertise New Towing Ordinance**

**SCHENCK** Chairman Schenck commented on the practice of storing cars on Township property.

**HOLMAN** Mr. Holman responded that the issue had been addressed in the New Towing Ordinance.

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISEMENT OF THE NEW TOWING ORDINANCE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – March 22, 2007**

**MR. BOWMAN MOVED TO APPROVE MINUTES OF THE MARCH 22, 2007 BOARD OF SUPERVISORS MEETING. MR. BISHOP WAS SECOND. MOTION CARRIED. MESSRS. SCHENCK AND GURRERI ABSTAINED AS THEY WERE NOT PRESENT.**

**13. OLD BUSINESS:**

**A. Trash Contract Review**

**SCHENCK** Chairman Schenck commented that item A will be carried on the Agenda for updates.

**HOLMAN** Mr. Holman stated he was waiting for the revised contract based on the last Work Session. He anticipated receiving that next week for the Board's review at the next meeting under the Old Business line item. He had placed a call to DEP about the one source, commingled separation item but had not received anything back. He indicated he wanted to see documentation on it.

**SCHENCK** Chairman Schenck agreed. He had learned since then that at the pre-bid meeting they heard a lot of presentation based on the strength of one company's capabilities, which is all that is needed to qualify it. Commingled items was one of those issues.

**GURRERI** Mr. Gurreri stated that he learned that they had only spoken with one contractor. He thought the more bidders the better. He had a list of seven names of companies as possible bidders and he thought there should be a pre-bid meeting and invite them to get some feedback.

**HOLMAN** Mr. Holman responded that a number of letters had been sent out and the pre-bid meeting had been advertised.

**SCHENCK** Chairman Schenck stated that he and Mr. Gurreri had an informal discussion with a retired individual from this industry. He had indicated some interesting things and Chairman Schenck thought it would be worth reaching outside of the boundaries. Apparently this is a fairly lucrative area for that if they're aware. It's not kind of the traditional people that the Township is accustomed to dealing with, such as from the Baltimore area for instance.

- GURRERI** Mr. Gurreri noted that the individual indicated that Springettsbury had a very good contract that just needs some tweaking. Mr. Gurreri will provide some of his suggestions to the other members of the Board.
- SCHENCK** Chairman Schenck mentioned one key item he learned, that recycling is worth exploring as an income stream for the Township.
- BISHOP** Mr. Bishop stated that it was important to keep the process visible in terms of when it is being discussed and who is involved.
- HOLMAN** Mr. Holman stated that it had been an Agenda item to keep moving forward. If bidders are to be invited back again, it would have to be an advertised pre-bid meeting.
- SCHENCK** Chairman Schenck suggested to have some communication between this meeting and the next.
- BISHOP** Mr. Bishop suggested to determine a schedule or a plan, since there isn't a lot of time.
- SCHENCK** Chairman Schenck suggested to define a sub-Agenda that can be followed to keep on track with the discussions.
- GURRERI** Mr. Gurreri noted that one suggestion he heard was to let the bidders know what is already in place. Some won't be interested. They need to know that there are so many pickups and commercial.

**B. Deputy Tax Collector**

- SCHENCK** Chairman Schenck brought forward the item of the Deputy Tax Collector. He asked for the Board's input.
- DVORYAK** Mr. Dvoryak commented that the feedback from the last meeting was that the bond only covers ½ of our exposure. He asked if that was correct.
- HOLMAN** Mr. Holman stated that there is an aggregate bond carried by the County, which is sufficient for protection of the interests of the Township, the School Districts and the County.
- BOWMAN** Mr. Bowman asked how often it is updated.

**HOLMAN** Mr. Holman stated that he thought it was renewed every year because the numbers change yearly. He offered to check with the auditor.

**GURRERI** Mr. Gurreri stated that he was not comfortable appointing a Deputy Tax Collector at this time. If something were to happen to the Tax Collector, it's the Township's obligation to appoint someone. He hoped that the Township would appoint a Certified Public Accountant. He was not in favor but stated that a decision needed to be made.

**BOWMAN** Mr. Bowman stated that the Township probably would have been better off a year ago if there would have been a Deputy when checks weren't getting signed and the Township wasn't getting paid.

**MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 07-30 APPOINTING DEPUTY TAX COLLECTOR MICHAEL J. COUSLER. MR. BISHOP WAS SECOND. MR. BOWMAN VOTED IN FAVOR. MESSRS. BISHOP, GURRERI, DVORYAK AND SCHENCK VOTED NO. MOTION FAILED 4/1.**

**GREENEWALT** Mr. Greenewalt asked whether the Recycling Committee would be involved in the trash contract.

**SCHENCK** Chairman Schenck responded that, following the last meeting, the matter was in the hands of the Board. However, when that is an Agenda item, the Recycling Committee will be advised so that they could come.

**C. Sheridan Road Update**

**SCHENCK** Chairman Schenck asked Mr. Holman for an update on securing rights-of-way.

**HOLMAN** Mr. Holman responded that the last letter response was due at the beginning of March. He had not received any response with the exception of the one gentleman who came to the meeting and had already provided the right-of-way. The Chief provided a report on the last couple of years' accidents, which resulted in one accident in two years at that curb. The next step in pursuing this would be to get an appraiser to appraise the value of the rights-of-ways.

**SCHENCK** Chairman Schenck stated that what would be helpful for the Board is not to have an official appraisal but a semi-scientific guestimate of what money might be involved.

**GURRERI** Mr. Gurreri commented that the residents don't want this to happen as they think the cars will speed faster. However, should that be a reason not to pursue it. There is water running across the road in the winter time. He indicated it is a safety situation, and it is a PennDOT problem. The Board has an obligation to the residents of the Township.

**SCHENCK** Chairman Schenck stated that the obligation was two-fold. They have to review the public safety and the environmental side; but also look at the cost side. If the property owners are not going to give the rights-of-way, then the Township will have to pay for them.

**HOLMAN** Mr. Holman indicated he and Mr. Luciani will review it during the Tuesday meeting.

**Safe Routes to School Sidewalk Project**

**SCHROEDER** Mrs. Schroeder asked how they will be notified and what the process is that goes on before he sends a letter.

**SCHENCK** Chairman Schenck responded that the Township will have to re-affirm whether to move forward with the project.

**SCHROEDER** Mrs. Schroeder was asking about the project in general.

**SCHENCK** Chairman Schenck responded that a Petition is great information but the Township is not required to do anything with it other than say thank you for your work. He suggested, based on the Petition is that it is fair that we will re-evaluate whether or not to go forward with the project. If the project is re-affirmed that it's a go, then the normal process will start somewhere along the line where people will be asked for rights-of-ways and information.

**BISHOP** Mr. Bishop asked when a date could be scheduled for making a decision whether or not the project should move forward, such as two meetings from now. That would provide a next step that doesn't require them to go away wondering what the Board is going to do.

**HOLMAN** Mr. Holman stated that he will put the history of the project together for the Board including the original reason of why the project was funded with the letters of support, the reasons for public safety and the reason the grant was awarded based on the studies; safety was part of this project three years ago. All of that has to come back to the Board for review and re-evaluation of the

project. As a matter of fact, it would almost be non-right-of-way needed if the road was built correctly. There is a diminimus amount of right-of-way required. The sidewalk could actually be built without the right-of-way but that would mean there would be no four foot grass strip. So realistically the sidewalk could be built on the one small area where this is required. Other than that, the sidewalk is all in existing right of way which is reserved for public improvements, which in other words is for sidewalk.

**SCHENCK** Chairman Schenck stated that it is fairly typical of a modern subdivision that is allowed for in the future. In fairness to Mrs. Schroeder's request, at the meeting after next there will be a presentation and complete review of the facts.

**SCHROEDER** Mrs. Schroeder asked for the date of the meeting.

**Consensus was to hold discussion on Thursday, May 24, 2007.**

**14. NEW BUSINESS:**

**A. Approval of Revised Job Descriptions**

- 1) **Administrative Assistant – Community Development**
- 2) **Coordinator – Community Development**

**HOLMAN** Mr. Holman stated that there are no additional people to be hired. One position is vacant and one will become vacant. The Job Descriptions were reviewed to fit more closely what the jobs each entail.

**MR. GURRERI MOVED TO APPROVE REVISED JOB DESCRIPTIONS FOR ADMINISTRATIVE ASSISTANT, COMMUNITY DEVELOPMENT AND COORDINATOR, COMMUNITY DEVELOPMENT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman called the Board's attention to the Development Agreement for consideration with regard to the Subdivision 06-12.

**MR. BISHOP MOVED TO APPROVE THE DEVELOPER'S AGREEMENT CONTINGENT UPON RECEIPT OF THE BONDING ESTIMATE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI** Mr. Gurreri noted that the State Convention will be held in the near future, and if anyone had anything specific for him as Voting Delegate to please let him know.

**15. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
WORK SESSION – TRASH CONTRACT**

**MARCH 29, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session at the Township Offices at 1501 Mt. Zion Road on Thursday, March 29, 2007,

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop  
Nick Gurreri  
Mike Bowman  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Nicole Ehrhart, Solicitor  
Ron Diangelo, Chairman, Recycling Committee  
Charles Stuhre, Recycling Committee  
Paul Taccetta, Recycling Committee  
Penny Dellinger, Recycling Committee  
Bill Greenewalt, Recycling Committee

**WASTE HAULERS**

**IN ATTENDANCE** Scott Wagner, Penn Waste  
Ed Ward, Penn Waste  
Brian Fuhrman, Waste Management  
Don Isabella, York Waste Disposal  
George Coughlin, York Waste Disposal  
Mark Pergolese, York Waste Disposal

**A. Call to Order**

**SCHENCK** Chairman Bill Schenck called the meeting to order at 6:05 p.m. He stated that the public meeting had been advertised.

**B. Pledge of Allegiance**

**SCHENCK** Chairman Schenck led the Pledge of Allegiance.

**C. Draft Copy of 2008 Trash Contract**

**SCHENCK** Chairman Schenck indicated that copies of the Draft Trash Contract were available to those who wanted a copy. He stated that during the previous Work Session concerning the Trash Contract, Mr. Holman was asked to contact some potential bidders to come to a Work Session to help the Board understand some of the cost drivers in a contract. The Board wanted to have a better understanding of items written into a contract that could be detrimental to the waste hauling business. It was their hope to have a dialogue with

comments or suggestions. Chairman Schenck stated that the discussion would proceed section by section.

**HOLMAN** Mr. Holman stated that they were looking for input, and the record will become part of the bid specifications. In this way everyone will have a chance for review. He added that the waste haulers had not had an opportunity to review the draft contract that was available this date.

**SCHENCK** Chairman Schenck stated that the bid is standard, which will be out sometime mid-summer.

**HOLMAN** Mr. Holman added that they hoped to authorize bidding during the June meeting and receive the bids first or second week in August, which is the time frame for bidding.

**SCHENCK** Chairman Schenck stated that the Board wanted to begin the process early in order to put together a good package.

**D. Discuss Trash Contract Issues with Waste Haulers**

**SCHENCK** Chairman Schenck stated that Section D discusses the general outline of the bid and could be one of the more significant parts since it talks about the bid options, the potential for one or three bags, extra trash, alternates, hours limiting trash trucks on the streets. In addition, the Recycling Committee was present with their ideas for discussion and feedback.

**WAGNER** Mr. Wagner asked about the notation on the first page concerning the note to the lowest responsible bidder for a total of qualifying years, i.e., options for additional year terms.

**HOLMAN** Mr. Holman noted that the Board and the Recycling Committee had raised the question of whether to go with a five-year bid and then put an option out there that it could be a two-year bid with three-year options to renew after that or one year/per year options for a total of five years.

**WAGNER** Mr. Wagner commented that the language was unclear. He suggested numbering the pages. He commented on the 10% bid bond, which he thought seemed ambiguous and should be stated more clearly, such as a flat amount. Lancaster County bids are bid with a flat amount.

**SCHENCK** Chairman Schenck responded that the bid bond was to help the Township recover costs if there was a failed bid.

**SCHENCK** Chairman Schenck asked Solicitor Ehrhart if there would be any legal issue.

**EHRHART** Solicitor Ehrhart responded that she did not think there was a legal issue.

- WAGNER** Mr. Wagner cited several more issues, summarized:
- As current contractor a main issue is accurate billing of the residents and collection of past due monies; 6% charge versus \$10.00 per quarter.
  - Contract to specify “reasonable attorney’s fees” to cover Magistrate costs.
  - Contractor to bill the property owner, not tenants.
  - Suggest itemized billing to include Service plus Surcharge.
- HOLMAN** Mr. Holman asked whether any of the other contractors had issues they would like to voice.
- TACCETTA** Mr. Taccetta stated that in his research he learned that Manchester Townships pays trash directly from their General Fund and then bills the residents. He asked how that worked.
- WAGNER** Mr. Wagner responded that for their company it worked very well. They send one bill and the township sends one check. That would mean that Springettsbury Township will be going into the billing and collection business.
- TACCETTA** Mr. Taccetta stated that it would be included in their taxes, which would eliminate the bureaucracy, billing and legal fees. It would become a service of the township such as street cleaning or any other service in the township.
- HOLMAN** Mr. Holman commented that it would remove any option of one, two, or three bag service since every resident would be provided the same service. No one would have an option of only one or two bags.
- TACCETTA** Mr. Taccetta noted that the differences are very similar.
- HOLMAN** Mr. Holman stated that the tipping fees alone would increase the taxable rate by 3.1.
- WAGNER** Mr. Wagner noted that the Township has a very good contract with a menu system, which is not available with a township billing system. There is good recycle participation.
- HOLMAN** Mr. Holman indicated he would have to hire additional people to track trucks coming in and out of the township to be sure they are empty when they come in.
- COUGHLIN** Mr. George Coughlin of York Waste Disposal indicated that they handle townships that work both ways. There is a lot of burden on the contractor when they do the billing. Normally the townships have a mechanism in place for collection, either through the sewer billing or the water billing; something that carries more weight to it than the trash hauler. He suggested that the bid

could be issued both ways. Ask what it would be if the hauler wouldn't have to carry the cost of the bad debt. The trash hauler would not have to carry the cost of mailing out several thousand invoices four times a year, printing costs, etc.; a single bill contract versus a multiple bill contract. The differences could be weighed. The totter part could be worked in if residents want a totter. The hauler would deliver the totter and the township increases their billing with the price per month of the totter.

**WAGNER** Mr. Wagner stated that the township will need an additional four people at about \$50,000 each.

**GURRERI** Mr. Gurreri indicated that the Tax Collector could collect the trash bills.

**WAGNER** Mr. Wagner responded that taxes are sent out two times a year; trash billing is quarterly.

**GURRERI** Mr. Gurreri stated if it were included in the taxes it would be an entirely different story and the Tax Collector would collect it.

**DIANGELO** Mr. Diangelo noted that the Tax Collector would get a cut out of that also.

**SCHENCK** Chairman Schenck stated that there would probably be a commission.

**GURRERI** Mr. Gurreri stated that if it were bid both ways, then the best way would be seen.

**DIANGELO** Mr. Diangelo suggested a review of his two-tiered variable rate. Whichever trash collector bids he would suggest a two-tier variable rate: bid the regular draft and also bid as a pay-as-you-throw system. Residents would pay for trash they actually put out. The Recycle Committee is attempting to get residents to reduce trash, not increase trash. The only difference between this and the Elizabethtown contract that they tried to get rid of was that there would be the second tier where the trash haulers would bill the residents directly for their services. The township would be selling bags and paying tipping fees, thereby saving money, where the trash hauler would still be billing for their services as a separate item. There probably would have to be a fee for large items.

**WAGNER** Mr. Wagner stated for clarification that he was suggesting that the township would become a bag contract across the board for the whole township.

**DIANGELO** Mr. Diangelo responded that he was correct.

**WAGNER** Mr. Wagner figured the cost at \$2.50 a bag if a family has three bags that would be \$7.50 a week times 52; they would pay over \$300. He indicated that there is a two-tiered system in place now. The trash haulers are in business to

make a profit. They have to run the trucks up and down the streets with fixed costs. Electric utilities have a meter on every house. If the resident uses less electric, they pay less. The bag system becomes more and more inequitable for the hauler as well as the families in the township.

**SCHENCK** Chairman Schenck commented that was the kind of information he wanted to review. He had been a proponent of a pay-per throw type program but open to learning the cost drivers for the hauler. He asked whether there were any suggestions to improve a one bag to three bag system. He asked whether anything was being overlooked.

**WAGNER** Mr. Wagner noted that residents who want to participate in the one-bag system and reduce costs are able to do so in the current contract. There is the three-bag service, and additional bags can be purchased. Recycling bins have helped recyclable participation. The Township is getting grant money back.

**WAGNER** Mr. Wagner stated that a successful bag contract exists in Penn Township and is successful only because one man reviews the bags. When he retires, the contract will change dramatically.

**SCHENCK** Chairman Schenck asked whether the individual in Penn Township enforces this bag contract and what kind of activities he does that drives the enforcement.

**WAGNER** Mr. Wagner stated the man is out every day, tearing bags open and weighing the bags. The newspapers branded him the Trash Nazi.

**SCHENCK** Chairman Schenck asked whether that was a positive or negative.

**WAGNER** Mr. Wagner responded that what he does is positive, but that is all he does, and it pays his own salary. The township is making money on the bagging, but it's an era that is changing and the township is taking all the risks.

**SCHENCK** Chairman Schenck indicated that was a question for the haulers. He asked whether there would be an escalator/de-escalator clause that would be of any value in this contract.

**WAGNER** Mr. Wagner responded that they will bid it at the market value. The township would have to rely upon the integrity of the contract. If a truck works in the township for six hours and goes somewhere else, they can't go fill the truck up and determine how much gallonage used at that point. There is an advantage that the hauler can be more efficient. The truck can leave the township, stop at the disposal site, empty the truck and go immediately into another township and perform work for a few hours and use fuel in the other township.

- SCHENCK** Chairman Schenck stated he had posed the question because in his business experiences it is a significant part of any contract and is built in to protect from these fluctuations. He questioned whether that type of clause would do anything for the township to get the best possible cost for the residents.
- WAGNER** Mr. Wagner stated that to have an escalator and a de-escalator, the contractor is going to be adjusting their bill all the time with lots of customer service issues. He suggested that township would be better served to have a flat rate for a period of time. He added that there were potential bidders sitting here quiet, but he thought they were in agreement. It is only fair that the contractor be paid for the work performed.
- SCHENCK** Chairman Schenck brought up the issue of some general items, such as earlier work hours. He indicated the current hours begin at 7 a.m.; however, he did not think that was being enforced.
- HOLMAN** Mr. Holman noted that if there is a complaint they do enforce that.
- SCHENCK** Chairman Schenck stated that he was not sure that it was helping or hurting anything. The timing probably will be kept on the main roads like Mt. Zion hill, but there is a general restriction in neighborhoods. He added that there had been a question about toters and whether residents should be able to buy their own. He asked what the liability would be if they buy their own and whether or not they should be included. He asked whether or not grass clippings should be an alternate in the event that DEP may start mandating that item.
- HOLMAN** Mr. Holman brought up the issue of cardboard, which had been a major item with the Recycling Committee.
- SCHENCK** Chairman Schenck added that there had been a lengthy discussion about curbside cardboard, which currently needed to be cut into small sizes.
- HOLMAN** Mr. Holman asked whether all the contractors have the capability to pick up cardboard.
- PERGOLESE** Mr. Mark Pergolese, York Waste Disposal, stated that they have the capability to collect cardboard both ways, either separately or it can be commingled with the other recycling waste. The township could actually expand its recycling stream and increase the participation, reduce the disposal bill and actually increase the grant money. There is a method of collection called single stream collection where recycling commodities can be commingled. You can commingle cardboard, newspaper, glass bottles/tin in one vehicle. It would help with the ease of that collection with the help of the residents. It's a lot easier for a resident to mix all of this in one container than to try and separate some of these commodities.

**STUHRE** Charles Stuhre, Recycling Committee, asked what the different contractors intended for the size of the cardboard or the corrugated needs to be limited to for being able to handle it with their apparatus. That seems to be the area that was difficult and would clog the chute. Then the operator had to climb in and unclog it. He asked what kind of truck could handle it.

**PERGOLESE** Mr. Pergolese responded that it would depend on the collection vehicle. Different contractors will use different types of vehicles. One vehicle is where the recyclables go up over the side and dump into the top. There may be an issue with the size of those cardboards, but the recyclables could also be commingled in a single stream with a regular compaction type vehicle, the same type of vehicle that typically picks up the household trash. There wouldn't be a size restriction.

**WAGNER** Mr. Wagner commented that if cardboard is cut down to approximately the same size as a newspapers it is acceptable.

**SCHENCK** Chairman Schenck noted that, from his standpoint as a hard core recycler that would be tough.

**WAGNER** Mr. Wagner stated that another issue is that there have to be some guidelines with corrugated. He cited an example of a box sitting at the curb full of Styrofoam peanuts or the white bumper material that comes with a computer.

**HOLMAN** Mr. Holman noted that it has to be flattened and limited to 2X2.

**WAGNER** Mr. Wagner stated that Penn Waste had initiated placing a large roll off container on township property in four or five townships. There are three slots along the side of the container. The residents can come in seven days a week, 24 hours, break the box down and drop it in the container. Also down Concord Road at the recycling plant, NCB Commodities, is available for dropping off cut down corrugated.

**STUHRE** Mr. Stuhre commented that in a drop off nothing could go in there except a flattened piece of corrugated. He cited an experience where he went to the incinerator with some big flat sheets. He looked in the hopper and there was a box the size of a refrigerator, never cut up, just a whole box tossed in, which took up half the container and he couldn't put anything else in. If people are able to abuse it, they will abuse it. He added that he liked the idea of having a slot, and if something won't go in the slot, it won't go in. That should eliminate the Styrofoam problem.

**DIANGELO** Mr. Diangelo stated that a lot of people won't cut the cardboard down to newspaper size. Most people will break it down, but if they don't take the time to get it to the proper size, that's a big problem. He wondered whether

there could be some way to have boxes knocked down bigger than a newspaper.

**SCHENCK** Chairman Schenck asked what the barrier would be, the equipment or the trucks.

**WAGNER** Mr. Wagner stated that with the recycling bins, the trough rises up and it dumps into the side of the truck. The bins could be measured and it could be made to 18X18, which is larger than a newspaper. A dimension could be set, but there must be some limitations. Refrigerators now come in shrink wrap with a cardboard cap at the top and the bottom, and it's just a matter of flattening that in half.

**PERGOLESE** Mr. Pergolese indicated that there would be two methods to do this. Separate streams of commodity or a single stream, and to address the point of changing the size or enlarging the size of the bundle of corrugated, that's easily accommodated with a single stream collection by putting it into a compaction type vehicle. He thought all the contractors/bidders would agree that there have to be limitations for things like packaging material; there could be wood as part of the reinforcement of a cardboard box, Styrofoam, but as far as limitations for the size of the corrugated that are actually being collected, there aren't any. If a compaction-type vehicle is being used, there would be options to try and get the best service and price, and there may be another area where the township may want to consider a single stream collection or "source separated" stream, to which Mr. Wagner referred.

**HOLMAN** Mr. Holman agreed with putting paper and cardboard in with the metal, the glass and compacting it all together. He asked how that would be calculated for recycling purposes; on a per yard basis.

**PERGOLESE** Mr. Pergolese stated that the recycling report is a total recycling number; it's not separated by newspaper or corrugated. That separation is delivered to a processor that actually has the machinery and technology to do the separation.

**WAGNER** Mr. Wagner responded that was correct. In a single stream, when the truck pulls it, the truck is weighed full and then weighed empty. When their trucks are dumped at their facility, they have a dual stream. The commingled bottles and cans are dumped first, weigh the truck, and then weigh the newspaper. There are pros and cons which could be debated. When single stream material is picked up and compacted, there is a lot more glass breakage and residue in the recycles. DEP has visited the Penn Waste facility and those all over the state of Pennsylvania. They are very interested in the amount of residue in the single stream facility and the amount of residue at dual stream facilities. Mr. Wagner believed that in the next few years DEP is going to have a two-tiered formula in a 904 Grant application. The more residue found in the single stream will be somewhat of a handicap when filing for a grant. He recently

visited a single stream facility in North Carolina where they do not recycle any glass; only plastics and cans. The glass is all broken and sent to a disposal site. That's what DEP is going to start looking hard at in these single stream facilities because the amount of broken glass is so substantial.

**BOWMAN** Mr. Bowman asked whether there had been any direction as far as the plastic grocery bags and whether they would go out with the recycles.

**WAGNER** Mr. Wagner responded that they could be put in with the recyclables, but as they run down the sort line, they would be disposed of as trash along with deli containers.

**BOWMAN** Mr. Bowman asked about the regular grocery bags.

**WAGNER** Mr. Wagner responded that there is a market for a substantial amount of brown grocery bags, but it would add to the cost.

**DIANGELO** Mr. Diangelo commented that the Recycling Committee had been promoting that they want no plastic bags.

**HOLMAN** Mr. Holman indicated the township had realized a strong benefit from curbside recycling. The township had been designated in the top 20 in the state and trying to find ways to enhance the curbside recycling program. He commented again about the potential grass alternate in the contract due to DEP mandates in the future.

**WAGNER** Mr. Wagner noted that Lancaster County has a recycling area for the disposal of grass. York County Solid Waste authority had one; however, when chemically treated grass came in it became an issue of drainage in the creek and storm water management. As a result there is no outlet for grass in York County.

**TACCETTA** Mr. Taccetta commented that the information he had received indicated that grass should not go in the trash and not in recycling; rather it should be handled on site as mulch or compost.

**SCHENCK** Chairman Schenck stated that there are spikes in the tonnage in early spring.

**WAGNER** Mr. Wagner added that there is a lot of grass mixed in with the trash.

**SCHENCK** Chairman Schenck stated that the township had been consistent that it just counts as trash. If you have a three-bag program, you can have three bags of whatever it is, including grass.

**TACCETTA** Mr. Taccetta commented that the perception is that it can't be put in the trash. Many people are doing the composting and mulching.

**DIANGELO** Mr. Diangelo stated that what defeats that is when somebody puts their trash out, they put one or two bags out, and then they have three bags with no tags. Dollars to donuts when the truck comes by they take the three bags in with the rest of the trash.

**WAGNER** Mr. Wagner stated that he was exactly right. It all boils down to enforcement. He indicated that if they were advised not to pick up grass they would be leaving 500 stops every collection time with grass. He added that the expectations must be aligned with reality. They audit one to three bag customers; some call for the one bag service and switch back and forth, and it becomes an enforcement nightmare.

**SCHENCK** Chairman Schenck commented on the point of a minimal cost between one and three bags. He asked the haulers when bidding a contract whether having to choose between one and three bags would be a deterrent or whether the cost is neutral. He added that it might not be a fair question because of competitive advantages to the bid strategy.

**WAGNER** Mr. Wagner responded that in Lancaster County there is a three-bag option across the board. They have the number one Solid Waste Authority in the nation. They do all the contracts for every municipality with one standard contract. Penn Waste bids every contract in York County. There are several different contracts, but in his opinion the three bag option was the most efficient.

**SCHENCK** Chairman Schenck commented that a friend of his who lives in Spring Garden Township advised him that they could put out as much trash as they want.

**WAGNER** Mr. Wagner responded that Penn Waste has that contract, which calls for pick ups two times a week with a four bag limit.

**BISHOP** Mr. Bishop asked about enforcement of the four bag limit.

**WAGNER** Mr. Wagner responded that there are neighbors who put their trash with their neighbors.

**SCHENCK** Chairman Schenck commented on the philosophy in Spring Garden. The perception is that they can put out as much trash as they want, but four bags twice a week is a lot of trash. His theory is that it does not impact recycling at all. Mr. Schenck disagreed because if it is easy to throw items out, they'll be put in the trash. Springettsbury is semi-forcing recycling activity. He hoped to hear which theory was more accurate.

**WAGNER** Mr. Wagner asked about the rate for Spring Garden, which he thought was over \$200 a year.

- SCHENCK** Chairman Schenck indicated that would answer the question.
- HOLMAN** Mr. Holman added that they are paying the tipping fees.
- WAGNER** Mr. Wagner noted that with the current contract, the \$3.40 per surcharge would be about \$40.00 less with more services offered. Spring Garden's yard waste program is two times a year on Saturdays. Springettsbury offers yard waste.
- GURRERI** Mr. Gurreri noted that \$40 a year would buy many more bags.
- WAGNER** Mr. Wagner stated that his residence is in Spring Garden Township. There had been a philosophy for a long time that people who live in Wyndham Hills want twice a week service. Mr. Wagner puts his trash out one time a week and has a toter. They could've gone to one time a week years ago, but they're just saying there's a certain group of people who want twice a week service.
- DIANGELO** Mr. Diangelo indicated that it defeats recycling too.
- WAGNER** Mr. Wagner stated that they have yard waste two times a year. They meet the DEP mandate. It is incredible how much yard waste is in the waste stream every week. They're not interested in making a change.
- HOLMAN** Mr. Holman brought up the issue of a proper time to start collection. He asked for comments from the contractors as far as 7 a.m. is appropriate, or whether starting earlier would work better.
- WAGNER** Mr. Wagner asked that it be changed to 6 a.m. A lot of municipalities allow the earlier start at 6 a.m. The disposal site opens at 6 a.m. The traffic is increasing year after year and there are areas where the haulers are not supposed to collect during certain times. There are considerations for more lighting on the trucks, daylight saving time, etc. Many people put their trash out the night before.
- PERGOLESE** Mr. Pergolese of York Waste agreed with Mr. Wagner that a 6 a.m. start time would be better.
- SCHENCK** Chairman Schenck stated that it would have to be communicated to the residents.
- WAGNER** Mr. Wagner stated that a notice could be put in with the bill.
- SCHENCK** Chairman Schenck stated that there was a notation indicating that trash should not be put out too soon.

- HOLMAN** Mr. Holman responded that it could be put out 24 hours in advance.
- SCHENCK** Chairman Schenck stated that apartments are exempted, and five or six units or more can opt out of the contract. The recycling activity in most of the large apartment complexes is not very good. He asked whether that was typical of what the haulers see in those types of facilities that are exempt.
- WAGNER** Mr. Wagner responded that it was typical.
- PERGOLESE** Mr. Pergolese agreed.
- COUGHLIN** Mr. Coughlin agreed.
- STUHRE** Mr. Stuhre asked what kind of items should be changed from the current contract.
- SCHENCK** Chairman Schenck responded that some of the issues are the billing and finance charges; billing property owners as opposed to tenants; itemizing the bill; township language to be more user friendly concerning recycling and fees.
- WAGNER** Mr. Wagner stated that Penn Waste is in the 6<sup>th</sup> year of the contract with Springettsbury. During those years they had added junk mail, magazines, glossies, and the only remaining issue would be cardboard cut down to a uniform size.
- SCHENCK** Chairman Schenck stated that the opinion he had heard on cardboard depended upon how the business is equipped with vehicles. It sounded as though some haulers have the equipment that lifts it up over the side and flip it in so they are constrained, whereas with a more conventional truck, it can be thrown in the back.
- WAGNER** Mr. Wagner noted that they all use basically the same standard vehicle; there's a need to come up with a standard size for cardboard.
- SCHENCK** Chairman Schenck reported that he had toured Hile where they make what they call an environmental vehicle. He saw a lot of mechanized and automated equipment. He had not seen a lot of them around this area and wondered whether that was a culture issue, since they indicated it worked in some areas and not in others.
- WAGNER** Mr. Wagner responded that Mr. Schenck was talking about a fully-automated system which is utilized more in the Midwest and the South in areas where there are no utility poles, no on-street parking, the container is put at the mailbox. In Springettsbury there are utility poles and on-street parking. There are some areas where it might work, but not in some of the older

sections. Operating a piece of equipment like that on a street like Sherman would be a nightmare. In Arizona, Florida, California, Texas there aren't the hills, etc.

**SCHENCK** Chairman Schenck commented that it would not really be viable. He also reported another vehicle that he saw which was split down the middle. It appeared to be like a regular garbage truck, but one type of trash could be put on one side and something else on the other side. He thought that might be for recycling, or for some commingled items.

**PERGOLESE** Mr. Pergolese responded that it wasn't the type he had mentioned earlier; however, he had seen those vehicles and they can be used for several different applications. It could be used for different waste streams, such as all paper on one side; all cardboard on the other; part could be used for trash and the other for recycling.

**WAGNER** Mr. Wagner added that it would depend upon the area.

**SCHENCK** Chairman Schenck responded that he knew it would be limited but he was curious about the equipment.

**WAGNER** Mr. Wagner stated that the material put on each side would have to balance the other side.

**GURRERI** Mr. Gurreri asked about putting recycling and trash all in one truck. If only one truck would be used would there be an outlet for it.

**PERGOLESE** Mr. Pergolese noted that everything could be in one vehicle. It would just simplify things for the residents in the way they put it out curbside.

**GURRERI** Mr. Gurreri commented that it seemed like that would save money compared with the way it is done now.

**PERGOLESE** Mr. Pergolese responded that it definitely saves operating expenses and would save money for the township.

**GURRERI** Mr. Gurreri stated that it would seem to provide more recycling, and the township is very interested recycling.

**PERGOLESE** Mr. Pergolese responded that it would result in higher participation from the residents.

**GURRERI** Mr. Gurreri asked whether the township is losing something by putting it all on one truck.

- SCHENCK** Chairman Schenck responded that he thought Mr. Wagner stated that there would be a potential that the grant would be less, which is something that would have to be verified by the township.
- GURRERI** Mr. Gurreri indicated there would be more recycling.
- SCHENCK** Chairman Schenck added that the value of the recyclables could be essentially lower.
- WAGNER** Mr. Wagner asked what items would the township want to recycle that are not being recycled now.
- GURRERI** Mr. Gurreri stated that there is some glass that is not recycled.
- WAGNER** Mr. Wagner suggested that the Board take a tour of Recycle America. There are certain plastics that are not recycled, such as the white orange juice containers, which are nylon. If something is not HPT, it's not recycle; it's trash.
- DIANGELO** Mr. Diangelo stated that they had been attempting to communicate to the residents to recycle anything that says, "This is recyclable." They discourage the deli containers, etc. in the recycle.
- WAGNER** Mr. Wagner stated that there had been a shift in the supermarkets which now sell far less glass on the shelves. There is much more plastic on the shelves, which in the recycling stream weighs less.
- SCHENCK** Chairman Schenck stated that the draft contract still included household batteries, which are not recyclable any more and go into the trash. He indicated that should not be included as a recycle item. In addition, he asked whether the best way to handle toters was to have the contractor supply them.
- WAGNER** Mr. Wagner responded that a resident can purchase one at Lowe's identical to one Penn Waste would supply. If Penn Waste supplies the toter, they repair the toter. He would prefer not having toters because they could be a lot more productive going through the township.
- BISHOP** Mr. Bishop asked whether the township would save money having a contract without toters.
- WAGNER** Mr. Wagner responded that there would be no money saved. If the resident wants the toter, they pay for the toter.
- SCHENCK** Chairman Schenck asked what the result would be if the township said no toters, period, not part of the bid; residents must use bags.

