SPRINGETTSBURY TOWNSHIP **DECEMBER 20, 2001**
BUDGET ADOPTION **APPROVED**

A meeting of the Springettsbury Township Board of Supervisors was held on Thursday, December 20, 2001 at 7:30 a.m. for the purpose of Adoption of the 2002 Budget and Tax Rate.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Ken Pasch
Bill Schenck

ALSO IN ATTENDANCE:
Bob Sabatini, Township Manager
Jack Hadge, Finance Director
Mike Bowman, Supervisor-elect
Andrew Stern, Economic Development Director
Dori Bowders, Manager of Administrative Services

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 a.m. She stated that the purpose of the meeting was to finalize the 2002 Budget and Tax Rate.

SABATINI Mr. Sabatini stated that the Board had been provided a copy of the 2002 Budget. All corrections had been made as directed by the Board. He requested that the Board approve Resolution 01-61 - Adoption of the 2002 Budget as amended from its initial published advertisement, as well as Resolution 01-62 - Adoption of 2002 Tax Rates.

A. Resolution 01-61 – Adoption of the 2002 Budget

HADGE Mr. Hadge commented that the adjustments had been made in the Police Department Budget. The amounts were $83,000 for the two Lieutenants, and an additional $32,000 to make up the $115,000.

MITRICK Chairman Mitrick asked when the first Lieutenant would be in place.

SABATINI Mr. Sabatini responded it would be in February or March. The Police Chief had already set up the testing, but it had not yet been announced. An additional Lieutenant would be in place in July.

MITRICK Chairman Mitrick asked for any additional comments from Board members.

GURRERI Mr. Gurreri stated that he had voted against the police two Lieutenants. He indicated that Springettsbury Township has the best police force there

is. However, the country is in a recession, and he did not think this was the time to add the officers. He added that he was not against taking this action, just the timing. He commented that some municipalities are moving toward regionalization, and he thought the matter should be reviewed.

MITRICK Chairman Mitrick asked for any other questions from the Board.

GURRERI Mr. Gurreri asked at what percentage the wages would be raised.

SABATINI Mr. Sabatini responded that the Cost of Living adjustment was 2.35%. Salary adjustment past that would be at a total overall of 4%.

GURRERI Mr. Gurreri voiced an additional concern that some of the departments are under and some are slightly over.

SABATINI Mr. Sabatini agreed and commented that the Fire Department was over as a result of the Overtime.

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 01-61, WHICH IS THE YEAR 2002 BUDGET FOR SPRINGETTSBURY TOWNSHIP AS AMENDED. MR. PASCH WAS SECOND.

BISHOP Mr. Bishop asked for clarification on the documentation the Board had been presented.

HADGE Mr. Hadge responded with an explanation of the sections. He stated that there were two complete Resolutions, one that was the five-page Resolution, which would adopt the budget, and the second was a two-page Resolution adopting the tax rate.

MOTION UNANIMOUSLY CARRIED.

B. Resolution 01-62 – Adoption of 2002 Tax Rate

SABATINI Mr. Sabatini stated that there was no change in the Tax Rates from last year to this year.

MR. GURRERI MOVED FOR ADOPTION OF 2002 TAX RATE, RESOLUTION 01-62 AS STATED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

HADGE Mr. Hadge provided a financial statement for the month of November.

MITRICK Chairman Mitrick thanked Mr. Hadge for all of his professional input and organization of the budget.

HADGE Mr. Hadge responded and stated it was an honor to work with the Board.

MITRICK Chairman Mitrick commented that this was Supervisor Ken Pasch's last formal meeting of the Board. She added her appreciation and thanks for his involvement and dedication over the years.

PASCH Mr. Pasch responded that he had appreciated the opportunity to work with all of the Board members.

GURRERI Mr. Gurreri commented that they will all miss him.

PASCH Mr. Pasch responded that he would miss being here, but also would enjoy not being here.

2. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 7:55 a.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **DECEMBER 17, 2001**
BOARD OF SUPERVISORS – BUDGET 2002–FOURTH MEETING APPROVED

The Board of Supervisors of Springettsbury Township held the fourth Budget 2002 meeting on Tuesday, December 17, 2001 at 6:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Nick Gurreri
Don Bishop
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Jack Hadge, Finance Director
Mike Bowman, Supervisor-elect
Jean Abreght, Stenographer

CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 6 p.m. She stated that the first item on the agenda was a wrap-up of the budget, as well as discussion on objectives for the upcoming year. In addition, the Board would review the report on appointments.

SABATINI Mr. Sabatini stated that the Board had requested that he review the matter of raising money to cover the additional police officers. He had provided a worksheet with revenue increases and the two additional expenditures which the Board had identified, one concerning Fire Department overtime. On the Expenditure side were three items, (1) Legislative, which was for Employee Appreciation in the amount of $5,000, (2) Fire Department - Rich Mellott was expected to be on sick leave for two months for a gallbladder operation for an additional amount of overtime at $5,000, and (3) Additional police officers at $115,000. On the Revenue side there was a need for an additional $125,000. He stated there were a couple of opportunities to increase the use of the Fund Balance by $125,000: (1) add revenues based upon budget projections, (2) add $125,000 based upon increased revenues from Mercantile Tax, Occupation Privilege Tax, Real Estate Tax, Engineering Fees, EMS Fees and State Grants, or (3) a combination.

GURRERI Mr. Gurreri asked how the Engineering Fees become revenue.

SABATINI Mr. Sabatini explained that during Subdivision and Land Development Plans, the Engineer will charge the Township, and the Township has the ability to backcharge the developer.

PASCH Mr. Pasch asked whether Mr. Sabatini felt confident with the tax breakdowns and whether the numbers were realistic.

SABATINI Mr. Sabatini responded that he was confident, but he wanted the Board to have the option. If there were a sense in the community that the projections would not work, the Township would like to hear about it. If the Mercantile Tax increased by $50,000 or EMS fees or anything else to get that $125,000 number, the Board could provide some direction on some of those items before using revenues.

GURRERI Mr. Gurreri asked whether the $600,000 proposed in real estate taxes was a correct and true number.

SABATINI Mr. Sabatini stated that the way to determine that was based on the assessed evaluation of how much a property would be worth. The existing millage rate would be applied to it, then a certain percentage would be deducted, especially for delinquent taxes. When this was prepared there was a confidence level that $590,000 was correct; it could be raised to $595,000.

HADGE Mr. Hadge confirmed that revenues would be approximately $595,000 in real estate taxes for 2002.

PASCH Mr. Pasch commented that for the year 2001, $591,500 had already been received in revenues from real estate taxes. The figure for 2002 would not be out of line. He added that there were a number of new additions and buildings. He asked Mr. Hadge what the total Fund Balance would be.

HADGE Mr. Hadge responded that $4,800,000 was the total, of which $2,000,000 directly goes to the park. The remained would be $2,800,000. He expected to use $335,000 from the General Fund for 2002.

PASCH Mr. Pasch commented that with that kind of fund balance there was not a real concern. The numbers for the current year had shown more in revenues than are being proposed for next year.

GURRERI Mr. Gurreri asked what the proposed expected expenses for next year would be.

HADGE Mr. Hadge responded that based upon what was proposed, the expenses would be $7,325,000 total for next year. This year expenses will reach $7,200,000. Because of Fire Department overtime and some other items, the expenses will be at least $50,000 over budget.

GURRERI Mr. Gurreri asked about 2002.

HADGE Mr. Hadge responded that in 2002 the expenditures would be approximately $7,325,000. He added that hiring new Firefighters will reduce the overtime. The Fire Chief has had one good full year of EMS and is more knowledgeable about the purchase of materials and supplies. That is part of the $100,000 moved to the Police Department. This year there were some additional personnel costs not anticipated.

BISHOP Mr. Bishop asked where Mr. Hadge expected to end up for 2001 in terms of deficit and surplus.

HADGE Mr. Hadge responded that the revenues were very good. He believed that revenues would come out more than the expenditures. Based upon November 30, it certainly looked that way in that there was a very good revenue year.

GURRERI Mr. Gurreri asked whether Mr. Hadge would expect that 2002 would have that result.

HADGE Mr. Hadge responded that as of December, the investment earnings had already amounted to $287,000. He was confident the amount would increase to $300,000 before year end. He stated that the Business Privilege Tax had been very good this year; Engineering Fees were much better. A variety of other items, such as EMS had been added, along with a series of others including Public Works, which had a very good year in terms of picking up $25,000 extra miscellaneous dollars not estimated.

SCHENCK Mr. Schenck asked whether a decision on EMS revenue had been made.

HADGE Mr. Hadge responded that it was being raised to $30,000.

SCHENCK Mr. Schenck stated that he thought that was a stand alone budget item. What he was hearing was that it was a scenario to fund the extra money being placed in the police budget to cover the additions, fire department overtime, and do it with just the transfer of funds to cover it all or all these other little things.

SABATINI Mr. Sabatini indicated he was correct.

SCHENCK Mr. Schenck thought the EMS revenue should be separate.

HADGE Mr. Hadge responded that if there were not the other issue of raising the EMS revenues, then he would reduce the use of the fund balance. Instead of using $300,000 of the fund balance, he would use $200,000 or $250,000.

MITRICK Chairman Mitrick asked how much the EMS was being raised.

HADGE Mr. Hadge responded it would be raised by $30,000 from $80,000 to $110,000

SABATINI Mr. Sabatini reported that $159,000 had been brought in, but that constituted a year and a half of billing. He explained the billing guidelines and indicated that Springettsbury would no longer be the cheapest place, but rather more in line with other emergency services.

GURRERI Mr. Gurreri stated that that could go away.

SABATINI Mr. Sabatini responded he really did not see the revenue stream disappearing. He added that there was a lot of pressure on Congress to adjust Medicare bills because they had actually bottomed out and had gotten so low that a lot of medical providers, especially in the Emergency Medical side, were having a hard time staying open. He and Mr. Hadge had figured $100,000 without any rate increases with the knowledge that Springettsbury is on the low end. Rate increases will be added in January as part of the universal fee schedule with $10,000 or 10% to that to make amounts higher. Springettsbury's numbers are fairly consistent year in and year out if not growing on the number of emergency calls received.

GURRERI Mr. Gurreri mentioned that the Mercantile Tax could be low.

SABATINI Mr. Sabatini stated that the 2001 budget was $1.47 million and is expected to top $1.75 million.

PASCH Mr. Pasch indicated that at the end of November it was already at $1.6 million.

SABATINI Mr. Sabatini stated that December is a prime month and he expected to receive $1.7 million. With $1.47 million budgeted and adding $50,000 above that, he still considered it to be conservative.

BISHOP Mr. Bishop commented that there was a pretty heavy lag in Mercantile Tax. The tax that is being received now would actually be for a different period of time, actually pre-2001 in some cases.

PASCH Mr. Pasch asked why there were receipts throughout the year.

BISHOP Mr. Bishop responded that it was due to the fact of whenever people pay them and the Tax Collector sends them to the Township. He added he thought some of them were delinquent. In March of this year, a business pays based on sales the previous year. Mr. Bishop added he did not think it was a real close correlation between what was going on in the economy. He did not think the fact that we're getting a lot of money in now indicated that 9/11 didn't mean anything or that the economic downturn in

2001 didn't mean anything. Mr. Bishop thought the numbers being reviewed were actually from 2000 sales numbers.

PASCH Mr. Pasch commented that would surprise him because all the government bodies want their money up front.

BISHOP Mr. Bishop stated that he had fought that Ordinance personally as a business person for many years. On March 15th a business is required to tell what sales were for the prior year, and that's the number on which the tax is based.

GURRERI Mr. Gurreri stated that for the prior year meant ending December of the year before.

BISHOP Mr. Bishop clarified that it was for the prior calendar year. Anyone who is making payments right now, in year 2001, would be basing them on the year 2000 sales. Mr. Bishop did not think there were any kind of quarterly payments.

SABATINI Mr. Sabatini commented that was one of the reasons for the inability to truly assess the post 9/11. A review of a modest increase of about 5% would be a 3% increase in total revenues above the current budget, but a substantial reduction from what had been received in 2001. What was being budgeted in 2002 will be something like a 12% or better reduction from what was actually received for 2001.

GURRERI Mr. Gurreri stated that the Mercantile Tax was budgeted at $14.7.

SABATINI Mr. Sabatini stated that the actual projection is $1.691 as of November 30, 2001, which was still a reduction from where our actual figures are for this year.

EMS

MITRICK Chairman Mitrick stated that she had noted in two different places to add $45,000 to EMS. She thought the matter must have been discussed on two different occasions.

HADGE Mr. Hadge stated he would want to adjust the amount to $145,000.

MITRICK Chairman Mitrick stated if the amount were placed in the budget, it makes it clear that is our goal.

SABATINI Mr. Sabatini responded that he had a very good confidence level in $110,000. It could be adjusted to $125,000 and he would not lose any sleep in trying to get that number.

SCHENCK Mr. Schenck indicated it should be at least $110,000. If you want to add something to it to make it $125,00 it should be attainable.

SABATINI Mr. Sabatini agreed.

PASCH Mr. Pasch commented that when the figure is budgeted at a higher amount, there are too many outside factors. Base it on prior history and everything else and there would be fairly good numbers. Expenses can be controlled. Revenues do become more of a targeted goal. It all depends on who needs the services. The only thing we really control is the rates that we're charging. If you put it higher you do put a target out there.

BISHOP Mr. Bishop agreed. It would depend upon how good a job is done at collecting the revenues, and that can't be controlled.

PASCH Mr. Pasch had no problem with raising the amount to $125,000 based on what everybody else charges, they charge twice what we charge in some instances.

BISHOP Mr. Bishop added that another good point it makes is that, a year from now when we review this, the Board can see what the actual figures are. We've got an average.

GURRERI Mr. Gurreri asked about the monthly average.

HADGE Mr. Hadge responded it was about $9,000 a month.

GURRERI Mr. Gurreri stated that would be $108,000 a year. He asked who collects revenue when a car accident takes place, the EMT's or the Fire Company.

SABATINI Mr. Sabatini responded that money is only collected if a transport takes place.

Consensus of the Board was to raise the Emergency Services to $125,000 and remove the $15,000 from the Fund Balance.

HADGE Mr. Hadge indicated concern based on his experience. He had always felt more time should be spent on expenditures. He had stated that there was not a revenue problem.

GURRERI Mr. Gurreri observed that there would be a surplus with the Real Estate Taxes.

SABATINI Mr. Sabatini provided an explanation for the GAS P 34 Project.

- Depreciation schedules for facilities and equipment would be required

- Capital items such as sidewalks, curbs, streets, parks, retention ponds will be accounted for.
- New information will have to be prepared in 2002 and it officially goes into the financial statements for 2003, which is a very significant change in the way that accounting is done.
- Retirement Benefit costs will be more specifically stated, either pre-funded or identified as a liability unit in the financial statement.

PASCH Mr. Pasch observed that it would be a potential liability, which should be recognized. Dollars must be provided in order to fund it. He asked whether this might be something required in the actuarial studies.

SABATINI Mr. Sabatini responded that the requirement is that unfunded costs or pre-funded costs must be disclosed. Conrad Seigle does that at a cost of about $3,000 for a study like that, which might typically be done on a 5-year basis. The second class township code no longer permits post retirement health benefits. The last police contract terminated that.

MITRICK Chairman Mitrick asked for the consensus on the dollar amount that was to be extracted from the Park & Rec program.

SABATINI Mr. Sabatini responded that the initial recommendation on Performances was from $25,000 to $22,000; on Program Fees from $35,000 to $28,000 down $10,000. Printing down another $2,000; total down $12,000.

MITRICK Chairman Mitrick asked Mr. Bishop about the comment that the new format of the newsletter had not accomplished its purpose.

SABATINI Mr. Sabatini stated that the cost of tying both newsletters together, which Mr. Bishop had alluded to, had not really been realized.

SCHENCK Mr. Schenck observed that the logic had been to send the two together to cut mailing costs.

SABATINI Mr. Sabatini explained that before only three Recreation brochures and four Township newsletters were sent out each year. The Township calendar was not synchronized with traditional recreation activities.

BISHOP Mr. Bishop stated that the recommendation had been to let Recreation decide on the calendar because of their activities.

SABATINI Mr. Sabatini added that where the problems had surfaced was where Recreation only needed three but the township needed four. He indicated that the four could be cut back to three to further reduce costs.

BISHOP Mr. Bishop indicated that Mr. Schenck had made an interesting point about the postage. Yes, there had been a saving on postage. However, there were some extra added costs. The Township newsletter was printed. The Recreation newsletter was printed. Then someone was paid approximately $1,200 to hand collate the two together and mail. The middle step is relatively expensive.

PASCH Mr. Pasch stated he did not think that was the original concept.

MITRICK Chairman Mitrick indicated that the Board had thought the newsletter would be quarterly. She asked for further clarification regarding the collating of the two newsletters, which she never imagined to cost $5,000.

SABATINI Mr. Sabatini explained that there are two separate newsletters put together as one. One way to deal with this is to have one newsletter.

BISHOP Mr. Bishop stated that he thought there was to be one newsletter that looked like two.

SABATINI Mr. Sabatini stated that there had been no change. It had been this way ever since the Board had so directed. The concept was that Recreation needed a separate unit and the only reason why it was tied into the Township newsletter was to save on postage.

MITRICK Chairman Mitrick agreed with Mr. Sabatini that discussion had taken place that people would want to hang onto the Park & Rec piece. She suggested to try and find a more cost effective way than to have it collated.

SABATINI Mr. Sabatini stated that the Township could step back to three issues a year rather than four with two separate colors for Township and Recreation.

GURRERI Mr. Gurreri asked why the newsletter was turned over to Karen Edwards.

SABATINI Mr. Sabatini responded that Karen Edward's position is Grants and Communications as it was originally laid out. There are cycles for grants. This position was to accommodate Communications as well.

GURRERI Mr. Gurreri stated that it had been a big part of Dori Bowder's job.

SABATINI Mr. Sabatini responded that it would take more time for Dori because she is responsible for staff and me than it does for Karen who does not have the same level of interruptions and is not supervising people. She can spend more time working with designers and making sure we get a good

product. Recreation looks 10 times better now than it has in the past. Having one person put it together results in a better flow.

SABATINI Mr. Sabatini stated that he would make the changes and provide a summary sheet.

GURRERI Mr. Gurreri asked to discuss the Grants received during the year.

SABATINI Mr. Sabatini responded that he had provided information on the summary of all grants that had been applied for and received above and beyond the normal. Since Karen Edwards had been hired at the end of April, there had only been one grant cycle. However, she had brought in approximately $70,000 of revenues not previously accounted for, and Mr. Sabatini expected those numbers to be higher.

MITRICK Chairman Mitrick stated that the Board was sensitive to the Grants and Communications position because it was new and the Board wanted to be sure that it is needed. It would be beneficial to constantly remind the Board of what's coming in to help justify the new position.

PASCH Mr. Pasch stated that he was in favor of the Grants Writer position. He agreed that more communication as to what had been accomplished would be better.

SABATINI Mr. Sabatini indicated that if her position were cut to a part-time position it would not be as effective.

GURRERI Mr. Gurreri asked whether she was doing grant writing full time or doing the newsletter. He added that he had been against hiring a full-time Grants Writer.

SABATINI Mr. Sabatini responded that it was a position for which he was given approval to do. Before anyone was hired, he had indicated that the position should be a mixed one because grants are cyclical in nature. The people who write these grant applications are not going to accept part-time positions. It was best mix with a communications position because of the combination of skill sets, research, writing, and communication. He added that the position had already paid for itself.

BISHOP Mr. Bishop asked Mr. Sabatini whether he was comfortable with the idea of being accountable for that on a zero basis, so that the Board could actually see the results.

SABATINI Mr. Sabatini responded that he was.

MITRICK Chairman Mitrick stated that it sounded as though Mr. Sabatini had already provided that information to Mr. Gurreri. She asked him to provide the same information to the full Board.

SABATINI Mr. Sabatini responded that he would provide that to the Board. He added that by January or February results would be available for the last cycle.

MITRICK Chairman Mitrick asked where Pat, another new position showed on the report. She asked to see her Job Description as she wanted to know what her job was.

SABATINI Mr. Sabatini responded that she researched all the Township fees, goes through the departments and puts them together in unified fashion. Her responsibilities are focused on very specific issues.

BISHOP Mr. Bishop stated that the Board never created that position. He stated he was uncomfortable with the idea that many people could be brought in as long as they were part time.

Pay Raises

GURRERI Mr. Gurreri asked about the pay raises.

SABATINI Mr. Sabatini stated that his intention was to provide to the Board within a day or so information on the cost of living increases for non-union people and merit increases.

SCHENCK Mr. Schenck indicated that 4% did not bother him in the big picture because that was where the bargaining unit people are this year in general.

SABATINI Mr. Sabatini stated that his plan was to have the personnel policy, along with job descriptions in place by the first of the year. He added that he was looking at a two-part function, one, - a cost of living increase and one is merit raises based on job description. His intention is not to exceed an overall 4%.

MITRICK Chairman Mitrick stated that another issue brought up in previous discussions was the non-union directors. That problem had concerned her. No one wanted to step out of the union in the fire department.

SABATINI Mr. Sabatini stated that was also a two-part issue. One is the difference for unionized positions, such as fire police, where there is a regular amount of overtime. There is a spread between that and the management of them by the Fire Chief. The second issue is on the benefits side where the Police Chief gets less leave time, less sick time than the people who are managers do. Pension for Teamsters is at 9%; for non-union it's 8%. There is more sick leave for non-union people than their supervisors.

Factor all that together and sometimes it causes questions. People who are in the union would not want to come out of the union.

GURRERI Mr. Gurreri agreed and stated it was more than just that because if they step out they could get fired tomorrow. In the union they are protected.

SABATINI Mr. Sabatini stated that in the non-union, para-professional positions, such as the Solids Handling Coordinator and Pre-Treatment Coordinator, will not leave the bargaining unit quickly even though they pay more because of overtime issues because they're not getting overtime or that they get a reduction in their ICMA benefits from 9% to 8%. Mr. Sabatini stated that there had not been a salary structure or program. He indicated there are internal inconsistencies which he had begun to identify. He reported that it would not be done in a two-week time frame. There were no people expected to be hired in administration. The only two positions are on the police side where the Board will have some discretion. Right now is a good time to make those decisions.

BISHOP Mr. Bishop indicated that a big part of the problem that Mr. Gurreri had expressed was that the Board did not have any input in the process in the past.

SABATINI Mr. Sabatini stated that he would not take any steps on personnel salaries until the Board had been advised. He will make recommendations and request feedback from the Board.

BISHOP Mr. Bishop asked about Mr. Sabatini's statement that he would provide some cost of living information. He asked what the meaning of that number would be and whether it would impact the budget.

SABATINI Mr. Sabatini responded that it would not have any impact on the budget if the Board accepted the premise that over all non-union employees as a group would receive approximately a 4% wage increase. But where individuals may get raises, some less, some more based upon merit, it would affect the budget.

BISHOP Mr. Bishop stated that with the cost of living everyone gets a percentage.

PASCH Mr. Pasch stated everyone would get 2.7%.

BISHOP Mr. Bishop asked whether the raises always happened at the end of the year.

SABATINI Mr. Sabatini responded yes, with the cost of living. He added that he wanted to benchmark the program for next year with a fixed formula,

which would include the social security and the York County cost of living blend.

GURRERI Mr. Gurreri asked when the 5% was provided to the union members.

SABATINI Mr. Sabatini responded that the Police Department contract had been negotiated in 1999 for 2000, 2001 and 2002.

GURRERI Mr. Gurreri stated that if a new contract were negotiated now, it might not be at 5%.

PASCH Mr. Pasch commented that if a new contract were bid now, there would be better negotiating strengths on the management side.

SABATINI Mr. Sabatini stated that his understanding was that the non- union employees had consistently gotten less than the union employees.

BISHOP Mr. Bishop asked whether any employees had been lost because they had not been paid enough.

SABATINI Mr. Sabatini responded that three people had been lost, but not necessarily because of monetary issues.

PASCH Mr. Pasch stated that if there was a point where there was the possibility of a bargaining union with some of your white collar workers, you will have very disgruntled employees who are not very efficient.

BISHOP Mr. Bishop stated that there had been disgruntled employees on the other end of the scale too. Strong employees, who were being paid way too much money. Mr. Bishop did not think that money was the most important thing.

PASCH Mr. Pasch indicated that the policy and structure was needed.

SABATINI Mr. Sabatini indicated that he felt the Township would be best served by a proposed 4% including merit. He suggested a benchmark of 2.8% with the flexibility to 4% as a target.

MITRICK Chairman Mitrick commented that, during the 10 years that she had been on the Board, there had been discussions about creating the same structure. She observed that this time is was really on the table.

SCHENCK Mr. Schenck stated that the plan was necessary. He asked what the bargaining unit people would receive this year as an aggregate.

SABATINI Mr. Sabatini stated that the Police Department was at 5%.

SCHENCK Mr. Schenck commented that 4% does not concern him. He did not want to see anyone receive pay raises above that 4%.

PASCH Mr. Pasch asked what the budget was based on percentage wise, 4%.

HADGE Mr. Hadge reported that the budget was based upon 4% because the Teamsters are getting 3%; police are at 5%; firefighters are at 4-1/2%.

SABATINI Mr. Sabatini stated that the benchmark had been set for non-union employees at 4%.

PASCH Mr. Pasch stated that everything in there was approximately 4% increase and 75% of it is prescribed anyway as union. He stated he was in favor of the 4%. He suggested to set up a program indicating that the Manager has to submit the increases which are over and above 2.8%.

GURRERI Mr. Gurreri asked about the one or two employees that are not doing their job. He asked whether they get a raise.

SABATINI Mr. Sabatini responded that they would receive a cost of living raise at 2.8%; however, the issue of their not doing their jobs would be dealt with on the merit side.

SCHENCK Mr. Schenck stated that, like any other manager, some people will get more than 4% on the merit side. Some are going to get nothing.

BISHOP Mr. Bishop commented that some people could get 10%.

SABATINI Mr. Sabatini agreed, but the overall aggregate numbers do not exceed 4%. That is where we want to be. That's what we're recommending.

SCHENCK Mr. Schenck stated that without a plan he was comfortable with the 4%, knowing Mr. Sabatini would manage it with a balance between cost of living and merit increases. He reiterated that he did not want to see any of the past activity occur again.

SABATINI Mr. Sabatini responded that the Board would be made aware of any proposed increase on merit prior to action.

MITRICK Chairman Mitrick stated that if she were an employee here and knew this discussion was occurring, she would at least appreciate from the Manager the Job Description and the salary structure for that Job Description. She stated that the Board was very clearly giving a directive that that's what we want, so what do we do with non-union people without Job Descriptions and salary rank and position.

SPRINGETTSBURY TOWNSHIP DECEMBER 17, 2001
BOARD OF SUPERVISORS – BUDGET 2002–FOURTH MEETING APPROVED

MR. BISHOPMOVED THAT WE TABLE DISCUSSIONS ON NON-BARGAINING UNIT EMPLOYEE WAGES UNTIL AFTER THE 2002 BUDGET IS APPROVED. MR. PASCH WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

BISHOP Mr. Bishop commented that a question had been asked about Mr. Lauer's 5-year road plan. He asked about the status of that plan.

SABATINI Mr. Sabatini responded that he had attempted to discuss that with Mr. Lauer but had been unsuccessful.

MITRICK Chairman Mitrick asked that he get that information to the Board.

SABATINI Mr. Sabatini responded that he would do so.

MR. BISHOP MOVED THAT THE BOARD REINSTATE THE $40,000 INTO THE CONTRACT SERVICES AND TAKE IT AWAY FROM THE LED PROGRAM AND CAPITAL RESERVE FUND AND BACK INTO THE 438/439 ACCOUNT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

PASCH Mr. Pasch stated that the LED program should be examined because there would be a sufficient payback.

BISHOP Mr. Bishop agreed that it should be examined but reviewed with a longer time frame.

SABATINI Mr. Sabatini stated he had proposed to put it in over a 4-year period.

BISHOP Mr. Bishop stated that there could be some alternative financing or other options available.

BISHOP Mr. Bishop asked for a summary of the changes before Board approval.

HADGE Mr. Hadge responded that on the Revenue side, the General Fund would be increased by $125,000. In order to do that, the Mercantile Tax will be raised by $50,000, the Occupational Privilege Tax by $5,000, the Real Estate Tax by $5,000, Engineering Fees by $20,000, Emergency Medical Service Fees by $45,000, and State Grants by $15,000. The Fund Balance will be reduced by $15,000. Mr. Hadge stated that on the Expenditure side the Legislative Budget will be increased by $5,000 for Employee Appreciation, the Fire Department Overtime by $5,000, the Police Department salaries and wages for the additional personnel by $115,000, and reduction of the Recreation Department budget by $12,000.

Objectives

SABATINI Mr. Sabatini passed out information for the Board. He stated that he was only looking for feedback and not action with regard to objectives for year 2002.

PASCH Mr. Pasch stated that he felt the information revealed a very ambitious program and asked Mr. Sabatini if he felt confident with all of it.

SABATINI Mr. Sabatini responded that much of the work was three quarters completed. The first chapter of the Ordinance Codification had been re-written and was already in Solicitor Yost's office for review. Following that review it would be a matter of presenting it to the Board and other groups and having it codified. The Job Description review was nearly completed. Salary structure had been reviewed, and some work had been done on the Salary Policy, but it was not yet finalized.

PASCH Mr. Pasch asked what Mr. Sabatini meant by the "end dates." He asked whether the projects would be presented to the Board prior to that time for review.