- BISHOP** Mr. Bishop stated that Mr. Wagner indicated Penn Waste would be more efficient picking up bags. He asked whether their being more efficient would mean the residents would pay less.
- WAGNER** Mr. Wagner responded that it would not be significantly less. Because the person is paying a toter fee it compensates for that additional time and that piece of equipment and the toter.
- SCHENCK** Chairman Schenck noted that the bidders have an interest in supplying the toters to help offset the additional cost of having to use them.
- WAGNER** Mr. Wagner responded that he was correct.
- SCHENCK** Chairman Schenck indicated that if the homeowner could just buy it and there's no additional fee, that would essentially be a loser for the contractor.
- WAGNER** Mr. Wagner responded that he was correct. He added that it was justified that the contractor charge a fee if the resident wants to go out and buy their own toter; there's a set fee.
- SCHENCK** Chairman Schenck asked how that would be administered.
- WAGNER** Mr. Wagner responded that they pick up the toter at the curb and from the curb to the truck and return it to the curb. If there are three bags at the curb, they put the three bags into the truck and they don't have to go back to the curb.
- BISHOP** Mr. Bishop noted that Penn Waste would be saving money on Worker's Comp.
- SCHENCK** Chairman Schenck thought the whole idea of the toter was to save in Worker's Comp and labor.
- HOLMAN** Mr. Holman asked for comments from the other contractors concerning toter service.
- SCHENCK** Chairman Schenck stated that he had seen some head nods in general agreement.
- COUGHLIN** Mr. Coughlin responded that the definite agreement would be for York Waste to supply the toters because the commercial ones that are sold at Lowe's, etc. aren't going to match up with our equipment to dump it. There are a lot of issues with damages, etc. The toter is a good option and residents like them.
- SCHENCK** Chairman Schenck stated that there had been a comment in the original bid that the toter cost was not part of the bid evaluation.

**GREENEWALT** Mr. Greenewalt indicated that he was correct.

**HOLMAN** Mr. Holman stated that the toter fee was an option by the resident whether or not they wanted a toter. He did not think it was calculated as part of the contract.

**GREENEWALT** Mr. Greenewalt indicated that the bid document said the basis of the bid was on bid item 1 and bid item 2, one bag or three bag and the toter bid was not in the contract.

**SCHENCK** Chairman Schenck observed that did not influence the award.

**HOLMAN** Mr. Holman indicated that what the toter did was fix what the cost of the total service would be.

**SCHENCK** Chairman Schenck indicated he did not know if that had been a negative or a positive impact on the award.

**HOLMAN** Mr. Holman stated that he had looked at it as an elective choice on the part of the resident whether or not they want it, but it's a fixed cost that will not fluctuate.

**BISHOP** Mr. Bishop indicated they would rather have the toter subsidize the mandatory item rather than the mandatory item subsidizes the toter.

**GREENEWALT** Mr. Greenewalt stated that his 15 page letter puts some limit on the lower end; the Board might want to check it.

**BOWMAN** Mr. Bowman asked what could be done with old computers.

**DIANGELO** Mr. Diangelo responded that there is a special pick up for computers. They should be kept until that special pick up.

**DIANGELO** Mr. Diangelo asked Mr. Wagner whether it would be unreasonable to put in the contract that when the trash is dumped, the contractor returns the can to where it was in an inverted position rather than just throwing it out there to blow all over the street. I think one of our contracts said they had to be returned with the lid on. He thought that maybe that could be added in the contract.

**PERGOLESE** Mr. Pergolese responded that he did not think it was unreasonable; however, some of the cans might not remain standing in an inverted position.

**DIANGELO** Mr. Diangelo commented that he was not talking about a toter; he was talking about a regular can.

**GREENEWALT** Mr. Greenewalt asked what the contractor would prefer as far as putting the cans back.

**PERGOLESE** Mr. Pergolese responded that they would return them to the point where they were collected from and in an inverted position.

**GREENEWALT** Mr. Greenewalt asked about the lids.

**PERGOLESE** Mr. Pergolese responded that he would not write putting the lids back on into the contract.

**GREENEWALT** Mr. Greenewalt asked whether it could say inverted with the lid laying aside of it.

**PERGOLESE** Mr. Pergolese responded that it could.

**WAGNER** Mr. Wagner stated that he thought it was unreasonable. Some of the containers the residents have are light and following the collection, no matter where they are placed standing up, if one large truck goes by, the container will be in the street.

**GREENEWALT** Mr. Greenewalt indicated he had seen a lot of 45-gallon containers around; sometimes three of them, which is over the limit. He indicated that Penn Waste does accept them.

**WAGNER** Mr. Wagner responded that it is an enforcement issue. It's very difficult for the man on the back of the truck, who is picking up the trash and attempting to get off busy streets and highways.

**SCHENCK** Chairman Schenck stated that the residents have the ability to purchase extra trash bags if they need to put out more than the three bags. He asked whether there is any reimbursement for extra bags.

**PERGOLESE** Mr. Pergolese responded that they sell the bags and supply the Rutter's stores as well.

**SCHENCK** Chairman Schenck asked whether the township pays for them.

**PERGOLESE** Mr. Pergolese responded it was about \$3.00.

**SCHENCK** Chairman Schenck stated that his notes indicated that Rutter's charges \$3.25 and the township charges \$2.75. He wondered whether the impact of approximately \$9,000 was worth the effort. He thought it would drive behavior.

- WARD** Mr. Ed Ward of Penn Waste responded that in the Township it is unique in that the bags are a convenient feature. From the resident’s standpoint they definitely favor it. A lot of the municipalities that Penn Waste services, the bags are only sold at the townships or borough offices whereas in Springettsbury’s case you sell them here, and at three Rutter’s stores in the township. He thought the residents were very much in favor of the feature.
- SCHENCK** Chairman Schenck wanted to be sure the township wasn’t spending \$30,000 to gain \$10,000 or some other number because there is a cost to buying and re-selling bags. The numbers he had been provided was that in 2006 there were 3,600 bags total sold.
- WAGNER** Mr. Wagner responded that he was correct; about ½ bag per resident over a year. He asked whether they were thinking about doing away with that.
- SCHENCK** Chairman Schenck responded that he was simply trying to gain information. He was questioning whether it was worth doing.
- WAGNER** Mr. Wagner responded that it does something approximately 5 to 10% of the residents because they have need for some extra bags.
- HOLMAN** Mr. Holman noted that the use of bags spikes around the holidays and summer months.
- SCHENCK** Chairman Schenck asked whether there were any additional significant questions for the contractors.
- DVORYAK** Mr. Dvoryak asked what percentage of households actually sign up for the one bag service.
- HOLMAN** Mr. Holman responded that the one bag is not unusual. It will be included in the bid specs. There are approximately 1,000 residents who use the one-bag service.
- DVORYAK** Mr. Dvoryak asked what kind of error rate is discovered when audits are done. He asked whether the residents generally are compliant.
- WAGNER** Mr. Wagner responded that during their audit, they are typically 25% to one third who are in some form or fashion playing games.
- DVORYAK** Mr. Dvoryak asked him to define playing games. He asked what the frequency is; once or twice.
- WAGNER** Mr. Wagner responded that they do an audit four times a year; once per quarter and sometimes six times a year. Typically what they find is that 25% are trying to slip in an extra bag.

- BOWMAN** Mr. Bowman asked why there couldn't be some kind of sticker.
- WAGNER** Mr. Wagner responded that they are not doing the sticker system, since the post office does not allow stickers on the mailbox. In addition it drops into the bushes. He added that was why it would be so nice to come into the township with everyone selecting the three-bag option.
- SCHENCK** Chairman Schenck noted that years ago there was a sticker system, but that was before there was a mandated contract. The contractor did away with them indicating that it was not worth the agony.
- DIANGELO** Mr. Diangelo suggested to have the one-bag residents have an orange bag. He thought it might be a logistics problem.
- WAGNER** Mr. Wagner indicated they would love to have that because it would then be limited to 32 gallons. There are a large number of one-bag customers who have one container that might be 42, 45, 47 gallons.
- WAGNER** Mr. Wagner asked whether the township had received any complaint issues.
- SCHENCK** Chairman Schenck stated that they had not heard any recent complaints.
- WAGNER** Mr. Wagner indicated they have complaint logs and they respond to the complaints. They attempt to enforce, but the hauler is in a non-win situation because when somebody's over the limit and leaves a bag, the hauler gets a complaint. He stated that the best thing they had done was install GPS systems in all the vehicles. When someone calls to say their trash was missed, they can review the GPS and advise them when the truck was in the neighborhood and they respond to complaints quickly
- SCHENCK** Chairman Schenck commented on a subject from the previous meeting. If a resident is a three-bag customer and every quarter received 39 bags. If you had a week where you needed to put five out and you had a week where you had to put one out, and that's your township-supplied bag and that's all you take. There could almost be a black market for bags.
- STUHRE** Mr. Stuhre stated that for six weeks you put one bag a week out and then you have a party and put out four bags. You have to keep that fourth bag until the following week to put it out. If you just had 39 bags you could dispose of them as you see fit. Use them when you need them. If your neighbor needs an extra one, you could sell it to him or give it to someone, whatever you want to do. When you run out of 39 bags you have to go to Rutter's and buy some more.
- WAGNER** Mr. Wagner stated that the answer would be in the administration of it.

**SCHENCK** Chairman Schenck stated that they appreciated all of the contractors who participated in the meeting. The Board wanted to hear about the things that affect the haulers in a negative way because it would not significantly help anyone to drive such things into a contract. He asked for any further comments, and hearing none proceeded to item E.

**E. Discuss Handouts.**

**1. Comparative Trash Analysis and Summary**

**SCHENCK** Chairman Schenck indicated that the Comparative Trash Analysis was very excellent and provided information on what all the other municipalities are doing

**2. Action Items from Trash Contract Work Session**

**SCHENCK** Chairman Schenck stated that everyone had received the Action Items list.

**3. York County Solid Waste Extension Agreement**

**SCHENCK** Chairman Schenck asked for further information on item 3.

**HOLMAN** Mr. Holman responded that it was to provide something not available in the initial package. It is the 20-Year Extension Agreement with York County Solid Waste. It will be part of the package that the Board gets.

**SCHENCK** Chairman Schenck asked whether they were locking in the fee for the next 20 years.

**HOLMAN** Mr. Holman responded that he did not think so; rather they were looking for more trash to burn.

**F. Final Comments from Board Members**

There were no further comments.

**G. New Business**

**SCHENCK** Chairman Schenck asked when the next meeting will be held.

**HOLMAN** Mr. Holman responded that it would be up to the Board. He would like to work on cleaning up some areas of the contract, and if the Board could provide any additional input, another meeting could be held during April. He asked Solicitor Ehrhart if that would be acceptable.

- EHRHART** Solicitor Ehrhart responded that it would be fine.
- HOLMAN** Mr. Holman indicated he would like about a month to get all the information together.
- SCHENCK** Chairman Schenck encouraged the Board to provide any of their input to Mr. Holman so it can be incorporated into the notes for discussion at the next meeting.

**H. Old Business**

- PERGOLESE** Mr. Pergolese stated that they had not had an opportunity to read through the draft contract in detail. He asked whether the Township would accept written comments or suggestions from the contractors.
- HOLMAN** Mr. Holman responded that if the contractors want to send in written comments, the draft contract probably is not the document to reference since it is strictly a draft. The next set of contract documents would be better for written comments.
- BISHOP** Mr. Bishop noted that it would depend on what kind of comments he was talking about. If he would be talking about suggestions, the spirit of this meeting was to seek suggestions in order to provide better value for the residents of Springettsbury Township. He could not imagine that the Board would not want to hear those comments in written form.
- HOLMAN** Mr. Holman stated that as part of the written comments a response will have to be provided to be included in the contract that is issued. All comments need to be received by all respective bidders.
- BOWMAN** Mr. Bowman asked how that could be done, since these people just got the draft contract.
- HOLMAN** Mr. Holman reiterated that a response must go back to all the bidders who are present; those responses will be a part of the bid package that is put together.
- BISHOP** Mr. Bishop asked whether Mr. Holman would have any problem with that.
- HOLMAN** Mr. Holman responded that he would not.
- PERGOLESE** Mr. Pergolese stated that perhaps “comments” was a wrong choice of words, as in “written suggestions” was what he meant.
- HOLMAN** Mr. Holman stated that he should address them to his office and he would attempt to address them.

- WARD** Mr. Ward asked whether the township will plan a pre-bid meeting when the haulers pick up the official bids.
- HOLMAN** Mr. Holman responded that once the final bids are done there will be a pre-bid meeting.
- SCHENCK** Chairman Schenck stated for clarification that the township wanted to have this discussion with the waste haulers this evening. To keep the township honest and out of a lawsuit, it needed to be called a “pre-bid meeting” so do with that information what you want. This is technically a pre-bid meeting, but it’s not the pre-bid meeting that would be held typically and you would be given the contract and you’re just asking for clarification,.
- HOLMAN** Mr. Holman stated that there will be a pre-bid meeting after the bids are authorized for advertisement. The contractors can come back in and any questions you want to have answered can be addressed at that point and in the contract it will state any questions with regard to it will have to be received by the Township in writing by a certain time frame. Due to my vacation schedule it will actually go to the Solicitor’s office to be answered. That answer will be provided in writing to all bidders who pick up the specs of course. Pretty standard contract rules.
- SCHENCK** Chairman Schenck asked whether a date should be scheduled for the next meeting.
- BISHOP** Mr. Bishop asked what the purpose of the next meeting would be.
- HOLMAN** Mr. Holman responded that the next meeting will be to finalize the contract document for the Board in June.
- BISHOP** Mr. Bishop wondered whether it needed to be a separate meeting.
- SCHENCK** Chairman Schenck suggested to put it into the Board of Supervisors’ Agenda under Old Business.
- BISHOP** Mr. Bishop commented that the Recycling Committee can easily attend.
- WAGNER** Mr. Wagner noted that the draft has two bid dates, August and June.
- HOLMAN** Mr. Holman responded that the draft will be cleaned up. He thought June was the goal for the Board to authorize the contract for advertisement. The August date was a projected date for receipts for the 45-day requirement.

**I. Adjournment**

- SCHENCK** Chairman Schenck adjourned the meeting at 7:55 p.m.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION – TRASH CONTRACT**

**MARCH 29, 2007  
APPROVED**

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 22, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 22, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Don Bishop, Vice Chairman  
Mike Bowman  
George Dvoryak

**MEMBERS NOT**

**IN ATTENDANCE:** Bill Schenck, Chairman  
Nick Gurreri

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Harish Rao, Economic and Community Development  
David Eshbach, Chief, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Andrew Stern, Managing Director of Fire and Rescue Services  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**BISHOP** Vice Chairman Don Bishop called the meeting to order at 7 p.m. He reported that Chairman Bill Schenck was out of town on business and Mr. Gurreri was attending to family matters in the death of his brother. Thoughts and prayers are with him and his family.

**A. Pledge of Allegiance**

**BISHOP** Mr. Bishop led the Pledge of Allegiance.

**B. Recognition of Stephanie Conrad - Girl Scout Gold Award Recipient**

**DVORYAK** Mr. Dvoryak introduced Stephanie Conrad who had achieved the Girl Scout Gold Award, which is the highest and a rare achievement award a Senior Girl Scout may earn. Mr. Dvoryak read Resolution 07-36 in recognition of her achievement in leadership, community service, career planning and personal development. Three percent of the Girl Scouts across the nation earn the Girl Scout Gold Award.

**BISHOP** Mr. Bishop congratulated Stephanie on her achievement.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**BISHOP** Mr. Bishop announced that there were no Executive Sessions held since the last meeting and none had been scheduled following the meeting this date.

**3. COMMUNICATION FROM CITIZENS**

**TROVINGER** Mr. Robert Trovinger, Sr., 831 Eleventh Avenue, stated that he had lived in his home since 1966 and had good neighbors. He explained that the homes are very close together. New neighbors had moved next door 10 years ago, who placed a basketball hoop in the space between the houses. Their son has been practicing and the ball comes off the rack and hits his house. Mr. Trovinger was concerned about windows breaking and damage to the exterior of his home. He explained that he had visited several Township officials including the Police Department but found no zoning ordinances or direction for his dilemma. He had spoken to his neighbor with no result. Mr. Trovinger had discussed the matter with Mr. Gurreri, who had Officer Laird visit the area. It was suggested that Mr. Trovinger come to the Board meeting and bring it to the Supervisors' attention. He requested an ordinance or some type of ruling not to encroach on another's property for a specific amount of feet.

**BISHOP** Mr. Bishop asked whether the space had been designed for a car and who owned the property.

**TROVINGER** Mr. Trovinger stated that his property extended to about five feet from their driveway.

**BISHOP** Mr. Bishop asked whether either Mr. Holman or Mr. Rao was aware of the situation.

**HOLMAN** Mr. Holman was not.

**RAO** Mr. Rao was not.

**BISHOP** Mr. Bishop asked Chief Eshbach for his comments.

**ESHBACH** Chief Eshbach responded that Lt. Laird had worked with Mr. Trovinger. The recommendation was to have Mr. Trovinger send a letter to the neighbor indicating that they are not permitted to encroach on his property or some type of action will be taken. Chief Eshbach added that the matter is more of a civil than a criminal one.

**RAUSCH** Solicitor Rausch stated that the Zoning Regulations do regulate setbacks. They must be a certain distance from the property line. Solicitor Rausch

stated that Mr. Trovinger should have a letter sent to the neighbor, which would establish that they are doing something that he was advising them not to do, i.e., have an activity that would come on to his property. If such activity does happen and causes damage, he had already established that they had been notified on the issue and have done nothing about it.

**DVORYAK** Mr. Dvoryak added that it should be a Certified letter.

**RAUSCH** Solicitor Rausch agreed and added that it would protect Mr. Trovinger's rights.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER** Mr. Schober provided several updates. The final Change Order was received from the contractor for the Eden Road project. The application for payment will be forwarded to the Township for action in April. The Barwood Road contractor had not finished the work at the bottom near Overview as he is waiting for the ground to dry. The Grit Removal Improvements draft document was submitted to the Township. A request for authorization to advertise will be acted upon later during the Agenda.

**B. Civil Engineer – First Capital Engineering**

**BEAUREGARD** Chris Beauregard stated that there are several plans currently under review by the Township including the York Water Company on Mt. Rose, AWI and K/G Whiteford, both located near Eden Road and the Central High School. All those plans have several outstanding issues in which the developers are currently involved. A very preliminary sketch plan currently is being reviewed for Unique Physique located on Industrial Highway. Haines Road Median will be starting in April and a pre-construction meeting is scheduled with the contractor and PennDot. They are working with Mr. Lauer for some improvements to the Public Works compound. Safe Routes to School is moving forward with some right-of-way acquisitions.

**BISHOP** Mr. Bishop stated for clarification that the Safe Routes to School project was in the area near Central High School.

**BEAUREGARD** Mr. Beauregard responded that he was correct.

**HOLMAN** Mr. Holman added that the initial project is in the Central High School area; however, there is a second one for York Suburban in 2007 and that will be under construction in 2008.

**BEAUREGARD** Mr. Beauregard reported that it will be surveyed by air next week.

**5. ACCOUNTS PAYABLE:**

- A. Authorize Payment to the STVFC for Reimbursement of Expenses in the amount of \$35,818.34**
- B. Authorization to Advertise for Sealed Bids for the Grit Removal System.**

**MR. DVORYAK MOVED FOR APPROVAL OF ACCOUNTS PAYABLE ITEMS A AND B AS OUTLINED ON THE AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

- A. Authorization to Award Professional Engineering Services Contract to First Capital Engineering for Construction Observation Services for the Concord Road Extension Project.**

**HOLMAN** Mr. Holman stated that the authorization to award engineering services for First Capital Engineering is for the Concord Road construction and oversight inspection services. The original proposal in 2001 did not meet PennDot standards and needed to be revised. The current contract does meet PennDot specifications and FHWA specifications. This contract is for an engineer from First Capital to be on sight to oversee the project during the entire term of the contract. This is within the budgeted amount that is funded for the Concord Road Extension project. PennDot had reviewed the contract and returned same to Mr. Holman; however, the motion must be contingent upon PennDot's final approval of the agreement.

**DVORYAK** Mr. Dvoryak questioned an item within the contract. There are 480 hours allocated for construction site inspection. He asked whether that would mean someone must be on site continuously as they are building.

**BEAUREGARD** Mr. Beauregard stated that PennDot's requirements are that a certified professional engineer or a certified PennDot inspector must be on site during the entire project to document all activities, any incidents and/or any change orders.

**MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO AWARD PROFESSIONAL ENGINEERING SERVICES CONTRACT TO FIRST CAPITAL ENGINEERING FOR CONSTRUCTION OBSERVATION SERVICES FOR THE CONCORD ROAD EXTENSION PROJECT CONTINGENT UPON APPROVAL OF THE CONTRACT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Advertise for Sealed Bids for the Grit Removal System**

**HOLMAN** Mr. Holman noted that this is the first step to bringing the plant up to standards to meet the Chesapeake Bay Agreement.

**MR. DVORYAK MOVED TO AUTHORIZE TO ADVERTISE TO RECEIVE SEALED BIDS FOR THE GRIT REMOVAL SYSTEM. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman requested action, as documented in his supplemental report, to award a contract to Kinsley Construction in the amount of \$690,142.13 for the Concord Road Extension project. He had provided related documentation to the Board. Norfolk Southern had been authorized to complete the final stake out for the rail crossing, and once completed, they will begin laying the 200 additional ties.

**MR. DVORYAK MOVED TO AWARD THE CONTRACT TO KINSLEY CONSTRUCTION IN THE AMOUNT OF \$690,142.13 FOR THE CONCORD ROAD EXTENSION PROJECT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BISHOP** Mr. Bishop asked whether construction will be done during the summer months.

**HOLMAN** Mr. Holman responded that the estimated completion is by the end of June or the beginning of July. They are well ahead of schedule for construction.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. LD-06-08 – St. John’s Evangelical Lutheran Church – Consideration of Waiver Request for Sidewalk**

**RAO** Mr. Rao reported that the engineer for the project will present the sidewalk issue. He introduced John Runge of Gordon Brown Associates.

**RUNGE** Mr. John Runge greeted the board and introduced Todd Sindlinger of St. John’s Church. He provided a PowerPoint presentation of the south side along Mt. Rose. He gave some background concerning their last visit to the Board of Supervisors’ meeting which included the church’s concerns and frustrations with regard to the sidewalk that is being requested. He provided some photos showing various views of the area of the church, embankments, steep slopes, constructions and costs. The church planned to move ahead with development of the fellowship hall. They understand the Township’s requirements for sidewalks within the sidewalk corridor. The Agenda states that they were present for consideration of a waiver of

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sidewalks. They reiterated the documentation in the Township minutes from a 1987 Supervisor's meeting indicating a permanent waiver at that time was requested and approved for a 40 foot right-of-way from the centerline of the existing road.

**BISHOP** Mr. Bishop asked what had transpired since their previous visit to the Board.

**RAO** Mr. Rao responded that no discussions had taken place with either him or Mr. Holman.

**HOLMAN** Mr. Holman stated that he had received information concerning the right-of-way required in order to install the sidewalk. A drawing had been provided by Mr. Luciani. Mr. Holman indicated that an option could be to provide a six month note on the plan, and the Township could explore options for funding of that sidewalk. Mr. Holman suggested that Mr. Runge attend a Tuesday meeting to discuss means to fund the sidewalks with the six month note. It would be a way to resolve the matter with the waiver in order to allow the church to proceed with completing their plans. He understood they are putting sidewalks on Hartford.

**RUNGE** Mr. Runge responded that he was correct but only on their side of Hartford.

**BISHOP** Mr. Bishop recalled his personal concept of this issue was that there were reasons from the Township's point of view to have the sidewalks built. On the other hand he did not think that the Board wanted to hold up the church nor for them to necessarily have to pay for the sidewalk.

**HOLMAN** Mr. Holman stated that, with the church's cooperation, some alternate means of funding those sidewalks can be obtained, as long as the right-of-way exists and the easement grades are identified on the plan.

**RUNGE** Mr. Runge responded that they would gladly be willing to sit down for discussions.

**RAUSCH** Solicitor Rausch commented that the bottom line would be that the church would not want to pay for it.

**BISHOP** Mr. Bishop asked whether they would be willing to move forward with the six-month note, which Mr. Holman had suggested.

**RUNGE** Mr. Runge responded that it is agreed that it is inevitable that the Township wants the sidewalk there, so a six-month note would be invoked pretty shortly.

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- BISHOP** Mr. Bishop stated that he wasn't sure that it was reasonable to request a six-month note; however, a solution is needed quickly.
- RUNGE** Mr. Runge stated that during previous conversations with the Building Committee and with PennDot, they understood the easement and the grading that needs to be accomplished there. He did not think the church was opposed to giving the easement area to do whatever has to be done as long as the church doesn't have to pay to install sidewalk.
- SINDLINGER** Mr. Todd Sindlinger stated that he thought that was the way the Building Committee looked at the situation. Obviously they are a body and anything like granting easements would, under their Constitution, have to go to the voters. However, they want to work with the Township and had proven their willingness to do so in the past. They certainly have shown good faith. Their history shows that and he would not perceive it being a problem. However, they would more than likely have to go to the voters.
- DVORYAK** Mr. Dvoryak stated that the Township indicated that sidewalks should be on the south side but the Board does not want the church to be financially responsible. If it is possible to find a way to work with them that would be acceptable.
- HOLMAN** Mr. Holman stated that he thought he understood the consensus. He will work with Solicitor Rausch and Mr. Rao and the engineer with regard to the easements.
- RAUSCH** Solicitor Rausch suggested incorporating those easements into the plan.
- RUNGE** Mr. Runge added that the only problem is the right of way. PennDot does not have a set of final plans yet, so what would be shown would be from their draft plans.
- HOLMAN** Mr. Holman noted that the only thing they'll ask for is a construction easement. PennDot is scheduled to meet with the Township the last week of March, along with Wil Clark of the County. The project can be discussed in order to obtain a clear definition of the right of way.
- RUNGE** Mr. Runge noted that he had spoken to Wil Clark of York County and Steve Moore with PennDot, who is handling the project. They had been trying to cooperate and come up with a resolution. Mr. Runge stated that a solution sounded promising.
- SINDLINGER** Mr. Sindlinger indicated that his recommendation would be if easements would allow the church to not pay for the sidewalks, he would be in favor of that. That would be the position he would present to the church.

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- BISHOP** Mr. Bishop asked about their time line.
- SINDLINGER** Mr. Sindlinger stated that every day that passed the costs escalate, and the church is dealing with some fixed numbers.
- RUNGE** Mr. Runge indicated that, if a meeting is scheduled with PennDot and the County and they would be notified, the church representatives will be happy to attend.
- HOLMAN** Mr. Holman stated that if Mr. Rao could schedule the work session meeting for either March 27 or April 3<sup>rd</sup>, they will work toward a solution.
- RAUSCH** Solicitor Rausch commented that a note should be added to the plan that the church is granting the easements to the Township for the purposes of the Township's construction of the sidewalk in order to identify what had taken place.
- RUNGE** Mr. Runge agreed to incorporate that in the notes and site data.
- BISHOP** Mr. Bishop commented that he hoped for a win/win solution. He asked Solicitor Rausch whether there were any further requirements with the waiver requests.
- HOLMAN** Mr. Holman commented that he appreciated the direction.
- SINDLINGER** Mr. Sindlinger responded that the project was moving in the right direction.
- BISHOP** Mr. Bishop stated that the Township appreciated their cooperation.

**8. COMMUNICATION FROM SUPERVISORS:**

- BOWMAN** **Mobile Signs**  
Mr. Bowman called attention to a mobile sign on the back of a truck on East Market Street.
- HOLMAN** Mr. Holman responded that he thought it had moved to another location as he had received a complaint on it.
- BOWMAN** Mr. Bowman noted that it advertises "we buy houses." He noticed another one on Edgewood Road.
- BISHOP** Mr. Bishop commented that the signs seemed to be multiplying.
- DVORYAK** Mr. Dvoryak added that he had seen one at the corner of North Hills and Route 30.

**BISHOP** Mr. Bishop noted that there are stronger ordinances within the new Zoning Ordinance under consideration.

**HOLMAN** Mr. Holman stated that it will provide stronger enforcement. He indicated he would send a letter concerning the mobile signs.

**BOWMAN** **Carnegie Road Parking – Fire Apparatus**  
Mr. Bowman reported a conversation with a neighbor resulting from the fire at apartments off Carnegie Road. The church on Carnegie has a lot of activities where they park on both sides of the street on Carnegie. The issue discussed was that if the street was parked full on both sides, would a fire truck be able to navigate through.

**HOLMAN** Mr. Holman responded that he would do some measurements with Mr. Stern and review the matter during the next traffic meeting.

**BISHOP** **Jt. Fire Services**  
Mr. Bishop reported that a meeting between Spring Garden Township’s representatives involved in the fire consolidation discussions took place earlier during the week of March 19<sup>th</sup> and the process is moving forward in a positive direction. The meeting included two members of the Spring Garden Township’s governing body, and their manager and Messrs. Schenck, Holman and Bishop for Springettsbury. Mr. Bishop reported significant progress was made in discussing some of the most important issues being faced. It was agreed to meet again on April 4, 2007.

**HOLMAN** Mr. Holman added that he had met with Mr. Maust, the attorneys and insurance advisors in the development of additional information and documentation. He stated that a full report will be made at a joint public meeting of the governing bodies.

**9. SOLICITOR’S REPORT:**

**RAUSCH** Solicitor Rausch stated that he had no additions to his monthly report. He reminded the Board to never use the word “permanent” when making a motion.

**10. MANAGER’S REPORT:**

**HOLMAN** Mr. Holman had provided a monthly and a supplemental report to the board. He requested action on a motion to approve the March 16, 2007 weather emergency declaration by the Township Manager and a Recision thereof effective March 17, 2007.

**MR. DVORYAK MOVED TO APPROVE THE MARCH 16, 2007 WEATHER EMERGENCY DECLARATION AND A RECISION THEREOF EFFECTIVE MARCH 17, 2007 BY THE TOWNSHIP MANAGER. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman stated that he had an agreement noted in his supplemental report which will be handled under the agreement section.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Resolution No. 07-35 – Recognition of Retired Fire Fighter Daniel Flohr**

**MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 07-35, RECOGNITION OF RETIRED FIRE FIGHTER DANIEL FLOHR. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 07-36 – Recognition of Recipient of Girl Scout Gold Award**

**MR. DVORYAK MOVED TO ADOPT RESOLUTION 07-36. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 07-37 – Authorizing Appointment of Paul D. Taccetta to Recycling Committee**

**MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 07-37, AUTHORIZING APPOINTMENT OF PAUL D. TACCETTA TO THE RECYCLING COMMITTEE. MR. DVORYAK WAS SECOND.**

**BISHOP** Mr. Bishop commented that this was one of the situations where the Board did not get involved in interviewing.

**HOLMAN** Mr. Holman responded that Mr. Taccetta was introduced at the first trash contract work session. The Board had met him, and he expressed interest in working on the trash contract.

**MOTION UNANIMOUSLY CARRIED.**

**D. Motion to Approve Agreement with Memorial Hospital for Emergency Medical Technicians.**

**HOLMAN** Mr. Holman stated that the item is to cover part-time positions that become available due to absences or replacement. Mr. Stern has been working on this and currently no part timers are available for hire, but Memorial Hospital had offered the use of their EMT's. The contract had been forwarded to Solicitor Rausch for review.

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**BISHOP** Mr. Bishop asked for further clarification.

**HOLMAN** Mr. Holman responded that during long-term absences when the Township is moving through the hiring process, they will bring in part time EMT's. However, they are harder and harder to get. Memorial Hospital has a program where they will guarantee an EMT to come in and cover the position for a period of time.

**BISHOP** Mr. Bishop asked how long they would cover the position.

**HOLMAN** Mr. Holman responded that it would be until the Township hired the new EMT. The Township is currently advertising for a new EMT. The part-time EMT will cover the position or if there is a shortage due to illness, sickness or workers compensation to take someone out for a period of time.

**BISHOP** Mr. Bishop noted that the Township had not used Memorial's personnel in the past. He asked whether this was the result of the new contract.

**HOLMAN** Mr. Holman responded that he was correct.

**MR. BOWMAN MOVED TO APPROVE THE AGREEMENT WITH MEMORIAL HOSPITAL FOR EMERGENCY MEDICAL TECHNICIANS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Joint Municipal Meeting Re: Fire Merger – January 16, 2007**

**MR. DVORYAK MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS JOINT MUNICIPAL MEETING ON JANUARY 16, 2007. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Regular Meeting – March 8, 2007**

**MR. BOWMAN MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS MARCH 8, 2007. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no old business for discussion.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of February 28, 2007 Treasurer's Report**

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**MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF THE FEBRUARY 28,  
2007 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION  
UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**BISHOP** Vice Chairman Bishop adjourned the meeting at 8 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 8, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 8, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Harish Rao, Economic and Community Development  
David Eshbach, Chief, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Andrew Stern, Managing Director of Fire and Rescue Services  
Teri Gilfillan, Grants and Public Relations/Events Specialist  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees and asked that they remember the men and women in the Armed Services in their prayers. Mr. Gurreri led the Pledge of Allegiance.

**B. Recognition of Fire Fighter Gerald Wishard**

**SCHENCK** Chairman Schenck congratulated Gerald Wishard on his recent retirement from the fire service. He asked Mr. Stern for his comments.

**STERN** Mr. Stern introduced Mr. Wishard and reported that he had been a Fire Fighter in Springettsbury Township for 33 years, since 1973. He had known Mr. Wishard for approximately 13 years, first as a volunteer and then as his supervisor. He had always known him as a father figure in the department. Mr. Wishard always reminded everyone to slow down and be safe even up to his last day, and he will be missed. Mr. Stern noted that many of the Fire Fighters and EMT's were present for Mr. Wishard's retirement ceremony. He introduced Captain Dan Hoff.

**HOFF** Captain Hoff stated that his working relationship with Mr. Wishard had started when he joined the Department as an EMT followed by his being his Captain during the last five years. He stated he had developed a great respect for Mr. Wishard and added that he, too, will miss him.

**SCHENCK** Chairman Schenck read a Township Resolution honoring Mr. Wishard which will become part of the record. He presented the Resolution to Mr. Wishard and a bouquet of roses to Mrs. Wishard. In addition, he presented him with a gold watch and a Springettsbury Township mug.

**WISHARD** Mr. Wishard paid tribute to Betty Speicher and stated that she had always been available when he needed an answer and she seemed like a big sister. Mr. Wishard introduced all his family members who were present for the ceremony.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that there had been no Executive Sessions since the last regular meeting, and none had been planned for this date.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor for public comment.

**HOLLINGER** Mr. Bob Hollinger, 2731 Sheridan Road, indicated that he had signed off on a right-of-way two years ago so that improvements could be made for safer travel related to the high school. He asked for a progress report.

**SCHENCK** Chairman Schenck responded that Mr. Gurreri had asked for a progress report at nearly every meeting as to when those improvements would take place. He stated that Mr. Holman had been working on the project.

**HOLMAN** Mr. Holman reported that he had just sent another letter to all the residents last week with regard to the easement agreement. He had requested that they get back in touch with him to determine what they wanted to do. He would be happy to have a personal meeting with them to review the project. To date he had not received any response to that letter.

**SCHENCK** Chairman Schenck stated that obtaining all the easements had been the fundamental hold up.

**HOLMAN** Mr. Holman added that it was the third or fourth letter he had sent out over the last three years. He had been following up and keeping the state interested in the project; however, he needed to hear from the residents.

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**HOLLINGER** Mr. Hollinger stated that his property is right on the corner where most of the accidents occur. That was why he was willing to give up the easement in front of his property. He offered to talk to his neighbors, even those who could potentially be a problem.

**HOLMAN** Mr. Holman indicated that anything he could do would help the situation.

**GURRERI** Mr. Gurreri stated that the Board really appreciated him coming to the meeting and offering to talk to his neighbors. It would be a big improvement, even with just changing one side of the road; however, that would not solve the water problem across the road.

**HOLLINGER** Mr. Hollinger noted that he had cut the bank down and removed a tree which helped some. The road is in bad shape and something really needed to be done. He was certain that the students do not realize the danger with roadway conditions in the winter.

**SCHENCK** Chairman Schenck stated that he was thankful for everything he had done so far, and that the Board had been attempting to pursue it. They had not given up on the project, and funding is not an issue. It clearly is in getting the easements.

**GURRERI** Mr. Gurreri added that Eminent Domain is not a good word.

**SCHENCK** Chairman Schenck stated that if Mr. Hollinger could talk to his neighbors, the Board and staff would be grateful.

**St. John Evangelical Lutheran Church**

**RUNGE** Mr. John Runge, 2238 South Queen Street, reported that he worked with Gordon Brown Associates. He was present on behalf, and along with some members of the St. John Evangelical Lutheran Church located on Mt. Rose Avenue. He indicated that they had come to the meeting to express the church's concerns and some frustration in what they are going through with their Land Development process for the church. The plan proposed adding on a fellowship hall off the back of their existing facility to accommodate an overflow. Mr. Runge stated that during the Land Development process they had been working with the engineer and the staff. There had been a lot of dialog concerning the sidewalks along Mt. Rose Avenue. It was their understanding that Mt. Rose Avenue is a "sidewalk corridor." Their confusion and frustration is due to the fact that in 1987 the church was given a permanent waiver of curbs and sidewalks along Mt. Rose Avenue that was associated with them giving an easement at that time. Mr. Runge indicated they understood that no decisions would be made during the meeting this date, but rather during the March 22<sup>nd</sup> meeting.

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- HOLMAN** Mr. Holman noted that during the meeting on March 22<sup>nd</sup> the church will request the Board's consensus on a waiver of sidewalks.
- SCHENCK** Chairman Schenck stated that they had been made aware of the issues and will be gathering background information on it.
- SINDLINGER** Mr. Todd Sindlinger, 1570 Windsor Road, stated that he was the Head Trustee of the church. They would appreciate any due consideration that the Board could provide. He added that they are on a very, very tight budget, and they are doing their best to keep the costs down. They had not planned for this issue because of the way they had read the minutes.
- SCHENCK** Chairman Schenck stated he did not know how the minutes could have been interpreted any differently from their perspective. One thing that had changed since 1987 was the Township's overall approach to sidewalks in that they had become much stricter in enforcing the requirement for the installation of sidewalks. However, he added that the Board would study the issues and try to make a fair decision for everyone.
- SINDLINGER** Mr. Sindlinger stated that they were asking for the Board's consideration. He indicated it would be nice to have sidewalks there; however, since they did give up that part of their land for the road and the way that it had been configured since then, it would be a tremendous amount of excavation that would be necessary. As far as he could see, that would be where the real difficulty would be because of the tremendous cost to install the sidewalks.
- BODINE** Ms. Mary Bodine, Principal of the school at the church, stated that the church saw the school as a mission to the community. They would like the Township's support in helping them to continue their mission after 142 years of education for children without jeopardizing that by having to curtail the project because of costs.
- SCHENCK** Chairman Schenck stated that he wanted to be sure to have all the background of what the right-of-way grant was and an overview of the entire issue.
- LUCIANI** Mr. Luciani stated that he had an aerial photograph showing the sidewalks from the Longstown Intersection all the way down to Exit 18. In addition, PennDot provided a PDF file that shows where the cut fills are. PennDot's statement is if there's no sidewalk there they'll put them in at the cost to the Township to both the right of way and sidewalk.
- SCHENCK** Chairman Schenck noted that Mt. Rose Avenue is a state road so there might be some complications. In the past the Board had acted individually on waiver requests prior to a plan.

**HOLMAN** Mr. Holman stated that the project is scheduled for the next meeting.

**SCHENCK** Chairman Schenck stated that it would come as a formal waiver request. That will provide the church more than a direction with a yes or no that can be carried through the plan. The state is studying the whole state road corridor.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart-Horn, Inc.**

**HOLMAN** Mr. Holman reported in Mr. Schober's absence that there was nothing significant to report, and Mr. Schober is on vacation.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani stated that he had submitted a written report, and he had four short updates.

**Haines Road Median**

Mr. Luciani reported that the contractor will start April 16, 2007. Mr. Luciani stated he will be working with staff and PennDot. A meeting will be held within the next few weeks to make sure everything is understood. The contractor will do the work during the late evening in order to not interfere with peak hour traffic.

**Columbia Gas – Pam Long Property**

Mr. Luciani reported that Columbia Gas wanted to slightly enlarge their tract near Central High School. As part of the plan they submitted, they acquired land from Mrs. Pam Long. The plan showed that Mrs. Long's piece was divided up into four segments with a new PennDot right-of-way through the middle. They instructed Columbia Gas to clean the property lines up to which they responded that for the small amount of land the cost to survey and correct all of the property issues would be too burdensome and they were not going to do so. A discussion was held and a mutual agreement was made for them to set a center line and leave the little pieces of ground. At some point the next person will have to clean up the mess. He had suggested using the minor subdivision rule; however, that would not waive the need to correct property lines.

**GURRERI** Mr. Gurreri asked what could be done.

**LUCIANI** Mr. Luciani responded that Columbia Gas is just going to have a squatter's right on the little piece of ground on Pam Long's property. The Township could waive the property line there, but it would defeat the

purpose of a subdivision, which is to create a proper parcel size that is there for the next 100 years. It's the property owners along the roadway that have to deal with the concern.

**SCHENCK** Chairman Schenck asked whether Columbia Gas would be doing the work.

**LUCIANI** Mr. Luciani responded that they would not do the work due to the cost.

**SCHENCK** Chairman Schenck noted that the Gas Company got additional property, and whoever benefited needed to do the right thing.

**GURRERI** Mr. Gurreri noted that Mrs. Long has the problem because of the Gas Company.

**LUCIANI** Mr. Luciani stated that Columbia Gas will formally withdraw the plan because it is too expensive. They will have a deed with an error in it. Mr. Luciani indicated that the property line should be straightened out now, but they don't want to do it.

**Mt. Rose Avenue - Sidewalks**

**LUCIANI** Mr. Luciani provided a PDF file showing areas with and without sidewalks beginning at Haines Road and Mt. Rose Avenue to the Longstown Intersection. He noted that there is no sidewalk on the north side of the roadway. There are a few gaps with no sidewalk on the south side, one at St. John's Lutheran Church, also the property adjoining the church, and along the property next to Heritage Hills.

**HOLMAN** Mr. Holman noted that with construction plans for 124 in the next two years, PennDot will put sidewalk back where sidewalk currently exists. The Township would pick up the cost of any new sidewalk.

**BISHOP** Mr. Bishop stated that, if sidewalks are going to be installed, they should be put on the south side where the church is. Springettsbury Township should want sidewalks there and should do whatever is prudent to do sooner rather than later. It is PennDot's responsibility to keep it in shape later. In addition, he stated that the Board should figure out a way for the church school project to help get those sidewalks but it should not be their financial responsibility to do that. There is an opportunity to creatively determine a win-win without causing them a lot of heartache.

**HOLMAN** Mr. Holman indicated he would discuss putting sidewalks on the south side of the road with PennDot and determine the costs involved.

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**SCHENCK** Chairman Schenck stated that if the Township can take the opportunity to install sides without financially burden the church, and if there is a way to protect that it can be done easily in the future, that's what should be done.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of March 8, 2007**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE AS DETAILED IN THE PAYABLE LIST OF MARCH 8, 2007. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS AND CONTRACTS:**

There were none for discussion.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. LD-06-07 – Time Extension – Dunkin Donuts/Baskin Robbins – Plan Expires 3/21/07 (New Plan Date 6/10/07)**

**B. LD-06-08 – Time extension – St. John's Evangelical Lutheran Church – Plan Expires 3/14/07 (New Plan Date 6/12/07)**

**C. SD-06-10 – Time Extension – 34 Professional Offices – Plan Expires 3/14/07 (New Plan Date 6/12/07)**

**MR. GURRERI MOVED TO APPROVE TIME EXTENSIONS A, B, AND C ON THE AGENDA. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported that someone was unhappy with the plowing. He provided the information to Mr. Holman.

Mr. Gurreri stated that he received the PSAT policy statement, also which he provided to Mr. Holman.

Mr. Gurreri congratulated Mr. Holman and his daughter on the receipt of her scholarship.

**SCHENCK** Chairman Schenck had received a letter from the state concerning land that the Township owns on Sherman Street. The letter advised that they are planning to do some work in that area. He provided the letter to Mr. Holman.

**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 provided his written and his supplemental report. He reported one additional item which was the agreement between York County and Springettsbury Township. He noted that Charles Noll was present from York County. The County had requested to use modular buildings at the prison. They understand there will be an impact to the Township on our roads, and he has agreed to provide the Township some mitigation in the amount of \$10,000 per year for five years in liquid fuels to help maintain roads, as well as help the Township move forward with the proposal for the new rail crossing. He asked that the Board act upon the agreement as it is very important to the County and to the prison that this approval move forward.

**SCHENCK** Chairman Schenck asked whether the Planning Commission had an opportunity to review the issue.

**HOLMAN** Mr. Holman responded that they had not; however, he had placed a call to Alan Maciejewski.

**SCHENCK** Chairman Schenck stated that typically temporary structures are put in place through the Planning Commission and then to the Board of Supervisors. When they are extended sometimes the Planning Commission feels a little slighted.

**BISHOP** Mr. Bishop noted that he made a valid point in due process.

**HOLMAN** Mr. Holman stated that it was a very time sensitive initiative. It was unusual for it to be brought up at the last minute; however, approval is needed quickly. The County needed to be able to show that they are going to be able to continue with the modular units. On the whole it will be a benefit to the taxpayers.

**SCHENCK** Chairman Schenck asked Solicitor Rausch if he had reviewed the agreement.

**RAUSCH** Solicitor Rausch responded that he had written the agreement.

**HOLMAN** Mr. Holman stated that the request is for five more years. The units are really not noticeable and had been informally extended for years since 2003.

**SCHENCK** Chairman Schenck asked whether the sewer capacity was verified.

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**HOLMAN** Mr. Holman responded that it had been verified; however, the report had not yet been submitted; it will be included.

**MR. GURRERI MOVED TO APPROVE THE AGREEMENT BETWEEN YORK COUNTY AND SPRINGETTSBURY TOWNSHIP TO ALLOW MODULAR BUILDINGS AT THE YORK COUNTY PRISON FACILITIES TO THE YEAR 2012. MR. DVORYAK WAS SECOND.**

**BISHOP** Mr. Bishop stated that it would not be out of line to ask why there was such a rush and whether someone had forgotten to do something.

**NOLL** Mr. Chuck Noll explained that it is a difficult question to answer other than to say that the rush is connected to the County's ability to generate revenue for the year 2007. No decisions had been made regarding expanding the INS program until it was certain that they had a definitive contract with the Bureau of Immigration and Naturalization and that didn't finalize until after the first of the year in 2007. Once that was in place they are confident that they can move forward with expanding the INS program and not run into problems that they had before with the Department of Justice and the Bureau. There had been a delay that was caused primarily because they did not want to move forward without having that contract signed and delivered.

**BISHOP** Mr. Bishop commented on his observation as a citizen of York County that the County had significantly mismanaged the contract with the INS over a number of years. What had been promised the people of York County was certainly not delivered, and it looked to be more of a management problem.

**NOLL** Mr. Noll responded that there were a lot of issues regarding the INS contract, which he would be happy to discuss with Mr. Bishop in another forum.

**SCHENCK** Chairman Schenck stated that he had discussed it with Commissioner Mitrick when she served on the Township Board of Supervisors. The Warden had been the unwilling messenger of the three-year deal and what was going to happen. At that time the Board commented that it made no sense. However, at this time it is an opportunity for the taxpayers to start recovering some of that money.

**NOLL** Mr. Noll stated that one of the drivers is the payment that the County is required to make annually to pay off the settlement with the Department of Justice and that \$2.7 million. If the revenue is not increased through the program, will come from their General Fund and through the tax revenues. This is an opportunity to offset that cost and not put that burden back on

the taxpayers of York County. That was the primary reason to look at the expansion.

**SCHENCK** Chairman Schenck stated that he understood this was an actual contract as opposed to a handshake.

**NOLL** Mr. Noll responded that he was correct. It is an actual contract signed by the Bureau of Immigration, and blessed by the Department of Justice. There had been a contract in those prior years with the Immigration and Naturalization Service. What happened is that the Department of Justice stated that the Immigration and Naturalization Service did not have the right to sign a contract with the County of York, and that is what created the hassle with trying to settle that whole matter of penalties and so forth.

**MOTION UNANIMOUSLY CARRIED.**

**NOLL** Mr. Noll expressed thanks on behalf of the Board of Commissioners for the approval, which will enable them to move forward. He thanked Mr. Holman for working with them.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Resolution No. 07-30 – Authorize Establishment of Deputy Tax Collector Position and Appointment of Deputy Tax Collector.**

**SCHENCK** Chairman Schenck stated that the item covered the establishment of a Deputy tax Collector and the appointment of an individual. The Board's understanding is that it not only is the creation of the position of Deputy Tax Collector but to actually name the individual. His inclination was not to appoint a Deputy Tax Collector.

**GURRERI** Mr. Gurreri stated that he could not vote in favor of the Resolution.

**BOWMAN** Mr. Bowman stated that he agreed and indicated it is an unusual situation.

**DVORYAK** Mr. Dvoryak asked about the bonding that takes place and whether the bonding is 100% protection from loss to the Township.

**RAUSCH** Solicitor Rausch stated that in general the Township would be covered to the amount of the bond. The Statute indicates that with the approval of the governing body and the surety. It was unclear as to whether the Township had received approval of the bond on an amount for the Deputy Tax Collector.

**HOLMAN** Mr. Holman responded that he had not received anything.

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- RAUSCH** Solicitor Rausch added that he was not sure that the Board should be making the decision in any event until it is known how much is in place and that the Deputy Tax Collector is definitely covered for that amount and if it is acceptable. If the Board is not inclined to move forward with the Resolution, from a policy standpoint before a Resolution comes up, it is not something that should be put in place until the Board is satisfied with the terms of the bond.
- SCHENCK** Chairman Schenck asked the Board whether they wanted to wait to determine the bonding issue.
- GURRERI** Mr. Gurreri responded that it wouldn't make any difference to him.
- BISHOP** Mr. Bishop stated that it was not going to make any difference to him either.
- DVORYAK** Mr. Dvoryak stated that he, personally, needed to know the bonding issue. It's one thing when the electorate puts a tax collector in office if there are issues down the road. It's another thing when the Board puts someone in that position. Mr. Dvoryak wanted to make sure that the Township is fully covered, so the bonding issue is important.
- BISHOP** Mr. Bishop commented that the board had been asked to do this; however, they are not required to do anything.
- DVORYAK** Mr. Dvoryak stated that his understanding is that should the Tax Collector become incapacitated to do the job, it is then the Board's responsibility to appoint one.
- BISHOP** Mr. Bishop stated that it was an interesting question too as to how to define incapacitated, and who would define that.
- RAUSCH** Solicitor Rausch stated that, once it is defined, the Board would have 30 days to make the appointment; otherwise, it would go to the Vacancy Board.
- SCHENCK** Chairman Schenck asked Mr. Holman how much work it would take to collect the data on the bonding. He asked whether that would be something that the current Tax Collector would have to provide.
- HOLMAN** Mr. Holman indicated it would not be difficult to do. He stated it would be equal to the bonding the Tax Collector holds. He stated he would check on it and get it in writing.
- SCHENCK** Chairman Schenck suggested that he obtain it from the surety that provides the coverage.

**HOLMAN** Mr. Holman indicated he could request that from the Tax Collector.

**Consensus of the Board was agreement to table any action for further information.**

**B. Resolution No. 07-32 – Authorizing Appointment of Debra Hicks as Alternate Member of the Zoning Hearing Board.**

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 07-32 AUTHORIZING THE APPOINTMENT OF DEBRA HICKS AS ALTERNATE MEMBER OF THE ZONING HEARING BOARD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 07-33 – Recognition of Fire Fighter Gerald Wishard**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 07-33, RECOGNITION OF FIRE FIGHTER GERALD WISHARD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 07-34 – Collective Bargaining Agreement between Springettsbury Township and Teamsters Union Local 775 for the years 2007, 2008, 2009, 2010 and 2011.**

**HOLMAN** Mr. Holman thanked the Teamsters for the professional way in which they negotiated, as all the bargaining units do. He also expressed his thanks to Mrs. Speicher, Mrs. Bowders and Mr. Stern, who spent many long hours working on the contract and negotiations.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 07-34. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Ordinance No. 07-02 – Authorizing Acceptance of Sovereign Bank Proposal for Borrowing \$10,000,000 for Sewer Plant Improvements.**

**SCHENCK** Chairman Schenck stated that the item covered the \$10 million borrowing for the sewer plant improvements. He indicated that Mr. Dvoryak had questioned the timing and the need for this improvement.

**GURRERI** Mr. Gurreri added his concern about borrowing the money before it would be necessary to use it. He thought it would be wise to utilize the available \$4 million to start the project and then borrow the money in 2008 to save the interest.

**GIBBONS** Mr. Chris Gibbons with Concord Public Finance responded that consideration is given to borrowing money at this time if the interest rates

are at an advantageous rate. It will not cost any money so long as it can be reinvested at the same rate at which it is borrowed.

**BISHOP** Mr. Bishop stated it could be at the same rate or higher.

**GIBBONS** Mr. Gibbons stated that it could not be kept at a higher rate of interest versus the same rate (3.9%). If the money earned 4% only 3.9% could be kept.

**BISHOP** Mr. Bishop noted that there is the potential to have to pay 4.5% or some other higher number other than 3.9% to borrow the money if the decision is delayed.

**GIBBONS** Mr. Gibbons added a second point. The Township has \$4 million in the bank and future costs will be incurred for necessary projects. By borrowing now, it creates a hedge against higher interest rates. If a decision is made in the future to use that money for the project, the borrowing will be reduced by that \$4 million. If interest rates are higher at that time, the borrowing would be \$4 million less. In addition, given current market conditions, the \$4 million could be reinvested without any kind of restriction toward it.

**BISHOP** Mr. Bishop asked whether it was safe to assume that the \$4 million is invested at a rate higher than 3.9%.

**HOLMAN** Mr. Holman assured him that it was.

**GURRERI** Mr. Gurreri commented that there is a Sewer Fund in addition. He asked how much money was in that fund.

**HOLMAN** Mr. Holman indicated there was approximately \$6.1 million. The 50-Year Plan for the sewer was just completed, and funds will be earmarked for repairing the lines of Springettsbury's local infra-structure.

**GIBBONS** Mr. Gibbons noted that the same circumstances exist with that fund as well, a hedge against higher interest rates, and retain the money earned at a higher rate.

**GURRERI** Mr. Gurreri did not agree with borrowing the money with the exception that the rates might be higher next year.

**GIBBONS** Mr. Gibbons noted that it would be like a home mortgage, which a buyer would obtain when the rates are attractive. He thought it was important to note that the bank loan that was on the table for consideration is prepayable at any time, so if the rates go lower, it could actually be refinanced at a new rate.

- GURRERI** Mr. Gurreri asked what the cost would be to refinance.
- GIBBONS** Mr. Gibbons responded that it would depend on whether it would be the same bank where costs would be minimal. It would not be a re-issuance, rather it's a renegotiation of a rate.
- SCHENCK** Chairman Schenck commented that there is the bigger question concerning the timing of whether the Board believes the requirements to do this work are real or not real. He wondered whether the Board wanted to consider it at all, or whether to spend or not. It wouldn't stop at \$26 million to reduce the bio-nutrients going to the Chesapeake Bay. In addition, there are some other items to be done that are not connected to the Bay initiative.
- HOLMAN** Mr. Holman stated that the initial work is for the Grit Removal System.
- HODGKINSON** Mr. Hodgkinson reported that the Grit Removal is a stand-alone project that will be done for the BNR; that's the \$2.6 million that's almost ready to be bid. The \$24.5 million would be for the BNR, and he noted that Mr. Schenck was correct that there are some projects planned to be tied into that that don't relate to BNR but it's to replace things that have reached their usefulness/life expectancy. The nuts and bolts of the \$24.5 million is in the \$15 to \$16 million of that amount.
- HOLMAN** Mr. Holman asked Mr. Hodgkinson about when the final permit is due.
- HODGKINSON** Mr. Hodgkinson responded that the draft permit had been received, and the final permit will be received in July or August, to be effective October 1, 2007 with new Chesapeake limits to be effective 10/1/10. It has to be met by the following 10/1/2011. An annual 273,000 lbs are given, and starting 10/1/10 the Township can only discharge 273,000 lbs. by 10/1/11. That's pretty firm.
- DVORYAK** Mr. Dvoryak noted that the "has to be met" statement troubled him during the last meeting. He had some contacts that were of the opinion that it was not mandated. This week he had received an article in the Pennsylvania Township News that indicated last year the Legislature passed a nine-month moratorium on that project. Mr. Dvoryak was concerned about conflicting information, which raised the question of whether it is necessary to get this money to meet this Chesapeake Bay Initiative. He was concerned with whether to move forward with the financing. He wondered if anyone had anything in writing.
- HODGKINSON** Mr. Hodgkinson responded that he could show him the draft permit showing what the pounds are. He had attended a meeting with DEP,

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under the EPA where he learned that then Pennsylvania Governor Ridge had signed the Chesapeake Bay Agreement years ago between Virginia, Maryland and Pennsylvania to clean the Bay. Virginia and Maryland had done what they needed to do; Pennsylvania hasn't.

**DVORYAK** Mr. Dvoryak asked how many other municipalities in Pennsylvania are affected by this.

**HODGKINSON** Mr. Hodgkinson responded that there are 184 treatment plants affected by it. Some have complied; others have not.

**DVORYAK** Mr. Dvoryak asked what happens to those who have not.

**HODGKINSON** Mr. Hodgkinson responded that new permit limits will not be effective until 2010. Springettsbury will have two permits, one from 10/1/07 until 10/1/10; after that the new limits will be in effect.

**HOLMAN** Mr. Holman added that this is one of the larger Pennsylvania plants.

**HODGKINSON** Mr. Hodgkinson added that because of the size, it is in the first DEP phase to meet the deadline of 2010; the second phase is 2012 and third phase is 2014.

**HOLMAN** Mr. Holman added that the York Sewer Plant is in the first phase.

**HODGKINSON** Mr. Hodgkinson noted that the York Sewer Plant is a little further ahead in the design phase. He offered to copy all the information he had received from DEP for Mr. Dvoryak.

**DVORYAK** Mr. Dvoryak commented on all the different dates in order to comply which had been retracted and now is 2020. He indicated that PSATS should do some lobbying. He asked how much time would be needed from bid to construction in order to comply by 2010.

**HOLMAN** Mr. Holman stated that the Grit Removal project currently is on the schedule.

**HODGKINSON** Mr. Hodgkinson stated that the Grit Removal is the first phase of the project. It is a stand-alone project but his best guess would be that construction is scheduled to start late 2008 to have a new updated facility, new plant up and running by late summer 2010. The concern of many people in the industry is that there are 64 treatment plants in the first phase in the Harrisburg area. Springettsbury Township Water Treatment is a big project. The concern is that there will there be enough contractors to do all the work. A question had been raised at that DEP meeting as to what would happen if all the bids come in with higher than normal prices with a

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limited number of contractors. The response was that they would have to look into that and re-evaluate as questions are asked.

**DVORYAK**

Mr. Dvoryak asked how long the offer of these rates would be valid as pertained to this particular financing.

**GIBBONS**

Mr. Gibbons responded that the rates would only be valid until the next day, Friday, March 9, 2007. He referred to the discussion at a previous meeting regarding putting the term sheet together and the idea to look at either a bank loan or bond issue financing. The idea was to hold the bank rate for three weeks, which will expire on March 9<sup>th</sup>.

**RAUSCH**

Solicitor Rausch stated that the Board should keep in mind that when they make a decision it involves a regional treatment plant. It would be one thing if it was just serving Springettsbury Township, but there are other user municipalities which have already consented to the borrowing and rates and they are aware of the issues. If there is a draft permit that imposes limits and the Township does not take steps to meet those limits and later is challenged by DEP or a fine is imposed, he was not so sure that the user municipalities will want to participate in the payment of fines, since they had already authorized the Township to go forward.

**HOLMAN**

Mr. Holman responded that they had already authorized the initial borrowing. All eight townships had agreed to this as part of the contract.

**GURRERI**

Mr. Gurreri stated that he thought it was poor business practice to borrow money a year and a half before it is needed, despite the interest return, there will be other charges. He commented on the \$4 million in the Sewer Fund that could be used to start the project and then borrow the money later.

**BISHOP**

Mr. Bishop responded that Township Sewer Fund dollars cannot be used for a joint regulated project.

**HOLMAN**

Mr. Holman stated that he would have to bill the \$4 million, the other half to the other agencies next year. Each one of them would have to go out and do an individual borrowing to be able to afford to pay what they would owe the Township if it were done in that fashion.

**DVORYAK**

Mr. Dvoryak noted that while Mr. Gurreri was away during February, they had received a study, which made it clear that it won't be difficult to spend through the funds. It would probably answer any questions Mr. Gurreri had.

**BISHOP**

Mr. Bishop stated that he understood Mr. Dvoryak's concerns in terms of meeting a mandate that may or may not be effective. However, the

improvements to the sewer plant for which the Township is responsible, make sense. Mr. Bishop stated that the improvements should be made, not because they are being forced upon the Township, but because they are the right thing to do.

**SCHENCK** Chairman Schenck suggested that the Board act upon the Resolution.

**MR. BOWMAN MOVED TO APPROVE RESOLUTION 07-02 AUTHORIZING ACCEPTANCE OF SOVEREIGN BANK PROPOSAL FOR BORROWING \$10,000,000 FOR SEWER PLANT IMPROVEMENTS. MR. BISHOP WAS SECOND.**

**DVORYAK** Mr. Dvoryak asked about the fees involved.

**GIBBONS** Mr. Gibbons responded that the fees were documented on page 1 of his presentation material and included legal fees, expenses, financial advisor and miscellaneous amounting to \$55,500. If it were done as a bond issue it would be about \$125,000 to \$150,000.

**DVORYAK** Mr. Dvoryak asked about the arbitrage calculation that was likely and whether the fees could be counted as part of the cost.

**GIBBONS** Mr. Gibbons responded that it could be included.

**DVORYAK** Mr. Dvoryak stated that until construction begins it was his understanding that a check would be provided to the IRS for the arbitrage.

**SCHENCK** Chairman Schenck stated that there is a period of five years if it's not spent in that time.

**GIBBONS** Mr. Gibbons indicated that there is a rebate after the fifth year. Any additional profits/arbitrage made above 3.9%, that payment to the IRS is not due until the fifth year.

**CARLUCCI** Mr. Peter Carlucci stated that rebate is avoided if the money is spent as follows: 15% within the first six months; 45% in 12 months; 75% within 18 months and 100% within 24 months. If it is spent in accordance with that schedule any arbitrage profits that are generated above the rate of the bond can be retained. If the spend down requirements are not met, then there is an obligation to rebate the money; however, the rebate is not due until the 5<sup>th</sup> anniversary of the loan unless it was funded earlier, in which event the rebate might be due at that time.

**DVORYAK** Mr. Dvoryak indicated it was his understanding that the schedule would not be met, and the arbitrage would be paid to the IRS.

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**HOLMAN** Mr. Holman responded that the schedule could not be met if the borrowing were done up front. He was not certain that the schedule could be met based on the two-year time frame. He was certain that the Grit Removal project is ready for bid at the next meeting.

**DVORYAK** Mr. Dvoryak questioned whether the fees that are paid for the borrowing would be considered in a reduction of the arbitrage payment.

**GIBBONS** Mr. Gibbons responded that they could not.

**GURRERI** Mr. Gurreri stated that he was against borrowing the money at this time, so his vote will be no. He was not against borrowing the money, but only at this time.

**DVORYAK** Mr. Dvoryak stated that he would assume all the information figured into this is accurate and that the project is necessary. He stated his support of the borrowing.

**MOTION CARRIED. MR. GURRERI VOTED NO; MESSRS. SCHENCK, BISHOP, DVORYAK AND BOWMAN VOTED YES.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors/Planning Commission Work Session – January 23, 2007.**

**MR. GURRERI MOVED TO APPROVE BOARD OF SUPERVISORS/PLANNING COMMISSION WORK SESSION JANUARY 23, 2007 AS AMENDED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Regular Meeting – February 22, 2007**

**MR. BOWMAN MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING FEBRUARY 22, 2007. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

**SCHENCK** **Market/Mt. Zion Intersection**  
Chairman Schenck brought forward the Market and Mt. Zion intersection.

**HOLMAN** Mr. Holman noted that a question had been raised during the previous meeting of whether the median could be widened further west.

**LUCIANI** Mr. Luciani responded that he had reviewed that in the field. The median is approximately eight feet wide further back, so extending that left-turn

lane can be done. Removal of the concrete island and installing a bituminous lane there can be done very easily.

**GURRERI** Mr. Gurreri commented that there still will be only three cars going through.

**LUCIANI** Mr. Luciani stated that they will review the timing, as well as dual left turns. The analysis indicated that the single left worked nearly as well and is less costly.

**BISHOP** Mr. Bishop noted that dual left turns did not seem to make any sense and there were a lot of negatives.

**HOLMAN** Mr. Holman indicated that with the Board's consensus they would start preparing an HOP for extending the left turn lane to get that project started.

**Consensus was agreement to extend the left-turn lane back as far as possible.**

**14. NEW BUSINESS:**

**A. Approval of Following Revised Job Descriptions for Teamsters Local 776 Employees:**

- 1. Emergency Medical Technician**
- 2. Laborer**
- 3. Laborer/Operator 1**
- 4. Laborer/Operator 2**
- 5. Crew Leader**
- 6. Automotive Mechanic**
- 7. Operator-In-Training**
- 8. Operator 1**
- 9. Operator 2**
- 10. Lead Operator**
- 11. Maintenance Mechanic Helper**
- 12. Maintenance Mechanic 1**
- 13. Maintenance Mechanic 2**
- 14. Lead Maintenance Mechanic**

**DVORYAK** Mr. Dvoryak stated that he had read them and indicated the staff had done an outstanding job.

**MR. DVORYAK MOVED TO APPROVE THE JOB DESCRIPTIONS 1 THROUGH 14 AS OUTLINED ON THE AGENDA. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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**GURRERI** Mr. Gurreri commented that Mr. Lauer and Public Works did a great job on the snow removal.

**DVORYAK** Mr. Dvoryak added that there was pertinent information on the web site.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:45 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION #1 – TRASH CONTRACT**

**MARCH 1, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, March 1, 2007, at 6:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**ATTENDANCE:** William Schenck, Chairman, Board of Supervisors  
Don Bishop, Board of Supervisors  
Nick Gurreri, Board of Supervisors  
Mike Bowman, Board of Supervisors  
George Dvoryak, Board of Supervisors  
John Holman, Township Manager  
Nichole Ehrhart, Attorney, Blakey Yost  
Christie Brown, Administrative Intern, Springettsbury Township  
Charlie Lauer, Director Public Works, Springettsbury Township  
Ron DiAngelo, Chairman, Recycling Committee  
Deb Bixler, Recycling Committee  
Bill Greenewalt, Recycling Committee  
Charles Stuhre, Recycling Committee  
Paul Taccetta, Recycling Committee – Potential Member  
Jean Abrecht, Stenographer

**A. Call to Order**

**SCHENCK** Chairman Bill Schenck called the meeting to order at 6 p.m. He stated that the meeting was an advertised public meeting to begin discussions regarding a new trash contract. He suggested that each person introduce themselves.

**B. Pledge of Allegiance**

There was no Pledge of Allegiance.

**C. Review of Trash Contract Background Information**

**HOLMAN** Mr. Holman reviewed the current status of the trash contract review. He noted that the Township is in the final year of a three-year contract with a three-year renewal. The final renewal was in 2006, and after 2007 a new contract will be needed. Several contracts were researched in preparation for this meeting in Dover Township, East Manchester Township, Windsor Township, York City, York Township, Spring Garden. The goal of this meeting is to find out what else to review along with any concerns you might have and what you'd like to see in a contract. Mr. Holman commented that Christie Brown, the Administrative Intern, had been brought on for Contract Management, which just happened to be at a time when the Recycling and Trash Contract was up for renewal. She has done a good job assisting putting together a three-ring binder for each participant in order to keep information as time goes on in the process of reaching a new trash contract. Based on the history the Township

complaint rate is less than one-tenth of one percent for the current trash contract. Those include complaints from the trash hauler, which is not a significant number. He called on Christie to review the binders.

**BROWN** Ms. Brown highlighted several items within the binder including a copy of the existing trash contract, the Pennsylvania Solid Waste Ordinance, the Second Class Township Code for Solid Waste Collection, the meeting Agenda, a section for minutes, historical data and a section for correspondence and notes.

**HOLMAN** Mr. Holman reported an increase in the amount of trash from year 2000 at 7,350 tons to 2006 at 8,530. Recycling had risen as well. The only slight increase in rates came as a result of the switch over to brush pick up, which was mandated by the state. For over six years, except for the brush item, the rate had been maintained in the Township.

**DIANGELO** Mr. DiAngelo asked about the household population.

**HOLMAN** Mr. Holman responded that there are approximately 7,000 households as opposed to the previous count of 6,300. He added that there are approximately 1,900 toters; about 4,500 households who chose the three bag and 950 households who chose single bag collection. Mr. Holman noted that Penn Waste provided a monthly report, which information he will include in the contract. He stated that the figures only include residential.

**STUHRE** Mr. Stuhre calculated that it would be approximately a ton per household per year, which he considered a lot of trash.

**BOWMAN** Mr. Bowman questioned why the newspaper statistics had gone down.

**HOLMAN** Mr. Holman responded that it could be a reflection of what's happening to newspapers nationwide and the fact that the younger generation does not get newspapers as much as they use blogs and the Internet. He added that during the winter many residents use newspapers in their fireplaces.

**D. Review Tentative Trash Contract Bid Schedule**

**HOLMAN** Mr. Holman stated that the goal of the Board of Supervisors for the project is to authorize bidding this contract at the Board Meeting June 28<sup>th</sup>, which was thought to be very achievable. Receipt of the bid would be in early August; if everything was acceptable and it would be placed on the Board's August Agenda for consideration.

**EHRART** Solicitor Nichole Ehrhart stated that it would need to be advertised two consecutive weeks, not more than 10 days prior to opening the bid.