SABATINI Mr. Sabatini responded that a Board presentation would take place first, and his hope was that those would be the implementation dates. He asked that the Board would provide feedback.

PASCH Mr. Pasch asked whether he was comfortable that the facilities and staff were available to do the work.

SABATINI Mr. Sabatini responded that he was and once the basic information was in place, there will be a much better situation to benchmark cost of living and other issues.

PASCH Mr. Pasch pointed out an item at the bottom of the second page, the cost recovery program, which was to start in January and end in December. If he were sitting on the Board next year, he would want interim reports as to the status. He felt there should be results at various stages throughout the year.

SABATINI Mr. Sabatini responded that the revised fee schedules would be completed in January and reviewed every year. He added that much of the work was ongoing.

MITRICK Chairman Mitrick asked about moving the Waste Treatment Open House date to an earlier one if possible.

MITRICK Chairman Mitrick commented on the January 7th Reorganization meeting scheduled for 7 p.m. She stated that she felt it should be formal and an

event. She asked Don Bishop and Mike Bowman if they would like to do that before the Reorganization meeting here because then Mr. Sabatini and Dori Bowders could plan it. Probably Judge Uhler will be coming in. She suggested that family members might want to attend. She suggested that someone from the Township have a camera available.

Consensus was to have the swearing in ceremony at 6:30 p.m. prior to the January 7th meeting.

Appointments

MITRICK Chairman Mitrick asked about the Reorganization meeting and whether there was any discussion about the list.

SABATINI Mr. Sabatini responded that on the list there were a number of actions that needed to be taken. Chairman of the Board, Officers of the Board and Officers of the Township. There were some questions as to who is the appointee to the Planning Commission, Recreation Board, Recycling Committee, Historic Preservation, Plumbing Board, Vacancy Board, Springettsbury Township Volunteer Fire Company. He asked for suggestions for these individuals both re-appointments and/or new appointments, and indicated there should be an effort made to contact each individual. He stated that he had been asked to meet with a gentleman who just moved into the Township, who was pleased to be living in Springettsbury and impressed by the park systems. He would be interested in serving on the Park & Rec Board. Mr. Sabatini asked him to submit a resume and should have a response shortly. There was a current vacancy as well as a re-appointment if the Board so chose to do so.

BISHOP Mr. Bishop stated that between now and then, all the individuals should be contacted to be sure they are willing to serve.

SABATINI Mr. Sabatini stated that if there was strong opposition by any member of the Board to any of the existing people who would likely come up for re-appointment at any time, he should be made aware of that.

MITRICK Chairman Mitrick asked Mr. Sabatini to be sure of those committees which indicate members need to be a resident of the Township for a year.

SABATINI Mr. Sabatini responded that there had been a case within the Zoning Hearing Board; however, there were no appointments to the Zoning Hearing Board this year. Some of the standardized language indicated that one does have to be a resident of the Township.

SCHENCK Mr. Schenck asked whether he was waiting for direction as far as creating those Ordinances or Resolutions.

SABATINI Mr. Sabatini responded that he was looking for feedback.

SCHENCK Mr. Schenck suggested that he provide the Board a proposal and ask for their serious input and for him to not write a new one without that input.

SABATINI Mr. Sabatini stated that he desired to establishing a universal framework to let the people know what their terms are. He added that many of them had no term of office, and as a result there was no easy way to remove anyone.

MITRICK Chairman Mitrick asked whether any information had been received from First Capital Engineering. She added that if there was to be any change in any of the engineers, it should be done now.

SCHENCK Mr. Schenck stated that Buchart Horn had responded.

Consensus was there should be no change of engineering firms at this time.

SABATINI Mr. Sabatini stated he would make the contacts and gather current fee schedules for each of the engineers and send draft Ordinances.

SCHENCK Mr. Schenck indicated that would not be expected before the first of the year.

SABATINI Mr. Sabatini stated the Board will have to choose someone who will be on the fire company board. That person will need to attend the first meeting on the 14th of January. The entire listing will be made available.

MITRICK Chairman Mitrick stated that Mr. Gurreri had an interest in discussing the Office of Chairman last year.

GURRERI Mr. Gurreri responded that he had done so two years in a row and nothing happened. He added that he thought it should be changed every year.

SCHENCK Mr. Schenck stated that he did not think there should be a policy.

BISHOP Mr. Bishop agreed that no policy should be stated, but rather something that every Board member should decide individually.

MITRICK Chairman Mitrick stated that she felt confident that Mr. Bishop had raised good questions for the Board during the year.

GURRERI Mr. Gurreri stated that, for a new member of the Board, an excellent place to learn would be serving as Treasurer.

SABATINI Mr. Sabatini suggested as Assistant Secretary. As Secretary a Board member spends a considerable amount of time in his office 7 or 8 times a

week. He asked Mr. Bowman if he had received the PSAT brochure that Dori Bowders had sent him.

BOWMAN Mr. Bowman indicated he had.

SABATINI Mr. Sabatini indicated that he had picked up a lot from PSAT. He could not even imagine the learning curve the Supervisors have to go through. Anything like that that can be of help. He added he would begin to gather information for Mike Bowman.

SABATINI Mr. Sabatini asked whether the Board still wanted to hold meetings on the second and fourth Thursdays of the month with the exception of the summer months and November/December.

GURRERI Mr. Gurreri suggested the meetings begin at 7 p.m. and end at 9 p.m.

BISHOP Mr. Bishop stated that during the summer, going to one meeting a month in the summer for three months always ends up in the hole. He suggested it might be realistic to look at that and have two meetings in June.

Consensus was agreement to have two meetings in June and to begin the Regular Board Meetings at 7 p.m.

ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 8:55 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **DECEMBER 13, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, December 13, 2001 at 7:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Nick Gurreri
Don Bishop
Bill Schenck
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Ann Yost, YSM
Andrew Stern, Economical Development Director
Dave Eshbach, Police Chief
Mike Hickman, Fire Chief
Dori Bowders, Manager of Administrative Operations
Betty J. Speicher, Director of Human Resources
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m. She wished everyone a safe and happy holiday season. She asked Mr. Pasch to open with a word of prayer.

PASCH Mr. Pasch prayed a short prayer.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance**.**

MITRICK Chairman Mitrick announced that this meeting was the last formal meeting that Mr. Ken Pasch would be sitting with the Board. Mr. Pasch's term ends at the end of this year, and he chose not to serve again. In addition, she stated that this would be the last meeting for Solicitor Don Yost sitting with the Board as Lead Counsel. She announced that the Board had spoken with their wives and planned a reception and presentation to honor both Mr. Pasch and Mr. Yost. Chairman Mitrick announced that there would be an Executive Session following the Regular Meeting regarding legal matters.

2. COMMUNICATION FROM CITIZENS:

There were no communications from citizens.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported several updates and stated that the East/West Interceptor project was proceeding well. The contractor had completed the manholes along North Hills Road, as well as the portion through the businesses and on the east side of Memory Lane up toward the Valley Canvas. A joint decision was made between the contractor and the staff regarding the Raw Pump Drives not to start the installation of the shaft until after the holidays and a return of full staff. The right-of-way for the Meadowlands Pump Station Force Main was completed. The paperwork had been sent to Solicitor Yost for his concurrence.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani reported updates regarding several projects, including the Haines Road Study. Mr. Luciani had made several attempts to schedule a meeting in December but determined it would be necessary to move into early January to provide the conclusions of their report. Regarding Traffic Calming, Tom Austin had issued all the names and addresses of the people who will be impacted on Eastern Boulevard, Marshall, Keesey, Philadelphia, etc. and will place that in the hands of the Focus Group to obtain sign offs. Development Plan Reviews included Applebees, which had re-submitted plans. Both Messrs. Stern and Luciani had met with them recently, and it was thought they were committing to a signal, but that was not 100% certain. The signal services the Walmart driveway. What they currently propose is a right-in, right-out. A pork chop will be designed to restrict movements forcing traffic to the northern Walmart entrance on Northern Way, the location where the signal will be warranted, which the Township proposes that they sponsor. The Township may be called upon for help with right-of-ways.

MITRICK Chairman Mitrick asked how that would coordinate with the possible extension of Industrial Highway.

LUCIANI Mr. Luciani responded he did not think it would have an impact because of the shift in traffic from one side to the other.

MITRICK Chairman Mitrick asked that Mr. Luciani keep the full picture in mind (i.e. Industrial Highway/Concord Road) as he reviewed the traffic signalization.

LUCIANI Mr. Luciani assured Chairman Mitrick he would do so. He added that the Traffic Consultant was Grove Miller from Harrisburg, and they had been advised there would be a secondary road built in the next few years behind Sam's Club.

PASCH Mr. Pasch cautioned that with the planned shifting of traffic, there would be more traffic congestion within the parking lot and internal roadways.

LUCIANI Mr. Luciani responded that the Walmart officials had reconfigured some aisleways. He assured Mr. Pasch that the entire picture would be reviewed.

STERN Mr. Stern commented that he had a meeting with the owners of York Mall. There will be several more land development projects coming forward for that property. They are going to revise the internal circulation. It may not come with the Applebee's plan, but more expansion is coming very soon.

Sheridan Road/Sheridan Manor

GURRERI Mr. Gurreri asked about Sheridan Road intersection.

LUCIANI Mr. Luciani responded that there was a plan preliminarily approved on Sheridan Road named Sheridan Manor. Their PennDot Highway Occupancy Permit was received. As part of that they had to do some widening of Sheridan Road. They are developing 50 lots in that area. The developer will probably come in for final approval on that subdivision to create those additional building lots. The first phase is 12 lots.

GURRERI Mr. Gurreri asked whether PennDot would be paying for any of that roadwork.

LUCIANI Mr. Luciani responded the road is substandard width, and PennDot is requiring the developer to widen the road. PennDot might require two twelve-foot lanes with an eight-foot shoulder. The developer agreed to do that.

GURRERI Mr. Gurreri mentioned that he had attended a meeting where Sheridan Road at the curve was shown on the TIP program. He was unaware that was in the plan.

LUCIANI Mr. Luciani responded that Mr. Gurreri's comment was the first he had heard of it.

SABATINI Mr. Sabatini stated that the figure had been quoted at $220,000 for construction.

LUCIANI Mr. Luciani added that this project would be just south of the curve.

Cement Evaluation

GURRERI Mr. Gurreri asked for the results of the cement evaluation.

LUCIANI Mr. Luciani responded that the results of the petrographic analysis were received. Funds will be solicited from the contractor. He will discuss the results of this analysis with Mr. Sabatini and conclusions will be presented to the Board at its next regular meeting. The initial result was that the contractor had worked the surface more than necessary.

C. YSM

YOST Ms. Yost provided an update with regard to the Springettsbury Park project. All the contractors are on schedule. Some grass had come up. Blocks are being installed for the amphitheater and the concession building. The amphitheater seating itself is up three rows and that work continues.

GURRERI Mr. Gurreri suggested that the architectural plan drawing should be displayed where people could view it.

SABATINI Mr. Sabatini responded it was kept in the Recreation Department and in Economic Development. He added that when the Christmas decorations are removed, it could be placed in the lobby.

Park Signs

YOST Ms. Yost mentioned that a sign was provided, and two renditions were presented to the Board for consideration. One had the municipal seal and the other did not. All materials will be color coordinated with the rest of the park. She requested a decision from the Board.

SCHENCK Mr. Schenck asked about the location of the sign.

YOST Ms. Yost responded it would be placed at each of three entrances and an internal kiosk posting rules and policies.

PASCH Mr. Pasch asked whether the park would be closed at a specific time.

ESHBACH Chief Eshbach stated that the park would be closed at dusk.

YOST Ms. Yost stated that this park will be a lighted park, and the policy may need to be addressed.

PASCH Mr. Pasch commented that there should be some provision at the entrances showing the hours.

BISHOP Mr. Bishop asked how difficult it would be to change the sign from the way it had been specified.

YOST Ms. Yost responded that the center element design could be removed or added. The detail could be reworked.

BISHOP Mr. Bishop commented that in all of the other parks the rules and policies are stated in a specific location where everyone can reference them.

YOST Ms. Yost stated that the signage would provide that presence at the road base, and then where you come in where you have the drop off kiosk in the main area of the concession building the rules could be reviewed.

SABATINI Mr. Sabatini indicated that would be as opposed to a free standing sign with the rules and announcements with a Plexiglas front sign at each drop off area.

GURRERI Mr. Gurreri questioned whether anyone really reads them.

SABATINI Mr. Sabatini stated that if enforcement action would be necessary, and if only one sign were available with the rules, the enforcement action could not be taken if someone came to the park from a different entrance road.

ESHBACH Chief Eshbach stated it would be best to have rules posted where everybody could see them.

MITRICK Chairman Mitrick stated she would not want to detract from the sign itself and would prefer to have something with the information included

SABATINI Mr. Sabatini indicated it would be appropriate to placing the signs in the drop off areas /entrance areas in the three different parking areas, and he recommended that it be a changeable sign.

YOST Ms. Yost stated that the kiosk sign would have the name, a map and two locking areas where the policies, current events, concert schedules could be posted. She asked for a decision from a design standpoint regarding the front of the sign.

SCHENCK Mr. Schenck commented he liked the option without the crest.

BISHOP Mr. Bishop asked whether there were any zoning ordinances for consideration.

STERN Mr. Stern responded that he did not believe there were any. He commented on signs belonging to the Township, and in that regard any

sign would be acceptable. In addition, this is an Open Space area, one 16 square foot sign would meet the Ordinance.

MITRICK Chairman Mitrick asked whether there was a provision in the Ordinance for signs.

STERN Mr. Stern responded that there was provision for the main sign. All Township owned and operated signs follow the Township Ordinance.

BISHOP Mr. Bishop asked whether that was the contention of the item as he read it.

STERN Mr. Stern responded that it does not specifically say; however, in his opinion, all signs and signals owned and operated by the Township are an undetermined entity. This was not meant to target signs in Township parks. Signs in the park probably should be amended.

PASCH Mr. Pasch commented that the signs are a necessary and almost a different entity.

BISHOP Mr. Bishop asked what the remedy would be.

STERN Mr. Stern responded that his decision could be appealed before the Zoning Hearing Board.

MITRICK Chairman Mitrick stated that Ms. Yost was waiting for a decision.

BISHOP Mr. Bishop favored Mr. Sabatini's alternative. Place a nice sign at the entrance but add other information that could be interchangeable.

SABATINI Mr. Sabatini suggested three separate free-standing signs at the entrances.

YOST Ms. Yost responded that the signs could be placed where pedestrians first come to the pedestrian corridors. If they are placed out by the drives, no one will see them.

GURRERI Mr. Gurreri asked whether a good spot would be at the concession stand.

YOST Ms. Yost responded not necessarily and added that where it would be located is an open area where everyone will see it. At the concession there would be people milling around and the building has an overhang.

BISHOP Mr. Bishop asked how many square feet the signs would be.

YOST Ms. Yost responded the signs are three square feet. She added that they would be located at the amphitheater entrance, the lower entrance and the tennis court entrance.

MITRICK Chairman Mitrick commented that informational signs should be in locations where they are most useful. She agreed that they should be free-standing signs. She was unsure as to how much information should be placed on the entrance signs.

YOST Ms. Yost suggested to proceed with the design, and she offered to obtain a small site map to help show the Board where they will go.

BISHOP Mr. Bishop stated he would like to be reasonably confident that the Board was not opening itself to a significant amount of criticism from people who say that the Township was allowing itself to do more than our Zoning Ordinance would allow others to do.

MITRICK Chairman Mitrick asked what his suggestion would be.

BISHOP Mr. Bishop responded that he had not read the Zoning Ordinance with that in mind. He felt that if the Zoning Ordinance could be read and the conclusion would be that no one else could do what we are proposing, then we should not either.

MITRICK Chairman Mitrick asked whether Ms. Yost could wait for a decision.

YOST Ms. Yost responded that she would wait for an interpretation of the Ordinance, and if they needed to redesign a smaller sign they could do so.

MITRICK Chairman Mitrick asked when she needed a decision.

YOST Ms. Yost asked whether the Board could give her an indication of which design so that when they design the sign it would only be one design project. She asked for a consensus on "big."

MITRICK Chairman Mitrick asked for the Board's preference.

PASCH Mr. Pasch stated his preference would be the fewer signs with the crest the better.

BISHOP Mr. Bishop agreed with Mr. Pasch.

GURRERI Mr. Gurreri's preference was at least one with the crest on it. He added that the rules of the park could be a smaller sign.

Water Line

YOST Ms. Yost stated that Mr. Stern had provided a memo with regard to the water line, which had served the previous amphitheater. Water lines are normally installed 42" deep because of the possibility of frost. She

questioned whether the Board wished to lower the depth to below the frost level while the construction work is underway. The topsoil above the pipe will be replaced.

BISHOP Mr. Bishop commented that the water lines are not turned off during the winter. He added that this is the same water feed for the amphitheater building and the bathrooms.

STERN Mr. Stern indicated he had met with Mr. Lauer, who reported there had been no leaks or breaks.

Y**OST** Ms. Yost stated that a cost of $3,500 was part of the conversation. Repair would be more costly than doing it during the construction process.

MITRICK Chairman Mitrick stated that she would be in favor of lowering the depth if $3,500 gives the security that the line is where it should be. She added that the line will be used more than it had in the past.

GURRERI Mr. Gurreri stated that more than likely it would not freeze. He asked what Public Works had indicated about the pipe.

STERN Mr. Stern responded that Mr. Lauer did not believe that it was necessary to replace the pipe. He added that the pipe is plastic and less prone to freeze.

SCHENCK Mr. Schenck stated that if it is plastic pipe, it may have outlasted its life.

PASCH Mr. Pasch agreed with Mr. Schenck. It had been there for many years and may be approaching the age of its useful life. The difficulty may not be the freezing, but the wear and age. He felt it would be important to be check. If there was an indication that the quality of the pipe had deteriorated, then it should be replaced and dropped to a lower depth.

MITRICK Chairman Mitrick stated there were two issues, (a) leave it in the freeze zone, and (b) check the quality of the pipe.

Consensus of the Board was if the pipe was fine, leave it, and if the pipe needed to be replaced to do so and drop the level.

Oil Tank Removal

YOST Ms. Yost reported that when the soil around the oil tank was removed, it was decided to let it sit on the site and see if airing it out for a while would in essence decontaminate the soil. Because it was allowed to sit, the levels of contamination were lowered so that it is now able to be considered as fill, and can be used on the site. That saved a considerable amount of money. Originally the cost was $30,000+ to go through the process of taking it to the landfill. Now the cost is $13,700 for that item. That is

basically $4,000 for testing and $9,000 for excavation, backfill and $450. for the Keystruct's Superintendent's time. She asked for approval of that Change Order.

BISHOP Mr. Bishop commented that this related to an oil tank that was there from the old elementary school.

YOST Ms. Yost responded it was in the vicinity of the amphitheater. It was buried in a slope, and the soil surrounding it was contaminated.

Consensus of the Board was approval to go ahead with that Change Order.

YOST Ms. Yost reported that another Change Order concerned the fascia board. What had been originally specified by the architect was a fascia wrap that comes in a standard color of white. Ms. Yost suggested an upgrade to change the color to match the roof and to additionally increase the thickness of the fascia wrap itself to what the architect now recommends. It is a Change Order of $2,500, which covers the material costs for both buildings.

Consensus was four to one in support of the Change Order. Mr. Gurreri's preference was to stay with the white.

Timer Warning System

YOST Ms. Yost discussed a timer warning system for the courts.. What that system never included to upgrade was to have a horn or a light beep or something to let you know that your time is up, and the lights would be going off in five or so minutes. She stated that she was in the process of obtaining some information based on what other municipalities charge. The charge could be changed at any time.

PASCH Mr. Pasch stated that the amount of electricity that is used is probably a bargain. He felt the matter could be revisited at a later time.

YOST Solicitor Yost asked whether there would be enough light in the area that there would not be absolute blackness. There might be a potential liability if the lights suddenly go out.

YOST Ms. Yost responded that there are walkway lights throughout the park. Each area has its own access but on the court surfaces themselves she did not think so.

SABATINI Mr. Sabatini indicated they will have a five to seven second burn down. The lights will not instantly go out.

YOST Ms. Yost stated she did not need a decision on the matter; she just wanted to bring it to the Board's attention. She offered to verify that there is a slow shut off to the system, which will provide added information.

GURRERI Mr. Gurreri asked whether the park project was on schedule and when the contract would be completed.

YOST Ms. Yost responded that the project was on schedule with the contract running through October 31, 2002. Elements of that have earlier deadlines. Everything including the amphitheater has a September deadline. The first deadline, which was the seeding, had been met. She indicated some discussion needed to take place about opening the park relative to how construction activities are happening.

GURRERI Mr. Gurreri asked whether the amphitheater could actually be used in the park during 2002.

YOST Ms. Yost responded that they would not encourage that. She and Mr. Sabatini had discussed the best way to make that happen. Park activities had been assigned to other locations during 2002, and YSM recommended to hold to that schedule because of the nature of construction. She added that the overall project is on schedule.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of December 13, 2001
B. Keystruct – Park Progress Billing #1-3 - $259,264.67
C. Keystruct – Park Progress Billing #1-4 - $134,154.25
D. Worden & Shewell (Plumbing) – Park Progress Billing #3-1 - $1,890
E. Worden & Shewell (Plumbing) – Park Progress Billing #3-2 - $20,137.50
F. Worden & Shewell (HVAC) – Park Progress Billing #2-1 - $832.50
G. IETC – Park Progress Billing #4-3 - $52,181.92
H. Gregory Contractors – East West Interceptor – AFP#1 - $412,490.52
I. Lepley Electric – Raw Pump Drives – AFP#1 - $7,623

MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS A THROUGH I AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS:

There were no bids for action.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. Applebees – Sewer Planning Module – A3-67957 – 329-3 – 8,000 GPD

STERN Mr. Stern presented item A, which covered the Sewer Planning Module for Applebees for 8,000 gallons per day. The staff recommended approval.

MR. SCHENCK MOVED FOR APPROVAL OF SEWER PLANNING MODULE FOR APPLEBEES, 8,000 GALLONS PER DAY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Buffet Pizza (Haines Acres Shopping Center) – Sewer Planning Module – A3-67957-32803 – 1,400 GPD

STERN Mr. Stern presented item B for a pizza buffet in the Haines Acres Shopping Center for a space formerly occupied. They requested 1,400 gallons per day. They have 350 gallons per day that already exists for the location, which would include an additional 1,050 gallons purchased from the township. Staff recommended approval.

MR. GURRERI MOVED FOR APPROVAL OF SEWER PLANNING MODULE A3-67957-328-3 FOR 1,400 GALLONS PER DAY FOR BUFFET PIZZA. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. LD-01-09 – York Suburban Middle School – Time Extension to February 14, 2002.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION, LAND DEVELOPMENT-01-09 FOR YORK SUBURBAN MIDDLE SCHOOL TO FEBRUARY 14, 2002. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick asked Mr. Luciani whether he had visited East York Elementary.

LUCIANI Mr. Luciani responded that he had done so. He found three of the monuments and informed Holly's office.

MITRICK Chairman Mitrick indicated that the information should be made available to York Suburban Middle School.

LUCIANI Mr. Luciani indicated he would fax a map of what he found.

D. LD-01-11 – Dr. Neibert – Time Extension to January 24, 2002

STERN Mr. Stern stated that item D was a time extension for Dr. Neibert, East York Animal Hospital for a garage addition.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR DR. NEIBERT, LAND DEVELOPMENT-01-11 TO JANUARY 24, 2002. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. SD-00-10 – Sheridan Manor – Time Extension to February 28, 2002

STERN Mr. Stern stated that item E for Sheridan Manor covered the final land approval and additional approvals for the first phase.

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR SHERIDAN MANOR, SUBDIVISION-00-10 TO FEBRUARY 28, 2002. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. LD-00-13 – York VW – Time Extension to February 15, 2002
G. SD-00-07 – York VW – Time Extension to February 15, 2002.

STERN Mr. Stern explained that items F and G were for York Volkswagon. There had been previously unresolved issues, which have since been resolved. They expect to move forward with this project.

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR YORK VOLKSWAGON, LAND DEVELOPMENT-00-13 AND SUBDIVISION-00-07 TO FEBRUARY 15, 2002. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. LD-01-05 – Budget Host Inn – Time Extension to January 25, 2002

STERN Mr. Stern explained item H was for an additional miniature golf facility.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR BUDGET HOST INN, LAND DEVELOPMENT-01-05 TO JANUARY 25, 2002. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

I. LD-01-10 – Giambalvo – Time Extension to January 24, 2002

STERN Mr. Stern stated that item I related to the renovations to the Lowe's building on Industrial Highway.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION TO GIAMBALVO LAND DEVELOPMENT-01-10 TO JANUARY 24, 2002. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

J. SD-01-09 Orchard Hills – Action

YOST Solicitor Yost stated that after some discussions with Orchard Hills counsel, they have asked that the Board not act on the plan until the January 10th meeting of the Board. They have some final things to do. They are looking at some off site improvements and thought it would be in everyone's interest that they postpone action. Solicitor Yost indicated he felt certain that the Board would not deny the plan for lack of appearance. They will be here at the next meeting. He recommended tabling action.

MITRICK Chairman Mitrick commented on some of her concerns. One was that they did not have any recreational space within the development. With 110 residential lots with Springettsbury children, the thought was that they would leave that development and go to Stonewood, however, that might be unsafe for the children if they had to walk.

SCHENCK Mr. Schenck asked whether any comments would be received from York County on this plan? He did not believe the developer had a choice.

STERN Mr. Stern indicated they had talked about that at the Planning Commission meeting. New comments should be given to the Township. The developer disagrees that there are no new plans for its application fee. They had been granted an application. He asked whether the Township could force the applicant to get new comments.

LUCIANI Mr. Luciani figured that the recreation fee would be 110 lots at $40.00 each.

STERN Mr. Stern stated that there was no discussion about "re-submitting" and that was where the applicant's engineer and he disagreed. Mr. Stern felt he would have to consider it as a new plan.

YOST Solicitor Yost stated that they agreed it is a new plan.

BISHOP Mr. Bishop commented if that were the case, the Board would deny the plan on January 10th.

STERN Mr. Stern indicated it was not a lot different, but there are some changes.

PASCH Mr. Pasch stated that any time there is any change, no matter how insignificant it should go back before the County.

STERN Mr. Stern indicated that once a submission had been made to the County, it would not be necessary to go back unless there were changes made to the plan through the Planning process. In the case of Orchard Hills the plan was originally submitted in 1994. They have submitted a new plan, and Mr. Stern indicated that it should get new comments.

SCHENCK Mr. Schenck agreed and added that six or seven year old comments are not valid. The County may have traffic comments and other comments. Things change in six years; it's a long time.

BISHOP Mr. Bishop agreed that the Board should be very firm on that.

YOST Solicitor Yost indicated agreement and stated he would communicate that to them tomorrow.

MITRICK Chairman Mitrick stated that along with that, Mr. Stern's memo indicated that they met with the Park & Rec Board, but the recommendation was not conclusive.

STERN Mr. Stern responded that they met with the Park & Rec Board and Mr. Barnes indicated that he would be returning with some of their questions answered. The applicant indicated that when they went to Park & Rec Board in 1994, at that time they indicated that Stonewood Park would be adequate.

MITRICK Chairman Mitrick asked what the Ordinance required.

STERN Mr. Stern responded that the Ordinance gives the Recreation Committee, as well as the Planning Commission the opportunity to make comments if they think things should be there as far as on-site park or in lieu of. Ultimately it is the Board of Supervisors' decision. The potential problem with that is by the time they come to you for a decision it is the end of the process. If the Planning Commission and Rec Board indicate approval in lieu of, and the Board wants a park, then they have to go back and find somewhere for the park.

MITRICK Chairman Mitrick stated the matter should be reviewed.

MR. GURRERI MOVED TO TABLE ORCHARD HILLS SUBDIVISION-01-09 UNTIL THE NEXT REGULAR BOARD OF SUPERVISORS MEETING. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

J. SD-01-11 – Fieldstone Manor (Sprenkle) – Action

MR. KEN PASCH RECUSED HIMSELF FROM THIS ACTION.

STERN Mr. Stern discussed the plan. The Board approved a Preliminary Plan entitled, Sprenkle Tract June 28, 2001, and this is the same plan. The Preliminary Plan was approved; now they were requesting approval of the Final Plan. The Springettsbury Township Planning Commission voted to recommend approval. Staff recommended approval with some waivers and conditions mentioned in Mr. Stern's 12/6/01 memo.

SCHENCK Mr. Schenck asked whether anything had changed from the original plan to now.

STERN Mr. Stern responded that nothing had changed other than a few addresses were added to the plan.

SCHENCK Mr. Schenck commented that there was discussion about the pump station and the railroad.

LUCIANI Mr. Luciani stated that approval had been recommended for the pump station. They had obtained a DEP permit, and some paving was being done around it.

MITRICK Chairman Mitrick asked whether the figure would be in Mr. Luciani's report.

STERN Mr. Stern responded it was in the process and needed to be finalized.

MR. GURRERI MOVED TO APPROVE SD-01-11 FIELDSTONE MANOR WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM SIDEWALKS ALONG LOCUST GROVE ROAD PER REQUIRED SIX MONTH NOTE ON THE PLAN;**
- **CONDITIOND ON THE CORRECTION OF NOTE 12 ON THE TITLE SHEET TO READ: "KNOWN ALL MEN BY THESE PRESENCE, THAT WE THE OWNERS, THEIR HEIRS, EXECUTORS, ADMINISTRATORS, AND SUCCESSORS IN TITLE, SHALL, AT THEIR OWN EXPENSE, WITHIN SIX MONTHS NOTICE FROM SPRINGETTSBURY TOWNSHIP, INSTALL CURBING AND SIDEWALKS IN ACCORDANCE WITH THE EXISTING SPECIFICATIONS OF SPRINGETTSBURY TOWNSHIP ALONG THE ENTIRE FRONTAGE OF THE LOTS AS SHOWN ON THE PLAN."**
- **CONDITIONED ON SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHP ENGINEER.**

MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. PASCH HAD RECUSED HIMSELF.