- HOLMAN** Mr. Holman stated that when the Board authorizes the advertising, it should be advertised immediately. He would prefer to do additional advertising right away. The advertisements must be within 45 days and two weeks of each other and then within 10 days of that. If the Board authorizes advertisement at the June 28<sup>th</sup> meeting, he would issue notices that it is available for pick up and advertise then. He wanted to be sure to get the bids out to the waste haulers to give them time for review of the contract.
- BOWMAN** Mr. Bowman asked how much time is available to get them to the waste haulers.
- HOLMAN** Mr. Holman responded that if it is received in August, they should have it in their hands for a few weeks. As far as questions are concerned, he will have them directed to Solicitor Ehrhart, as he will be on vacation. The contract will read that all questions must be provided in writing, and they will be responded to in writing. If one hauler asks questions, all responses will be provided to each hauler who picked up bids on the contract. A date will be determined as the last date for questions, which will be approximately two weeks before the contract bid specifications are due. Nothing will be verbal. The Township's final response will be provided within five days of that.
- GREENEWALT** Mr. Greenewalt asked whether email questions would be counted as written.
- HOLMAN** Mr. Holman responded that email would count as it would be in writing.
- EHRHART** Solicitor Ehrhart responded that responses would be by letter and sent out by email.
- SCHENCK** Chairman Schenck commented that the hauler business is in a very competitive environment. The Township must be careful to handle this right to the letter.
- HOLMAN** Mr. Holman noted that the Board of Supervisors meeting on June 28<sup>th</sup> is the key point.
- SCHENCK** Chairman Schenck stated that was the goal. By starting early the goal is achievable. However, if more time is needed to have the project done right, time will be taken.
- HOLMAN** Mr. Holman added that there is enough time that if the bids are wrong, or something is way off, the Township could actually go out and re-bid.

**E. Review of Preliminary Draft Contract 2008**

**HOLMAN** Mr. Holman stated that a very rough draft of a contract was provided in the binders based on the current contract. He indicated it was just a baseline document. He had added that he had received comments from Mr. Greenewalt, copies of which he had provided. He asked Solicitor Ehrhart whether there was an alternate included for curbside pick up of cardboard.

**EHRHART** Solicitor Ehrhart responded that it was not included.

**HOLMAN** Mr. Holman indicated that it was something for discussion off the baseline document, along with the possibility of grass pick up. It may not be possible because of DEP regulations; however, it would be good to have in the contract in case there are DEP changes. It would allow some flexibility.

**DIANGELO** Mr. DiAngelo noted that they would have to provide money to put a pad down at the incinerator.

**HOLMAN** Mr. Holman stated that grass pick up would be at the curb. The only reason to do that would be if it would be included in recycling. The contractor would pick it up and would be responsible for it.

Mr. Holman added that some of the resident comments included extending the brush pick up into the first week in December; also to make sure there is a Thanksgiving pick up. No one had issues with earlier brush pick up. One suggestion was to do brush pick up nine months of the year instead of eight.

**1. Comments from Solicitor**

**SCHENCK** Chairman Schenck noted that there was a question about how long the contract could be and extensions.

**EHRHART** Solicitor Ehrhart responded that the contract can be five years total including extensions and can not be exceeded. She provided several options: three year with two one-year renewals; complete five year contract; three year with a two-year renewal.

**GREENEWALT** Mr. Greenewalt stated that one of the things he suggested in his letter was a one-year contract with optional automatic renewals for a period of four additional years for a total of five. That means every year the Township would not have to go back and reauthorize a contract, but it also provides the right to cancel the contract after one year or any year.

- SCHENCK** Chairman Schenck indicated that could be considered. He commented that he hoped to learn through the process is what things will affect the cost of the contract. As a bidder bidding a one year contract versus a three year contract, costs might be approached differently.
- GREENEWALT** Mr. Greenewalt added that it could be bid for one year with an option to renew for three years with the hauler's ability to cancel the contract but not the Townships. Mr. Greenewalt indicated he was trying to get away from the re-authorization.
- STUHRE** Mr. Stuhre noted that with the volatility of fuel, the bidders may be very reluctant for an extended contract.
- HOLMAN** Mr. Holman stated that when a bidder bids a contract like this, they are looking for stability knowing what their costs are beforehand. That's why they do provide specific years in this kind of contract. In addition, bid specs could be set up with alternates.
- EHRART** Solicitor Ehrhart suggested that it could be done for the three year contract with a one-year renewal or a three year with a two-year renewal and see how that would affect the bids.
- HOLMAN** Mr. Holman suggested a straight five year which would guarantee a contract for five years which may affect the numbers.
- GREENEWALT** Mr. Greenewalt commented that within a five year period there would be an escalation of fuel prices, et cetera, which a bidder really doesn't know. Unless an escalator clause would be added to protect the Township and the contractor, there might be some pretty high bids for five years straight.
- SCHENCK** Chairman Schenck stated that, because he is personally involved in a lot of long-term bidding in three-, five-, and seven-year contracts, whenever an escalator clause can be built in based on an unbiased source, whether it's some index or some method, it is bid much more competitively than if they don't have it. That assures the value-added revenues. It assures a gap between costs and expenses, and it is bid more tightly. If it is necessary to make great assumptions it will be padded. He noted that perhaps an escalator could be a good thing.

## **2. Comments from Board Members**

- SCHENCK** Chairman Schenck stated that it is difficult to begin a process like this. This first meeting is to determine what is necessary to get started and set the stage. The Board wanted to be sure to comment on the visionary information. There is a baseline draft but wording will be changed; it is just a starting point. The intent is to have discussion.

The following is a summary of the discussions which followed:

- Tipping fees – build that into a future contract; would add Township administrative costs; would require in-depth inspection and monitoring. Spring Garden and Manchester Townships pick up tipping fees; could be over \$250/year including totter costs.
- Snowbirds – Consideration to be given to residents realizing that garbage collection is required of every residence in the Township. Determine what is reasonable.
- No Trash Contract – Consider whether having a trash contract is valid recalling the reasons for changing in the first place, i.e., recycling emphasis and number of trash trucks on the Township streets every day.
- Tag-A-Bag and Pay-As-You-Throw Options – Would operate similar to electric service; Snowbirds would still pay a base fee; would be a contractor's nightmare; consider lower end options for residents who have minimal trash. Resident is paying for truck and trips. Toter service fee is a choice; toter was part of the current contractor's bid, but not part of the calculation for award.
- Second Class Township – Mandated by the state to have curb side recycling and brush pick up. Determined by population of 10,000.
- Brush pick up amounted to approximately 300 tons in 2006.
- Large Item Pick up – Set figures for specific large items.
- Three-bag-bill – Provide a specific number of bags to residents per year. Would operate like a pay-as-you-throw option; administration difficult. Incentives to increase recycling. Additional bags currently available at Rutter's or Township Building for seasonal and overflow trash. Costs would vary: one bag @\$33.82 versus three bags @\$38.02. Cost is determined by the manpower and truck.
- Recycling – Determine length of time for recycling activity payments; 2006 amount was \$78,000 along with a grant of funds of approximately \$28,000 depending on application. Why recycling of some items and not others.
- Contract Fines – Build in fines for infractions by contractor.
- Timing – Permitting contractors to begin collection earlier than 7 a.m. Better to begin early, finish early than late. Limit areas for morning and evening commute hours; specify streets in contract.
- Recycling containers placed upside down, but trash containers and toters left to fall over and others to blow around; some should be inverted; toter lids should be closed.
- Cardboard – Rules too stringent; needs consideration. Specific recycling vehicle needed. Education necessary. Be sure contractor is capable of pickup. Include in contract even if too restrictive to provide an option. Run an extra truck specifically for cardboard; investigate costs of same; provide alternate. Current size requirement is 2X2; specify size in new contract.
- Pre-Bid Discussion with waste haulers – Suggest to have meeting with all waste haulers to determine what they consider appropriate specifications. Meeting to be advertised and opened to all waste haulers; not a mandatory pre-bid conference.

**F. Public Comment Period:**

**TACCETTA** Mr. Paul Taccetta, 2446 Princeton Road, was the only person present representing the public/residents. Because of his interest in the subject, he

had investigated several municipality contracts and compared those contracts with the Springettsbury contract. He had done some Internet research as well. Some of his comments follow:

- Current rates; one bag versus three bags versus toter – don't seem to scale properly. Some municipalities pay the tipping fees; administrative fees. Toter fees are rental fees; unrelated to amounts of trash.
- Recycling page in the newsletter. Some items considered not acceptable that are acceptable in other townships. Need specific instructions for tires, batteries, paint. More education. Incinerator determines some direction as to what is acceptable.
- Detailed recycling rules are confusing and require continual research to determine what is acceptable.
- Provide public with information re/the service, correspondence, the number of bags, cost per quarter. Include information from Department of Environmental Protection.
- Hazmat materials – Dates are scheduled through the state; need to know when they are; education; more information from York County Solid Waste Authority.

Additional discussion points:

- Consideration of a Township Recycling Manager for trash enforcement; must be good at dealing with the public, understanding, etc.
- Discuss public drop off point for specific items. One Saturday a month for residents to drop off specific items at Township building. Could be large items
- Re-run basic trash and recycling education page in the newsletter. Following the award of bids if another trash hauler gets the contract, re-education of residents will be necessary.
- Township website provides additional information.
- Rates to go up considerably – possible 20 to 25% increase; public needs to recognize there were no rate increases for six years.
- Grass clippings – Place in with regular trash; cannot be recycled due to chemicals in the grass.
- Pay-As-You-Throw – Option would include tipping fees, recycling costs, large items would be separate issues. However, it would satisfy a lot of people. Rates must be considered carefully.
- Base trash plan keeps everything cleaner. Old system resulted in trash thrown along highway.
- Cost included in taxes – Provide same level of service to all; everybody pays by millage charge; tax write offs would be permitted. Will be more expensive. Current rate is \$1.3 million in property tax. Payment within taxes would be separate; Township would have administrative expense.
- Collection of money – Contractor currently administers billing and collection. If Township had to provide that service, two full-time people would have to be hired.
- Consider hiring one person for enforcement and promotion of commercial side. Some commercial businesses are beginning to capture the recycling concept. Enforcement officer would pay for itself. Township Ordinance requires recycling.
- Phone Calls – Intern to be hired to answer calls regarding the trash contract.

**F. Final Comments from Board Members**

- SCHENCK** Chairman Schenck stated that he wanted to keep the meeting to no more than 1-1/2 hours. He suggested putting together an action list for the next meeting; also to investigate the municipalities that use the pay-as-you-throw program, etc.
- BISHOP** Mr. Bishop stated that one of the things to be done is to actually discuss this with the waste haulers.
- HOLMAN** Mr. Holman responded that he would make calls and get the proper notice in the paper.
- SCHENCK** Chairman Schenck asked Public Works Director Charlie Lauer for any significant or important items from his perspective that he would want to include in the discussions.
- LAUER** Mr. Lauer responded that he had simply come to listen. He had no problem with the current contract. He would suggest extending the brush pick up another month.
- SCHENCK** Chairman Schenck commented that there is the continual complaint of having to pay for trash removal while the resident is living elsewhere (Snowbirds).
- BISHOP** Mr. Bishop responded that it was not easy to understand for everybody. Most people don't look at garbage collection as a utility-like function. They look at it as it's something they're buying and paying for, and they're getting nothing out of it. But when it is explained as a utility and that it must be there for the whole community, it is easier to explain.
- SCHENCK** Chairman Schenck added that the contractor can't be administering the contract from the curb.
- HOLMAN** Mr. Holman indicated that the pick ups are audited and that has kept the complaints down. The audit was a requirement for the current contract. In addition, Mr. Holman was aware that Penn Waste had filed from 500 to 1,000 liens a year against residents who are not paying.

**H. New Business**

- SCHENCK** Chairman Schenck suggested the goal for the next meeting will be to have the contractors in for discussion.

**Consensus was to meet on Thursday, March 29, 2007 at 6 p.m.**

**I. Old Business**

**TACCETTA** Mr. Taccetta suggested that more notice should be issued to the residents in order to provide for public input.

**HOLMAN** Mr. Holman responded that he would be issuing post card notices to the residents.

**BISHOP** Mr. Bishop stated that, while the Board wanted public input, this is in very preliminary stages at this point. Educating the public about four different options when one option will ultimately be chosen is not the most efficient process. Everything is done in public and anyone can attend. It would be great to have more public attend the meeting once a draft is in place with some tentative options and direction.

**DIANGELO** Mr. DiAngelo commented that more residents are needed on the Recycling Committee.

**TACCETTA** Mr. Taccetta indicated an interest in serving on the committee.

**J. Adjournment:**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:40 p.m.

Respectfully submitted,

John Holman  
ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 22, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 22, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

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

**MEMBERS NOT IN ATTENDANCE:** Nick Gurreri

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Harish Rao, Economic and Community Development Director  
Andrew Stern, Managing Director of Fire and Rescue Services  
David Eshbach, Chief, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m.

**A. Opening Ceremony**

**SCHENCK** Chairman Schenck led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that there were no Executive Sessions held since the last meeting and none were scheduled for this evening.

**3. EMERGENCY MANAGEMENT SERVICE DECLARATION:**

**A. Motion to Approve February 14, 2007 Weather Emergency Declaration by Township Manager and Rescission thereof Effective February 16, 2007.**

**SCHENCK** Chairman Schenck reported that a state of emergency had been declared due to the storm on February 14<sup>th</sup>, and by code it needed to be ratified, and at the same time removed. The action allowed the Township to use

supervisory personnel in snow removal and allow the CDL drivers longer hours.

**HOLMAN** Mr. Holman added that it had given him authorization to make purchases and necessary repairs without going through normal contracting requirements.

**MR. DVORYAK MOVED TO APPROVE THE FEBRUARY 14, 2007 WEATHER EMERGENCY DECLARATION BY THE TOWNSHIP MANAGER AND TO ALSO APPROVE THE RECISSION THEREOF EFFECTIVE FEBRUARY 16, 2007. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Discussion of Weather Emergency – Snow/Sleet/Rain/Ice Storm – February 13, and 14, 2007.**

**SCHENCK** Chairman Schenck stated that the Board thought it would be appropriate to discuss the weather emergency and the action taken. He noted that he would provide an opportunity for citizen comment on the subject. He stated that Mr. Holman had provided a report on the activities and action taken during the storm, as well as a summary and potential improvements to be made for the future.

**HOLMAN** Mr. Holman reported that, based on a meeting he had attended with other managers, it had been quite an event throughout the county and state.

**SCHENCK** Chairman Schenck brought forward a discussion with regard to the Township's activity in maintaining the state highways within the Township. Mr. Lauer always recognized that the responsibility does obligate Public Works as far as manpower because the state roads need to be done first. There is no advantage to having neighborhood roads open unless the state roads are open first. He asked for comments as to whether that policy should change.

**DVORYAK** Mr. Dvoryak questioned whether the Township is adequately compensated by the state for that service. He had discussed the subject briefly with Mr. Holman, but wondered what amount was received for road maintenance.

**HOLMAN** Mr. Holman responded that the Township does the snow plowing or road maintenance on state roads within the Township only in bad weather. The Board had determined the importance of keeping the main state roads open.

**SCHENCK** Chairman Schenck stated that the state pays a fixed payment whether there are storms or not.

- HOLMAN** Mr. Holman stated that with this storm quite a bit of money was spent on maintaining the state roads. Liquid magnesium was used, as well as salt and cinders, along with the man hours and wear and tear on the trucks. Public Works reported they had used three to four times the amount of material normally used; seven out of nine large plows were broken and damaged. Five of the small plows were knocked out of service, a drive shaft was broken and spreaders broke. It was extremely difficult to cut into the ice.
- BISHOP** Mr. Bishop commented that any discussion about renewing a contract to maintain state roads should be done some time between now and the time for renewal and not at this particular time.
- HOLMAN** Mr. Holman indicated that the contract is reviewed between October and November at the same time the Township submits the street reports to the state on the streets that have been adopted. At that time the state asks whether the Township will continue to plow and maintain the roads.
- BISHOP** Mr. Bishop stated that it is a relatively complex issue. The financial end of it is important, but the alternative if the Township does not do the work, will the main state roads be cleared.
- HOLMAN** Mr. Holman commented that, even though he had not put together the financial impact of the storm, there were approximately 600 hours of overtime for plowing in addition to regular time.
- SCHENCK** Chairman Schenck stated that it was important to note that regardless of whether the work done was effective enough for the needs of the community, the people actually doing the work worked 16 to 18 hour shifts with 10 hours off and then 12 to 14 hours on. He mentioned the communication side of the storm. Many of the telephone calls he had received indicated frustration of not knowing what to expect as to when their streets might have some attention. His recommendation was to do a better job with simple communications. He understood that because of the storm, people could not get to the office to answer phones to get information out, but technology is available to do some automated message systems, along with the website.
- HOLMAN** Mr. Holman noted that it is now set up so that the employees can update from home, and instead of email they can update the website right from there. In addition, they are working on the telephone system to set up alternate messages.
- SCHENCK** Chairman Schenck responded that, even though it would be complicated, there should be a way to put a communications program together that would advise the different streets planned for snow removal.

- BOWMAN** Mr. Bowman suggested to post the entire schedule on the website.
- HOLMAN** Mr. Holman stated that it is rotated each time.
- SCHENCK** Chairman Schenck commented that every resident thought they were last on the list.
- BOWMAN** Mr. Bowman asked whether the schedule calls for neighborhood by neighborhood or whether a main road is open within each area.
- HOLMAN** Mr. Holman responded that they try to open every road up first once they have cleared the state roads and major arterials. Then they get trucks into all the developments. They had a platoon of three plows working together making certain that roads were open for emergency vehicles.
- BOWMAN** Mr. Bowman commented that it seemed like the front end loaders did the best job.
- HOLMAN** Mr. Holman responded that the skid loaders were used to clear out the side streets and the cul-de-sacs. They could do about 10 feet at a time, and literally they would lift the snow off, dump it and keep breaking it up. Behind that was a small plow and that would take a number of hours to do one block, but it was the only way that was effective. It wasn't just Public Works. The Wastewater personnel were brought in and all those who are trained drivers.
- DVORYAK** Mr. Dvoryak noted that after reading all the reports, it appeared that no actual snow removal was begun until 3:30 Wednesday morning. He personally had cleared his driveway at five o'clock on Tuesday evening, which went a long way in helping him to get his driveway cleared for the next day. He wondered why the late start and whether it was part of a standard plan.
- HOLMAN** Mr. Holman responded that the crews were working from the time the storm started.
- SCHENCK** Chairman Schenck stated that the crews were salting and putting down anti-ice, which is typical preparation for a storm, but actual plowing didn't start until the middle of the night.
- HOLMAN** Mr. Holman indicated he would check because he knew there were plows out. They were doing the state highways and arterials, not getting back into the developments then, but trying to keep the state highway and arterials open.

**SCHENCK** Chairman Schenck stated that Public Works has a plan to deal with snow, ice or rain. He did not want to take away any of the work the crews did; however, he would challenge whether the plan over the years remains to be the best way to approach today's storms.

**HOLMAN** Mr. Holman stated that it had been a very unusual storm and one that Mr. Lauer had not seen a storm like this for many years.

**SCHENCK** Chairman Schenck noted that where his business is located, they removed the snow before Noon on Wednesday and they really didn't have a problem.

**HOLMAN** Mr. Holman responded that he will go over everything with Mr. Lauer.

**SCHENCK** Chairman Schenck stated that he appreciated the promptness and advising the Board the best information known at the time. He stated that he had read three letters which he will make part of the record related to the snow removal.

**4. COMMUNICATIONS FROM CITIZENS:**

**STUHRE** Charles Stuhre, 3680 Trout Run Road, stated he had been in the snow removal business for 25 years and appreciated what the Township had done. His concern was for the melting that was happening on top of the north side of Mt. Zion Hill and at Deininger Road. He stated that the ditches need to be opened so that the water could run into the ditch and not on the road.

**SCHENCK** Chairman Schenck stated that the crews had shifted over to clearing storm drains and opening up those trouble spots where water flows.

**WITMER** Ms. Mary Witmer, 1641 Northview Road, spoke about her travel to work Wednesday morning where she travels through three different townships. She hadn't had any problem once she left Springettsbury Township. She noted a concern about Sherman Street and asked whose responsibility it was. She did not think it was touched.

**HOLMAN** Mr. Holman responded that it is a state road and the Township does not plow Sherman Street.

**SCHENCK** Chairman Schenck indicated that was the reason for the discussion on whether or not the Township should be plowing the state roads or not.

**WITMER** Ms. Witmer stated that it was a big hill and difficult to navigate down hill. She mentioned Druck Valley Road, which is a state road and only plowed

once. Her point was that other townships seemed to do a better job with clearing the roads.

**DVORYAK** Mr. Dvoryak noted that a discussion had taken place with a staff member about different options. One idea was to set up some contingency contracts for situations like this. He wondered whether that would create any union issues.

**HOLMAN** Mr. Holman responded that there would be no issues when an emergency is declared; however, in order to have a contractor available, there would have to be a contract with a retainer to guarantee their availability.

**DVORYAK** Mr. Dvoryak asked whether adequate manpower and equipment are in place to handle a big storm.

**HOLMAN** Mr. Holman stated that it was the first time there had been any problem in over 10 years. The last blizzard in 1996 was nothing like the problems of this storm.

**SCHENCK** Chairman Schenck noted that he understood it takes about 10 to 12 hours to clear 100 miles of roadway under normal snow conditions.

**5. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBBER** Mr. Schober reported that the contractor will be making a connection near the intersection of Norwood and Barwood Roads during the last week of February, and then the final connection at Overview, which will complete that area of the sewer installation. He will move to the Memory Lane project and the Mt. Zion Road project. Following a thawing of the snow he will return to do all the restoration work.

**DVORYAK** Mr. Dvoryak questioned Mr. Schober about the \$25 million project, as part of the Chesapeake Bay initiative. He had learned there are other opinions that it is not a federally-mandated project. He asked for further information.

**SCHOBBER** Mr. Schober responded that the state of Pennsylvania is supporting the Chesapeake Bay Agreement, which will regulate the wastewater treatment plants, and it is being written into the permits. Springettsbury had received the draft permit, which has the new limits in it. No date is in it yet because it is a draft permit; however, the first third of the plants have to comply. DEP has started having informational meetings, and both he and Mr. Hodgkinson will attend and provide feedback.

**DVORYAK** Mr. Dvoryak stated that he just wanted to be comfortable that it is truly mandated.

**RAUSCH** Solicitor Rausch stated that the mandate will come on the permit side. As the permit renews DEP will impose new limits and they cannot be met unless the changes are made. That's how the Chesapeake Bay Agreement will be implemented by holding the sewage treatment plant operators and owners accountable. They represent 11% of the problem. DEP will not grant a permit unless their new limits are met.

**SCHOBER** Mr. Schober indicated that the dates will be set forth in the permit, but part of the permit process is when they issue the draft. The Township will review and comment on it, and part of the comment negotiation is the schedule, which will indicate a projected time to design, bid and build it, looking to the future in 2010.

**RAUSCH** Solicitor Rausch added that 2010 was the date that the state promised the Federal Government that a portion will be completed. The limits would be met under the Agreement. He did not think that the 2010 date was firm from the Federal Government, the EPA standard or whether it is a floating target.

**SCHOBER** Mr. Schober added that the target had been missed for several years.

**C. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani reported that he had worked closely with Township staff and Mr. Holman to submit a grant application to Arlen Specter, as well as Senator Casey's office to obtain some funding for the Northern Way area. Mr. Luciani provided information as to the reasons why the Township does not plow North Sherman Street, which included the difficulty in getting rid of the snow and the close proximity of the buildings along the street.

Mr. Luciani commented on the number of turning lanes that are blocked due to the snow piles that remain since the snowstorm. He used that comment to segue into the PowerPoint traffic simulation model he and Tom Austin had done. He will provide CD copies of the entire presentation to the Board for their review. The main thrust of the presentation is that a right turn to go southbound from Market to Red Lion will free up traffic to cue in a more efficient manner. Right-of-way taking will be less of an expense, and the entire project will cost approximately \$900,000. Of note is that the Concord Road improvements are not factored in, which might reduce traffic by 15%.

**HOLMAN** Mr. Holman asked whether the Board would want to review lengthening the cueing for the left-turn lane from Market to Mt. Zion.

**SCHENCK** Chairman Schenck thought a review would be necessary, and added that the suggested right turn heading south would accomplish a much more free movement.

**LUCIANI** Mr. Luciani noted that when the original study was done for the PUC application, the thought was that Concord Road would have 3,000 to 6,000 vehicles. With the York Town Center traffic, as well as the Butterfly traffic, it is projected to be approximately 10,000, which will be a heavily traveled roadway.

**HOLMAN** Mr. Holman indicated a decision will have to be made on it soon.

**LUCIANI** Mr. Luciani added that they will have to obtain an HOP and do design work.

**6. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of February 22, 2007**

**MR. DVORYAK MOVED TO APPROVE ACCOUNTS PAYABLE AS OUTLINED IN THE LISTING OF FEBRUARY 22, 2007. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. BIDS, PROPOSALS & CONTRACTS:**

**A. Authorization to Award Bids for Sale of Used Vehicles.**

**SCHENCK** Chairman Schenck noted that the proceeds for used police cars ranged from a low of \$410 to a high of \$2,607.

**MR. BOWMAN MOVED TO AWARD THE BIDS FOR SALE OF THE FOUR VEHICLES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. LD-02-02 – Time Extension – AWI, Inc. – Plan Expires 3/21/07 (New Plan Date 6/19/07)**

**MR. DVORYAK MOVED TO APPROVE TIME EXTENSION FOR LAND DEVELOPMENT 02-02. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. SD-06-03 – Chronister Farms Preliminary Subdivision, Alpine and Pleasant Valley Roads – Action (3/10/07)**

- FREY** Attorney Jeremy Frey, Barley Snyder, stated that he represented the applicant. He introduced Alan Love, who prepared the plan and could answer any questions. He stated that the preliminary plan had been approved by the Planning Commission with several conditions, which were noted on the plan. One note concerning sidewalks on Mrs. Chronister's land was just received and as a result was not noted on the plan; however, all comments will be noted.
- RAUSCH** Solicitor Rausch indicated that there should be a signature of authorization.
- LUCIANI** Mr. Luciani stated that it involves a separate seven-acre tract where Alpine and Pleasant Valley intersects. Evelyn Chronister owns the old farmhouse on a separate tract. With any new subdivision plan the Township typically requires widening, curbing and sidewalks, and within the last two to three months, they agreed to add widening, curbing and sidewalk in front of Mrs. Chronister's property, which allows for a better transition from an older, previous plan.
- LOVE** Mr. Love stated that the developer was not opposed to the curbing and sidewalk. Mrs. Chronister was. She has a 1700's house and was trying to maintain the look of that period. She thought the curbing and sidewalk deterred from that. She has since agreed. Solicitor Rausch is making sure that there is a note on the plan, once that is recorded, to be certain the sidewalk is installed on her property.
- SCHENCK** Chairman Schenck indicated that the note had not been included in the suggested motion. He summarized that there are two things to be included, the note regarding the widening, curbs and sidewalks and that the property owner has agreed to allow it to be installed.
- RAUSCH** Solicitor Rausch suggested to make the motion contingent upon language approved by the Solicitor.
- SCHENCK** Chairman Schenck asked about the waiver concerning cul-de-sac length. He asked for the final length.
- LOVE** Mr. Love responded that the Planning Commission requested that it be listed. Staff had suggested a variance for impervious coverage, and by obtaining the variance, the cul-de-sac was extended.
- LUCIANI** Mr. Luciani added the length was 624.81. He noted that this is one of the first subdivisions provided after the Township indicated no multiple

driveways coming out on a collector arterial road. Pleasant Valley Road is a collector street; no driveways come out onto Pleasant Valley, and everything travels internally. Since this is a preliminary plan, a final plan will be brought forward in the future. Bonding is not required as a preliminary plan. Erosion control will be needed. In addition, sewer was previously extended to the intersection. They worked with the developer to assure that they get into this manhole by gravity.

**BISHOP** Mr. Bishop suggested that since the motion is somewhat complicated that it be divided into two motions with the waivers separate.

**MR. BISHOP MOVED, WITH REFERENCE TO SUBDIVISION 06-03, CHRONISTER FARMS PRELIMINARY SUBDIVISION TO APPROVE THE FOLLOWING WAIVERS:**

- **WAIVER OF SALDO §26-107.G, DETENTION BASIN MINIMUM SLOPE;**
- **WAIVER OF SALDO §289-11.B.19, STREET NAMES AND WIDTHS;**
- **WAIVER OF SALDO §289-32.J.6 – CUL-DE-SAC LENGTH NOT TO EXCEED 600 FEET.**

**MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**MR. BISHOP MOVED, WITH REFERENCE TO SUBDIVISION 06-03, CHRONISTER FARMS PRELIMINARY SUBIDIVISION, TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **CONDITIONED UPON A SUITABLE EROSION CONTROL PLAN.**
- **CONDITIONED UPON A LETTER OF ADEQUACY FROM THE YORKI COUNTY CONSERVATION DISTRICT;**
- **CONDITIONED UPON INCLUSION OF LANGUAGE WITH RESPECT TO SIDEWALKS AND CURBING ON THE EVELYN CHRONISTER LAND AS APPROVED BY THE TOWNSHIP SOLICITOR.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATIONS FROM SUPERVISORS:**

**SCHENCK** Chairman Schenck noted that he will pass to Mr. Holman the letters he received referencing snow removal and one concerning a request of our future rezoning efforts.

**HOLMAN** Mr. Holman noted that he would respond to all letters received and forward those regarding zoning to the Comprehensive Plan Committee.

**DVORYAK** Mr. Dvoryak reported a telephone call he received concerning the Penn State students with their buckets soliciting money at intersections. He expressed concern as to whether that was an activity permitted in the Township and what liability exposure the Township has by allowing the

students in the intersections. He would like to have a response to relay to the citizen.

**ESHBACH** Chief Eshbach responded that they cannot be on the roadways; they cannot step out into traffic, which they constantly advise people. The students aren't very successful because that's what they need to do. Many times when the officers go out and talk to them, they'll move to some other area. They are required to have a solicitation permit. However, if they're doing it for a non-profit, charitable organization they are exempt from the fee. The act itself is not exempt.

**BOWMAN** Mr. Bowman reported a telephone call he received from an elderly neighbor who was concerned that he really couldn't shovel. He was afraid he was going to get a fine. Mr. Bowman assumed that the Township was not out just to collect fines.

**HOLMAN** Mr. Holman commented that the time frame had been extended to Monday.

**BOWMAN** Mr. Bowman asked whether residents had been advised of that in order to put them at ease. He added that a lot of older people just can't do the shoveling.

**HOLMAN** Mr. Holman responded that for anyone who calls they are advised. In addition, they are advised to call the Agency on Aging to hire a teenager.

**9. SOLICITOR'S REPORT:**

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

**SCHENCK** Chairman Schenck asked whether he was looking for action on the St. John's Lutheran Church question.

**RAO** Mr. Rao responded that they had submitted plans.

**RAUSCH** Solicitor Rausch noted that it would have to be addressed at some point.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated that he had provided both a written and a supplemental report. He turned the rest of his report time over to Chris Gibbons and Scott Mehok to apprise the Board of the results of the bids of the latest bond offering.

**GIBBONS** Chris Gibbons of Eckert Seamans Cherin & Mellott, LLC provided a hard copy of the results of the Bank Loan Request for Proposals that had been

issued several weeks ago following a discussion with the Board concerning moving ahead with the first \$10 million borrowing piece for both the Grit Removal and the BNR projects. He explained the entire report, which showed an interest rate chart, bank loan proposals both fixed and variable and the bond issue. There were 15 banks solicited; 9 responded with 16 separate proposals, 6 fixed rate and 10 variable rate proposals. He reviewed all the specific proposals. He highlighted the Sovereign Bank proposal with an initial rate of 3.9% for 10 years followed by a variable rate from year 11 to 20.

**SCHENCK** Chairman Schenck asked in rough round numbers what the cost of doing a bond issue would be.

**GIBBONS** Mr. Gibbons responded that it would be 4.20%, roughly \$225,000.

**SCHENCK** Chairman Schenck commented that since he had been with the Township, they had never taken a bond issue all the way out; they had always done some roll up, some transaction and this is \$10 million. In another few years it will be necessary to find another \$10 million.

**GIBBONS** Mr. Gibbons responded that the likelihood is very high for refinancing. The bank loan proposal is prepayable at any time versus a bond issue having a five-year No Call provision. There are interest rate premiums to be paid for that, but not on a bank loan.

**SCHENCK** Chairman Schenck asked when it will be necessary to find the next funding.

**HOLMAN** Mr. Holman responded that 2008 is a possibility depending upon the cash flow.

**GIBBONS** Mr. Gibbons added that the debt is essentially issued for 20 years, and it is carrying a 20-year rate. If in 10 years the Township looked at refinancing, it would be at 10-year rates. Just looking at the bank loan, it would be comparing 10-year rates, but nonetheless, in a normal interest rate environment, short term rates are lower than longer-term rates, so at some point almost every debt that's outstanding is refinanceable.

**SCHENCK** Chairman Schenck stated that, knowing that it will have to be done twice, it might seem logical to go with the bank loan and then maybe revisit the same data two years from now.

**GIBBONS** Mr. Gibbons agreed with this analogy with a caveat. The project is shared by the participating municipalities that share in the cost of sewage treatment capacity. In year 11, it will have to be renegotiated with Sovereign Bank at an acceptable rate. The Township might have a

situation where it would have to pass on higher costs relating to interest rates because of this variable rate debt in years 11 through 20.

**BOWMAN** Mr. Bowman asked when the money would be needed.

**HOLMAN** Mr. Holman responded that the first funds would be needed in March or April for the Grit Removal project and some of the other work needed. Then it will enable the Township to move into the BNR. Depending how this money is spent will determine the next borrowing cycle.

**BOWMAN** Mr. Bowman commented that this would be in addition to what is already in the fund balance.

**HOLMAN** Mr. Holman responded that he was correct. The fund balance in the Sewer User Group Fund is about \$2.6 million. The borrowing on this one actually covers the BNR, and the next covers the Grit Removal because it's in with the BNR. In a year or two down the road it will be necessary to see what surplus is available to help lower the borrowing for the next issue.

**BOWMAN** Mr. Bowman indicated that this would be based on the expected completion date of 2011.

**HOLMAN** Mr. Holman responded that he was correct. It was to be done by 2010, but realistically to get everything completed and cleaned up, it will be 2011.

**BOWMAN** Mr. Bowman asked whether it should be done now or in the future.

**GIBBONS** Mr. Gibbons responded that it would be done now if interest rates were at a good and acceptable level.

**BISHOP** Mr. Bishop indicated he thought it should be done now.

**HOLMAN** Mr. Holman asked Mr. Schober to confirm that the Grit Removal bid will be acted upon at the next meeting or the following meeting.

**SCHOBER** Mr. Schober responded that the Grit Removal project will be ready to bid by the end of March.

**BISHOP** Mr. Bishop noted that the thought process would be to decide between the bank and bond tonight and do it.

**GIBBONS** Mr. Gibbons responded that they would then come back on the 8<sup>th</sup> of March to enact the Ordinance. If there were a decision on the bond issue tonight, they would do all the preparation in advance for the bid, etc. If the bank loan were the decision, they would be ready to go.