MR. PASCH RETURNED TO THE BOARD TABLE.

7. COMMUNICATION FROM SUPERVISORS:

GURRERI Mr. Gurreri reported that he had visited Maytag Home Appliances, and it seemed like a very nice store.

GURRERI Mr. Gurreri reported that he had attended a meeting of Communities that Care at York Suburban with Chief Dave Eshbach and Karen Edwards, the Grants Writer. Mr. Gurreri also attended the Communities That Care

Committee meeting at Central Middle School. The discussion centered around the effects of the media on children and youth. Mr. Gurreri felt this was a very worthwhile organization.

GURRERI Mr. Gurreri stated he asked about 10 months ago about the cost of the buildings, and he still did not know what the cost figures.

SABATINI Mr. Sabatini responded that they had submitted that to him. Nothing had changed from the worksheets given to the Board. The only difference was that the final payment had not been made to East Coast Contracting.

GURRERI Mr. Gurreri asked what the amount would be.

SABATINI Mr. Sabatini indicated it would be put in memo form for him.

MITRICK Chairman Mitrick noted appreciation to the employees of Springettsbury Township that had increased contributions to the United Way campaign. She also stated that the Public Works Department had finished the leaf collection; however, with the favorable weather and leaves back on the roadways for pickup, they altered their schedule to do additional leaf pickups for the third time.

MITRICK Chairman Mitrick asked about the status of the 501C3.

SABATINI Mr. Sabatini responded that the revisions were prepared by Bob Aster and given to Chief Hickman, who had addressed it with Pat Morrison.

HICKMAN Chief Hickman reported that there had been a meeting of the fire company earlier during the week. The 501C3, following revision, was given to Bob Aster, who had taken it to the IRS for review. A few questions came out of that, which were corrected and forwarded to the proper administration. He had seen no evidence of that. No copies had been forwarded to the Township.

PASCH Mr. Pasch stated that he wished to clarify that this review by the IRS was an informal review of a friend of Bob Aster simply to point out any difficulties that might appear in the application. A few suggestions were made which were changed, and it was submitted.

MITRICK Chairman Mitrick asked Mr. Sabatini to keep on top of that so that it is not lost.

MITRICK Chairman Mitrick reported that she attended a meeting for Second Class Townships. They had already established a date for the County Convention, which will be on the second Thursday in November, 2002. They were very appreciative that Springettsbury changed their Board

meeting dates so that its Board members could attend that convention. They would ask that the Board look at our calendars ahead of time so that we can plan for that again.

Consensus was to have the Board of Supervisors Regular Meeting to meet on the second Wednesday, November 13, 2002 at 7:30 p.m.

MITRICK Chairman Mitrick commented on several items noted in Minutes. She asked about information forthcoming from Mr. Sabatini for the plaque to be placed in the foyer.

SABATINI Mr. Sabatini stated that Mr. Luciani was providing a catalog.

MITRICK Chairman Mitrick asked about the Open House for the Diversion Pump Station.

SABATINI Mr. Sabatini responded they were looking at that for February.

MITRICK Chairman Mitrick had previously asked for information on the use of the farmhouse.

SABATINI Mr. Sabatini agreed to provide some suggestions.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost apologized to the Board for not having a written report. He had provided a number of verbal reports during special meetings. What he had to report all related to litigation, which he preferred to review in the Executive Session.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini reported that PennDot and their consultants were presently conducting a meeting on the I-83 Interchange. He had attended briefly earlier during the evening and will provide a copy of the meeting information for the Board, which provides timetables. Prior to that meeting he had been asked to meet with representatives from York County Planning Commission regarding the 2002 TIP Program covering the first four years of the 12-year plan. Several issues were discussed and he indicated they were still looking at the existing projects within TIP Program:

- Deininger Road, Mt. Zion Road, the intersections of Sherman and Mt. Zion Road, Route 24 starting at Carroll Drive;
- North Hills Road Corridor - a new item suggested by the York County staff to get it on the 12-year plan.

- Market Street widening, Concord and Sheridan Roads. They will summarize this for the Board for any additional feedback;
- Some of the projects he was not totally familiar with, including some issues relating to Concord Road and some of the work discussed on York County land.

MITRICK Chairman Mitrick asked Mr. Sabatini to provide that information and indicate when the next transportation meetings are scheduled.

SABATINI Mr. Sabatini agreed to do so. Mr. Sabatini reported he had met several times with PennWaste. He asked for comments from the Board members as to when toters should be distributed. He asked about the Municipal Fee for Garbage Collection, which presently is set by Ordinance at $3.44 per quarter. He recommended that the Board of Supervisors extend that for this year only and re-adjust the fee based on the number of actual units being billed as well as the number of units that are paying. Right now the rate is going up, but so are the number of units. This will be communicated to the contractor.

Consensus of the Board was to leave the fee at $3.44.

SABATINI Mr. Sabatini reported there will be information regarding the first reports on the Police Pension. He reported three quarters of 1% growth for the month of November. Monthly information will be provided to the Police Pension Board representatives. One minor glitch within that and that was that we did not have their health insurance deduction taken out of their checks, however that had since been corrected. The bank had already spoken to them. There was a very smooth transition to Fulton Financial Services.

GURRERI Mr. Gurreri asked about the bulk item pickup at $20.00 and he asked whether that was for any time during the year.

SABATINI Mr. Sabatini indicated that was additional items and not included in the bulk spring clean up, which was included in the base rate. Supplemental services such as a pickup of a sofa, refrigerator whatever, that is an additional fee.

MITRICK Chairman Mitrick commented to Chief Eshbach that she was certainly pleased that the Springettsbury Township police do not behave like those in the City of Baltimore. The news reported that they did a behind-the-scenes study and found 19 of their police officers sleeping on the job. She was grateful not to have those problems in Springettsbury.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Resolution No. 01-56 – Appointment of Auditor for 2001

SABATINI Mr. Sabatini commented that Resolution 01-56 covered the appointment of the Auditor for 2001. Second Class Township Code requires the Board to appoint an auditor to audit the books for the designated year. This is a standard resolution and fee schedule for those auditing services for 2001.

MITRICK Chairman Mitrick commented that in Section 1 there was a typo in the year and asked him to be sure to correct it to August 24, 2001.

SCHENCK Mr. Schenck asked whether, as part of their work and fee schedule, that would include any of the fire company work.

SABATINI Mr. Sabatini responded that it did.

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 01-56 APPOINTING STAMBAUGH NESS AS THE AUDITING FIRM FOR THE BUSINESS YEAR 2001. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 01-57 – Infra-structure Development Grant Submission for Eden Road Relocation Project

SABATINI Mr. Sabatini indicated that Resolution 01-57 was required for the DEP for the Infra-structure Development Grant Submission for the Eden Road Relocation Project as part of the Harley Davidson expansion. The grant request was for $1.27 million.

MITRICK Chairman Mitrick asked Mr. Luciani about his advice that there could be a development going in there.

LUCIANI Mr. Luciani stated that development was just off of Paradise Road.

MR. GURRERI MOVED TO ADOPT THE RESOLUTION 01-57 RESOLUTION AUTHORIZING SUBMISSION OF THE INFRA-STRUCTURE DEVELOPMENT GRANT FOR EDEN ROAD RELOCATION PROJECT. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Public Hearing – November 14, 2001

MR. BISHOP MOVED FOR APPROVAL OF THE MINUTES OF THE NOVEMBER 14, 2001 BOARD OF SUPERVISORS PUBLIC HEARING AS SUBMITTED. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT IN ATTENDANCE.

B. Board of Supervisors Regular Meeting – November 14, 2001

MR. BISHOP MOVED FOR APPROVAL OF THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING AS AMENDED. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT IN ATTENDANCE.

12. OLD BUSINESS:

A. Other items

MITRICK Chairman Mitrick stated that Judge Kessler will attend the swearing in prior to the Reorganization meeting on January 7, 2002. She encouraged the Board members to bring their families.

BISHOP Mr. Bishop responded that he would appreciated having the ability to choose who would do that inasmuch as he had previously discussed it with a Judge.

MITRICK Chairman Mitrick indicated that Judge Kessler had been contacted.

BISHOP Mr. Bishop stated that he and Mike Bowman had previously discussed it and agreed on their choice of the Judge.

MITRICK Chairman Mitrick asked that Mr. Bishop and Mr. Bowman work it out with Mr. Sabatini.

MITRICK On behalf of the full Board she extended congratulations to Andrew Stern for the completion of his Masters Degree.

13. NEW BUSINESS:

A. Review of Proposed 2002 Appointments

SABATINI Mr. Sabatini stated that the 2002 appointments would be made by the Board of Supervisors at the Re-organization meeting. These appointments would include Planning Commission, Park and Recreation Board, Recycling Committee, Treasurer, Assistant Secretary/Treasurer, as well as an appointment of the Vacancy Board Chairperson. He voiced several questions:

- Whether the Board would like staff to make any contacts and/or whether they had any recommendations.
- The Township's existing Resolutions establish the Historic Preservation Committee, Recycling Committee, and Park and Recreation Board. Some are thin as they relate to the terms of office.

- Planning Commission had never been established by Ordinance. He and Solicitor Yost had discussed the matter and proposed a plan on the Ordinance Codification.
- Draft Ordinances on Historic Preservation, Recreation and Recycling. Establishment of a one-year term of office.
- Question whether the Board cared to change anything between now and the appointment of these people on reorganization or just have a one-line resolution appointments for the year.
- Question whether the Board wished to defer any action and just deal with it as part of the Ordinance Codification. If they are signing on, they should know what their term of office is. Right now some of these are indeterminate, and the Board had previously directed to put together a game plan as to annualizing these.

YOST Solicitor Yost stated that nothing could be done as far as the Planning Commission was concerned, only the other committees.

MITRICK Chairman Mitrick stated that there were some items that could be annualize or wait for the Codification. There are some decisions that we would need to make as a Board between now and the end of the year. She did not know whether the Board had taken the opportunity to review the list. She asked that the Board fully review the matter and that it be placed at the end of the Budget Meeting for some answers.

GURRERI Mr. Gurreri asked about the representative of the Springettsbury Fire Company.

PASCH Mr. Pasch stated that it had to be a member of the Board.

SCHENCK Mr. Schenck commented that if this is to be done in the future, he stated that regarding the Park and Rec Board draft, there's no mention of their involvement in any of the planning process.

SABATINI Mr. Sabatini indicated that he had omitted that they are involved in the inter-action with the Land Development Plans and that it would be corrected.

B. Establishment of Police Pension Fund Meeting Date

SABATINI Mr. Sabatini recommended that the Board considered having the Pension Board meeting prior to the **Thursday, February 28th** meeting of the Board of Supervisors at **6:30 p.m.** *(Note: The time of the Pension Board meeting was subsequently changed to **6:00 p.m.**)* There will be a three-month fund performance review with the two investment managers. That will be the first quarter review. The Board should provide input. He asked that the Board submit their ideas prior to or as soon as possible on

the investment policy. Finally their revisions are going to be necessitated on the Police Pension Board. Some of that is IRS based.

C. Acknowledgment of Receipt of Pension Audit Reports

SABATINI Mr. Sabatini reported that there may be some changes to Act 600, which he will report to the Board. He had received three audit reports and a compliance audit report on the Police Pension Fund from the office of the Auditor General. These are for the years 1998, 1999 and 2000. All three have findings. Most of the findings are very similar:

- One has to deal with failure of the auditors to include statements in the consolidated financial report based upon GASBE 25 and GASBE 3 which deals with putting that within the financial portfolio.
- Part of it deals with forfeitures and how they are to be handled, and also overpaid and overcharged in a number of instances across the board to the State in the Pension Fund.
- The Pension Ordinance for the Police. The Auditor General now rules that inclusion of lump-sum payments which would include retirements, bonuses, sick leave, vacation leave, or any other lump-sum payments should not be included in the calculation for pension. That will have to be dealt with not only in collective bargaining, but also in the Ordinance, and hopefully will not be a future issue. They do not provide pre-audit advice.

Mr. Sabatini stated the receipt of the reports will be acknowledged and responses provided individually on how we will deal with those issues. The Township will have to make some decisions as to how to deal with the overpayments and forfeitures. Mr. Sabatini will ask for action at the January Board of Supervisors meeting.

PASCH Mr. Pasch asked about Mr. Sabatini's comment that the Auditor General had determined that they were not to be included. He asked whether that was a rule prior to 1998, 1999 or 2000.

SABATINI Mr. Sabatini responded that it was a new rule.

YOST Solicitor Yost added that the old rule was that W2 wages and sick leave would be included in your W2 wages.

PASCH Mr. Pasch commented that there would be no problem with retro-activity with people that have already retired.

MR. SCHENCK MOVED TO ACKNOWLEDGE RECEIPT OF THE REPORTS OF THE AUDITOR GENERAL FOR THE POLICE, FIREFIGHTERS AND NON-UNIFORM PENSION FUND FOR 1998 THROUGH 2000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Other Items

There were no other items for discussion.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:25 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **DECEMBER 11, 2001**
BOARD OF SUPERVISORS – BUDGET 2002 – THIRD MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held the third Budget 2002 meeting on Tuesday, December 11, 2001 at 6:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Nick Gurreri
Don Bishop
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Jack Hadge, Finance Director
Mike Bowman, Supervisor-elect
Dori Bowders, Manager of Administrative Operations
Betty J. Speicher, Director of Human Services
Andy Hinkle, Manager of Information Services
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 6:02 p.m. for the purpose of further budget discussions as well as other business.

SABATINI Mr. Sabatini indicated that two packets of information had been provided to the Board. He stated that the Administrative functions including Information Systems and Human Resources would be reviewed. The finance of this year's services, as well as a review of the projections from the General Fund, and any other business would be reviewed. Present for the discussion were: Dori Bowders, Betty Speicher, and Andy Hinkle, who could provide details on portions of the budget.

Administration

HADGE Mr. Hadge directed the Board to the General Government Administration section. He indicated that the budget had been prepared with two basic issues for discussion in the salary/wage account, which now included a part-time, contingency Project Coordinator, as well as a full-time Grants Communications Coordinator. Those two positions had not been reflected in the budget in the past. This accounted for an increase in the salary and wage account. Mr. Hadge indicated that the salary and wages line item showed a dramatic increase because of the budgeting for those two positions.

GURRERI Mr. Gurreri asked who else would be included in that line item.