**SCHENCK** Chairman Schenck stated, based on the budget for the sewer plant fund, with the risk of rates going crazy, is it better to just do it knowing it will be done again in another two years. He stated he was okay with the bank proposal. He asked Mr. Holman for his recommendation.

**HOLMAN** Mr. Holman stated that he liked the bank financing with Sovereign Bank. He guessed that in another 10 years they will be looking at refinancing.

**DVORYAK** Mr. Dvoryak was comfortable with the Sovereign Bank proposal as well.

**Consensus of the Board was agreement with the Sovereign Bank Proposal.**

**GIBBONS** Mr. Gibbons stated that they would return on the 8<sup>th</sup> of March with the Ordinance for the Sovereign Bank proposal.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Resolution No. 07-30 – Approval of Deputy Tax Collector Position**

**DVORYAK** Mr. Dvoryak questioned when the Board appoints someone, does the Board have the authority to remove them.

**RAUSCH** Solicitor Rausch responded that he did not believe so; however, the statute is not absolutely clear. The Tax Collector's position is approved. The Tax Collector, in writing, makes a recommendation, and the Board approves that. The Tax Collector actually deputizes the Deputy. It is the deputization that is the legal motion to get that person. He assumed then that it is only the Tax Collector can un-deputize.

**BISHOP** Mr. Bishop asked for further clarification as to what that deputization authorizes the Deputy to do.

**RAUSCH** Solicitor Rausch stated that it would authorize the Deputy to collect and disburse the taxes. The Tax Collector remains responsible for accounting for all tax receipts and disbursements. The Deputy can essentially function as Tax Collector. Approval only extends to the term of the Tax Collector. The Tax Collector pays her Deputy out of the proceeds she collects; the Deputy would be strictly an employee of the Tax Collector.

**SCHENCK** Chairman Schenck asked whether the background check had been done.

**HOLMAN** Mr. Holman responded that everything had been completed and nothing was found.

**DVORYAK** Mr. Dvoryak noted that the individual could be bonded.

**RAUSCH** Solicitor Rausch added that the Deputy would need to be bonded.

**HOLMAN** Mr. Holman stated that the Tax Collector is responsible for obtaining the bond.

**BISHOP** Mr. Bishop suggested that the Board meet and interview the proposed Deputy in order to make a determine whether the individual is qualified or would be acceptable to be the Deputy Tax Collector.

**HOLMAN** Mr. Holman noted an item under Section 407 of the Second Class Township Code, which read "Should the Tax Collector or any Supervisor, Auditor, or Assessor be unable to fulfill the duties when it comes to the elected, the Board would be responsible." He stated that it would fall under the same rules as the Auditors or anyone else.

**SCHENCK** Chairman Schenck indicated that the gentleman should be brought in for interviews with the Board prior to the next meeting.

**B. Motion to Approve Letter of Agreement with North Central Highway, Inc. for Smooth Operator Aggressive Driving Project.**

**ESHBACH** Chief Eshbach stated that the Police Department had been chosen to participate in a model program last year by PennDot. They had been happy with the results and asked them to participate again.

**MR. BOWMAN MOVED TO APPROVE THE LETTER OF AGREEMENT WITH NORTH CENTRAL HIGHWAY FOR SMOOTH OPERATOR AGGRESSIVE DRIVING PROJECT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Motion to Accept Springettsbury Township Collection System Long Range Planning Study as prepared by Staff and Buchart Horn, Inc.**

**MR. BISHOP MOVED TO ACCEPT SPRINGETTSBURY TOWNSHIP COLLECTION SYSTEM LONG RANGE PLANNING STUDY. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – February 8, 2007**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES FROM THE BOARD OF SUPERVISORS REGULAR MEETING OF FEBRUARY 8, 2007. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**14. OLD BUSINESS:**

**A. Discussion Regarding Township Property Located at 1467 Mt. Zion Road**

**SCHENCK** Chairman Schenck stated that the Board had received a report on the house at 1467 Mt. Zion Road next to the Creative Playground. The conclusion was to tear the house down.

**HOLMAN** Mr. Holman stated that the cost to revitalize the house so that it could be used by the Township, because of the ADA standards that have to be met, the costs are prohibitive. He had discussed it with the Park and Rec Board. A suggestion was made to offer the house for \$1.00 to someone who could move it. He stated he could work with Solicitor Rausch to accomplish that. The garage is functional and useful to the Township. In addition, there is a well in the house, and the engineer is checking on the wellhead pressure to see whether or not the water could be used to maintain the park. It would help reduce costs by not having to use public water. If it's viable it would be a good option.

**SCHENCK** Chairman Schenck asked Mr. Holman for his time frame. There did not seem to be a sense of urgency.

**HOLMAN** Mr. Holman responded that he was projecting it within the next six months to a year.

**DVORYAK** Mr. Dvoryak asked for an estimate as to how much would be saved in demolition costs.

**HOLMAN** Mr. Holman responded that it would be about \$8,000.

**LUCIANI** Mr. Luciani suggested to put it out for bid and triple that amount.

**BOWMAN** Mr. Bowman suggested to offer people options to purchase windows, doors, etc.

**HOLMAN** Mr. Holman responded they would review all the options and start moving forward.

**BISHOP** Mr. Bishop stated that from day one he was convinced the highest and best use was to get rid of the house. The township wanted the land. Whatever

the most efficient and effective way to turn it into land sounded good to him.

**Consensus was agreement to proceed with the most cost effective solution.**

**15. NEW BUSINESS:**

**A. Adoption of 2006 International Property Maintenance Code**

**RAO** Mr. Rao stated that as of January 1, 2007 the state adopted the UCC; however, it does not include the Property Maintenance Code.

**SCHENCK** Chairman Schenck asked whether this would replace any of the current uses or override what is currently in place.

**RAO** Mr. Rao responded that it is supplemental to what currently is in place, which is more strict.

**HOLMAN** Mr. Holman indicated that the item appeared on the Agenda only for discussion. He will review the Ordinance and discuss it with the Solicitor.

**B. Appointment of Deputy Emergency Management Coordinator – Lt. David Trott**

**MR. BISHOP MOVED TO APPOINT LT. DAVID TROTT AS DEPUTY EMERGENCY MANAGEMENT COORDINATOR. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Request to Modify School Zone Speed Limit Times – St. Joseph School, 2945 Kingston Road.**

**HOLMAN** Mr. Holman stated that the school changed its hours a few years ago and now starts at eight o'clock and that's when the lights actually start now.

**SCHENCK** Chairman Schenck questioned the need for a traffic study, even for a minor change like this.

**ESHBACH** Chief Eshbach responded that it is regulated by statute. It all depends upon the hours of operation. If they were flashing lights they were permitted. In this instance, this is not permitted, and there are no flashing lights. The school needs to advise the Township what their times of operation are.

**SCHENCK** Chairman Schenck stated for clarification, that when the school sends that, the Township could enact it.

**HOLMAN** Mr. Holman indicated he would prepare what is necessary for the Board; he needs the information from the school in writing.

**D. Acknowledge Receipt of January 31, 2007 Treasurer's Report**

**MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF THE JANUARY 31, 2007 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck stated that two excellent candidates had been interviewed for the Park and Rec Board vacancy.

**HOLMAN** Mr. Holman noted that the individual present had her application in first.

**MR. BISHOP MOVED TO APPOINT VERONICA SINCLAIR ANDERSON TO THE PARK AND REC BOARD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman stated that he will send letters out to Ms. Anderson and to the other candidate.

**SCHENCK** Chairman Schenck asked Mr. Holman to please let her know that there will be a position open very shortly. He did not want to discourage anybody.

**16. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 8, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 8, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**MEMBERS NOT**

**IN ATTENDANCE:** Nick Gurreri

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Harish Rao, Economic and Community Development  
David Eshbach, Chief, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Dori Bowders, Manager of Administrative Operations  
Andrew Stern, Managing Director of Fire and Rescue Services  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m.

**A. Opening Ceremony**

**SCHENCK** Chairman Schenck announced that Mr. Gurreri was out of town and would not be in attendance. 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:**

There were no citizen comments.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**1) Presentation on Long Range Sewage Planning**

**SCHOBER**

Mr. Schober presented a few updates. A meeting had been held with staff on the Grit Removal project, and the basic design work is done with the exception of some of the electrical work. Updating the Locker room is being reviewed, in addition to getting ready to bid by the end of March.

Mr. Schober provided a PowerPoint summary presentation of the Township's Long Range Sewer Planning Study. He had provided a written handout for the Board's review. He pointed out the goals of the study in order to upgrade the system for the next several decades and identified the major capital projects that would be necessary to do. Among some of the points made were:

- Identify what maintenance will be required to maintain the system over the next several decades.
- Identify major capital repair projects to be done in that time frame.
- Minimize inflow infiltration into the system.
- Determine costs to implement.
- Investigate a lateral ordinance to address privately-owned laterals.
- Update the collection system mapping.
- Identify substantial system that must be maintained Including 120 miles of gravity sewer, 20 miles of force main, 8 flow meter stations and 8 pump stations.
- Staff is pro-active with maintenance and repair programs, regular cleaning the collection system, repair rotation, removing obstructions (roots) and also replacement of lateral pipes and manholes.
- Identification and maintenance of the collection pipe linings and manholes.
- Program of annual maintenance for lining 40 manholes and collector line about 25 feet.
- Capital Repair projects reviewed including lining and replacement; reviewed in 10-year increments to develop financing strategy.

First 10 years:

- 24" East/West Interceptor; replace both a 2,400 and 2,600 foot section where the force main comes in.
- Mixed East/West Section – Repair hydrogen sulfide corrosion; 14 manholes and 2,300 feet.

- Clean and televise Mill Creek and Codorus Creek Interceptors.
- Haines Road Collector System, 8,800 feet of terra cotta pipe in that section.
- Hydrogen sulfide corrosion found in the Caterpillar right-of-way from pump station discharge.
- Meadowlands and Diversion Pump Stations –
  - Meadowlands - review an option to eliminate completely through gravity.
  - Diversion Pump Station - install a gate diverting all the interceptor flow into the pump station, which will allow maintenance on the downstream interceptor.

Estimated financing is approximately \$5 million for all those projects. Estimated costs are inflated.

10-20 years; and 20-30 years – Lining Haines Acres area for 31,000 feet of feeder pipe; Yorklyn and Wilshire Hills area there is approximately 14,700 feet; financing of \$11 million for 10-20; \$56 million for 20-30 years.

20 – 30 years – Lining of Mill Creek Interceptor – Large interceptors and expensive to maintain. That’s the reason for the Diversion Pump Station; \$11 million in 10-20 years.

Lateral Ordinance – Township should be pro-active. Inspect the laterals when a property is sold to identify any problems.

Summary – System is well maintained, 120 miles of sewer. Few problem areas. First 10 years of capital projects will go a long way to insure success in the collection system.

**SCHENCK**

Chairman Schenck asked whether the Olde East York system was included with the Haines Acres area. He did not recall a specific recommendation for that area.

**SCHOBBER**

Mr. Schober responded that Olde East York area was different from Haines and problems were not identified in that area. The entire area was in fairly good condition.

**SCHENCK**

Chairman Schenck commented that within the review of Haines Acres, the common question was that if all those homes were disconnected from their storm water sanitary systems, where would that storm water go.

- SCHOBER** Mr. Schober responded that it had been discussed during a staff meeting, and a surface storm water system may be necessary.
- SCHENCK** Chairman Schenck asked whether lateral ordinances were fairly prevalent in that area.
- SCHOBER** Mr. Schober responded that the lateral ordinances are more prevalent in the Pittsburgh area where there are a lot of combined systems. The ones he was familiar with had worked very well, and none had been challenged. Connections seemed to be popular.
- SCHENCK** Chairman Schenck noted that the costs he had identified were between \$10,000 and \$15,000, which was not cheap for 35 feet of lateral.
- SCHOBER** Mr. Schober responded that it would depend on the condition and could range from \$200 to \$10,000.
- SCHENCK** Chairman Schenck thanked him for a good report.

**B. Civil Engineer – First Capital Engineering**

- LUCIANI** Mr. Luciani reported that during the last Board meeting a discussion had been held concerning the level of service at the Mt. Zion and Market Street intersection. He had identified the proposed geometry and results of a traffic study. He stated that he will have an assimilation exhibit prepared for the next meeting, which will reveal how they envision the intersection will work with the proposed lane.
- Mr. Luciani provided a few quick updates in addition to his written report. He commented on the Haines Road Safe Routes to School grant that the Township received. One of the York County Planning Commission’s recommendations in the study concerned any proposed sidewalk must not interfere with any proposed road improvements. The PennDot official right-of-way along Haines Road is a 60 foot right-of-way, and originally when the Haines Road study was done the recommendation made was for 14-foot lanes and 18-foot shoulders resulting. Discussions were held with Tom Austin, who indicated that it may be possible to get the road to work at the level of service desired, and at the same time have the sidewalks and stay within the right-of-way. They are working through that effort.
- Mr. Luciani reported that representatives of Heritage Hills came to a staff meeting to discuss their proposed hotel expansion as well as

a large residential development with a town center. They are proposing an indoor water park and some additional features. In the staff meeting they requested some zoning in one area. They also wanted to talk about traffic flow. In consideration of the meeting with Windsor Township and others about improvements at the Longstown Intersection, as well as Mt. Rose Avenue to 83, it was suggested to the representatives of Heritage Hills to immediately contact Stan Saylor who had been spearheading the traffic improvements and who also is in the MPO. At the last MPO meeting, Heritage Hills was on the Agenda and discussed some of these proposed improvements. Mr. Luciani expects Heritage Hills to submit their plan for the hotel within the next month or so even though our Zoning Ordinance is not yet complete. The project is an involved one with dual municipalities.

**SCHENCK**

Chairman Schenck commented about the increased interest in the Coca Cola building on Market Street. He had notified those who had questioned him about it that the Township was looking for a right-turn lane at that intersection.

**LUCIANI**

Mr. Luciani indicated he had received similar questions from a realtor and/or developer. He noted that the zoning is Commercial. There's a median going from Northern Way providing only a right-in, right-out access to the property. Proposed developers are looking for alternative access. He had suggested that they attended one of the Tuesday staff meetings, and the Township would try to work with them to develop the parcel. Focus will be on the right turn radius which needs to be expanded.

**5. ACCOUNTS PAYABLE:**

- A. Bertolet Construction Corporation – Police Pistol Range Improvements – Payment No. 5 in the amount of \$15,521 (Final Payment).**
- B. Regular Payables as Detailed in the Payable Listing of February 8, 2007**

**DVORYAK**

Mr. Dvoryak noticed one of the items on the disbursement list was for some tazers. He questioned what level of training is provided for the officers in the use of tazers.

**HOLMAN**

Mr. Holman responded that Mr. Dvoryak had directed his question to him, and he had asked Chief Eshbach for a brief explanation of training provided on tazers and other weapons. He had provided a short summary of the training on tazers, which had been provided to each of the Board members.

**SCHENCK** Chairman Schenck stated that he had read the document and asked Chief Eshbach to further explain it.

**ESHBACH** Chief Eshbach stated that there is no weapon issued, no piece of equipment issued that the officers are not trained in its use. They are trained by certified trainers whether they are in-house or outside the department. Most of the trainers are in-house; they've been certified as trainers at a "Train the Trainer" type educational seminar and/or several day workshops to become a trainer in anything that the Police Department does. They have certified weapons instructors on all the types of weapons issued from firearms to less lethal weapons to electronic control devices to chemical or oleo-resin capsicum spray to handcuffing. The officers are thoroughly trained in anything that is done in hands-on type situations or hands-off type situations that require force. The electronic control devices were obtained in the calendar year 2006 and everyone was trained in August. They weren't deployed until October and several officers have been hired since then. Those officers were trained as well before they were permitted to carry the electronic control devices.

**SCHENCK** Chairman Schenck stated he was surprised to see how often they use them.

**ESHBACH** Chief Eshbach stated that there is a short learning curve. Once they are used and people understand what they do, they respond. He added that there are infra-red cameras on the weapons, which record what goes on.

**MR. DVORYAK MOVED FOR APPROVAL OF ACCOUNTS PAYABLE A AND B. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

**A. Authorization to Purchase 2008 Ford F-350 4x4 Pick Up Truck through Day fleet Sales – PACC Contract – at a Cost Not to Exceed \$25,484.10 (Replacement of WWT Vehicle #981).**

**SCHENCK** Chairman Schenck commented that the item had been budgeted and will make use of the Harrisburg City contract, which provided a good discount.

**HOLMAN** Mr. Holman added that this vehicle will replace the existing truck.

**SCHENCK** Chairman Schenck asked whether the price included the plow or whether that would be purchased separately.

**HODGKINSON** Mr. Hodgkinson responded that it was budgeted under a different line item and would be purchased separately.

**MR. BISHOP MOVED TO AUTHORIZE THE PURCHASE OF THE FORD PICK UP TRUCK AT A COST NOT TO EXCEED \$25,484.10. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-06-06 – Time Extension – Meadow Creek Subdivision – Plan Expires 2/20/07 (New Plan Date 5/21/07).**

**MR. BISHOP MOVED TO ACCEPT TIME EXTENSION FOR SUBDIVISION 06-06, MEADOW CREEK. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**SCHENCK** Chairman Schenck noted that the two volunteer fire companies transferred the deeds of the properties to the new volunteer fire company.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated that the time had expired for the appeal on the Judge's decision dismissing the appeal on Supervisor's approval on the Rutter's plan.

**SCHENCK** Chairman Schenck asked whether any further action was necessary.

**RAUSCH** Solicitor Rausch responded that nothing further would be necessary.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that he would appreciate hearing from all Board members regarding a March 1, 2007 meeting for a Work Session at 6 p.m. on the new Trash Contract. He hoped all members would be able to attend. He added that the Board Room had been reserved for the Zoning Hearing Board that evening. As a result he had reserved the Springetts Fire Station and will advertise for that if the Board agreed. He expected a large crowd including the Recycling Committee, the Board of Supervisors, Solicitor Rausch and the public.

**Consensus of the Board was agreement to hold the Work Session at the Springetts Fire Hall.**

**HOLMAN** Mr. Holman reported that further on in the Agenda is the Real Estate Transfer from Commonwealth and Springettsbury Fire Company as there is a check that will need to be authorized for the Board for the real estate transfer tax. The check had been signed and approved. That will be handled under Old Business.

Mr. Holman noted that, in addition under Old Business, Mrs. Couselor, Township Tax Collector, was present. Mr. Rausch has completed some more research on the request by Mrs. Cousler for the Deputy Tax Collector position.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Annual Mutual Aid Agreements between Springettsbury Township Emergency Medical Services and:**

- 1) Eastern York County EMS (Hellam)**
- 2) Grantley Fire Company EMS (Spring Garden)**
- 3) West York Ambulance Club**
- 4) Canadochly Valley Ambulance (East Prospect Borough)**
- 5) Manchester Ambulance Club (Manchester Borough)**
- 6) Citizens' Hose Company #1 EMS (Dillsburg)**
- 7) Rose Fire Company EMS (New Freedom)**
- 8) Yoe Fire Company Ambulance Service**
- 9) Dover Area Ambulance Club**
- 10) Red Lion Area Ambulance Association**
- 11) Manchester Township ambulance**
- 12) East Berlin Fire Department EMS**
- 13) Eureka Ambulance Club (Stewartstown)**

**SCHENCK** Chairman Schenck noted that the item was for the standard renewals of the existing mutual aid agreements for ambulance services.

**MR. DVORYAK MOVED TO APPROVE MUTUAL AID AGREEMENTS ITEMS 1 THROUGH 13 ON THE AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – January 25, 2007**

**MR. BISHOP MOVED TO APPROVE THE MINUTES OF THE JANUARY 25, 2007 MEETING AS SUBMITTED. MR. BOWMAN WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

**A. Real Estate Transfer – Commonwealth and Springetts Fire Company Buildings to Springettsbury Township Volunteer fire Company.**

**HOLMAN** Mr. Holman stated that both volunteer fire companies agreed to transfer their stations to the Springettsbury Township Volunteer Fire Company. The amount of the real estate transfer tax that has to be paid on that is \$30,751.00. Mr. Holman requested an authorization from the Board to provide the check to Solicitor Rausch for the Real Estate Transfer Tax. It was mentioned at the Board meeting to send a letter to both school districts and to the county for reimbursement. Mr. Holman needed direction from the Board in order to issue a reimbursement check.

**BISHOP** Mr. Bishop noted that first there should be an authorization to issue the check.

**SCHENCK** Chairman Schenck commented that the Board had agreed to do that.

**MR. BISHOP MOVED TO AUTHORIZE ISSUANCE OF THE CHECK IN THE AMOUNT OF \$30,751.00 TO SATISFY THE REALTY TRANSFER TAX TO THE FIRE STATIONS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck noted that direction is needed on how to get the reimbursement.

**HOLMAN** Mr. Holman agreed, as the Township is not specifically a party to this transaction.

**BISHOP** Mr. Bishop asked whether the question is that the Township should ask for it, or whether someone else should ask.

**SCHENCK** Chairman Schenck noted that it would seem that the Fire Company has to request it.

**BISHOP** Mr. Bishop did not see how it would be detrimental for the Township to do so. It would be necessary to be sure that everyone is on the same page. He asked whether there was any downside to the Township requesting it.

- SCHENCK** Chairman Schenck indicated he could not think of a single downside to requesting it at all. He asked the Tax Collector, Peg Cousler, whether she might have a comment about it.
- COUSLER** Mrs. Cousler responded that it would carry more weight if it came from the Township than from other taxing authorities.
- SCHENCK** Chairman Schenck noted that he had discussed it with representatives of the County, who suggested that in the request the “why” should be emphasized due to the merger to be more efficient and pave the way to any future consolidation or regionalization. It had been a big win for getting them to grant that refund. The Township will have to decide if it should be refunded to the Township, since \$7,000 of that money belongs to the Township.
- RAUSCH** Solicitor Rausch noted that there hadn’t been any discussion about requesting it from the state. He stated that 1% of the transfer tax goes to the state. A special form must be filled out that the Recorder of Deeds sends to the Commonwealth if any refund is to be requested of that 1%.
- SCHENCK** Chairman Schenck noted that half of what the county gets actually goes to the state.
- RAUSCH** Solicitor Rausch stated that he was correct. There had been discussion about locally requesting the refund.
- SCHENCK** Chairman Schenck stated that it should be requested and asked for confirmation of the amount.
- HOLMAN** Mr. Holman responded that it was approximately \$7,000 and it has to be paid up front.
- DVORYAK** Mr. Dvoryak stated it might be helpful to go to the state representatives for the application that is to be made to the state, as they are in favor of the merger.
- SCHENCK** Chairman Schenck stated that Senator Mike Waugh, in particular, had been involved in this process.
- HOLMAN** Mr. Holman commented that he was sure they would be supportive.

**RAUSCH** Solicitor Rausch stated he would obtain the refund form and determine what needed to be done.

**B. Greensprings Drive Parking Restriction**

**SCHENCK** Chairman Schenck stated that correspondence had been received from the county, and the request for No Parking had been denied.

**HOLMAN** Mr. Holman noted that Chief Eshbach had a file on the history from 2002, and the Police Department did have various requests from neighbors with regard to No Parking.

**SCHENCK** Chairman Schenck stated that the Township could not enact a parking restriction contrary to an engineering study.

**ESHBACH** Chief Eshbach stated that it could not be enforced. A traffic and engineering study requires a certain warrant on which to put a restriction.

**SCHENCK** Chairman Schenck stated that he would be happy to provide the information to those present from the homeowners association. The county determined that the width of the road, coupled with the speed limit, allowed sufficient safety to allow two lanes of travel at the same time allowing parking along both sides of the street. They also indicated that visibility is not limited by parked vehicles in that area. So, therefore, there's no warrant to justify the parking restriction and the Township's hands are tied.

**SCHENCK** Chairman Schenck indicated that those in the homeowner's association had come to the meeting. He asked whether they had any questions or comments. He noted that there was nothing the Township could do.

**HARRISON** Dr. Lindy Harrison, President of the association, asked whether there would be any way of appealing the decision as it is dangerous to drive it every day.

**SCHENCK** Chairman Schenck indicated he understood but he was not aware of any appeal process.

**ESHBACH** Chief Eshbach added that he was not aware of any either. When the Township requested a traffic and engineering study, they grant the study

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 8, 2007  
APPROVED**

- HARRISON** Dr. Harrison commented that they would very much appreciate having a copy of the Traffic Study, and as well a copy of the letter that denied the request.
- SCHENCK** Chairman Schenck commented that the Township had not received the actual study; the letter referenced the study number.
- HOLMAN** Mr. Holman offered to request the study, which normally is only provided if they authorize the change.
- SCHENCK** Chairman Schenck stated that it is a county study and a public document. They should be able to provide that. He gave his copy of the letter to Dr. Harrison. He suggested that they call Don Bupp at the County and give him the traffic and engineering study number for further discussion.
- HARRISON** Dr. Harrison thanked him for the letter and also for the opportunity to speak.
- DVORYAK** Mr. Dvoryak suggested that they appear before the County Commissioners with the Petition that had been submitted to the Township along with the study.
- HARRISON** Dr. Harrison asked whether it would be possible for them to have their Petitions back.
- HOLMAN** Mr. Holman responded that he would return the Petitions to them.
- HARRISON** Dr. Harrison noted that if there is an avenue to appeal before the County Commissioners then they could be re-presented to them.
- SCHENCK** Chairman Schenck stated that he did not know whether that would be an official appeal process; however, they have public meetings just like the Township and they could present their concerns.
- HARRISON** Dr. Harrison indicated she thought they would choose to do so. She thanked the Board for providing them a fair chance by referring it appropriately through the traffic study. They need to look at the parameters of the traffic study also before they determine whether it's worthwhile to follow it up. However, dangerous it may be individually, if a judgment is made that it's not, they may not be able to appeal that, but it would be worth looking at, and she thanked the Board.

**Deputy Tax Collector**

**HOLMAN**

Mr. Holman reported that he and Solicitor Rausch had reviewed the Tax Collector's request for appointing a Deputy. He asked Solicitor Rausch to explain the approach to the Deputy appointment as far as authorization.

**RAUSCH**

Solicitor Rausch stated that his understanding of the local tax collection law is that there is provision for the appointment of a Deputy Tax Collector. The provision is not crystal clear, but the procedure indicates that the Tax Collector makes the request to the taxing district, and upon approval of the governing body of the taxing district and the surety, the Township could okay the designation of the Deputy Tax Collector. The individual can be authorized or approved and then the Tax Collector actually deputizes the Deputy Tax Collector, who then can assist the Tax Collector in the operation of the collection of taxes. But the Tax Collector is still responsible for the overseeing the collection and apportionment of the taxes collected. He recommended authorizing a Resolution approving the individual the Tax Collector is asking to be Deputy Tax Collector.

**SCHENCK**

Chairman Schenck asked whether it would be the Township's sole authority to do so.

**COUSLER**

Mrs. Cousler stated that she is the elected official in Springettsbury. She just has to notify them.

**HOLMAN**

Mr. Holman stated that there is a recommendation to be appointed by Mrs. Cousler on her behalf. The Township would do the standard background checks and any other checks normally done for any employee. If the Board agreed, Solicitor Rausch could prepare a Resolution for the next meeting. Mr. Holman indicated he should have all the information back by then.

**RAUSCH**

Solicitor Rausch stated for clarity that there is no additional compensation for that Deputy.

**SCHENCK**

Chairman Schenck added that those fees are set by the Ordinance. It is the Board's decision whether to authorize the position of Deputy Tax Collector. He asked whether the appointment would be for the specific individual.

**RAUSCH**

Solicitor Rausch responded that would be the case, according to the provision in the local Tax Collection Law. In other words, the Township is not so much creating that position as it is authorizing the Tax Collector to deputize a particular individual to be a Deputy

Tax Collector, which Solicitor Rausch assumed would be for the term of the Tax Collector.

**SCHENCK** Chairman Schenck agreed with the course of action. The position is a very responsible one, and he would be very comfortable with that process.

**BISHOP** Mr. Bishop agreed that the process made sense. As well he agreed with the action. He expressed one reservation with respect to the Board putting someone in a position that could potentially look like an endorsement of that individual to take over the position. It was a small concern and not one that would outweigh the benefits and the help it would provide Mrs. Cousler.

**SCHENCK** Chairman Schenck noted that it was a valid concern. The Board wanted to support Mrs. Cousler with the help she needed. He added that it sounded like an authorization to draft a Resolution which would be available for adoption at some point in the future.

**BISHOP** Mr. Bishop asked Mr. Holman whether the process could be completed by the next meeting or the first meeting in March.

**HOLMAN** Mr. Holman suggested that the individual come to his office to begin the paperwork for the background checks. It could potentially be completed prior to the next meeting.

**SCHENCK** Chairman Schenck thanked everyone for their input.

**Planning Commission Vacancy**

**BISHOP** Mr. Bishop brought one additional Old Business item before the Board. He stated that there had been a vacancy in the Planning Commission for quite some time. He understood that there had been some concern about having a Quorum to conduct business. Since there are statutory requirements in order to provide deemed approvals, Mr. Bishop suggested that it was very important to fill that position. He indicated that the name of Charles Wurster had come forward to him. Mr. Wurster currently serves as Chairman of the Rec Board and also participates on the Comprehensive Plan Task Force. He had found the involvement in the Task Force and Planning very interesting and had expressed an interest in accepting an appointment to the Planning Commission with the Board's agreement. Mr. Bishop had discussed the matter with Mr. Holman, and Mr. Wurster's goal would be to remain with the Rec Board at least through the date that the Comprehensive Plan is completed and at that time likely resign from that Board. He's also

hoping that the Comprehensive Task Force doesn't last too much longer.

**SCHENCK** Chairman Schenck noted that he didn't think there was a conflict at all with having someone on the Park and Rec and Planning Commission.

**BISHOP** Mr. Bishop stated that the conflict is having the time to do it. He didn't think there was a statutory conflict.

**HOLMAN** Mr. Holman stated that the Zoning Hearing Board presented that problem.

**SCHENCK** Chairman Schenck asked whether Mr. Bishop thought he wanted to be appointed now and serve in both capacities.

**BISHOP** Mr. Bishop responded that he did. The benefits are that someone would be in place if there were a problem. The Planning Commission's concern is having a Quorum in order to conduct business.

**DVORYAK** Mr. Dvoryak indicated he knew Mr. Wurster and would be happy to support him.

**SCHENCK** Chairman Schenck stated he was pleased with his input at the Comprehensive Plan level.

**MR. BISHOP MOVED TO APPOINT CHARLES WURSTER TO THE PLANNING COMMISSION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**Park and Recreation Board Candidates**

**SCHENCK** Chairman Schenck noted that there were some candidates for the Park and Rec Board in their packets. He asked Mr. Holman whether he was hoping for some action in that regard.

**HOLMAN** Mr. Holman asked whether the Board would be interested in conducting interviews prior to the next meeting.

**SCHENCK** Chairman Schenck responded that he was generally in favor of that and understood that it is not necessarily convenient for everybody. He would be in favor of scheduling a time slot and schedule those interviews.

**HOLMAN** Mr. Holman responded that he would schedule it for the Board members who would like to do so prior to the next meeting.

**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**

**JANUARY 25, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 25, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Don Bishop, Vice Chairman  
Nick Gurreri  
Mike Bowman  
George Dvoryak

**MEMBERS NOT**

**IN ATTENDANCE:** Bill Schenck, Chairman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Harish Rao, Economic and Community Development Director  
David Eshbach, Chief, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**BISHOP** Vice Chairman Don Bishop called the meeting to order. He stated that the Chairman, Bill Schenck, had been detained out of town and was unable to be present.

**A. Opening Ceremony**

**BISHOP** Mr. Bishop led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**BISHOP** Mr. Bishop announced that there had been no Executive Sessions since the last public meeting, and none were scheduled for this date.

**3. COMMUNICATIONS FROM CITIZENS:**

**EICHELBERGER** Mr. Ron Eichelberger, South Vernon Street, thanked the Board for the excellent curbing job. The residents requested that the speed humps be removed from South Vernon Street, since they had not

been especially successful in reducing speed between Eastern Boulevard and Market Street. Snow removal and leaf collection had been impaired and the humps had caused a backup of water which freezes in colder weather. The residents suggested that, since repaving is about to be done this coming spring, it would be a good time for removal. Mr. Eichelberger provided a Petition signed by the residents in the first block of South Vernon Street

**BISHOP** Mr. Bishop passed the Petition on to Mr. Holman. He stated that the entire project was the beginning of an experiment. The Board knew there was a problem. Several options were reviewed, and the humps were chosen. He asked Mr. Holman when the resurfacing would take place and whether there was a plan to replace the humps.

**HOLMAN** Mr. Holman responded that the road is scheduled for resurfacing in the spring of 2007. The humps would have been replaced if the Petition had not been received. Costs will be reduced by \$7,000.

**BOWMAN** Mr. Bowman wondered whether that would be a Township or a County decision.

**HOLMAN** Mr. Holman responded that he will deal with the administrative matters; it would be the Board's decision to remove the humps based on the Petition. He thought that an Ordinance had been adopted, which will need to be adjusted.

**4. ENGINEERING REPORTS:**

**SCHOBER** Mr. Schober provided some brief updates. The Pistol Range Improvements had been completed and a final check done. The application for final payment will be submitted at the next meeting. Mr. Schober reported he attended a BNR financing meeting with Mr. Holman and Attorney Rausch and that is moving forward.

**STUHRE** Mr. Charles Stuhre, Trout Run Road, noted that there is a tremendous amount of noise from the Pistol Range, much worse than it had been in the past. He wondered whether there was something new about the design, which seemed to amplify the sound.

**HOLMAN** Mr. Holman suggested that when the grass grows in and everything else is finished, the sound should not be increased, but rather diminished. The barrier had been raised up, and there should be more of a sound block with the erection of the new

pavilion. He asked Chief Eshbach whether he was pleased with the work.

**ESHBACH** Chief Eshbach responded that he was pleased with the improvements.

**BISHOP** Mr. Bishop asked Chief Eshbach whether he anticipated getting more use out of that facility.

**ESHBACH** Chief Eshbach responded that the use was more than it had been in past years. Since the renovations were completed it had been used only about three times. There are other agencies using the range throughout the County, and there are times when automatic weapons are fired there, as well as rifles. Those are the louder weapons than pistols.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani provided several updates to his January 19<sup>th</sup> written report. He reported that he, Mr. Holman and Mr. Lauer had been working with PennDot to take back additional right of way obtained by Central School and left over from the old North Sherman Street and Mt. Zion Road. Negotiations are on-going with regard to maintenance of grass swales, pieces of ground no longer Sherman Street that will be turned back over to the Township. Mr. Lauer wanted to document some of his concerns with signage, which Mr. Luciani had provided with his report. Mr. Lauer was at the site of Mt. Zion and North Sherman Street and a truck was going straight through and didn't realize that it turned into Mundis Road. That signage is completely deficient. An exhibit had been provided to PennDot in an effort to correct that signage. The other thing that does not really involve Sherman Street, but there's a segment of old Sherman Street where the houses sit 6,800 feet off of the new Sherman Street Mr. Luciani recommended that Mr. Holman review that because those street addresses are Sherman Street, but they're no longer on Sherman Street.

**HOLMAN** Mr. Holman responded that the street may need to be renamed.

**LUCIANI** Mr. Luciani indicated that he had a PowerPoint presentation regarding Market and Mt. Zion Road. He stated that they had been working on a design since the road trip last spring/summer.

Mr. Luciani provided a PowerPoint presentation of the intersection. He revealed failing marks at the intersection, and suggested design changes for a dedicated right-turn lane to drive south would relieve the traffic back up. Dual left turns going eastbound on Market Street do not provide an optimal solution. No changes will be made to the left turn lane to Mt. Zion, except that the turn lane will be extended. Mr. Luciani and TRG had done some extensive scenarios and traffic reviews. He indicated that he will provide an on-screen model to show how cars cued at the intersections. The ultimate solution was discussed in a recent Comprehensive Plan meeting on Tuesday; however, there is so much real estate up against making three lanes in each direction. He noted that there would be no split-phasing. The Township's synchronized system needed to be tweaked for signal timing.

**HOLMAN**

Mr. Holman noted that these numbers have not been tied in with the impact of Concord Road Extension, which will be factored as well. The Authority has some funding, approximately \$775,000 for this project. There may be some additional funding depending on the final costs.

**North Hills Road/Railroad**

**GURRERI**

Mr. Gurreri commented on right-hand turns on North Hills Road with the trains. Traffic backs up to Market Street.

**LUCIANI**

Mr. Luciani stated that because school buses use that intersection, the PUC representative indicated that crossing gates are going to be required.

**HOLMAN**

Mr. Holman stated that, if that improvement goes in, they will have to upgrade that signal system to the current level that is required. That would indicate that if a motorist is driving down Industrial Highway to North Hills there will be preliminary flashers advising that there's a train coming before getting up to the gates. If a motorist was going westbound on Industrial or northbound on 30, there will be another flasher further down to warn of no right turns until the train gets through.

**GURRERI**

Mr. Gurreri asked about the project for Sheridan Road at the curve. He noted in Mr. Holman's report he was about ready to give up on it.

**HOLMAN**

Mr. Holman indicated he was going to send another letter to the owners.

- GURRERI** Mr. Gurreri noted there were three properties that would have to give right of way, and two said no. Mr. Gurreri's understanding was that PennDot agreed to do the blacktop, the Township would do the curbing on one side of the road, and the contractor was to do the curbing on the other side of the road. Mr. Gurreri thought it would be advantageous for the Township to pursue that.
- LUCIANI** Mr. Luciani responded that there had been many meetings concerning the roadway. However, since those meetings had been held, many of the individuals had changed. The three individuals that had not provided right of way had stonewalled the project.
- HOLMAN** Mr. Holman noted that there had been a request from the homeowners to improve that curve. That curve had been improved and widened by S&A Homes. He had reviewed reports from the Police Chief on accidents in the area.
- GURRERI** Mr. Gurreri commented that the biggest problem is the water runoff across the road in the wintertime, as it freezes. Public Works Department was supposed to review this, but he understood it might not happen.
- LUCIANI** Mr. Luciani stated that they did the design work and provided that to PennDot. The Township's responsibility was to put curb on one side, and get the right of ways. One property is a half acre, one is three quarters of an acre. The Township does not have any money to spend on rights of way.
- GURRERI** Mr. Gurreri thought there had been some money allocated for the project.
- HOLMAN** Mr. Holman responded that it was only for the improvements.
- LUCIANI** Mr. Luciani stated that the Township will have to decide whether to condemn the property and move forward with the project.
- GURRERI** Mr. Gurreri re-stated that it is a safety issue of water running across the road. It's not wide enough for two trucks to pass. Trucks are not supposed to be on that road, but they are.
- BISHOP** Mr. Bishop noted that getting another letter out to solicit a response will be appropriate. If there is no response then it's an appropriate thing for the Board to discuss.
- LUCIANI** Mr. Luciani indicated that he could include an estimate of how much right of way is needed from each person.

**GURRERI** Mr. Gurreri commented that a lot of time and money had already been spent on the improvements.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of January 25, 2007**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES ON THE PAYABLE LIST JANUARY 25, 2007. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

**A. Authorization to Enter into Contract with Yost Strodoski Mears, Inc. (YSM) for Landscape Architectural Services for Improvements to Penn Oaks Park in an amount not to exceed \$52,950.**

**MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO CONTRACT WITH YOST STRODOSKI MEARS FOR LANDSCAPE SERVICES TO PENN OAKS PARK IN AN AMOUNT NOT TO EXCEED \$52,950. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-06-11 – Time Extension – 3308 Druck Valley Road Residential Development – Plan Expires 1/25/07 (New Plan Date 4/25/07)**
- B. SD-06-12 – Time Extension – York Butterfly Corporation Lots 5, 6 and 7 – Plan Expires 2/8/07 (New Plan Date 5/9/07)**
- C. SD-05-13 – Time Extension – Market Street Commons Add On Lots – Plan Expires 2/7/07 (New Plan Date 5/8/07)**
- D. LD-05-18 – Time Extension – Market Street Commons Add On Lots – Plan Expires 2/7/07 (New Plan Date 5/8/07)**
- E. LD-06-09 – Time Extension – K. G. Whiteford Building Expansion – Plan Expires 2/8/07 (New Plan Date 5/9/07).**

**MR. GURRERI MOVED TO ACCEPT THE TIME EXTENSIONS FOR SUBDIVISIONS AND LAND DEVELOPMENTS, ITEMS A THROUGH E AS PRESENTED ON THE AGENDA. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATIONS FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri commented during a previous meeting there were residents who had reported truck parking. Mr. Gurreri thought that the Police Department would handle trucks parked on a street by

fining them. However, it is being handled under Zoning. Mr. Gurreri asked how the process worked.

**RAO** Mr. Rao responded that they look up the license plate number and the number of the truck and contact the owner and ask them to move it immediately.

**HOLMAN** Mr. Holman stated that the Police Department enforces the criminal end of it, such as if it is not licensed properly. However, if it's a Zoning matter, Mr. Rao handles it.

**RAO** Mr. Rao commented that there are specific zones where commercial trucks cannot park long term, such as in a residential neighborhood. They could stay there overnight for delivery, but long term parking is monitored.

**RAUSCH** Solicitor Rausch noted that in order for the Police Department to enforce illegal parking would require signage indicating No Truck Parking restriction on the street, and it would have to be done on every street in the Township.

**RAO** Mr. Rao added that trucks can park in Commercial Highway zones and Industrial zones, but not in Residential zones.

**HOLMAN** Mr. Holman noted that there are some zones where one side of the road can be Residential and the other side is Commercial. Trucks are permitted to park on the side that is Commercial.

**RAUSCH** Solicitor Rausch added that the police would get involved if there was a safety issue, such as a truck blocking sight distance, etc.

**ESHBACH** Chief Eshbach stated that the way the Ordinance is written it speaks strictly to R1, R2 and R3 zones and the vehicle by which it is enforced is the typical civil matter. What they have to do is send a letter to the person asking them to remove it in so many days. If they don't do that there's a \$10.00 fine associated with it. If the Police Department does not have the authority to put a windshield ticket on a truck like that because it's parked in the wrong zone in the township, they would have to be in an area posted no truck parking.

**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 noted that he had provided a supplemental report to the Board requesting the appointment of a Bond Attorney, Peter Carlucci, of Eckert Seamans Cherin and Mellott. He requested action on that appointment.

Mr. Holman introduced Christie Brown, the new Admin Intern, who came from Millersville University and will be working on contract management for the next six months. Primarily and specifically she will be coordinating and organizing the bid specs for the trash contract, as well as reorganizing all the contracting files.

**HOLMAN** Mr. Holman noted that it is anticipated that the Norfolk Southern Rail crossing work will begin the end of February or the beginning of March. Their crews are supposed to begin laying ties in March in order to meet a completion date of June. Mr. Holman thanked Solicitor Rausch for his work with the Norfolk Southern attorney that got some action.

**BISHOP** Mr. Bishop commented that Mr. Carlucci had worked with the Township on these kinds of matters in the past. He is very familiar with the Township.

**MR. GURRERI MOVED TO APPROVE THE APPOINTMENT OF C. PETER CARLUCCI, JR. OF ECKERT SEAMANS CHERIN AND MELLOTT AS BOND ATTORNEY FOR SPRINGETTSBURY TOWNSHIP. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Authorization to Enter into Extension Agreement with York County Solid Waste Authority Regarding Waste Management Services.**

**HOLMAN** Mr. Holman stated that the item is part of their improvements and the agreement had been reviewed by Solicitor Rausch, who had no objections.

**MR. DVORYAK MOVED TO GRANT AUTHORIZATION TO ENTER INTO EXTENSION AGREEMENT WITH YORK COUNTY SOLID WASTE AUTHORITY REGARDING WASTE MANAGEMENT SERVICES. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Reorganization Meeting – January 2, 2007**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REORGANIZATION MEETING JANUARY 2, 2007 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors/Planning Commission Work Session – January 2, 2007**

**MR. DVORYAK MOVED TO MINUTES OF THE BOARD OF SUPERVISORS/ PLANNING COMMISSION WORK SESSION MINUTES OF JANUARY 2, 2007 AS PRESENTED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Board of Supervisors Regular Meeting – January 11, 2007**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING JANUARY 11, 2007 AS AMENDED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. OLD BUSINESS:**

**BNR Funding**

**HOLMAN**

Mr. Holman noted that Chris Gibbons was in attendance to provide the Board with an update on the BNR, Bio Nutrient Reduction, funding program. This will be Phase I for the amount of \$10 million.

**GIBBONS**

Mr. Gibbons provided a written report in review of market conditions, financing timetable, bank loan Request For Proposals. A review is done of both bank loan and bond issue financing. A similar type of program for this financing is being done as well. The receipt of the consent letters received by connected municipalities to borrow only \$10 million rather than the entire \$24 or \$26.5 million depending on whether or not the Grit Removal program is included in the final financing component. Essentially, as Mr. Rausch could indicate, the Articles of Agreement between the municipalities state that if the entire amount were not being financed, there would be the need for a waiver or consent.

**HOLMAN**

Mr. Holman indicated that this is a multi-year three year project and because of the arbitrage laws and everything else due to the financing, there is a need to borrow the \$10 million, based on the phases; \$10 million for 2007, \$10 million in 2008 and possibly \$10 million in 2009. That will be whatever the final cost of the project

is, but a waiver is needed each year from one of the codicils in the agreement that indicates that first go out and bid the project, then borrow. That really doesn't work for this BNR. It's very unusual circumstance. In discussing this with Solicitor Rausch a few more letters of waiver will come in very shortly for this specific instance.

**GIBBONS**

Mr. Gibbons continued with evidence that it is the most cost effective method of financing with the multi-phased approach. If \$10 million is borrowed or less in a calendar year, there is a break in the interest rate. If there was one issue it would be about 4.32%. For three bond issues it could be roughly 4.09%. Although more is being borrowed because there are three different financings and there are added issuance costs, it can be borrowed at a significantly reduced rate of interest.

**DVORYAK**

Mr. Dvoryak asked whether that would assume that rates don't change.

**GIBBONS**

Mr. Gibbons responded that he was correct; the assumption is that rates remain static.

**DVORYAK**

Mr. Dvoryak asked what would take place if rates go up.

**GIBBONS**

Mr. Gibbons responded that was why this is a multi-phased approach. Mr. Holman had indicated certain tax regulations come into play here too that say that there must be reasonable expectations of spending all the money borrowed within three years. The BNR and Grit Removal projects at this point are scheduled for a four-year period. Only three years worth of project can be borrowed. Next year the financing will be reviewed again to see whether it still makes sense to do two more financings or just one more.

**HOLMAN**

Mr. Holman stated that the construction will not be completed until 2011.

**HODGKINSON**

Mr. Hodgkinson stated that the new regulations go into affect the end of 2010. There will still be money spent in 2011.

**GIBBONS**

Mr. Gibbons concluded with a summary showing the pro-rated debt service cost will be per municipality for the total additional debt service related to the BNR and Grit Removal projects. He was not asking for any action during this meeting.

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APPROVED**

- HOLMAN** Mr. Holman wanted to be sure the Board was aware of what was being done as far as borrowing the \$10 million.
- GURRERI** Mr. Gurreri asked whether the User Group was aware of this.
- HOLMAN** Mr. Holman responded that they had received all of the information. We are waiting for four letters to come in and the deadline for their receipt is February 2<sup>nd</sup>.
- RAUSCH H** Solicitor Rausch added that he had not heard from anyone indicating that they were not in favor of financing this. It's just a matter of the paperwork.
- DVORYAK** Mr. Dvoryak asked when the initial construction will begin.
- HOLMAN** Mr. Holman responded that the Grit Removal project will begin during 2007. There is a trailer in place doing a test to be sure it will work before spending \$27 million. The Pennsylvania Bulletin indicated that the water permit was in for advertisement, which takes up to 30 days after advertisement for public comment. After that the permit should be approved. Mr. Hodgkinson and Mr. Schober do not think there are any surprises with that permit. The project is on schedule to stay with the 2010 completion date.
- RAUSCH** Solicitor Rausch asked whether the RFP will be sent to four banks.
- GIBBONS** Mr. Gibbons responded that the bank loan RFP will be sent to approximately 15 banks. A bond issue RFP would be sent to three different banks as paying agent.
- DVORYAK** Mr. Dvoryak asked whether there would be an arbitrage issues if this is closed on the time table of April and construction is delayed.
- GIBBONS** Mr. Gibbons responded that any time there is an arbitrage situation, it would be handled by writing a check to the IRS or to the U. S. Treasury for the arbitrage. That's the only penalty that would be incurred.
- BISHOP** Mr. Bishop commented that there is a fairly large window, approximately three years.
- HOLMAN** Mr. Holman responded that 10 % had to be spent within the first six months, 45% within the first year and then 75% within 18 months.

- GURRERI** Mr. Gurreri noted that the User Group has about \$4 million and wondered how that fit into the picture.
- GIBBONS** Mr. Gibbons responded that it was part of the whole evaluation as to what the final financing will be. Will the final financing be an amount less the amounts that are available with the User Group as well as the Township or does it make sense to hold on to a portion or all of that as a cushion for emergencies.
- HOLMAN** Mr. Holman commented that one question raised was whether the entire in surplus in the User Group fund will be needed, or whether to return some of the surplus to help offset the cost of the bond. All of that will be reviewed as part of the calculations. The surplus belongs to the different municipalities.
- BISHOP** Mr. Bishop commented that by returning that, Mr. Holman actually meant reducing the amount of borrowing.
- HOLMAN** Mr. Holman responded that he was correct; however, that will not be reviewed for another year or two. It is unsure whether the last \$10 million borrowing will be in the third year.
- GIBBONS** Mr. Gibbons noted that this part of the calculation is essential. At this point the borrowing rate is projected at 4.09%. The \$4 million can earn greater than 4.09%. It can be kept as long as there is a reasonable expectation to use that money somewhere else.
- HOLMAN** Mr. Holman stated that the project is moving ahead.

**B. Joint Fire Services Discussion**

- HOLMAN** Mr. Holman stated that there had been discussion as to how to proceed and move forward with the Charter Agreement. Some suggestions had been made to have a few members from each Board to meet and attempt to resolve any questions with regard to control, authority, etc. in order to get the Charter Agreement moving as expeditiously as possible. One of the recommendations was to have two members from each of the governing bodies to get together to review all the concerns that had been raised. There are two members of the Springettsbury Board currently serving on the Ad Hoc Committee, Mr. Schenck and Mr. Bishop.

**Consensus was to appoint Mr. Schenck and Mr. Bishop to the review board.**

- GURRERI** Mr. Gurreri wanted to thank both Mr. Schenck and Mr. Bishop, as a lot of work had gone into the project. Nine years ago a regional

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fire service was discussed and was far out of sight. Recently it had been great to sit down with the Commissioners of Spring Garden Township. Mr. Gurreri thought it had never happened before that he could recall.

**HOLMAN**

Mr. Holman noted that it will be a much smaller group to address the concerns, and they will come back to the Boards. Another Joint meeting will be held on March 20, 2007.

**13. NEW BUSINESS:**

**A. Authorization to Advertise Sale of Used Vehicles**

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISEMENT OF SALE OF USED VEHICLES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Acknowledge Receipt of December 31, 2006 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE DECEMBER 31, 2006 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**14. ADJOURNMENT:**

**BISHOP** Vice Chairman Bishop adjourned the meeting at 8:15 p.m.

Respectfully submitted,

John Holman  
Secretary

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Springettsbury Township’s Board of Supervisors and Planning Commission held a Joint Work Session on Tuesday, January 23, 2007, at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:**

**Board of Supervisors**

- Bill Schenck, BOS
- Don Bishop, BOS and CP
- Nick Gurreri, BOS
- Mike Bowman, BOS
- George Dvoryak, BOS

**Planning Commission**

- Alan Maciejewski, PC
- Mark Swomley, PC
- Bill Bender, PC

**ALSO PRESENT:**

- John Holman, Township Manager
- Charles Rausch, Township Solicitor
- John Luciani, Civil Engineer
- Harish Rao, P.E., Director of Community Development
- Marian Hull, Kise Straw & Kolodner
- Stacy MacNeal, Planning Commission Solicitor
- Nicole Ehrhart, Planning Commission Solicitor

**A. Call To Order:**

**SCHENCK** Chairman Bill Schenck called the meeting to order at 7:15 p.m. Chairman Schenck introduced Nicole Ehrhart as the new Solicitor.

**1. Quorum**

**HOLMAN** Mr. Holman reported that a Quorum was present.

**B. Pledge of Allegiance**

**SCHENCK** Chairman Schenck led the Pledge of Allegiance.

**C. Presentation by Kise, Straw and Kolodner**

**1. Discuss Subdivision and Land Development Ordinance Issues/Problems**

**HULL** Ms. Hull reported that there had been little action taken on the Subdivision Ordinance. Discussions had been held with Planning Commissioners and elected officials. A meeting had been scheduled for Wednesday, January 24<sup>th</sup>, at which time she hoped to have a clear understanding of what

needed to be reviewed. The subdivision ordinance draft text is on schedule and is being reviewed by the Comp Plan Committee. If everything goes smoothly and the officials are comfortable with the direction, given all the notice periods that are required, the schedule should not slip during January. There is a 45-day review period. Ideally it should be completed before the height of summer. There is no intention of railroading this through as it is a very crucial issue for the Township overall.

**2. Revised schedule for new zoning ordinance completion & adoption**

**SCHENCK** Chairman Schenck commented that the schedule looked conservative; however, they will have to wait to see how the work progresses.

**HOLMAN** Mr. Holman noted that with the time frames involved, advertising that has to be met, public hearings to be held a public hearing on June 14<sup>th</sup> would be realistic. Nothing else will be on the agenda. A public forum will be held in February or the beginning of March, depending upon the SALDO progress. There will be an additional public forum, which would be an additional mailing.

**HULL** Ms. Hull noted that the December 12th Public Forum had been well attended and people had been talking to their neighbors and friends, which generated more interest.

**SCHENCK** Chairman Schenck asked Mr. Holman whether he was looking for a consensus as far as whether or not everyone agreed to the schedule.

**HOLMAN** Mr. Holman responded that he wanted the Board to be aware of the time lines. It will depend upon how the process moved forward during the meetings.

**SCHENCK** Chairman Schenck noted the date of June 14<sup>th</sup> for the Board of Supervisors public hearing on the new Zoning Ordinance and Map and new Subdivision and Land Development Ordinance. He asked Mr. Holman whether the process would move into advertisement.

**HOLMAN** Mr. Holman responded that if the Board of Supervisors determined the project should move forward, then it would be advertised. At that point the Board of Supervisors or the Planning Commission could decide to hold another public hearing and ask for additional work to be done. If anything slips, then the amount of time will be added to the dates.

**D. Review of the Current Subdivision and Land Development Ordinance, §289 (SALDO)**

**1. Issues & Concerns**

**MACIEJEWSKI** Mr. Maciejewski spoke for the Planning Commission. He opened the discussion to those members to voice some of the items that give the Commission the greatest amount of problems.

**SWOMLEY** Mr. Swomley began with several suggestions summarized herewith:

- Identification of the date of the initial plan as duly filed to solidify the process.
- Buffer yards and placement of trees.
- Lengths/widths of streets and cul-de-sacs; rights-of-way.
- One or two entrances to a development.
- Bottom slopes of retention ponds; Pennsylvania state changes
- Traffic study baseline impacts and remedy guidelines.

**MACIEJEWSKI** Mr. Maciejewski commented on several aspects as well, summarized herewith:

- Buffer yards – persuading developers as to placement; buffers exists 365 days/year; introduction of classes of buffering in a simple, but definitive way; easier to enforce.
- Combination of bushes and trees; caliper and size of trees
- Parking lots adjacent to streets – plantings needed to block headlights.
- Cul-de-sac length – Developers need to provide two roads into development; discourage shoehorning development into areas to accommodate developer.
- Traffic and traffic study impacts; new developments contribute more to failing intersections
- Waivers requested in nearly every plan.

**Traffic Impact Discussion**

**GURRERI** Mr. Gurreri commented that sometimes the result of a traffic study depends upon who pays for it.

**SWOMLEY** Mr. Swomley responded that a baseline of what is required and who could perform the traffic study would assure a good report.

**SCHENCK** Chairman Schenck commented that he sometimes questioned why traffic studies are required because the study just ends up being pages in the packet.

**RAUSCH** Solicitor Rausch responded that the MPC specifically provides that if a developer is to be charged for traffic, a traffic impact study is required, and that is the methodology to be followed. The only way to combat that is for the Township to have its traffic engineer to counter whatever traffic study is presented. He added that to enact an ordinance is not cheap, but the Township would need to go through the process.

**RAUSCH** Solicitor Rausch responded that to enact an ordinance is not cheap, but the Township would need to go through the process. He added that York Township was the first one to have it in York County. Windsor Township is now enacting one.

**LUCIANI** Mr. Luciani stated that, from his experience on both sides of the issue, his complaint would not be with the traffic study but rather with the MPC. When the developer indicates that a specific intersection is failing it is difficult to get a traffic impact fee. He cited the York Town Center as an example, which may bring 500 to 800 peak hour trips. They would need to pay the Township \$800,000 for the fee. They would not be obligated for any traffic improvements. The funds would be put into a kitty. The Development Authority has \$3 million in traffic improvement funding from the York Town Center.

**SCHENCK** Chairman Schenck thought that at the time it would be an option.

**LUCIANI** Mr. Luciani cited the Harley-Davidson development as another where Pennsylvania did some repairs to Eden Road and Route 30. Estimated traffic volume was large. A home builder might generate two or three houses, and each home would pay \$2,000 or \$3,000 for peak hour. He cited other examples where developers had opted to make the intersection changes in exchange for paying the fee.

**RAUSCH** Solicitor Rausch commented that the Township could not assess a developer for past traffic woes. The traffic impact fee is prospective and is a little bit like the Rec Fee where so much time is allotted to make improvements and then the money is refunded.

**LUCIANI** Mr. Luciani noted that for large projects, such as Central High School, there was a great improvement; as well with Harley-Davidson. The North Hills Rutter's plan will improve that intersection to a point where it will operate better.

**RAUSCH** Solicitor Rausch stated that the traffic problems may be located in areas zoned commercial. The courts may view that as a Township problem because of the zoning.

**GURRERI** Mr. Gurreri stated that other townships build and the traffic comes to Springettsbury. There's no impact fee and no control. He suggested the need for some type of regional board to discuss the traffic impacts. He cited Exit 18 as an already-failing exit, which will become worse; nothing will be done until 2010.

**LUCIANI** Mr. Luciani noted that traffic studies do provide some benefit as to driveway locations, cars stacking. Money is allocated to failing intersections. He added that they are all state roads and not the Township's fiscal responsibility.

**RAUSCH** Solicitor Rausch stated that it is a tool that can be used to ask the developer to make a contribution toward the ultimate fix of a traffic impact. Most developers are willing to do that for their investment.

**HOLMAN** Mr. Holman asked what the options are.

**HULL** Ms. Hull suggested gathering an understanding in order to request the right thing to result in the ultimate best goal.

**E. Comments and Questions of the SALDO**

**Building Boom Discussion – Policies/Procedures**

**GURRERI** Mr. Gurreri stated that, with regard to the building boom in Pennsylvania, he is on the board of the state association, and the continuous question they ask is how to stop all the building, as it is out of control. It is not only in Springettsbury Township; it is everywhere.

**SCHENCK** Chairman Schenck stated that generally when he sees the plans, many of the items are far along the way, such as the length of the cul-de-sac, the buffer yard, waiver requests, the sidewalks, bus stops. Many times he wanted to ask the developer why a development would be designed that requires so many waivers. He would prefer that a development be built around a sidewalk first. Many times he felt backed into a corner to have to accept waivers.

**BENDER** Mr. Bender stated that the process that the community's been going through will help that a lot because moving forward, once this is set in place, the Board of Supervisors and the Planning Commission knows it will become gospel because it's been tested and it's been publicly aired and questioned and tweaked and changed. There may come a point where they say no to the developer, that there is no interest in the waivers. The developer may have to take their development to another township.

**SCHENCK** Chairman Schenck added to Mr. Bender's comment that cul-de-sac regulations all relate to public safety.

**BISHOP** Mr. Bishop stated that the Board had been backed into the corner on sidewalks and cul-de-sacs. However, the Board is permitted to say no.

**MACIEJEWSKI** Mr. Maciejewski responded that, even by the time plans get to the Planning Commission, there is a thick stack of drawings, many staff

meetings have been held, and the developer has been going through the planning process for some time.

**BISHOP** Mr. Bishop noted that one of the processes that had been put into place is a cut off of a number of pages of comments.

**LUCIANI** Mr. Luciani responded that they attempt to get it fewer than five.

**BISHOP** Mr. Bishop noted not to discuss the project again until it has been reviewed and has an acceptable number of comments.

**RAUSCH** Solicitor Rausch added that the philosophy of the Standard Operating Procedure in Springettsbury is that the supervisors do not micromanage subdivision land developments, which is not a negative but a philosophical thing. The Board can set a standard that any waiver has to come to the Board. A lot of developers like to get that cleared up. Sometimes the staff looks bad because they can't make a decision, and the developer feels they've been led down the golden path.

**BISHOP** Mr. Bishop noted that there had been some confusion along those lines. He asked whether it was a process that had been made clear.

**HOLMAN** Mr. Holman commented that some developers had asked the Board to consider waivers and the Board had indicated it made sense to consider those specific waivers.

**SCHENCK** Chairman Schenck asked whether the policies and procedures need to be reviewed.

**RAO** Mr. Rao responded that the procedures are in place; the problem is with the developers who visit at staff level. Staff wants to be sure to have the support of the Board and the Commission that they will back the staff when the staff says no to the developer.

**HOLMAN** Mr. Holman stated that if a developer wanted to go to the Board, they would have the right to do so.

**SWOMLEY** Mr. Swomley commented that almost every single plan that comes through requests a waiver of preliminary plan. He suggested to define when a preliminary plan is required and enforce that.

A lengthy discussion took place summarized herewith:

- Staff would like response guidance when questioned about preliminary and final plans.
- Public improvements and roadways dedicated require preliminary plan; private improvements do not require preliminary plan.

- Preliminary plan is not recorded – review wording.
- Length of time for preliminary plan without action – five years by MPC requirement.
- Development phasing – Four phases allowed.
- Length of streets and number of entrances to development; may not be in ordinance.
- Two entrances in and out of development required for safety.
- Waiver needed if more than 250 trips out of a cul-de-sac.
- Plans that don't meet ordinance should not take up official's time.
- Steep slopes – If development can't be fit into the area, the development is not needed. Define.
- Better definitions of driveways, access roads and street classifications.
- Dormitories attached to technical or specialty schools; could be a good thing – need review.
- Comprehensive Plan – Need to have the ordinances to back it up.
- Mixed Use – Need to have language in place defining.
- Environmental Impact Studies – review wetlands, hydrogeology, archeological resources and traffic. – Need to be able to implement the environmental impacts.
  - Much time spent on conditional uses.
  - Landscape buffers – Ordinance is restrictive; actually need more opacity. Define caliper of trees.
  - Cul-de-sac length – Definitions are better at this time.
  - ASHTO Standards – Federal Highway geometry used for roads.
  - Storm water ordinance – Ownership of ponds, slopes, basins. DEP regulations will change design of storm water ponds to flat and fenced.
  - Formula for Recreation Fee – Include commercial and industrial developers. Change formula.
  - Roads – Temporary versus permanent; roads to connect in the future.
  - Buffering – Proper buffering between two uses; one is buffer, other is screen.
  - Maximum setbacks – Sidewalks, no trees blocking.

**HOLMAN**

Mr. Holman stated that if anyone thought of anything further for the list, he requested that they email to him and he will see that everyone gets the information.

**D. Comments and Questions of the SALDO.**

**4. Public**

**SCHENCK**

Chairman Schenck opened the floor for public comment.

**East Market Street – Multi Use Resource**

**UHLER**

Mr. John Uhler, resident of East York, spoke regarding the issue of the two-thirds mile of East Market Street identified as a multi-use resource.

He provided correspondence from Phil Avilla that highlights comments from the original Comprehensive Plan of 2004 focusing on that East Market corridor formerly Springettsbury Independent School District. He wanted to be assured that the specific area would continue to be maintained and identified in the Comprehensive Plan. He spoke against any designation of multi-use with the consequences of additional traffic which will encroach upon the neighborhoods. Structures in the area had been highlighted by Heritage Trust. He requested that the Board and Planning Commission intend to preserve its significance.

**SCHENCK**

Chairman Schenck noted that he had received the documents provided by Mr. Uhler.

**HOLMAN**

Mr. Holman added that a recommendation was made at the earlier meeting of the Comprehensive Plan Committee that an overlay of the district will be done, which would leave the area as it is.

**HULL**

Ms. Hull stated that it had been agreed to at the last meeting.

**SCHAEFER**

**Olde East York – Historical District Preservation**

Tom Schaefer, 138 North Keesey Street, spoke about the historic preservation of Olde East York. It had been addressed in previous discussions but was advised that it would not be addressed at this time. The wishes of the residents are based upon quality of life, property values and economic development in the future for the Township. He noted that the MPC indicated it should be part of the Comprehensive Plan.

**HULL**

Ms. Hull responded that the design standards, such as setbacks and lot size and all that have been changed in the R7 district to be more compatible with the development that's there, which is the level of design changes one would see in a historic preservation ordinance or in a conservation district ordinance. A Comprehensive Plan does have responsibility to review and conclude that it was longer-term strategy than that in the zoning ordinance, which was very short-term strategy. It is important to finish the Comprehensive Plan and start working on the Zoning Ordinance. Where it was a prior designation and resource issue, there are some specific recommendations about historic resources in the Comprehensive Plan but not as a part of the re-writing of the Zoning Ordinance.

**HOLMAN**

Mr. Holman added that, once the zoning ordinance is completed, then as a separate function, the historic structures will be addressed. They are not left out and are in the Comprehensive Plan report.

**HULL**

Ms. Hull stated that the short-term goal in terms of historic preservation and new ordinance was to at least make the ordinance consistent with the

development that's there so that there is not a situation of discrediting that development and to build on it later whether it's conservation or preservation or other tools that specifically are targeting historic homes and resources.

**SCHENCK** Chairman Schenck noted that when the plan is completed, they will begin working on the historic component of the Comprehensive Plan.

**SCHAEFER** Mr. Schaefer stated they are ready to help if needed.

**RODRIGUEZ** Ms. Vicki Rodriguez, 30 South Rockburn Street, asked for clarification with regard to addressing a portion of the Comprehensive Plan and then later address the concerns about preservation of Olde East York.

**HOLMAN** Mr. Holman explained that what had been presented will help to preserve what's in the area. It will allow investments to be made into a home and allows people to age in place; add bathrooms on the first floor, etc. In the medium range, a review will be made at further historic preservation. The Comprehensive Plan process began over three years ago. The next step is to update the existing Zoning Ordinance in order to support what is in the Comp Plan.

**RODRIGUEZ** Ms. Rodriguez asked whether the Comprehensive Plan addresses the land use for the corridor.

**HOLMAN** Mr. Holman responded that it does. Public Input had been reviewed by staff and a recommendation was made to the Comprehensive Plan Committee to amend what was originally proposed back to the AO but will be called whatever is decided. The only allowed uses will be what is there now which is office and apartment.

**RODRIGUEZ** Ms. Rodriguez echoed Mr. Uhler's comments to use caution in proceeding with historical value of the neighborhood. She also commented on the traffic issue and resulting difficulties on side streets off Market Street.

**F. Proposed Schedule**

**SCHENCK** Chairman Schenck noted that the item had been discussed earlier during the meeting.

**RAUSCH** Solicitor Rausch noted to keep in mind the scheduling when it's ready to be sent to York County Planning. York County Planning will need to comment and respond back to the Township.

**HOLMAN**

Mr. Holman indicated that if they come back with comments, then the proposed schedule dates could be pushed ahead. He thanked both boards for their input and spending the time for discussion.

**G. Adjournment:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:45 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY AND SPRING GARDEN TOWNSHIPS  
JOINT MUNICIPAL GOVERNING BODIES**

**JANUARY 16, 2007  
APPROVED**

A meeting of the Joint Fire Services Committee and the municipal boards of Springettsbury and Spring Garden Townships met on Tuesday, January 16, 2007 at 7:00 p.m. at the Springettsbury Township Offices located at 1501 Mt. Zion Road, York, PA.

**AD-HOC COMMITTEE MEMBERS**

**IN ATTENDANCE:**

Austin Hunt, Spring Garden Township  
Bill Schenck, Springettsbury Township  
Todd Langehein, Springettsbury Township Alternate  
Ellen Freireich, Springettsbury Township  
Jon Countess, Spring Garden Township  
Bill Mader, Spring Garden Township Alternate  
John Fullmer, Spring Garden Township  
Holly Gumke, Spring Garden Township  
Don Bishop, Springettsbury Township

**MUNICIPAL BOARD MEMBERS, FIRE COMPANY AND STAFF MEMBERS**

**IN ATTENDANCE:**

Nick Gurreri, Springettsbury Township  
Mike Bowman, Springettsbury Township  
George Dvoryak, Springettsbury Township  
John Holman, Springettsbury Township Manager  
Greg Maust, Spring Garden Township Manager  
Les Adams, Carroll Buracker & Associates  
Andrew Stern, Springettsbury Director, Fire Services  
Barry Emig, Spring Garden Fire Chief  
Don Eckert, Springettsbury Township  
Dave Eckman, Springettsbury Township  
Tony Surtasky, Springettsbury Township  
Zane Sjoberg, Spring Garden Township  
George Mount, Springettsbury Township  
Rob Carpenter, Springettsbury Township  
Joe Barron, Spring Garden Township  
Don Rohrbaugh, Spring Garden Township  
Richard Guyer, Spring Garden Township  
Matthew Shorb, Spring Garden Township  
Amanda Amsapacher, Springettsbury Township  
Jean Abreght, Stenographer

**1. Call to Order**

**SCHENCK** Springettsbury Township Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees to the meeting of both municipal boards of Spring Garden and Springettsbury Townships. He stated that the meeting of both boards had been advertised and as a result are legal, functioning meetings of both municipalities.