HADGE Mr. Hadge responded the Director of Human Resources, Betty Speicher, the Manager of Administrative Operations, Dori Bowders and a full-time Receptionist had been included. Mr. Hadge continued that through the efforts of Dori Bowders and Betty Speicher, other expenses had been reduced in the area of service contracts, repair and maintenance, and training; an item had been added for minor equipment for non-major miscellaneous items.

BISHOP Mr. Bishop asked what percentage increase had been used for salaries and wages.

HADGE Mr. Hadge responded it was a 4% increase. A more dramatic increase would be observed due to the full-time Grants Coordinator position.

BISHOP Mr. Bishop commented that for budgeting purposes the 4% had been included universally for everyone for the entire year.

HADGE Mr. Hadge responded that was correct, as a directive from the Manager.

BISHOP Mr. Bishop asked whether a policy was in force in terms of how that money would be disbursed if it were placed in the budget.

HADGE Mr. Hadge responded that a directive had been issued to all directors indicating that they should evaluate their employees and that 4% would be the maximum increase granted in the following new year.

GURRERI Mr. Gurreri commented that during a recession, the average pay raise is 3% or less. He felt that should be kept in mind. He asked whether the 4% was a mandatory amount.

SABATINI Mr. Sabatini commented that as the budget directive had been laid out, they were careful not to balance the budget on the backs of non-union employees. There would be no guarantee that anyone gets 4%, 3 or 2%. The Police will get 5%. The Teamsters will get 4% and the Firefighters are at 4% or 4.5%.

GURRERI Mr. Gurreri understood, but he suggested to be bold and send a letter to the union requesting a cut in their pay. Mr. Gurreri's reasoning was that the country is at war and the economy is in a recession.

PASCH Mr. Pasch did not disagree with Mr. Gurreri but felt it would be improbable. He had never seen a bargaining unit that would comply. He added that it was not a guaranteed raise.

GURRERI Mr. Gurreri commented that these are extra-ordinary times. He felt people would understand and it would not hurt to try.

SABATINI Mr. Sabatini provided an explanation of what the 4% had been based upon. Factors include the cost of living, Social Security percentage increase. All personnel will not receive the maximum 4%; some will get less. Other factors considered were for Directors and Managers at Levels 4, 5, and 6. Level 4 included Superintendents. Level 5 are generally Managers, and Level 6 are Directors which include positions such as the Fire Chief, Police Chief, Economic Development, Community Services, Public Works, Recreation.

PASCH Mr. Pasch commented that Springettsbury Township had grown to a point where policies and procedures for the personnel/human resources must be put into place.

SABATINI Mr. Sabatini responded that he was in the process of preparing the policy but had not yet concluded his baseline work. The Job Description portion was 95% complete. Establishing minimum and maximum salary levels is in the process of being established. The directing of internal benefits is a portion of the work being done as well. One area they want to avoid is having hourly employees or Firefighters who are being paid more than the supervisors themselves.

PASCH Mr. Pasch agreed and added that it was necessary, not only for budgeting purposes, but also for the ongoing welfare and good of the Township.

BISHOP Mr. Bishop asked how to accomplish getting to the point where the Board could use the new tools, which at this point are pretty crude.

SABATINI Mr. Sabatini responded that the way to accomplish it was to complete the work on the Job Descriptions, along with the work on minimums and maximums, review external evaluations, as well as consider a combination of organizations. Mr. Sabatini suggestion that another option for budgeting purposes would be to request that increases be deferred until the second half of the year.

MITRICK Chairman Mitrick stated that she was not sure that such an action would occur, but indicated they are doing so at other places.

PASCH Mr. Pasch observed that the budget indicated there will be an increase in revenues. If people were asked to absorb lower wages and cost cutting, that revealed a double standard.

SCHENCK Mr. Schenck stated that right now there is not a budget problem. He shared a concern about an across-the-board 4% increase in wages. He added a concern about some of the information the Board had been provided, which would be the subject of Executive Session discussion.

Mr. Schenck reported that what was currently happening in the private sector was brutal, and the employees of this Township will never see that. They will not see mandatory furloughs, lay-offs, or pay cuts. There needs to be some connection between what's going on in the real world and what goes inside the Township.

PASCH Mr. Pasch stated that the bulk of the wages paid in Springettsbury Township are bargaining unit wages. He cautioned that care must be taken not to open up to a bargaining unit situation, if there are certain salary or semi-salaried groups, white-collar groups that will not get increases.

SABATINI Mr. Sabatini commented that the bargaining unit personnel amount to about 90% of the wages.

MITRICK Chairman Mitrick asked if the conclusion was to have Mr. Sabatini send a letter to the bargaining unit.

SCHENCK Mr. Schenck did not agree and added that he did not believe the Township was in a position to ask for reductions.

BISHOP Mr. Bishop commented that it would not be just sending a letter. There has to be a plan as to how to really address the situation.

SCHENCK Mr. Schenck stated that he would rather have discussions with the Fire Department rather than go through a fight. He also would rather discuss the combination of Public Works and Collections.

SABATINI Mr. Sabatini responded that it would still postpone the inevitable discussion on those issues.

PASCH Mr. Pasch added that such discussions would be creative as well, in terms of the fact that you cannot increase the budget.

SCHENCK Mr. Schenck continued that the Township would benefit, services would go up, and a lot of good things could happen.

SABATINI Mr. Sabatini asked whether that was a policy directive for 2002.

SCHENCK Mr. Schenck indicated he thought the Fire/EMS matter would go on for a couple years.

SABATINI Mr. Sabatini stated that one of the items previously discussed was combined Collections with Public Works. The combination of EMS and Fire would be dealing with two different labor organizations, and there would probably be a need for a PLRB ruling on those.

SCHENCK Mr. Schenck responded that if it is the right thing to do, it would be done to increase our coverage and provide better service with the same amount of funding.

MITRICK Chairman Mitrick reiterated back to Mr. Sabatini's question as to whether this was a directive for 2002.

SABATINI Mr. Sabatini stated he would be more than happy to tangle with it. He suggested that the best way to do so was to write a memo to the Board on some of the issues and provide some direction.

MITRICK Chairman Mitrick asked when he could get back to the Board.

SABATINI Mr. Sabatini responded in two to three weeks, which would allow him time to review some scenarios with the Fire Chief and also with Public Works, along with some of the other municipalities that have similar services.

MITRICK Chairman Mitrick stated that the issue of regionalization was something the Board had previously discussed.

SABATINI Mr. Sabatini responded that the issue could be discussed in Executive Session. He added that a lot of the groundwork had already been laid out, and the Board passed on it once. He added he would probably have the Fire Chief explain it to the Board at some point.

Management Information Services

HADGE Mr. Hadge introduced the next section of this General Government presentation in the area of Management and Information Services. He focused on a dramatic decrease in cost, i.e. from $140,000 down to $120,000. Mr. Hadge stated that Mr. Hinkle had gone through the technical aspects of the budget this year and had been able to reduce expenditures considerably. Mr. Hinkle had been able to transfer very specific computer and technological communication costs over to the Sewer Fund, which had been previously absorbed by the General Fund.

PASCH Mr. Pasch asked whether he was indicating that the reason for the decrease shown was because it was now shown in the Sewer Fund.

HADGE Mr. Hadge responded that 50% of it is, and 50% of it is decreased.

SCHENCK Mr. Schenck asked whether the item for service contracts included the communication software, UNIX-Munis, and the telephone system, which is used for the sewer billing. He cited an example where a portion of what had been paid for yearly for the financial computer system was

charged to the sewer fund because the system was used for sewer billings, etc.

HADGE Mr. Hadge stated that there had been elements of that in the past. What he was referring to had never been done as a cost accounting measure. He asked Mr. Hinkle to address some of the Capital Equipment items.

HINKLE Mr. Hinkle summarized the capital costs for Waste Water (new work stations, an additional printer, upgrades to the network system), Administration, Police, Fire, Economic Development, and Recreation, (fiber and data lines for connection to the new amphitheater) and Public Works (new work stations to update the systems there).

HINKLE Mr. Hinkle added that the projects not only encompass the computer side, but also will accomplish the entire telephone system.

SCHENCK Mr. Schenck asked what the Contract Services would include.

HINKLE Mr. Hinkle responded that a review of the network system as far as the actual financial software, would include anything up and above what our service agreements do not cover.

HADGE Mr. Hadge added that he had not included Service Contract in the supplemental information provided. However, if needed they could be provided.

HINKLE Mr. Hinkle reported that Adelphia was used for the main provider. In March of this year, they had received a state contract. In January the main phone lines coming into the system will be placed on state contract with an $11,000 a year cost savings. In the Waste Water Department there will be between $1,000 and $2,000 a year savings. He was attempting to place everything possible on state contract, even cell phones and pagers. In addition, with Dori Bowders' permission, he would attempt to have a representative from the Department of General Services meet with all the Directors, to discuss auto records and what the state offered in state contracts. There are many items on their lists, from lab equipment to tires, tools, etc.

Legislative Branch

HADGE Mr. Hadge stated that this year he had split some costs in the Material/Supply account. He removed $3,000 out of that and established a Travel or Professional Affiliation covering conferences and dues.

Township Management

HADGE Mr. Hadge stated that they had removed the Capital Equipment item for 2002. In addition they had collapsed four training accounts into one,

which included computer training, normal training, dues and subscriptions and memberships.

Professional Services
Legal Services

HADGE Mr. Hadge commented that he had raised the Legal Services due to the litigation that had occurred.

PASCH Mr. Pasch asked whether the proposed amount would be enough. He commented that there had been some horrendous legal bills.

SABATINI Mr. Sabatini responded that he could suggest to double the number; however, he did not know how much could be recouped from insurance reimbursements.

BISHOP Mr. Bishop asked what actually had been spent during 2001.

SABATINI Mr. Sabatini responded the figure would be about $80,000.

Engineering Services

BISHOP Mr. Bishop asked whether the Engineering services were on track.

HADGE Mr. Hadge responded that more will be spent.

BISHOP Mr. Bishop added that there will be a reimbursement on this line item. .

HADGE Mr. Hadge agreed; it would be coming in on the revenue side.

BISHOP Mr. Bishop commented that if $80,000 is spent this year, and $70,000 is budgeted for next year, even if we get $110,000 back on the revenue side the number ought to be real.

HADGE Mr. Hadge responded that there is some of the Engineering expenses that had been incurred from the General Fund, which could be charged to the Capital Fund, at least $10,000 to $15,000. The Capital Fund had been hit hard with the Adams' property purchase. The recreation programs in the park were simpler or easier for the General Fund to absorb. He had $7,000 of engineering bills that were strictly for the school, the Haines Road Study, that he would actually charge to the Capital Fund. Mr. Hadge believed that there is a point in time where there has got to be a curtailing of some of these expenditures. He did not want to put in $80,000 or $85,000 as the amount that we were going to spend this year.

SCHENCK Mr. Schenck commented that what Mr. Hadge was saying was that there were expenditures this year from Engineering projects that would not re-occur in 2002.

HADGE Mr. Hadge responded that was what he had anticipated. The larger items will be in the $150,000 line item in the Capital budget. This year the Capital budget just absorbed far more than was budgeted, because of the park and the whole Adams' property. He did not believe it would have a detrimental affect.

PASCH Mr. Pasch commented that personally he felt the litigation figure was light. He commented that the sewage plant will have a big legal expense.

HADGE Mr. Hadge responded that he had included $25,000 in legal expenses for the sewer fund, which was a $33,000 increase for the year.

SCHENCK Mr. Schenck stated that if money was placed there, it will be spent; if it was not put in, it might slow it down a little bit.

MITRICK Chairman Mitrick commented that when the Board knows what is coming, we can be a little more constructive when it comes to financial figures.

SABATINI Mr. Sabatini stated that much of the litigation has to do with York Waste Disposal, Hunters Crossing, and the Alan Myers matters. He indicated that the only thing that had been done on any of those cases was response to the initial complaint.

PASCH Mr. Pasch commented that, if he knows Mr. Gurreri, the other case would be towards the architect on this building.

BISHOP Mr. Bishop stated that he was uncomfortable with making this whole budget some sort of fiction. He wanted to address the realistic matters.

HADGE Mr. Hadge stated that enormous legal dollars had been spent on one personnel case. He could not imagine spending that same dollar amount again in 2002. There must be a slow down somewhere.

BISHOP Mr. Bishop asked where the auditing fees are.

HADGE Mr. Hadge responded that they are in the Finance Department under Professional Services.

BISHOP Mr. Bishop asked if that number was changing.

HADGE Mr. Hadge responded it would change by about $3,000. He added that he had picked up other expenses, such as the direct deposit which was costing about $1,000.

PASCH Mr. Pasch commented to Mr. Hadge that when there is a transfer of expenses in a proposal budget, he was used to seeing those items in one place; it was now someplace else. He feels he does not have comparable information with the way the proposed budget document has been presented to the Board. He would like to see improvement on that; it would make it easier as a Board member to follow.

BISHOP Mr. Bishop asked whether there are audit fees associated with Waste Water.

HADGE Mr. Hadge responded there are, shown in Waste Water; another $13,000 goes to Waste Water.

PASCH Mr. Pasch commented that he felt it was important to know what the total expenditure says. Benefits are important as to the department they are in because you can have extremely high benefits in a department due to a lot of trimming and turnover. So benefits are going to be a lot higher there than in some place else. When benefits are higher, Mr. Pasch would ask the question as to why the benefits are so much higher for some employees than somebody else. There are a lot of things that can be created within the benefits area that he, as a Board member, should have knowledge of what applies to each department. That should be acknowledged because it could be a lot different. There could be reasons for it, which are indicating that there are some problems within the management of that department.

HADGE Mr. Hadge commented that a review of the Fire Department would reveal it is in deficit spending. You do not see that in the report because they have $300,000 of employee benefits there. Those are kept separate. Police and Fire were kept separate this year in those two departments.

PASCH Mr. Pasch stated he felt it was important to provide supplemental information when changes are made with shifting of items.

MITRICK Chairman Mitrick asked about the $70,000 item in Engineering services as to whether that was strictly what the Township paid, or was some of that returned to the Township.

HADGE Mr. Hadge stated she was correct; it would come back to us as revenue.

GURRERI Mr. Gurreri asked to go back to the Legal Services for a decision as to raising that amount.

HADGE Mr. Hadge responded with a question as to whether to raise it by $5,000.

GURRERI Mr. Gurreri responded that he wanted to see how much was available. As part of the budget process, that much could be placed there in the beginning of the budget.

PASCH Mr. Pasch asked about the audit fees.

HADGE Mr. Hadge responded that the audit fees were listed in Finance. The Auditor will be appointed with the amount of $7,000 due to special tasks, referred to as GASP 34 work. The Township must be in conformance by January of 2003.

BISHOP Mr. Bishop stated that it appeared about $40,000 would be spent on auditors in 2002.

HADGE Mr. Hadge responded he hoped it would be less.

Finance Department

BISHOP Mr. Bishop commented that compared to other departments, the Finance Department's training was a little low. He asked why.

HADGE Mr. Hadge responded that there were two reasons. One was that one person was basically new, and Mr. Hadge did not want him away from the office for every session. Second, the director is rather cost conscious about that. He's going to take it step by step.

Mr. Hadge stated other areas he included were for the $1,800 direct deposit with a variety of other necessary charges there. There is a bond issue in 1993 that we have to pay about $1,500. The material and supplies have gone up. Within the last week, another batch of liens were released up to September 30th. This Township has never been as up to date on the lien process.

PASCH Mr. Pasch asked whether there were any results.

HADGE Mr. Hadge responded that they are paying as soon as they receive the notices.

Tax Collection

HADGE Mr. Hadge commented that about the tax collection, some of the information was coming in lower than anticipated. This was based upon whether it is business taxes or occupational privilege tax.

Revenues

HADGE **EMS**

Mr. Hadge reported that he had taken conservative approach to these revenues. He shared a concern with Mr. Gurreri about the state of the

economy. With regard to Emergency Medical Services, the $80,000 is a conservative figure. Revenues have hit $145,000. A good bulk of that comes from the previous year. He budgeted around $8,000 a month.

Interest on Investments

HADGE Mr. Hadge reported that he had dropped that figure to $200,000. When you look at your November 30th report the December 13th meeting, it showed that figure to be $287,000. Mr. Hadge commented that he considered the state of the state of the economy when he provided the $200,000 figure. The high rates have gone down considerably. There was a beautiful 8% rate back in March of this year and he is now looking at 3%; the average for the whole year was 6.5%.

GURRERI Mr. Gurreri commented that the whole country was having a recession.

SABATINI Mr. Sabatini commented that they had taken a very strong approach to interest earnings and securing longer term CD's. Mr. Hadge had been able to secure a 7% or 8% rate in January locked in on $1 million.

HADGE Mr. Hadge commented that in light of the lower rates, during 1999 the earnings were $287,000. Already in 2001 the earnings were $287,000 just through November.

PASCH Mr. Pasch indicated that the transferring of cash to investments was good management. He thought the earnings were great.

HADGE Mr. Hadge felt they would easily reach $300,000 for 2001. He was just concerned to put a figure of $250,000 in for 2002, due to the economy and interest rates.

PASCH Mr. Pasch commented that the bulk of the revenue money comes from earned income, and Mercantile tax.

SABATINI Mr. Sabatini commented that it was to have been 25% above the budget figures. What they had done was maintain that same budget for the Mercantile.

PASCH Mr. Pasch commented that he did not personally believe that it would be going down in this area. He had been talking to the merchants, and everyone he had spoken with indicated it had been the best year they had had, that they were ahead of what they had budgeted. Mr. Pasch felt that we were being very conservative with Mercantile and Business Privilege Taxes.

MITRICK Chairman Mitrick responded that might be their stories, and they could be true, but talking to some of the smaller specialty shops, she thought it not so.

SABATINI Mr. Sabatini stated that Sam's and Walmart's figures were up something like 8% to 12% corporate wise. Bon Ton was up from last year. Sears and even the mall seems to be somewhat deserted.

PASCH Mr. Pasch commented that the Township was fortunate to have some of the bigger merchants to provide the bulk of Township revenue.

SCHENCK Mr. Schenck stated he was not so concerned with the budget process and being conservative, as with the approach taken, and having a better understanding that the budget works the way you want and the way it had been designed.

HADGE Mr. Hadge stated he would be taking $2,000,000 out of the General Fund surplus this year. The Capital Budget for 2002 really had not benefited.

SCHENCK Mr. Schenck stated that as long as he had an understanding of the surplus, and then have input as to where those surpluses go, he was okay with the approach.

HADGE Mr. Hadge stated that the surplus in 2001 will go to the fund balance , to replenish the $2,000,000 that he would take out of that fund balance, and move it over to the Capital budget for 2002.

SCHENCK Mr. Schenck commented that if he was moving it to the Capital budget, he would like to know a little more about what he was doing with it.

HADGE Mr. Hadge stated that there is a $4,000,000 park and only $1,000,000 left to spend out of the Capital budget for that park. He was using that all up and transferring the other $2,000,000 from the General Fund. The entire surplus had been invested. He had managed every dollar quite well, to earn enough money so that he could finance the operations with current income rather than use the surplus. It leaves the fund balance at $335,000.

PASCH Mr. Pasch asked him what he anticipated the surplus for the year to be.

HADGE Mr. Hadge responded it was hard to say, but it would be somewhere between $500,000 and $600,000.

SABATINI Mr. Sabatini brought up another question on the Sewer item in the General Fund. There is a depreciation schedule for equipment. The vehicle is depreciating over a 10-year period. For the future, he would like to suggest having a depreciation line item so that the amount is transferred

into a Capital Reserve fund. Secondly, he suggested a policy where there would be any surpluses at the end of the year the Board could make a decision to split it among a certain number of funds or direct that it be swept over into the Capital Reserves. Mr. Sabatini stated that he felt uncomfortable with having money for capital items, rather than in the General Fund where they tend to be absorbed by non-directed tax entities in the Township. If the Board or the Township staff had a great idea and comes to the Board, and the Board directs to pursue it, then the money is there.

HADGE Mr. Hadge indicated that as part of the GASP $7,000 that will be required.

PASCH Mr. Pasch stated that he would be in favor of Capital Reserve for any reason.

SCHENCK Mr. Schenck recalled that at one time there was a sort of a capital program, but it really was not necessary. He added that he appreciated knowing the future wants.

MITRICK Chairman Mitrick commented that if an amount of money were put into a particular fund for a purpose, then it somewhat defines what the Board is going after, rather than putting it into a large General Fund. She thought that was what had been done with the fire fund.

BISHOP Mr. Bishop recalled that the last tax increase had been placed totally into reserve.

SABATINI Mr. Sabatini stated he would add that to his schedule of activities.

PASCH Mr. Pasch commented that there is something further to consider, and that is the residents of the Township with regard to tax decreases.

BISHOP Mr. Bishop commented that it never occurred to him that a surplus could be too big.

SABATINI Mr. Sabatini commented that anything more than about 30 to 40% should be the maximum in the General Fund. In terms of Capital Fund, the cash balance is determined basically by the long-term needs and depreciation.

HADGE Mr. Hadge commented that Springettsbury Township was very fortunate.

SCHENCK Mr. Schenck thought that looking at the depreciation situation was a great idea. He asked whether the Sewer Fund Administrative charges are included or separate. He wondered whether he had ever been challenged on that.

HADGE Mr. Hadge responded that they are all separate. The other things are on top. He had not been challenged, rather the Auditors had been very pleased with the documentation, and a thorough insurance audit had just been completed. The inter-municipal agreement was in the process of being audited. The confidence level and attitudes are high.

SABATINI Mr. Sabatini commented that in the first meeting with the sewer group, they had been able to justify what had been done very well. The City is now going through some of those same growing pains.

HADGE Mr. Hadge indicated that some adjustments need to be made to the Revenue side in order to fund the police additions, along with whatever else the Board wanted to do. Mr. Hadge would prefer to raise the $335,000. If Mercantile Tax brings in more revenue, and EMS brings in more than $80,000 it would be workable. He felt confident that revenues would be higher than he estimated. The Police Chief had estimated about $115,000 for two officers; one Lieutenant in January and one Lieutenant in July.

GURRERI Mr. Gurreri suggested the starting date could be reduced.

HADGE Mr. Hadge agreed that the first Lieutenant could start in March rather than in January. He stated that the Police Chief would be pleased if the Board would support his request.

PASCH Mr. Pasch commented that instead of earmarking funds for specific purposes, there would be no increase in taxes, expenditures would be taken out of available surplus.

SCHENCK Mr. Schenck stated that over the longer term, he would like to see a budget that would not be a deficit budget.

HADGE Mr. Hadge commented that it could not be done if the increases granted were 5% to the police and 4% increase to general workers and 4% to fire. It would be impossible. He added that general expenses had been cut, streamlined and consolidated.

BISHOP Mr. Bishop commented that the information he had been provided with showed a $7,000 difference after the 4% was added for wage increase.

SCHENCK Mr. Schenck agreed and stated he had a number of questions on those items, which would be discussed in Executive Session.

BISHOP Mr. Bishop asked whether the budget figures for salaries were as accurate as they could be.

HADGE Mr. Hadge responded that if one went through the salary and wage account there might be a savings of $10,000 out of $3 million. He commented that a decision needed to be made on the Police matter.

BISHOP Mr. Bishop stated that there would be the addition of two Lieutenants and the hiring of two Patrolmen if the Board accepted the Chief's recommendations.

GURRERI Mr. Gurreri commented that he would not be in favor of accepting them. Every other department was asked to cut back and they did. Since we are in a recession Mr. Gurreri thought they should wait until next year.

HADGE Mr. Hadge indicated that the Board could decide that in Executive Session and Mr. Sabatini could then advise him of the decision.

Community and Economic Development.

HADGE Mr. Hadge stated that Mr. Stern was in school and could not be present. He reported that there were no major changes in Community and Economic Development. He had reviewed the entire budget with Mr. Stern, who had done his own trimming, for example, with Materials and Supplies for nine months and cut it by $3,000. Mr. Stern requested Historical Preservation be moved over to the Contributions area rather than included in his budget. Mr. Stern's budget is right on line or being reduced, and he did not anticipate any major expenditure efforts for 2002.

MITRICK Chairman Mitrick asked about the item for Education Reimbursement.

HADGE Mr. Hadge responded that it was part of the Training and Development item. Mr. Stern had just one more payment and was completing his classes as of tonight (12/11/01).

PASCH Mr. Pasch added that there would be Training and Development available for the staff.

SABATINI Mr. Sabatini commented that the Township bore the cost of Mr. Stern's education.

SCHENCK Mr. Schenck asked whether there would be an increase in Subdivisions and Land Developments.

SABATINI Mr. Sabatini responded that a large part of Economic Development is where the state will provide the statewide building fund. He had heard predictions of the first quarter 2002. He commented that if that happened, it would have a significant impact on costs.

BISHOP Mr. Bishop asked about the postage and how the proposed $20,000 compared to actual postage costs.

HADGE Mr. Hadge responded that the newsletter had been issued quarterly rather than two or three times a year. There were far more mailings than proposed. He reported that $19,000 had been spent through November and the $20,000 figure would be very close.

GURRERI Mr. Gurreri asked whether the newsletter is mailed outside the Township. He had heard of people in other townships indicating they get our newsletter.

HADGE Mr. Hadge responded that if a person had registered with us who wanted to be on the mailing list or who wanted to attend our activities, they are on the mailing list.

SABATINI Mr. Sabatini added that many are customers of our programs, and it was easier to keep them on the list.

PASCH Mr. Pasch asked where the expenditures would appear relating to the activity taking place in terms of studying traffic within the Township.

HADGE Mr. Hadge responded it would appear in the Capital Budget under Engineering. He added there was a total of $100,000 budgeted for 2002.

MITRICK Chairman Mitrick asked whether Mr. Sabatini would provide a list of items for decisions that the Board would have to make.

SABATINI Mr. Sabatini responded that both he and Mr. Hadge had been taking notes and would review them and bring them back to the Board.

MITRICK Chairman Mitrick questioned expenses on state roads. She stated that with the current position of the Central School Board on the development of the property on Mundis Mills, she hoped that it would not impact or stall the Township on the project that the state owes to the municipality. It's in the TIP program and was already behind on engineering. PennDot was hoping the school district would pick up the engineering, but if they are somewhat out of the picture, then that goes back to PennDot. She stated she felt the need to push that because it was already behind the time limit.

SABATINI Mr. Sabatini commented that no money had been included for municipal contributions towards that project. PennDot likes to see that, but overall a significant amount had been contributed for the state roads over the past five years. The Township continues to meet with PennDot and encourage them now that there is a better feel for which direction the school district

is going. They have been stalling waiting for someone else to pay the bill. Mr. Sabatini agreed that the Township would have to start pushing them towards getting the process moving.

MITRICK Chairman Mitrick spoke with Dr. Estep today. She commented that the Township might lose money in the TIP program if the share was not secured.

SABATINI Mr. Sabatini stated that he did not think any money would be lost, but rather time would be lost. PennDot will try to re-shuffle or delay it and attempt to transfer some of the cost. PennDot's time table is not necessarily our time table. With the decision of school board, there will be some reshuffling within PennDot.

MITRICK Chairman Mitrick stated that PennDot made that commitment to Springettsbury Township. She felt more aggressive action should be taken; that Township representatives should attend the meetings and take an active role.

GURRERI Mr. Gurreri stated that Township representatives had been going to the meetings.

MITRICK Chairman Mitrick responded that just going to the meetings was not going to do the engineering.

SABATINI Mr. Sabatini stated that he had previously provided some of the scenarios to the Board about the potential if the school district did not go ahead with this development, or did not go ahead on the same time table. If PennDot were delaying or hoping that someone else will share the cost, they might hold off until they find another party to tag despite all of our efforts. Additionally, they may see another target of opportunity, but if someone else is looking to build whether in East Manchester, or Manchester Township or in Springettsbury, they may use that opportunity to try to pull them into sharing the cost.

MITRICK Chairman Mitrick commented that the longer we wait the dollar figure becomes smaller and smaller.

PASCH Mr. Pasch questioned the road programs. There had been a plan that indicated which roads would be done within four to five years. He asked whether there would be any change because of the change in the budget where the funds would be going toward lights rather than road maintenance.

SABATINI Mr. Sabatini responded that he would provide that information.

MITRICK Chairman Mitrick thought that Mr. Lauer had been very specific as to what had to be done during the road tours. She wondered about any changes due to the change in lights and whether it would be beneficial.

SCHENCK Mr. Schenck observed that in the liquid fuels there are two lines for electric. He asked whether one of those was for traffic lights or was it for electric costs.

HADGE Mr. Hadge responded that one was for the actual electric cost; the other is for the service contracts to repair the street lights. One is for traffic signals; one for electricity for street lighting.

SCHENCK Mr. Schenck observed the amount for electricity was $36,000.

SABATINI Mr. Sabatini commented that an overall estimate was about a 40% to 50% reduction in the amount of electricity. He stated he could place the LED signals in the entire Township for somewhere around $178,000; that is 30 some intersections. Primarily he planned to try doing the Route 30 area, Mt. Zion Road, Market Street.

SCHENCK Mr. Schenck asked for information on the roads. He wanted to be sure there was no cut back on road work.

SABATINI Mr. Sabatini responded that one of his concerns was particular things that are capital items, which have the greatest liability in our parks and traffic signals. He felt that safety features were important.

BISHOP Mr. Bishop responded that the Township should be spending $15,000 fixing places where there are real problems. Roads are a liability especially when there are maintenance problems. Mr. Bishop was not convinced that the LED's were the best use of the funds.

PASCH Mr. Pasch agreed with Mr. Bishop, but he commented that the Township should look at the capital expenditure based on return on investment, along with the years necessary for return. If it were three to four years for return on investment, the money could be raised to do it.