**2. Pledge of Allegiance**

**SCHENCK** Mr. Schenck led the Pledge of Allegiance.

**3. Introduction of the ADHOC Committee Members**

Each member of the AdHoc Committee introduced themselves and are noted in the list of Members in Attendance.

**SCHENCK** Mr. Schenck thanked the Citizens at Large who participated in the fire study. The citizens had participated for nearly a year and a half into this effort, and he wanted them to know that it had been greatly appreciated. He asked Chairman Austin Hunt for introductions of the Ad-Hoc Committee members. Chairman Schenck stated that the Ad Hoc Committee wanted to present to the joint boards and municipalities information that had come forward during the year and a half study. He turned the meeting over to Chairman Austin Hunt.

**HUNT** Chairman Austin Hunt stated that the goal for the meeting was to provide information and recommendations for review and action during the next advertised meetings. He stated that Fire Chief Barry Emig had been requested by Commissioner Gumke to provide a brief video presentation regarding fire services.

**4. Progression of a Fire – Chief Barry Emig**

**EMIG** Chief Emig reported that there might be people in the audience who were not affiliated with fire services and the procedures to be followed. He provided the timeline of a fire in a video presentation. He noted the importance of smoke detectors as a warning device and the urgency of evacuating the premises of a fire within the first minute, minute and a half. Flash over occurs at 1100 degrees at ceiling level and is used as a benchmark described in the study.

**GUMKE** Commissioner Gumke stated that she had requested Chief Emig to provide the video presentation to educate everyone concerning the very short period of time that it takes to engulf a room where people's lives are at risk. She wanted to emphasize how grateful the people are that the Firefighters act quickly in response to fires within the municipalities.

**EMIG** Chief Emig stated from the time a fire is noticed and called it in to the dispatch center, the center has two minutes to process the call. The fire department has a minute to respond, four minutes to arrive, and on their arrival begin operation from seconds to one minute. The fire shown in the video presentation was three minutes and five seconds to flash over. Chief Emig detailed some of the training and duties of the firefighter. He emphasized that there are only so many firefighters and many different responsibilities, which led up to the fire study.

**HUNT** Mr. Hunt thanked Chief Emig for his presentation and introduced Les Adams, the Consultant from Carroll Buracher and Associates. Mr. Adams had been an extremely valuable resource in bringing in fresh ideas, as well as his experience as a long-time firefighter who really understood the technical side of firefighting. He had completed mergers all over the country of fire services and some EMS services, as well as some mergers of volunteer companies in Pennsylvania; however, this will be the first merger of career fire departments in Pennsylvania. Because of the issue of a potential merging of career fire departments, the project had drawn much attention, and the participants had been developing as it had moved forward.

**5. Regionalization Study: Presentation – Les Adams**

**ADAMS** Mr. Adams stated that he appreciated the opportunity to make his presentation. He was aware that some individuals had seen the presentation earlier, which reviewed the study itself, the process and current departments and status followed by recommendations for the merger. He provided history of Carroll Buracher and Associates and which had worked for approximately 120 fire departments. He provided detailed information concerning mergers and studies previously completed. He had presented a voluminous written report to the municipalities. He commented that one chapter was solely dedicated to the volunteer component of the system. He stated that it was an important part of implementing a regional fire services and regenerating and strengthening the volunteer system to work with the paid firefighters. Other points as summarized:

- Commission on Fire Accreditation International – Basis for fire service accreditation; Mr. Adams is a peer assessor.
- Accreditation – Served as background and benchmark information.
- Meetings held with stakeholders, firefighters, volunteers, etc.
- Safety first of firefighters and customers.
- Organizational and individual strengths used to build constructive recommendations.
- Scope of work - assess facilities, apparatus, review operating budgets, review prior studies, assess economics, emergency communications, develop organizational and rank structure recommendations, provide estimated transitional costs.
- Eight-step approach followed - data collection, interviews, on-site observation.
- Analysis of data – risk analysis, fire station location analysis, apparatus location, workload in deployment area, staffing and response time.
- NFPA principles and practices reviewed.
- Developed alternatives and recommendations in all areas of the Scope of Work.
- Developed comprehensive report.
- Fire station location (1-1/2 mile response area) and apparatus assessment – Future growth incorporated.

- Traffic and primary roadways interfering with response.
- Facility review and apparatus age and condition.
- Workload – Incidences reviewed; size and development of communities.
- Legal framework – Intergovernmental Cooperation.
- Response times – Fire arrival in five minutes; flashover between six and nine minutes; EMS between four and six minutes.
- Coverage areas – graphics provided.
- Seal – Excellent work completed by Bradley.
- Grantley and Victory – Different location might provide more economical approach to service delivery; current stations to regenerate level of activity.
- Tri-Hill area – location recommended for more adequate coverage.
- Truck coverage – 2-1/2 miles – with regionalization four trucks could cover York City, West York, Springettsbury and Manchester.
- Organization/Rank Structure – Suggestions for long term: Chief, Deputy Chief, Assistant Chief, Battalion Chief, Captain, Lieutenant and Firefighter.
- Vision of 20, 30 years – 12 to 15 fire stations within the region; four different geographic battalions, four, three to five stations would be a battalion area for command coverage purposes and personnel management.

**HUNT**

Mr. Hunt noted that Spring Garden currently has lieutenants as mid-level operations, and Springettsbury has captains. This does not imply that Spring Garden firefighters are subordinate; all current lieutenants and current captains are considered peers and would be bidding for the new structure.

**ADAMS**

Mr. Adams agreed with his comment and continued his presentation, also summarized:

- Two IFF union locals – potential to become one union, York Area United Fire and Rescue, Local.
- Volunteer recruitment/retention – Entire chapter in the written report. Nationwide losses of volunteer members, difficult challenges in recruiting new volunteers.
- Loss of volunteers resulting in delayed emergency response; insufficient apparatus staffing resulting in some paid staffing.
- Volunteers unable to produce revenue for service provision; municipalities must provide more funding.
- Jt. Fire Services plan envisions an active volunteer role trained to provide safe fire services.
- Tri-Hill – Transition from four stations to three. Personnel relocated.
- Detailed station models provided in the written report.
- Fiscal assessment – Detailed cost projection work done, some recommendations have a cost increase; some a cost reduction.
- Projection – estimated \$16,000 reduction per year for staffing, service delivery and organization in future years.
- Cost savings of apparatus replacement \$900,000 over 20-year period; associated savings in apparatus operating costs. Revenue from disposal of

two units; 20 year savings across the board of \$1.6 for apparatus recommendations.

- Funding sources – List provided in the report.
- Implementation – Chapter provides detailed timelines; potential June merger.

**ADAMS**

Mr. Adams reported that he had discussions with several area fire chiefs including the Mayor and Fire Chief of York concerning the regionalization. He advised that based on those discussions, it seemed that nine municipalities over time might become part of this regional department if implemented. As more fire departments join, the savings and service benefits increase significantly and the more efficient the department becomes.

Mr. Adams noted that Grantley provides EMS service delivery, which had not been part of the study. However, if a Grantley EMS response were made from a station in the Tri-Hill area, in his opinion, their service coverage would be significantly improved.

Mr. Adams discussed fire police and applauded the work they do. He recommended they continue to function within the new organization, even though their authority comes under the police agencies. He recommended no changes to the fire police.

Mr. Adams outlined some of the impacts built into the report which included extensive recommendations with regard to volunteers. He suggested to regenerate and strengthen the volunteer service delivery. One of the goals would be for the volunteers to staff apparatus with renewed interest in staffing the engine. He did not suggest any change to volunteer administrative structuring and indicated they would continue to be responsible for fundraising, recruitment and retention. The volunteers will have an opportunity to become an integral and productive part of the regional department. He suggested qualifications-based volunteer firefighters and officers fighting fires. He recommended integrated paid volunteer rank structure with captains, lieutenants and firefighters with one chief.

Mr. Adams commented on the overall goals for the merger, which included service delivery improvements, improved fire ground communications, improved incident operations and common standard operating procedures. He stressed the importance of maintaining a high level of cooperation.

Mr. Adams added some additional benefits:

- Reduced response times for initial staffing, i.e., two personnel on each unit for staff response.
- Improved firefighter safety - Improved dispatch due to common protocols.
- Ability to implement special operations – Larger group under one command
- Opportunity for training improvements – Common training with one leader.
- Fire prevention program improvements with additional staffing.
- Improved command structure – Cooperation is organized based.

- Savings that could accrue from regionalization – (1) Reduced facility operating costs with fewer stations, (2) Revenue from sales of excess facilities, (3) Reduced duplication of apparatus, (4) Reduced apparatus operating costs, (5) Reduced salaries and wages from reduction and duplicate management positions, (6) Reduced salaries and wages from reduced duplication of apparatus staffing when re-designation occurs from four stations to three stations.

Mr. Adams illustrated details of a three-person staffing showing the long-term cost savings, which was documented in his report. His documentation included annual figures, staffing of the fourth engine with three personnel, staffing only one ladder truck, administrative staffing. Cost avoidance could be approximately \$1.6 million a year, significant long-term potential savings.

**Implementation Steps:**

- Joint Fire Services Committee continue coordination and planning.
- Establishment of a new board; committee to be phased out.
- Adopt a resolution or ordinance to establish the merged department.
- Consider various approaches to cost allocation.
- Establish an initial formula approach.
- Determine the composition of the organization of the board.
- Draft Charter Agreement to be adopted.
- Recruit, select and hire a Fire Chief; recommendations documented in the report.
- Consider alternative funding sources.
- Support the merger of the two locals into one.
- Encourage volunteer fire company participation.

Mr. Adams reiterated that the goal is a cost-effective, state-of-the-art regional fire and rescue and EMS service delivery agency that could come out of this consideration of the models and recommendations, relevant input from people such as those in attendance, and the ability to make an informed decision that is in the best interests of the customer.

**7. Questions from the Governing Boards**

**HUNT** Mr. Hunt asked for questions from the board members.

**GURRERI** Mr. Gurreri noted that Mr. Adams indicated a savings of \$1.6 million in 20 years. He asked whether that would include any new fire equipment.

**ADAMS** Mr. Adams responded that the savings would include not having to replace equipment that had been suggested to be placed in reserve. Those are projections for the savings that might accrue.

**DVORYAK** Mr. Dvoryak asked for clarification concerning a new Tri-Hill station and whether the cost of that facility was included in the numbers.

**ADAMS** Mr. Adams responded that it was not included. If implementation were decided upon, it would need to be costed and considered.

**SHORB** Attorney Shorb questioned where a Tri-Hill station would be located.

**HUNT** Mr. Hunt responded that the fire station would be located where the Tri-Hill building is currently located. There had been a previous review of municipal building improvements, which might leave the Tri-Hill parcel available. An alternate but less attractive option is to place it around the corner in the ball field. He added that Tri-Hill Road connects to Queen and George Streets quickly. Grantley and Victory are difficult to get out of when heading east.

**ROHRBAUGH** Don Rohrbaugh commented that there had been previous discussions about Tri-Hill. He questioned whether one could legally be placed there. He asked whether that had been reviewed.

**HUNT** Mr. Hunt responded that preliminary discussions had been held with the school district. They would have no objections if the plans moved forward.

**MADER** Mr. Mader commented about cost and cost avoidance. He was concerned with all the hardware that the fire companies own. He put estimates of \$15 million on that hardware, which included hoses, nozzles, bars, etc. The redundancy from Victory, Grantley, Pleasureville and Springetts of this equipment is enormous. None of it has much sale value, but it does not have to be replaced. He would have to do a detailed analysis to determine a dollar value, and the information is available to do that.

## **8. Requests for Action – Austin Hunt**

**HUNT** Mr. Hunt presented a two-page summary handout. He indicated he thought they might have a difficult time justifying the merger from a cost savings standpoint. The most important thing is to improve the effectiveness of fire protection. He provided an explanation of each bullet point, summarized:

- More effective response to larger incidents.
- More firefighters arrive more quickly; regionalized firefighters more effective due to training, teamwork and familiar tactics.
- More effective training, including informal, of career and volunteer firefighters; better knowledge of the surrounding area.
- Specialization of skills.
- More effective spending, deployment and positioning of apparatus; less spending on redundant and specialized equipment.
- More effective firefighter staffing; balanced manpower. Review of call volumes and apply manpower.

- Volunteers to become more active in fire protection.
- Eliminate duplication of municipal services (Rusk Report).
- High interest from state and county legislators, not only personal but also financial support.
- Potential for additional grant revenue for transitional costs.
- Cost savings resulting in more effective spending; some reduction in capital spending.
- Current employees will be retained; no reduction in staffing; potential for additional hires.
- Municipalities may need to step forward and own the fire house.
- Fire protection will cost more going forward.

**GURRERI** Mr. Gurreri stated that this is something the boards had discussed, and he thought it was important to move forward, get other municipalities involved long-range. Start-up costs will be high, but the board members have to sell that to the constituents.

**HUNT** Mr. Hunt indicated that it would not need to cost a lot to get going; however, there will be some costs in the three-to five-year range. He added that there will be greater cost increases if the merger doesn't take place.

**GUMKE** Ms. Gumke noted an important point, which was consideration of the safety of the firefighters, as well as the customer service provision for the residents. The merger discussions provide that in-depth review. She was concerned about the number of firefighters responding to a call and the effective and safe use of firefighters.

**GUYER** Mr. Richard Guyer asked whether the new centrally located fire house at Tri-Hill would be that location forever, or would it eventually move to another place to be located with the administrative staff.

**HUNT** Mr. Hunt responded that the fire houses around York County would be located where they needed to be. Mr. Adams had proposed the coverage currently provided by Grantley and Victory to be combined in one station house leading from Tri-Hill.

**GUYER** Mr. Guyer stated that it would serve the purpose of a regionalization of Spring Garden and Springettsbury, but in the future also would be centrally located.

**HUNT** Mr. Hunt responded there is good coverage south of that into York Township and it is a very good strategic move; however, Mr. Adams was not proposing to close Victory. Rather the volunteers would be encouraged to increase manpower that they could staff and run their own engine. Spring Garden had spread its career people too thin and has more apparatus than manpower. There should be at least two people on one piece of apparatus to provide a more efficient attack on the fire.

- GUYER** Mr. Guyer commented that he appreciated the staffing concept of having more people. However, if personnel would be taken from Grantley, they would be forced to close and without Grantley there would be a section that would no longer be covered. He asked how long the residents would have to wait for the addition of West Manchester and West York to get that coverage.
- HUNT** Mr. Hunt responded that through mutual aid the areas will be covered. By properly staffing a two-person engine, the firefighters will be more effective when they arrive. He added that the Grantley firehouse structure needs to be addressed. He hoped by repositioning there will be more benefits. All of the mutual aid agreements provide for good fire protection in York County.
- GUMKE** Ms. Gumke asked Mr. Adams if he was aware of any grant opportunities for physical structures, such as to build a new station.
- ADAMS** Mr. Adams responded that he was not aware of any federal grants, but added there may be some state grants.
- GUMKE** Ms. Gumke added that since this regionalization is one of the first there might be some funds available to help cut costs.
- HUNT** Mr. Hunt noted that there might be some WAM money available. There are a lot of people who are eager to support this project.
- COUNTESS** Attorney Countess stated that Ms. Gumke would be in a better position to request the money due to the fact that the first steps had been taken to consolidate. He added that Mr. Adams was not suggesting that the Tri-Hill station needed to be built immediately or as part of the initial consolidation. It is a desirable step, but it may not occur right away.
- GUMKE** Ms. Gumke responded that she understood that.
- COUNTESS** Attorney Countess noted, in response to Mr. Gurreri's comment, the charter that had been presented does envision other municipalities joining, and it makes an allowance for them to join.
- GURRERI** Mr. Gurreri responded that would be the secret to success; the more the better.
- COUNTESS** Attorney Countess added that he thought the city was very interested in talking to the two townships. However, he agreed that only two municipalities was the best way to proceed with an initial regionalization.
- GURRERI** Mr. Gurreri stated that this meeting was a historical occasion. He thought this was the first time that Spring Garden and Springettsbury governing bodies ever sat at the same table.

**FREIREICH** Mrs. Freireich stated that during a recent meeting of York Counts, Dr. Rusk had discussed regionalization of everything from municipal services to education, etc. It would suggest that there might be grant money available where mutual organizations work together, in this case the townships and fire companies.

**FULLMER** Mr. Fullmer asked for clarification of the statement that no stations will be closed, which means four stations; however, there was an indication that it would decrease from four to three.

**HUNT** Mr. Hunt responded that, because the current fire stations are owned by volunteer fire companies, most of the apparatus parked in the stations was either donated or purchased by the volunteer fire companies and is staffed by career municipal employees or career firefighters. The condition and current location of those station houses is not perfect for the current situation. With the decline in financial resources available to the volunteers, they cannot build a new station. Now the municipalities need to step in and build fire stations. The recommendation is that the physical structures currently there which are owned by the volunteers and have some volunteer fire company benefits and functions, those buildings, should they choose to maintain them, stay as volunteer fire stations. The career firefighters will be stationed in a new building built by the municipalities or the regional fire commission. If a new fire station is to be built at Tri-Hill there would actually be five fire stations.

**FULLMER** Mr. Fullmer noted there would be an additional one for the new headquarters/

**HUNT** Mr. Hunt noted that the Tri-Hill building would be staffed regional firefighters. The building at Victory, hopefully, would be staffed by volunteers and if Grantley decided to stay where Grantley is, that would most likely be an ambulance station. The ambulance bay on Grantley would move up to the Tri-Hill location, and that physical building would be sold or used for other purposes as a re-designation of buildings.

**FULLMER** Mr. Fullmer asked about the four or three building analysis and the savings that would be established on three.

**HUNT** Mr. Hunt responded that the three station scenario was a career staffed fire station. Chief Emig's goal is to have four people on every shift, two at Grantley and two at Victory. Those four career people would move to the Tri-Hill station.

**SCHENCK** Mr. Schenck stated that Mr. Adams had made an important comment about encouraging the participation of the volunteer companies. One of the ways they can participate is through their assets, depending on how they view their mission. They may choose to take those assets and put them into the new proposed station recognizing that it's the volunteer companies who may operate out of the new stations. They may not own them, and transferring those assets would be a big

leap for consideration. The same would apply to the apparatus. It will depend how the volunteers view their role in the new organization, and there is potential for them to help build the situation quickly.

**FULLMER** Mr. Fullmer asked whether anyone had the opportunity to sit down with the volunteers to go over their list of questions.

**SCHENCK** Mr. Schenck responded that no discussions had taken place specific to the list that was provided.

**HUNT** Mr. Hunt indicated that it was difficult to make broad generalizations about the volunteers, but if he did have to do so, he would state that they are cautiously supportive of this. Both he and Mr. Schenck acknowledge how important the volunteers are to the community as a whole, not just fire services, and they are eager to bring them in and keep them interested in this project. Some of the comments in that letter that Mr. Fullmer mentioned were identified as some of the worst case scenarios, and it's hard to describe and/or to guarantee intentions. But some of the real negative comments are so far from the general feeling of what we're trying to do that, yes, they could be a concern but it's not a very valid concern.

**FREIREICH** Mrs. Freireich asked what would happen to the ambulance services because they are closely tied to the fire companies here in York County.

**HUNT** Mr. Hunt responded that Spring Garden is covered by career personnel and is not a municipal service; however, it is acknowledged that it is an important part of the Grantley Fire Company. Springettsbury does have a career ambulance service that is closely aligned but separated from the fire services.

**FREIREICH** Mrs. Freireich explained that she was curious as to how the whole thing would fit into the package with regard to the buildings.

**HUNT** Mr. Hunt acknowledged the benefit of the ambulance service to Spring Garden Township and the Commissioners are eager to maintain that service.

**FREIREICH** Mrs. Freireich added that if it is not maintained, it will become a paid service.

**HUNT** Mr. Hunt responded that the issue was one of the many difficult questions that needed to be addressed but not in the next two months.

**SCHENCK** Mr. Schenck added that in the study the EMS service is mentioned indicating that at some point in the future it should be reviewed. Again, you know, the nuance to that is they are by default somewhat self-sustained, whether it's provided by the municipality, as in the Springettsbury case, or Spring Garden by the volunteer company.

**FREIREICH** Mrs. Freireich asked whether he was suggesting moving housing, buildings, etc.

**SCHENCK** Mr. Schenck responded that he referenced the fact that they can bill for services. The reason the volunteer company can provide volunteer EMS is because they get revenue from the patients.

**FREIREICH** Mrs. Freireich responded it was absolutely different, but she was concerned about where they are housed and how they are involved.

**SCHENCK** Mr. Schenck noted that the assumption would be that EMS in Spring Garden would remain at 16 as we call Springetts. If Springetts were to relocate on Mt. Zion Road or something, the assumption is that they would go with them. Fortunately, EMS is low impact to the building.

**BISHOP** Mr. Bishop commented that the merger could essentially go forward without having to address that issue.

**SCHENCK** Mr. Schenck responded that it had been designed to do so.

**COUNTESS** Attorney Countess added that there is no way there aren't going to be obstacles to be overcome and problems to be solved, and they can't be all dealt with initially and overnight. The answer to the question is sure, there are going to be a lot of things to be worked out by the board of the joint fire commission that's created.

**HUNT** Mr. Hunt stated that it was a perfect segue to suggest a next course of action for the boards. He was not asking for action, but rather for the boards to think about the merger as a possibility. He encouraged each board to volunteer or encourage one member to sit on a small working group panel with one supervisor, one commissioner and the township managers to review and finalize the draft Charter Agreement, which could then be presented to the municipal boards for ratification. The draft Charter Agreement lays out the broad foundation, and will provide a clear timeline of points for managers and solicitors to work on for ordinance creation, etc.

**COUNTESS** Attorney Countess responded that it will take some review, and that's what the steering committee will have to address.

**SCHENCK:** Mr. Schenck asked if there were any comments or questions for the committee.

**GUMKE** Mrs. Gumke thanked Mr. Hunt and the committee for all the work they had done.

**HUNT** Mr. Hunt thanked her for the support. He added that he had developed a great respect for the commitment of the volunteers who provide their services freely and the professionalism and commitment of the career firefighters.

**SCHENCK** Mr. Schenck asked if there were any comments or questions from the public.

- SURTASKY** Mr. Surtasky stated he would save his questions for the next meeting.
- HOLMAN** Mr. Holman stated that Mr. Adams had offered to meet with the volunteers to go over their questions.
- FULLMER** Mr. Fullmer stated that he would welcome attendees at the next municipal board meetings to come and voice their opinion on the subject.
- BISHOP** Mr. Bishop stated that he thought Mr. Hunt and the entire committee had done a wonderful job, which had resulted in the current status of the project. He cautioned the committee to think about how the new organization will be governed. That will be the structure for making all the hard decisions concerning money, contracts, pensions, etc. that have to be made in the future. A steering committee had been suggested with one person from each board. The draft Charter Agreement included some suggestions as to how the board would be organized; however, Mr. Bishop indicated he was not convinced that all of the options had been reviewed. He was concerned that it was one of the things that absolutely had to be done correctly because it could make or break its success.
- HUNT** Mr. Hunt stated that the Agreement had borrowed heavily from the Regional Police agreement. He had asked the same questions as to how to maintain control.
- BISHOP** Mr. Bishop indicated that it was his biggest concern. He wanted to be absolutely convinced of the best way to proceed.
- GUMKE** Ms. Gumke commented that Mr. Adams might have some suggestions, since the concept had not been done in Pennsylvania but it had in other states. There may be some places where it is working well and some that are not.
- SCHENCK** Mr. Schenck stated that he liked the idea of a small working group assigned to work through the more difficult details.
- BISHOP** Mr. Bishop noted that it would be important that everyone is on the same page and the Steering Committee could assist.
- HUNT** Mr. Hunt indicated that the boards will have to vote on the Charter Agreement. If the representative on the Steering Committee puts too much of their own personal bias into it and it comes back to their respective boards and it's a four to one vote against, then they didn't do their job. It does need to pass.
- BISHOP** Mr. Bishop indicated he would want to hear whether it is strong enough.
- FREIREICH** Ms. Freireich suggested to have a Commissioners/Supervisors work session, which may need to meet often.

**COUNTESS** Attorney Countess stated that he had been personally involved as an attorney in two regional police mergers under a nearly identical charter agreement, and the problem Mr. Bishop is concerned about had never come up because the municipalities control the funding. It would be necessary to have representatives from each municipality with an alternate to break ties, in order to approve funding.

**HUNT** Mr. Hunt stated that the proposed structure is based on the York Area Regional Police structure with one commissioner, one supervisor and one citizen at large appointed by alternating municipalities. It could be the same person, but Spring Garden appoints someone for two years, and then Springettsbury appoints that at large person for two years.

**BISHOP** Mr. Bishop stated that he was not complaining; he was pleased with the progress. How the decisions are made is the most important factor to him since it will determine everything else going forward.

**SCHENCK** Mr. Schenck stated that it was a general consensus that more work needed to be done.

**GUMKE** Ms. Gumke echoed Mr. Schenck's comment that it needed attention.

**SCHENCK** Mr. Schenck thanked everyone for coming, as it was very important and much appreciated.

## **9. Adjournment**

**SCHENCK** Mr. Schenck adjourned the meeting at 9:30 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 11, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 11, 2007 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Harish Rao, Economic and Community Development Director  
David Eshbach, Chief, Police Department  
Andrew Stern, Managing Director of Fire and Rescue Services  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order. He asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri noted that it was nice to see so many residents in attendance and added that local government works best when the residents attend. He asked that the public remember the men and women in the Armed Forces, as well as the President in prayer. 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 planned for this date.

**3. COMMUNICATION FROM CITIZENS:**

**WALKER** Mr. James Walker, 2740 Fairway Drive, represented the Condominiums at Heritage, along with several other individuals. Signed petitions were presented to the Board with their concern

about the safety condition of the curve at the top of Greensprings Drive and Mt. Rose Avenue. He explained the difficulties with parking on both sides of the street and the lack of sight distance at Lisa Lane. Their request was for a No Parking zone in the area. Mr. Walker read the petition, which was then presented to Chairman Schenck.

**DVORYAK**

Mr. Dvoryak asked whether the vehicles belong to residents of the condominiums.

**WALKER**

Mr. Walker responded that they seemed to belong to the residents from the area. He introduced two additional presenters, Janet Masters, Owner and Resident of Heritage Crest, and Dale Heim, representing the Fountains.

**MASTERS**

Mrs. Janet Masters, 2752 Fairway Drive, explained that they are owners of the condos at Heritage Crest Condo Association and Fountains at the Heritage. They requested that the Springettsbury Township Board of Supervisors create and expand a No Parking Zone from Greensprings Drive at Lisa Lane to the curve and 100 feet beyond the curve traveling down the hill toward Mt. Rose Avenue 100 feet prior to the curve, and 100 feet beyond Jamie Drive. The No Parking zone will correct an existing dangerous condition caused by limited sight distance and lack of adequate width to accommodate two-way traffic in the curve.

**HEIM**

Mr. Dale Heim, 137 Fountain Drive, President of The Fountains at Heritage Association. He echoed the two previous requests and presented their signed petition to the Board.

**SCHENCK**

Chairman Schenck stated that he appreciated the fine manner in which all three individuals had presented their information. He asked Mr. Holman for his input.

**HOLMAN**

Mr. Holman responded that he had visited the site. The street had been marked with a double yellow lines. The Township will contact the County and request a Transportation and Efficiency Study. The request for the No Parking zone will be sent to the County, and with their approval, it will be brought back before the Board to consider introduction of an Ordinance.

**SCHENCK**

Chairman Schenck echoed some of Mr. Holman's remarks and added that it could take from 4 to 6 weeks to accomplish and he wanted the residents to know that so they don't get frustrated thinking that nothing is happening. The staff will be authorized to proceed with the process.

- HOLMAN** Mr. Holman indicated that the letter to the County will be sent on Friday, January 12<sup>th</sup>, and he stated he would keep the residents informed of the progress.
- GURRERI** Mr. Gurreri noted that Mr. Plymier had discussed a situation concerning a tractor-trailer truck parked in that vicinity.
- PLYMIER** Mr. Dick Plymier, 2671 Fairway Drive, reported that he had advised the Township of commercial vehicles parked on the Greensprings Road behind the stores. He itemized several different trucks, a FedEx custom truck and a red Freightliner, which park there for a few days and leave. He commented that commercial tractor-trailers or a tractor by itself is at least eight to nine feet wide, which leaves little room for automobiles to pass without encroaching the center line. In addition, when school buses navigate the street, or during inclement weather and snow plowing, there are additional safety concerns.
- SCHENCK** Chairman Schenck asked if there is a mechanism in place to enforce No Parking for commercial vehicles.
- RAO** Mr. Rao responded that the R-1 zone does not allow commercial parking. He added that he could enforce it.
- SCHENCK** Chairman Schenck stated that it would be a zoning enforcement as opposed to a civil or criminal matter. Zoning enforcement is not nearly as effective as a police officer putting a ticket on a windshield.
- PLYMIER** Mr. Plymier thanked the Board for their attention.
- STUHRE** Charles Stuhre, a resident of 3680 Trout Run Road for many years, reported that the Township repair crew had patched Trout Run Road recently. Other roads in the Township had been resurfaced, such as Deininger and Ridgewood. He requested a resurfacing of Trout Run Road. In addition, he suggested that the Township purchase a small paving machine in order to do a more even patching where necessary.
- SCHENCK** Chairman Schenck requested that Mr. Holman review Mr. Lauer's road improvements schedule and budget, which only enables a certain number of miles a year to be paved.
- MINNICH** Mr. Jack Minnich, a resident of 2935 Dearborn Lane for 36 years commented on the matter of TV/Satellite dishes. He reported that

the dishes are being installed in inappropriate locations. He provided examples, such as one mounted within four feet of a sidewalk, another right behind it on a porch; another six to eight feet back from the sidewalk; another on the front of a house hooked up and fastened to a tree. He wanted the Board to be aware of the situation and to determine whether any ordinances might be in place governing such items. He added that the homeowners are probably at the mercy of the dish TV companies. The property owner doesn't know the best location. Because the product is somewhat in its infancy, Mr. Minnich would like to see that it is addressed.

**GURRERI** Mr. Gurreri thanked him for bringing it to the Board's attention and added that he was aware of an ordinance governing such items.

**RAO** Mr. Rao responded that an ordinance is in place and stated that he will send a letter to the residents and ask them to move the location.

**MINNICH** Mr. Minnich suggested that since there are only two dish companies in the area, there could be a letter sent to them instructing them that there is an ordinance and to cease and desist.

**SCHENCK** Chairman Schenck noted that the companies are promoting the self-installation as well. He recalled that the ordinance limits the diameter to 18 or 24 inches. When the ordinance was written the dishes were much larger. He did not know whether the back yard restriction would be appropriate for the smaller ones. They may not function. There may be a need to review that ordinance.

**BISHOP** Mr. Bishop added that the issue included FCC regulations that had conflicted with Township regulations.

**HOLMAN** Mr. Holman stated that there are such FCC regulations governing satellite antennas. The Township zoning ordinance covers such items and he will review the matter as part of the zoning ordinance.

**SCHENCK** Chairman Schenck stated that the zoning ordinances are being reviewed through the year 2007. This will be included in the review.

**MINNICH** Mr. Minnich offered to help in any way he could.

**SCHENCK** Chairman Schenck thanked him for his input.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER**

Mr. Schober thanked the Board of Supervisors for appointing Buchart-Horn as Environmental Engineer for 2007. He provided several updates to his written report. A meeting had been held with the contractor for the Eden Road Interceptor; that project will be completed in the near future. The contractor for the Barwood Road Sewer project has begun mobilizing his equipment. Lateral stakes were located and work is expected to begin within a week. They will start just after the intersection of Norwood and Barwood and work out from there. The Part II Permit Application for the Grit Removal System was completed and submitted to DEP; it will be expected back about mid-February. The design work is being completed and advertising will be done in the near future. The BNR Pilot Test is underway and raw sewage is being fed into the system. It will take a week or so until everything is activated. Mr. Schober will keep the Board advised on that project.

**HOLMAN**

Mr. Holman added that a letter had been sent to the residents of Barwood Road advising them of the stakes going in and requesting that they contact Mr. Schober or their plumber to check the stakes and be sure that the location is good. The stakes cannot be moved unless someone from Buchart-Horn is there.

**SCHOBER**

Mr. Schober stated that one resident had called, who wanted to review the stakes, so the process is working.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI**

Mr. Luciani reported that he, Mr. Holman and Mr. Lauer met with the Public Utility Commission on January 2nd to discuss the Rutter's project. The meeting was intended to discuss pedestrian movements and changes in the pedestrian push button to allow intersection crossing. However, the PUC looked at it and indicated that it will be much more involved and similar to the Concord Road PUC discussions. He indicated he would continue to provide updates to the Board. Mr. Luciani noted that an award item appeared on the Agenda for the Haines Road Median project. The successful contractor, Doug Lamb, did the work at Mundis Mill and Sheridan. The item is scheduled for payment, and it includes a Change Order. The HOP for Haines Road had been in place for a year and a half; on Mundis and Sheridan the HOP was not in place when it was initially put out to bid. It was bid as a unit price project; however, during the PennDot review, they added additional paving, sub-base rebuilding, and some drainage and

expanded the scope of the project, which is the reason for the Change Order. Mr. Luciani did not expect the magnitude of Change Order on Haines Road because the permit was in hand.

**BOWMAN**

Mr. Bowman asked about the activity on Eden Road.

**LUCIANI**

Mr. Luciani responded that Graham Packaging is on the right coming around Eden Road and going back to 30. Kinsley wants to expand that building by 80,000 square feet. The project is being reviewed, and they plan to put a warehouse there. Apparently there's a company there that makes collapsible metal crates.

**SCHENCK**

Chairman Schenck stated that the name of the company is Worthington Steel Fabricators.

**LUCIANI**

Mr. Luciani continued that, as part of that design, a traffic study will be done to determine how the intersection is conformed. There were some problems with the Eden Road and 30 from a capacity standpoint. That is being reviewed to determine how to mitigate the situation. One thing that was identified was that Cole Steel was in the flood plain. There are several outstanding issues to work through with regard to traffic, storm water and flood plain.

**GURRERI**

Mr. Gurreri asked about the status of the Rose Hill project. He understood there were some outstanding issues and wondered whether any direction was needed from the Board.

**LUCIANI**

Mr. Luciani responded that he and Mr. Holman will be scheduling a meeting to discuss the project. At this time there are no buildings in Springettsbury Township and there are a couple of options. The Township could waive its ability to review the plan, and there is a small segment of sidewalk, which may need some feedback and in that case, a formal review will be done and the plan will come before the Board.

**HOLMAN**

Mr. Holman stated that he will be meeting with Mr. Luciani and Mr. Rao on January 12th at 2 p.m. to review the plan. All the work on Township property was removed from the original proposal.

**GURRERI**

Mr. Gurreri asked whether run off water was the problem.

**LUCIANI**

Mr. Luciani responded that the run off ultimately does go into Mill Creek, and one of the things Mr. Holman requested was that he contact the Spring Garden Township Engineer to see how they reviewed it. Several areas of concern are maintenance of a large drainage area, the design, the sewer, which comes into the

Springettsbury infrastructure, and landscaping on Mt. Rose Avenue, traffic at Haines Road and Mt. Rose Avenue. PennDot has regulatory authority, but roads go to Green Hill Road. Further discussions will be held, and the questions likely will come back to the Board for recommendation.

**GURRERI** Mr. Gurreri asked how much sidewalk would be there.

**LUCIANI** Mr. Luciani responded that it is not much. The bulk of the property is less than 100 feet.

**HOLMAN** Mr. Holman added that initially there was a sewer impact. A berm was proposed on top of a 42-inch sewer main, and that would create problems. At this point, everything was moved out.

**GURRERI** Mr. Gurreri noted that there are a lot of water problems.

**LUCIANI** Mr. Luciani indicated it is a large site; he thought the number of apartments proposed is 400.

**GURRERI** Mr. Gurreri asked how it would affect Hallam.

**LUCIANI** Mr. Luciani responded that it would run through the Codorus.

**4. ACCOUNTS PAYABLE:**

- A. Bertolet Construction Corporation – Police Pistol Range Improvements – Payment No. 4 in the amount of \$18,281.70**
- B. Doug Lamb Construction, Inc. – Mundis Mill/Sherman Road Improvements – Payment No. 3 in the amount of \$102,095.30 (payment includes change order amount of \$69,270.47)**
- C. Regular Payables as Detailed in the Payable Listing of January 11, 2007**

**MR. DVORYAK MOVED FOR APPROVAL OF ACCOUNTS PAYABLE ITEMS A, B, AND C. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**5. BIDS, PROPOSALS & CONTRACTS:**

- A. Authorization to Award Bid to Doug Lamb Construction, Inc. for Construction of Haines Road/Memory Lane Median in the amount of \$139,702.**

**MR. GURRERI MOVED TO APPROVE AWARD TO DOUG LAMB CONSTRUCTION FOR CONSTRUCTION OF HAINES ROAD/MEMORY LANE**

**MEDIAN IN THE AMOUNT OF \$139,702. MR. BOWMAN WAS SECOND.  
MOTION UNANIMOUSLY CARRIED.**

**LUCIANI** Mr. Luciani mentioned that the contractor will likely work in the evening for safety purposes.

**BISHOP** Mr. Bishop commented that six years ago or longer a great deal of money and effort was spent on an engineering study of the area, and this project is somewhat of a direct result. The Board desired changes on that roadway and waited for development to happen to fix the road. Mr. Bishop expressed a personal opinion that the strategy for the Board might not be the best, especially when reviewing problem areas on the road north of Market Street, which is a gateway to the major commercial area. Mr. Bishop suggested that the Board take a more pro-active approach in figuring out how to solve those traffic problems.

**SCHENCK** Chairman Schenck echoed Mr. Bishop's remarks, especially for the north side of Market because of the amount of activity in the Butterfly area. He expressed support of a focus on that stretch of road.

**GURRERI** Mr. Gurreri asked whether the Butterfly was filled.

**RAO** Mr. Rao responded that it is 98% occupied.

**BISHOP** Mr. Bishop noted that percentage includes what had already been built; there is much more opportunity available.

**HOLMAN** Mr. Holman added that there are additional improvements once they are sold and subdivided.

**SCHENCK** Chairman Schenck stated that the township is attempting to tee that up, and much of the railroad work is done and rights-of-way obtained. He noted that Mr. Bishop's point was to become more efficient in the planning.

**6. SUBDIVISIONS AND LAND DEVELOPMENT**

There were none for action.

**7. COMMUNICATION FROM SUPERVISORS:**

**BOWMAN** Mr. Bowman indicated that a resident had questioned him about the lines to be painted on the new Eastern Boulevard towards

Campbell Chain. He noted that there are no lines on the road at this time.

**HOLMAN** Mr. Holman responded that the Township had not adopted the road. The developer will place the lines and the intersection will be striped.

**SCHENCK** Chairman Schenck asked whether the Boulevard will be striped.

**LUCIANI** Mr. Luciani responded that it would only be at the turn lane.

**BOWMAN** Mr. Bowman commented that the Public Works personnel did a great job in cleaning the leaves this year - the best ever.

**SCHENCK** Chairman Schenck indicated that they had come through his neighborhood with the street sweeper.

**SCHENCK** Chairman Schenck advised that the Volunteer Fire Company held their annual election of the Board of Directors, along with a Board of Directors and General Membership meeting. A motion was made and passed to proceed on the deed transfer of the two properties over to the newly-formed Volunteer Fire Company. The motion did include provision that the Fire Company would not pay the real estate transfer tax. Some open discussions had been held and there is an open invitation to get a waiver from the County with regard to the tax.

**DVORYAK** Mr. Dvoryak asked whether there was a provision for relief of transfer of property tax.

**RAUSCH** Solicitor Rausch indicated that there is a provision for that, but in this case the Department of Revenue takes the position that the exemption applies if there is a merger. In this case, if the old were dissolved, the transaction would be exempt. However, that is not the case; they are within two independent corporations.

**SCHENCK** Chairman Schenck stated that the issue had been researched inside and out. The County collects half, the school district collects 25% and the Township collects 25%. He wondered whether all three entities have to pass a waiver.

**RAUSCH** Solicitor Rausch responded that each municipality can exempt their process.

**DVORYAK** Mr. Dvoryak asked how the market value is established.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 11, 2007  
APPROVED**

- RAUSCH** Solicitor Rausch responded that it is based on the assessed value.
- SCHENCK** Chairman Schenck stated that the last number that was quoted was \$30,000.
- BISHOP** Mr. Bishop noted that there was a question in the past as to whether there was a real necessity to transfer.
- SCHENCK** Chairman Schenck responded that functionally it would work much better if it were left where it is.
- HOLMAN** Mr. Holman stated that Solicitor Rausch was working on the deed transfer and the numbers.
- RAUSCH** Solicitor Rausch stated that based on the research, he wanted to be sure he researched every conceivable item.
- BISHOP** Mr. Bishop commented that the situation is unique and he wanted to be sure that the Township did not get involved in a negative situation.
- HOLMAN** Mr. Holman stated that Solicitor Rausch and he will prepare the documents.
- SCHENCK** Chairman Schenck stated that if there is a need for further explanation or understanding, he will be happy to discuss it.
- RAUSCH** Solicitor Rausch stated that the Township will pay the tax and it will be refunded.
- SCHENCK** Chairman Schenck reported that he received a letter from Advent Lutheran Church on East Market expressing their concern of the mixed use proposed zone for their property. He suggested that it be made a part of the Comp Plan study. Chairman Schenck reported that he had been working on the Metro York project. He had attended a public presentation with Mr. Rusk, and he had been very impressed. Mr. Rusk had discussed mandating low income development housing and provided examples of how to do it. The examples he provided included very high-end condo developments, and from the exterior a \$600,000 unit could not be differentiated from the low-income housing. Springettsbury Township has no significant interest with that type of housing at this time. However, Mr. Rusk had studied York for 11 years, and his statistics showed how poverty and crime flows together.

**GURRERI** Mr. Gurreri stated that he mentioned an interesting point; first class townships - half of them are in trouble; however, second class townships are doing well.

**SCHENCK** Chairman Schenck added that first class townships are built out and they are getting problems that are associated with the city. Second Class townships are doing okay now; however, Springettsbury will be built out in not too distant future. .

**SCHENCK** Chairman Schenck commented once again on the bus stop issue in Springettsbury. Signage is the item that is holding back proper shelters at the bus stops. He wondered whether there would be a creative way to work with the bus provider, the property owner and the Township.

**BISHOP** Mr. Bishop suggested that one way would be through the zoning process to address that. The Comp Plan Consultant had some ideas along those lines to define something that would work.

**SCHENCK** Chairman Schenck added that the Township had consistently promoted pedestrian traffic and encouraged public transportation. A bus shelter seemed like a simple issue.

**BISHOP** Mr. Bishop noted that one of the comments the Consultant discussed concerned bikes, other alternatives, pedestrians, etc.

**SCHENCK** Chairman Schenck commented on the bus shelters in place, such as one at the prison, which is on the other side of the street on Mt. Zion Road. He suggested that if something needed to be waived, it should be done in conjunction with the development project there.

**HOLMAN** Mr. Holman noted that a new bus stop will be installed with a shelter there.

**SCHENCK** Chairman Schenck suggested bus stops with appropriate shelters from the rain and snow Township-wide.

**8. SOLICITOR'S REPORT:**

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

**SCHENCK** Chairman Schenck asked about the time line on the appeal, the Motion to Quash.

**RAUSCH** Solicitor Rausch responded it was 30 days, which began on 1/2/07.

**9. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated that he had provided a supplemental report to the Board requesting the award of a contract to Warnock Chevrolet for three police vehicles in the amount not to exceed \$64,623.27. Included are two Crown Victoria police vehicles and one Ford Expedition 4X4, all of which were approved for purchase in the 2007 General Fund budget. These are part of the state contract. In addition, Mr. Holman requested the Board to accept the Liquid Fuels Expenditures report for the year 2006.

**MR. BISHOP MOVED TO APPROVE THE PURCHASE AWARD CONTRACT FOR THREE POLICE VEHICLES THROUGH THE STATE CONTRACT NOT TO EXCEED \$64,623.27. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**MR. GURRERI MOVED TO APPROVE THE LIQUID FUELS EXPENDITURE REPORT FOR 2006. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman reported that the Relief Fund insurance had been received for the Volunteer Firemen in the amount of \$73,463.23. The funds will be issued to the Relief Association.

**10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 07-01 – No Parking – Eastern Boulevard between Edgewood Road and Locust Grove Road.**

**MR. GURRERI MOVED TO APPROVE ORDINANCE 07-01 – NO PARKING – EASTERN BOULEVARD BETWEEN EDGEWOOD ROAD AND LOCUST GROVE ROAD. MR. DVORYAK WAS SECOND.**

**B. Resolution No. 07-24 – Additional Street Lights – Concord Road Extension**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 07-24 – ADDITIONAL STREET LIGHTS – CONCORD ROAD EXTENSION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 07-25 – Adoption of Springettsbury Township Radiological Emergency Response Procedures for Incidents at Three Mile Island.**

**HOLMAN** Mr. Holman stated that the Resolution covers the Radiological Emergency Response Procedures in Springettsbury Township. It

is updated annually and deals with Three Mile Island, areas north of Druck Valley Road.

**MR. GURRERI MOVED TO APPROVE 07-25. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 07-26 – Reducing Member Contributions into the Police Pension Fund for the Year 2007.**

**HOLMAN** Mr. Holman explained that anytime the contribution by a Police Pension Fund unit is less than 5% it must be set on an annual basis by the Board of Supervisors. The contribution rate is 3.5% set by Bargaining Unit members for 2007.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 07-26. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**11. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – December 14, 2006**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING DECEMBER 14, 2006 AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. OLD BUSINESS:**

There was no Old Business for action.

**13. NEW BUSINESS:**

**A. Acknowledge Receipt of November 30, 2006 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE NOVEMBER 30, 2006 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Acknowledge Receipt of Board of Auditor's Reorganization Meeting Agenda and Minutes of January 4, 2006.**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF BOARD OF AUDITOR'S REORGANIZATION MEETING MINUTES OF JANUARY 3, 2007. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 11, 2007  
APPROVED**

**BISHOP** Mr. Bishop stated that there had been a vacancy on the Zoning Hearing Board for some time. An alternate on the Board could be made permanent.

**HOLMAN** Mr. Mike Papa is the Senior Alternate. Mr. Campbell is the Junior Alternate. He indicated this would be done by Resolution.

**BOWDERS** Mrs. Bowders provided Resolution No. 07-27

**MR. BISHOP MOVED TO ADOPT RESOLUTION 07-27 APPOINTING MIKE PAPA TO THE ZONING HEARING BOARD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck added that a request was received to officially appoint Charles Stuhre to the Recycling Committee.

**MR. GURRERI MOVED TO APPROVE CHARLES STUHRE TO THE RECYCLING COMMITTEE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**14. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:30 p.m.

Respectfully submitted,

John Holman  
ja

**SPRINGETTSBURY TOWNSHIP  
ANNUAL REORGANIZATION MEETING**

**JANUARY 2, 2007  
APPROVED**

The Board of Supervisors of Springettsbury Township held the Annual Reorganization Meeting on Tuesday, January 2, 2007 at 5:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director, Human Resources  
Harish Rao, Economic and Community Development Director  
Kristi Reese, Community Development Coordinator

**1. Call To Order:**

**SCHENCK** Acting Chairman Schenck called the meeting to order at 5:30 p.m. He welcomed the attendees and asked Mr. Gurreri to lead the Pledge of Allegiance.

**GURRERI** Mr. Gurreri led the Pledge of Allegiance.

**2. Election of Officers**

**A. Chair of the Board of Supervisors**

Current Chair: Bill Schenck

**MR. GURRERI NOMINATED BILL SCHENCK. MR. BOWMAN WAS SECOND.**

**SCHENCK** Acting Chairman Schenck called for other nominations. Hearing none, he closed the nominations and called for the vote.

**MOTION UNANIMOUSLY CARRIED.**

**B. Vice Chair of the Board of Supervisors**

Current Vice Chair: Don Bishop

**MR. DVORYAK NOMINATED DON BISHOP. MR. BOWMAN WAS SECOND.**

**SCHENCK** Chairman Schenck called for other nominations. Hearing none, the nominations were closed. He called for the vote.

**MOTION UNANIMOUSLY CARRIED.**

**C. Assistant Secretary/Treasurer**

Current Assistant Secretary/Treasurer: George Dvoryak

**MR. BISHOP NOMINATED GEORGE DVORYAK FOR ASSISTANT SECRETARY/TREASURER. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck called for other nominations. Hearing none, the nominations were closed, and he called for the vote.

**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, Nick Gurreri and George Dvoryak

Current Voting Delegate: Nick Gurreri

**MR. BISHOP MOVED TO APPROVE VOTING DELEGATE NICK GURRERI. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**4. Resolutions**

**A. Resolution No. 07-01 – Appointment of Township Solicitor**

Current Solicitor: Blakey, Yost, Bupp & Rausch, Charles Rausch, Esquire

**MR. DVORYAK MOVED TO ADOPT RESOLUTION 07-01 TO APPOINT BLAKEY, YOST, BUPP & RAUSCH, CHARLES RAUSCH, ESQUIRE AS TOWNSHIP SOLICITOR. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 07-02 – Appointment of Township Civil Engineer**

Current Engineer: First Capital Engineering, John Luciani, P.E.

**MR. GURRERI MOVED TO ADOPT RESOLUTION 07-02, APPOINTMENT OF TOWNSHIP ENGINEER, FIRST CAPITAL ENGINEERING, JOHN LUCIANI, P.E. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 07-03 – Appointment of Township Environmental Engineer**

Current Engineer: Buchart-Horn, Inc., Michael Schober, P.E.

**MR. BISHOP MOVED FOR THE ADOPTION OF 07-03 - APPOINTMENT OF BUCHART-HORN AS ENVIRONMENTAL ENGINEER. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- D. Resolution No. 07-04 – Appointment of Township Secretary**  
Current Secretary: John Holman

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION 07-04 – APPOINTMENT OF TOWNSHIP SECRETARY, JOHN HOLMAN. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- E. Resolution No. 07-05 – Appointment of Township Treasurer**  
Current Treasurer: Jack Hadge

**MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION 07-05 – TOWNSHIP TREASURER, JACK HADGE. MR. BOWMAN WAS SECOND.**

- F. Resolution No. 07-06 – Appointment of Vacancy Board Chair**  
Current Chairman: Jeffrey Lobach

**MR. GURRERI MOVED TO ADOPT 07-06 – APPOINTMENT OF VACANCY BOARD CHAIR, JEFFREY LOBACH. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- G. Resolution No. 07-07 – Appointment of Police Pension Fund Chief Administrative Office**  
Current CAO: John J. Holman

**MR. BISHOP MOVED FOR THE ADOPTION OF 07-07 – APPOINTING JOHN HOLMAN AS POLICE PENSION FUND CHIEF ADMINISTRATIVE OFFICER. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- H. Resolution No. 07-08 – Appointment of Fireman’s Pension Fund and Non-Uniformed Employee Pension Fund Chief Administrative Officer**  
Current CAO: John J. Holman

**MR. BOWMAN MOVED TO ADOPT RESOLUTION 07-08 – APPOINTMENT OF FIREMAN’S PENSION FUND AND NON-UNIFORMED EMPLOYEE PENSION FUND CHIEF ADMINISTRATIVE OFFICER JOHN HOLMAN. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- I. Resolution No. 07-09 – Appointment of Sewage Enforcement Officer**  
Current SEO: Bradley Hengst, David Brown, Alternate

**MR. DVORYAK MOVED TO ADOPT RESOLUTION 07-09 – APPOINTMENT OF SEWAGE ENFORCEMENT OFFICER, BRADLEY HENGST WITH DAVID**

**BROWN AND JOHN LUCIANI, ALTERNATES. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**J. Resolution No. 07-10 – Appointment of Representative to York Adams Tax Bureau**

Current Representative: Jack Hadge  
Proposed Alternate: Sandy Ratcliffe

**MR. GURRERI MOVED TO ADOPT RESOLUTION 07-10 – APPOINTMENT OF REPRESENTATIVE TO YORK ADAMS TAX BUREAU, JACK HADGE AND ALTERNATE SANDY RATCLIFFE. MOTION UNANIMOUSLY CARRIED.**

**K. Resolution No. 07-11 – Appointment of Representative to Springettsbury Township Volunteer Fire Company**

Current Representative: Bill Schenck

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 07-11 – APPOINTMENT OF REPRESENTATIVE TO SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY – BILL SCHENCK. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**L. Resolution No. 07-12 – Appointment of Representative to Local Government Advisory Committee**

Current Representative: Nick Gurreri

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION NO. 07-12 – APPOINTMENT OF REPRESENTATIVE BILL SCHENCK AND ALTERNATE NICK GURRERI TO LOCAL GOVERNMENT ADVISORY COMMITTEE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**M. Resolution No. 07-13 – Appointment to Zoning Hearing Board (5 Year Appointment)**

Expired Term: Ronald Scheeler

**MR. DVORYAK MOVED TO ADOPT RESOLUTION 07-13 – APPOINTMENT TO ZONING HEARING BOARD (5 YEAR APPOINTMENT) – RONALD SCHEELER. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**N. Resolution No. 07-14 – Appointment to Park and Recreation Board (4 Year Term)**

Expired Term: Barry L. Bloss, Jr.

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION 07-13 – APPOINTMENT TO PARK AND RECREATION BOARD - BARRY L. BLOSS, JR.**

**MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**O. Resolution No. 07-15 – Appointments to Recycling Committee (No Term Length – Annual Appointment)**

Current Members: Ron DiAngelo, Stephen Baker, Penny Dellinger, Deb Bixler and William Greenawalt.

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 07-15 APPOINTMENTS TO RECYCLING COMMITTEE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**P. Resolution No. 07-16 – Appointing Members to Historic Preservation Committee (No Term Length – Annual Appointment).**

Current Members: Mary Ellen Monson, Lois Miller, Luther Sowers, Stephen Keener, June Frick, and Arlene Dietz Imes.

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION 07-16 – APPOINTING MEMBERS TO HISTORIC PRESERVATION COMMITTEE, MARY ELLEN MONSON, LOIS MILLER, LUTHER SOWERS, STEPHEN KEENER, JUNE FRICK AND ARLENE DIETZ IMES. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**Q. Resolution No. 07-17 – Approval of Bank Account Signatories**

**MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION 07-17. MR. GURRERI WAS SECOND.**

**SCHENCK** Chairman Schenck commented that a member of the Board of Supervisors needs to sign all checks and that has not changed.

**Consensus of the Board was agreement that the policy should not change; the members of the Board are generally available.**

**MOTION UNANIMOUSLY CARRIED.**

**R. Resolution No. 07-18 – Designation of Depositories and Safety Deposit Box**

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION 07-18 – DESIGNATION OF DEPOSITORIES AND SAFETY DEPOSIT BOX. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**S. Resolution No. 07-19 – Designation of Zoning Officer and Deputy Zoning Officer(s)**

Current Zoning Officer and Deputy: Harish Rao, Zoning Officer – John Luciani and Christopher Beauregard, Deputy Zoning Officers

Proposed: Harish Rao, Zoning Officer – Kristi Reese, John Luciani and Christopher Beauregard, Deputy Zoning Officers.

**MR. BISHOP MOVED FOR THE ADOPTION OF 07-19 – DESIGNATION OF ZONING HARISH RAO AS ZONING OFFICER, KRISTI REESE, JOHN LUCIANI, CHRIS BEAUREGARD AS DEPUTY ZONING OFFICERS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**T. Resolution No. 07-20 – Appointment of Building Official and Deputy Building Official.**

Current Building Official and Deputy: Harish Rao, Building Official – Roger Marshall and John Luciani, Deputy Building Officials

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION 07-20 – APPOINTMENT OF BUILDING OFFICIAL AND DEPUTY BUILDING OFFICIAL, HARISH RAO, BUILDING OFFICIAL, KRISTI REESE, DEPUTY BUILDING OFFICIAL. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**U. Resolution No. 07-21 – Establishment of Treasurer Bond**

**MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION 07-21 ESTABLISHING THE TREASURER BOND. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**V. Resolution No. 07-22 – Appointment of Personnel Attorney**

Current Personnel Attorney: Ballard Spahr Andrews & Ingersoll, LLP – Patrick Harvey, Esquire

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 07-22 – APPOINTMENT OF PERSONNEL ATTORNEY, BALLARD SPAHR ANDREWS & INGERSOLL, PATRICK HARVEY, ESQUIRE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**W. Resolution No. 07-23 – Appointment of Landscape Architect**

Current Architect: Yost Strodski Mears (YSM)

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 07-23 – APPOINTMENT OF YSM AS LANDSCAPE ARCHITECT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**5. Other Items:**

**SPRINGETTSBURY TOWNSHIP  
ANNUAL REORGANIZATION MEETING**

**JANUARY 2, 2007  
APPROVED**

- A. Set Dates and Time for Regular Meetings of Board of Supervisors (second and fourth Thursday of each month, except June, July and August – 4<sup>th</sup> Thursday only, November and December – 2<sup>nd</sup> Thursday only – 7:00 p.m.)**

**GURRERI** Mr. Gurreri requested only one meeting in February.

**HOLMAN** Mr. Holman responded that historically February is not the busiest month.

**Consensus of the Board was that the February meeting would be short.**

**Discussion:**

- 1. November (proposed date Wednesday, November 14, 2007 due to Township's of the Second Class Convention being held on second Thursday in November).**

**MR. BISHOP MOVED FOR THE SCHEDULE OF MEETING DATES AS SHOWN ON THE AGENDA INCLUDING THE WEDNESDAY, NOVEMBER 14, 2007 MEETING. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. Adjournment**

**SCHENCK** Chairman Schenck adjourned the meeting at 5:55 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

Springettsbury Township’s Board of Supervisors and Planning Commission held a Joint Work Session on Tuesday, January 2, 2007 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:**

**Board of Supervisors:**

Bill Schenck, BOS  
Don Bishop, BOS and CP  
Nick Gurreri, BOS  
Mike Bowman, BOS  
George Dvoryak, BOS

**Planning Commission:**

Alan Maciejewski, PC  
Mark Swomley, PC  
Mark Robertson, PC  
Charles Rausch, PC

**Comp Plan Committee:**

Mark Goodson  
Charles Wurscher  
Robert Cox

**ALSO PRESENT:** John Holman, Township Manager  
John Luciani, Civil Engineer  
Harish Rao, P.E., Director of Community Development  
Stacey MacNeal, Planning Commission Solicitor  
Kristi Reese, Community Development Coordinator  
Anne Walko, York County Planning  
Lori Mitrick, York County Commissioner  
Marian Hull, Kise Straw & Kolodner  
John Uhler, Resident  
Jack Ulrich, Resident  
Jean Abreght, Stenographer

**A. CALL TO ORDER:**

**SCHENCK** Chairman Bill Schenck called the meeting to order at 7 p.m. He welcomed the attendees to the Joint Work Session of the Board of Supervisors and Planning Commission of Springettsbury Township.

**B. Pledge of Allegiance**

**SCHENCK** Chairman Schenck led the Pledge of Allegiance. He asked each official to introduce themselves and in that way a Quorum was established.

**MACIEJEWSKI** Planning Commission Chairman Alan Maciejewski stated he appreciated the opportunity to meet with the joint boards, as well as other associated members of the Comprehensive Planning Commission and the general public.

**C. Presentation By Kise, Straw & Kolodner**

**1. Draft New Zoning Ordinance Recommendations**

**HOLMAN** Mr. Holman introduced Marian Hull of Kise, Straw & Kolodner, Consultant for the Township on this project.

**HULL** Ms. Hull stated that members of the Board of Supervisors and Planning Commission had been very involved in the project from the beginning. Ms. Hull provided a detailed PowerPoint presentation of the work that had been accomplished since inception leading to the current focus on the Zoning Ordinances. Her presentation was based on the draft of the new Zoning Ordinance recommendations. She explained each district and the proposed changes. She cited several highlights, concerns and potential next steps. The purpose of this Work Session was to solicit input from the Board of Supervisors, the Planning Commission and the public. Her presentation was made available on the Township website.

**D. Comments and Questions of the new Zoning Ordinance, §325**

**MACIEJEWSKI** Mr. Maciejewski stated that these changes are some of the more visible changes within the Township. He noted that in the Comp Plan Committee meetings, there had been a lot of discussion resulting in the fact that the Township is being pointed in the right direction. He asked for input from the other Board and Commission members.

A lengthy discussion ensued by both members of the Board of Supervisors and the Planning Commission members. Some of those items are summarized:

- The R-20 zone and density bonuses and regulations – are they appropriate – is idea acceptable?
- The R-7 and R-10 does not show much difference.
- The RR District encompasses the largest portion of undeveloped land.
- Small lot sizes – no real difference; can add sun rooms/back porches.

- Street frontage of properties - to line up fronts of homes requires Zoning Hearing Board variances. Is that a good use of time? Common front foundations would allow seniors to add a second first floor bathroom.
- Maximum square footage on a 7500 sq. ft. lot – maximum height – 35 feet
- Review of abuses of regulations – anything that could be detrimental. Associated uses such as energy generation versus allowable uses. Structure less than 35 feet.
- Mixed use height – 45 feet; maximum height in the Flex District is 100 feet. Commercial Highway is 100 feet.
- Consideration for multi-family use retirement communities to house up to 2500 people.
- Height of high rises – elevators required.
- Important to have more re-development and preserve open spaces.
- Multi-family, duplexes and attached houses should not be ruled out.
- Consideration given to County and State Statutes.
- Lack of high-end multi-family housing.
- Flood plain usage dependent upon Federal and Pennsylvania State Statutes.
- Control of silt; erosion, sediment; dust, odor, noise abatement.
- Definition of steep slopes; timing of land development; could be controlled with a separate grading ordinance.

**E. Public Comment**

**MACIEJEWSKI** Mr. Maciejewski opened the floor for public comment.

**UHLER** John Uhler, resident of Olde East York, spoke of his concern about the approximate 8 to 10 block stretch between I83 up to the Royal Street commercial sector. He noted the potential for that area to erode into a commercial neighborhood with cafes and salons if retail is permitted. The neighborhood had been recognized by the National Registry as a unique attribute of the old establishment of East York.

**SCHENCK** Mr. Schenck responded that was a point worthy of review and one of the unintended consequences with doing away the office district.

**UHLER** Mr. Uhler also spoke concerning duplexes, which he was not against.

**SCHENCK** Mr. Schenck voiced agreement.

**MITRICK** Mrs. Lori Mitrick, 3399 Barwood Road, a Springettsbury Township resident and former Supervisor commented as a County Commissioner. She had two concerns and referred to the area map in the proposed R-20 area with large lots and close to the creek. There are environmental facts. Central School District may need to build another school, and what was proposed for the subject land

would remove any potential land for school expansion in the next 15 to 20 years. In Rural Residential areas a school could be developed. She requested that it be reconsidered and the area placed into Rural Residential rather than zoning it R-20. Her second concern related to the Rocky Ridge area. The County always hoped to have activity with the open space with parks, etc. In earlier zoning maps there was a very small area that was open for Rocky Ridge in the future to connect with Springettsbury's Park. She noted that on the 2003 map that was not shown.

**BISHOP**

Mr. Bishop questioned Mrs. Mitrick on her first point and whether that parcel needed to not be zoned R-20 because a school could not be developed in R-20.

**MITRICK**

Mrs. Mitrick responded that she had read the draft and understood that it could be; however, she thought that by zoning it R-20 there was a greater likelihood that it would be developed into residential as opposed to leaving it Rural Residential with future potential for a school.

**HOLMAN**

Mr. Holman commented that Charter Homes had an Open Space development plan that was approved about a year and a half ago. They will start construction soon. The Open Space is in the center of the development with houses on the other side. There is a large open space interior to maintain the concourse and landscape that exists there now. There's a good 100 feet or more so that there is no encroachment upon the stream or upon the wetland area. What reflects in the R20 is actually what's already been approved.

**MITRICK**

Mrs. Mitrick understood; however, in the event that might not come into fruition, she asked for reconsideration to keep that land Rural Residential so that the space could be made available if needed for future planning for a school.

**HULL**

Ms. Hull added that by placing the land in the R-20 district it would allow more intense development. At the present time it has very strict impervious coverages.

**MACIEJEWSKI**

Mr. Maciejewski stated that the land where the Central High School was built had been set aside for development for many years. Suddenly the school came along, and it was developed. Whether or not land is earmarked for a specific purpose could change.

**MITRICK** Mrs. Mitrick noted that the Zoning Ordinance is the most powerful tool a Board of Supervisors has and it sets the stage for the future of the community.

**MACIEJEWSKI** Mr. Maciejewski responded that her point was well taken.

**ULRICH** Mr. Jack Ulrich, Collins Wagner, commented that the Neighborhood Commercial in AO slipped back to R1. Collins Wagner is located there and would need to be replaced if something happened to it. He wondered about the situation in the future. He asked whether that could be developed into high multi-story residential building or whether there would be different restrictions.

**HULL** Ms. Hull responded that the height in Neighborhood Commercial is 35 feet; the same as in Residential District.

**BISHOP** Mr. Bishop stated that a review should be made of the parcels such as at the old school, which backs into a neighborhood.

**HOLMAN** Mr. Holman responded that the LIU is moving to the old Central High School. The school district is reviewing what is to be done with that property.

**SCHENCK** Mr. Schenck emphasized a comment that was made concerning the old zoning map and the proposed one. The East Market Street corridor that was Apartment/Office and is proposed Neighborhood/Commercial should be reviewed to be sure everyone understood what was proposed.

**HULL** Ms. Hull asked whether that was just concern for that portion of East Market Street, or whether there were other areas of concern.

**SCHENCK** Mr. Schenck responded that it concerned just that one. He spoke of the old mansion building and he would hate to see the character of that area change.

**BISHOP** Mr. Bishop echoed his thought as to how to achieve the objective. It will change, and there is a need to figure out whether there is a better way.

**MACIEJEWSKI** Mr. Maciejewski asked for a summary.

**HULL** Ms. Hull responded with a summary of key items:

- Open space development both for lot size and site and mix of uses. Is that an area to consider some kind of attached houses?

- Consider whether density bonuses are appropriate there or not, or do we want to limit the potential development impacts.
- Reconsider another look at appropriateness of attached housing in general or twins, row houses in single family residential neighborhood. Making sure of the right direction.
- Looking at the performance standard – looking at erosion sediment control in zoning or subdivision or other important issues.
- Steep slopes – review the fact that people measure the steep slopes before they start moving dirt around. Need to update the reference to the GIS map used (1977).

Public Comment:

- Closer look at the Neighborhood Commercial, particularly on East Market. Looking at the properties zoned Professional Office along Eastern Boulevard and making sure that is appropriately zoned so that it protects neighborhood uses.
- Review the former school used by the LIU.
- Review northwestern corner of the Township between the high school and creek, and evaluate that rezoning from Rural Residential for impacts both on the pre-approved development plan and potential changes in the future. Look at long-term development.

**MACIEJEWSKI** Mr. Maciejewski stated that the items could be brought up for further discussion during the next Comprehensive Planning Committee Meeting.

**SCHENCK** Mr. Schenck commented that he could not find the connector of Open Space from Rocky Ridge to the Township facility on this old map.

**MITRICK** Mrs. Mitrick noted that she was looking at a 1990 zoning map; however, in 2003 it disappeared.

**SCHENCK** Mr. Schenck recalled that it was more to the east.

**MACIEJEWSKI** Mr. Maciejewski responded that someone had pointed out during a public meeting that a parcel at the very east end of the Township for Rocky Ridge was an area where there could have been a secondary access way into Rocky Ridge Park. The one in 1990 was a walking path that was going to connect through the Miller farm from the recreation area. There was a plan to have a bike path and everything else associated with that.

- MITRICK** Mrs. Mitrick responded that she was referring to the hiking path, just to provide some access.
- MACIEJEWSKI** Mr. Maciejewski recalled that it had been part of the Comprehensive Plan in 1990.
- HOLMAN** Mr. Holman added that it was part of the trails that were recommended in the Comprehensive Plan and are part of the study of the Recreation Comp Plan, i.e., the inner connectors to the various parks and how they can be put into place.
- SCHENCK** Mr. Schenck stated that, if that is the desire of the Township, then something needs to be done to provide the mechanism to be sure they are available when needed.
- MACNEAL** Ms. MacNeal stated that care must be taken to review them. If Open Space zoning is taking place and there is no legitimate reason to zone the land into Open Space other than the desire to use it in the future for public purposes, there could be a defective taking.
- HULL** Ms. Hull added that another tool to make that happen is as part of an unofficial map. In the sense that the Township wants this connection to happen and there are certain rights and possibilities for the Township to acquire the parcels should it become available, which is different than zoning, it's another document that states what you want and puts in place mechanisms to make it happen.
- MACIEJEWSKI** Mr. Maciejewski noted that the schedule for discussing the SALDO might be off slightly. He suggested that there are other issues for discussion in the next Comprehensive Plan meeting. There may be a need for an additional Jt. Work Session during the month of February.
- MACNEAL** Ms. MacNeal indicated she was not certain how much would be done on SALDO by February.
- HOLMAN** Mr. Holman noted that the schedule had been designed so that additional meetings can be held. Revised copies could be provided for each member to review and/or put them on the website. Another Public Forum could be scheduled for the draft SALDO and another Jt. Work Session for the public. There will not be anything ready on the SALDO to discuss because the committee won't be able to get into the SALDO until February.
- SCHENCK** Mr. Schenck asked what Ms. Hull intended for this meeting.

**HULL** Ms. Hull responded that the main purpose for discussion during this meeting was to determine whether there were any particular burning issues from the Planning Commission or the Board of Supervisors on the SALDO to take a look at before we got into it.

**SCHENCK** Mr. Schenck responded that his thinking was that everyone has items to discuss in the SALDO. He suggested another Work Session for dialogue.

**MACIEJEWSKI** Mr. Maciejewski agreed that discussion could be concentrated on specific issues.

**Consensus was agreement to hold a general Comprehensive Plan Committee meeting at 6 p.m. on Tuesday, January 23<sup>rd</sup> and at Jt. Work Session same date at 7 p.m.**

**F. ADJOURNMENT:**

**MACIEJEWSKI** Chairman Maciejewski adjourned the meeting at 9:15 p.m.

Respectfully submitted,

John Holman  
Secretary

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