BISHOP Mr. Bishop reiterated that if there are still cracks in the road not being maintained, it would not make sense.

MITRICK Chairman Mitrick asked Mr. Sabatini whether he needed the Board's input on where to make changes during this particular meeting.

SABATINI Mr. Sabatini stated he was comfortable with whatever the Board chose to do.

HADGE Mr. Hadge stated that he would like to know whether the Board wanted to raise the Legal Fees and the Engineering Fees. He stated that if the Board decided to change the revenues, his preference would be to use the Fund Balance. He would not add $25,000 to Interest Earnings. He had raised the Earned Income Tax to $2.6 million; $6,000 could be taken from there. Mr. Hadge added that he had a real grasp of the revenues, and really believed in the steps he had taken in the Revenues and with the Earned Income Tax, for example, and if he had followed his consistent thought he would not have raised it.

BISHOP Mr. Bishop asked for his opinion about the EMS.

HADGE Mr. Hadge responded that he would be concerned about whether the receipts would actually come in, and he had a real serious problem raising it $25,000.

BISHOP Mr. Bishop commented that the same principle existed that if the budget only had $50,000 in revenue, then we might only get $50,000. If the budget is $80,000 we have a better chance of getting $80,000. He understood the concept.

SCHENCK Mr. Schenck stated that the Board just does not have a lot of control. He had strong feelings that if the Board did not place its expectations in this budget, it would be setting us up not to get what is expected. It is less of a budget issue, and more of a management issue.

HADGE Mr. Hadge commented that he did not have as much control over the EMS.

SABATINI Mr. Sabatini added that what he was hearing was that the Board had heard the dollar figures, but also needed to know the policy.

HADGE Mr. Hadge provided an example with the Sewer Fund and the Administrative charges where there actually will be $183,000 received this year. Mr. Hadge had budgeted $197,000 for next year. For this year he had budgeted $200,000. Where he had lost some money on one item, he picked it up on another. He added that whatever the Board wanted him to do he would have no problem with it. Mr. Hadge suggested that the Board deal with the Police Department issue first and then move on.

MITRICK Chairman Mitrick asked what the full amount for a year would be, if the amount was $115,000 coming in mid-year.

HADGE Mr. Hadge responded it would be $200,000.

MITRICK Chairman Mitrick added that there would be only one vehicle purchased this year.

MR. BISHOP MOVED TO ACCEPT THE RECOMMENDATION OF POLICE CHIEF ESHBACH. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

SABATINI Mr. Sabatini commented that the Recreation Department showed a significant increase with no capital spending. The amounts spent on performances, printing and programs was raised. He felt the department should be more on a pay-as-you-go basis.

BISHOP Mr. Bishop stated he would remove $3,000 from the performance budget to reduce it to $19,000. He would remove $2,000 from the printing costs. He added that providing the two newsletters together had not provided near the efficiency that the Board had expected.

SABATINI Mr. Sabatini stated that Karen Edwards does the writing and the layout. The printing and the mailing itself is done by Charles Design.

PASCH Mr. Pasch asked what the actual numbers would be for 2002. Mr. Wendel had been asked to come in and do something with programming. If extra expenditures are cut, he has got to do more with less, and this Board should recognize that.

MITRICK Chairman Mitrick asked about the Legal Fees.

HADGE Mr. Hadge recommended to keep it simple and take $9,000 out of the Contingency account and move it to Legal, which would raise the Legal Fees to $100,000.

SABATINI Mr. Sabatini commented that he was wondering about gearing the Legal Fees to be re-visited at the mid-year to make any necessary budget adjustments.

BISHOP Mr. Bishop responded that experience never happens that this Board would review anything mid-year. The other issue is we would be dealing with real issues. This must be our best effort and be confident that these are our best numbers.

HADGE Mr. Hadge stated that it was no secret that the Fire Department Overtime had been extraordinary and had blown that budget completely.

SCHENCK Mr. Schenck commented that the Fire Company Overtime had never been budgeted yet. He thought it would be better because two people were added.

SABATINI Mr. Sabatini reported that there would be an accrual of police and firefighters sick leave. It must be identified in a financial statement as well as capitalization of post-retirement health benefits and will include some pensions for police officers.

PASCH Mr. Pasch thought there had been a set fund for that.

SABATINI Mr. Sabatini responded that it was not a set fund but there was no identification as an expense. It was his understanding of the GASP statement that the Township would have to identify it. If money is not put aside, it would be an unfunded liability.

MITRICK Chairman Mitrick questioned whether Karen Edwards worked on the Regional Information Sharing System grant.

SABATINI Mr. Sabatini responded that she had done so.

MITRICK Chairman Mitrick confirmed that Karen also applies for grants for the police department.

SABATINI Mr. Sabatini responded that was correct, for every one. All grants go through her for preparation. She works with the department heads. Mr. Sabatini added that notice had been received that $5,000 had been received for Handicap Accessible items for the park through Representative Mackereth. More information would be coming.

MITRICK Chairman Mitrick commented that there was a need to review and stay on top of the Capital Information Grant.

MITRICK Chairman Mitrick commented that the residents should be encouraged about the recycling service in the newsletter.

SABATINI Mr. Sabatini reported that a grant application had been submitted with DEP on recycling issues. This study will be reviewing all issues related to recycling, and larger recycling as well. This will make recycling easier. This study will be done with help from a York College student doing a lot of the work. The biggest expense will be the postage.

MITRICK Chairman Mitrick asked how many people are interested in the pay-as-you-throw. She thought that would be popular.

SABATINI Mr. Sabatini responded that they are working with the Recycling Committee on that because we already have a pay-as-you-toss. It was not too dissimilar to communities that have combined sewer and water

systems. Typically they will be billed sewer based on the water consumption. Within that you have money put in to maintain the system even if you do not use a single gallon. What you are doing here with the current system is that people have to pay something. There is still the cost of maintaining the infrastructure for garbage disposal. You have an option of one bag, three bags or two bags. Many communities will have a strict one size fits all, but everyone gets charged for five bags or eight bags. You do have a tier system plus the option to buy additional bags, and everyone is billed.

SABATINI Mr. Sabatini stated that he would provide a summary list of items back to the Board as soon as possible.

MITRICK Chairman Mitrick stated that the next meeting would be held Monday, December 17th at 6 p.m. and Friday, December 20th at 7:30 a.m.

2. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:35 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **DECEMBER 7, 2001**
SPECIAL MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a special meeting on Thursday, December 7, 2001 at 7:30 a.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:	Lori Mitrick, Chairman Bill Schenck, Vice Chairman Don Bishop Ken Pasch Nick Gurreri
ALSO IN ATTENDANCE:	Robert J. Sabatini, Jr., Township Manager Don Yost, Solicitor Andrew Stern, Director of Economic Development Scott Wagner, President, Penn Waste, Inc. George Coughlin, York Waste Disposal

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 a.m. She stated the meeting was a special meeting of the Board of Supervisors to award the 2002-2004 Residential Garbage and Recycling Contract and for other business, which may come before the Board. She announced that there would be an Executive Session following the meeting for the purpose of discussing litigation.

2. AWARD OF 2002-2004 RESIDENTIAL GARBAGE AND RECYCLING CONTRACT:

SABATINI Township Manager Sabatini reported that the Township had revised the bid specifications and re-bid the garbage and recycling contract. Bids were opened December 3, 2001. He stated that the low bid was from Penn Waste, Inc. in the amount of $2,360,376 for the three-year period. He explained that the Township had taken additional steps to evaluate the financial statements of Penn Waste, and had utilized the services of Stambaugh Ness, CPA, the Township's Auditor, as well as the Township's finance department staff.

YOST Solicitor Yost stated that there had been a meeting to review the financial statements, and there had been discussions relating to the terms "responsible bidder" and "responsive bidder." He stated that Penn Waste met the requirements and that he was comfortable with awarding the contract to Penn Waste.

MR. GURRERI MOVED TO AWARD THE 2002-2004 RESIDENTIALGARBAGE AND RECYCLING CONTRACT TO PENN WASTE, INC. IN THE AMOUNT OF $2,360,376. MR. SCHENCK WAS SECOND. MOTION CARRIED.

UNANIMOUSLY.

3. ADJOURNMENT:

Chairman Mitrick adjourned the meeting by unanimous consent at 8:00 a.m.

4. EXECUTIVE SESSION:

An Executive Session was held immediately following the meeting for the purpose of discussing litigation, with no action taken.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

rjs

SPRINGETTSBURY TOWNSHIP **DECEMBER 3, 2001**
BOARD OF SUPERVISORS - BUDGET 2002 – SECOND MEETING APPROVED

The Board of Supervisors of Springettsbury Township held the second Budget 2002 meeting on Monday, December 3, 2001 at 6:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Nick Gurreri
Don Bishop
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Jack Hadge, Finance Director
Mike Bowman, Supervisor-elect
Don Yost, Solicitor
Mike Hickman, Fire Chief
Dave Eshbach, Police Chief
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 6:05 p.m. She stated the purpose of the meeting was to discuss the proposed budget for the year 2002 and also for other business. She stated that there was an Executive Session held on November 29th regarding personnel. The Board recessed immediately in order to discuss legal matters and reconvened again at 6:40 p.m. Chairman Mitrick stated that the first item of business for discussion was the Trash Contract for the years 2002, 2003 and 2004.

2. TRASH CONTRACT:

Contract Bid

SCHENCK Mr. Schenck reported that the Board received the tabulation sheet from the Township Manager and found the low bidder to be Penn Waste. As part of the bid process, they had received bid documents and the requested financial statements. Mr. Schenck suggested that the contract not be awarded tonight, but rather wait until the meeting scheduled for next Tuesday, December 11th. Mr. Schenck wanted to have the time to review all the documentation and be sure that all the questions had been answered.

PASCH Mr. Pasch stated that the financial information that had been provided ended on December 31, 2000. He stated the information should be brought current and an updated financial position should be established.

SCHENCK Mr. Schenck asked Solicitor Yost for his opinion as far as awarding the contract, as it had been advertised with the intent to award. Mr. Schenck felt the Board had an option not to award the contract.

YOST Solicitor Yost responded that Mr. Schenck was correct; however, the award would have to be made at a public meeting. Solicitor Yost added that, as everyone was aware, time was of the essence.

BISHOP Mr. Bishop expressed concern as to whether Penn Waste, being a relatively new, young company, would have the wherewithal to fulfill the contract. Mr. Bishop encouraged the Board to allow comment from Scott Wagner of Penn Waste.

Penn Waste

WAGNER Scott Wagner of Penn Waste thanked the Board for the opportunity to speak. He indicated that he had asked Mr. Sabatini whether a 12/31/00 balance sheet was acceptable and had been told that it would be. Penn Waste had been in business for 21 months since March of 2000. The business was capitalized with a certain amount of cash. Mr. Wagner stated he personally guaranteed all bank debt and had significant net worth. He had sufficient lines of credit with Fulton Bank capitalized with U. S. Surety. He indicated he had sufficient equipment committed to do the work and more than enough resources. He asked the Board to award the contract in order to get started on the project. He indicated there was a lot of work that would have to be done in a short amount of time. He assured the board that he could provide references from his banks and surety companies with bonding capacity.

SCHENCK Mr. Schenck asked how he would go about assembling vehicles and manpower.

WAGNER Mr. Wagner responded that the equipment needed would be one trash truck Monday through Thursday and two trash trucks on Friday with one recycling truck. They already know the routes and have the manpower, drivers, and supervisors.

SCHENCK Mr. Schenck asked whether they actually have the trucks or whether they need to be acquired.

WAGNER Mr. Wagner responded that the trucks are in Morgantown waiting for pickup. He would like to have the contract awarded tonight in order to order the necessary totters and have them ready by the 22nd.

YOST Solicitor Yost asked Mr. Wagner if he recognized that he, personally, was not guaranteeing the contract to the Township. He had not been asked to do that.

WAGNER Mr. Wagner responded that he understood that, and that Penn Waste would be posting a bond. He personally would guarantee that bond.

MITRICK Chairman Mitrick asked whether there was anyone else who wished to comment.

York Waste

ROBBINS Mr. George Robbins of York Waste addressed the Board. He presented a few quick calculations. A comparison of the previous bid to this bid, York Waste's numbers were exactly the same, as they had not found any need for a significant change. He pointed out that he did not know what had taken place with the Penn Waste bid to merit a $238,000 swing from where it was to the final new bid. He stated for the record that, if the current York Waste bid price and the current Penn Waste bid price are compared, add one bag service and 3 bag service and the totter service, which is the main service, it comes to $89,000 less over a 3-year period and just to break it down that comes out to $.38 a month per house. It's not a big huge swing. The totter count was not included in this, and there was a significant difference in the totter rate.

SCHENCK Mr. Schenck asked about the way the bids had been tabulated. The tabulation was different and showed a different net result. He asked whether the format of the tabulation was part of the bid process.

SABATINI Mr. Sabatini responded it was part of the bid process and the tabulation was clear. Bid item 1 plus bid item 2 equaled the low bidder. Bid 3 and 4 were optional on behalf of customers who make the decision based upon price. Bid item 5 is alternate for fall clean up should the Board choose to do that.

SCHENCK Mr. Schenck stated he had questioned it based on what had been said, the bulk of the units were in the three bags per residence. The totters appeared to be a significant option, and the apparent low bidder would then be higher.

SABATINI Mr. Sabatini responded that the bid was set as part of the contract as items 1 and item 2, and the decision would be based on that.

MITRICK Chairman Mitrick commented that as the Board had gone through this public process, she felt that the Board and the public had been insulted by some very unprofessional conduct. She stated that, as long as she was on the Board, she would personally stay on top of it, because she hated that type of conduct and attitude.

SCHENCK Mr. Schenck asked how much time would be needed if the decision were held for another day or two.

SABATINI Mr. Sabatini responded that the earliest would be on Wednesday, December 5, based on the turnaround time.

GURRERI Mr. Gurreri suggested Tuesday, December 11th.

SABATINI Mr. Sabatini responded that the only downside to the 11th would be losing five days to implement the contract and get paperwork moving.

SCHENCK Mr. Schenck stated that he would be in favor of scheduling another meeting with the intent to award. He understood the timing and the need to implement the contract. However, he stated that the financial documents are old; new information might be relatively the same, but a few questions might be answered to make the Board more comfortable.

BISHOP Mr. Bishop stated that if that were the direction of the Board, he felt the need to be very specific about who would ask what kind of questions of whom and when, and what the Board expected to get back.

PASCH Mr. Pasch stated he would simply like to have the balance sheet updated. He understood Scott Wagner's personal guarantee; however, he asked whether the performance bonds had been posted. Mr. Pasch added that he would be willing to accept what U. S. Surety stated.

SABATINI Mr. Sabatini responded that performance bonds would be posted as part of the contract signing.

YOST Solicitor Yost stated that legally the Township was looking for financial responsibility of a bidder. A bond is no substitute for a bidder establishing financial responsibility independently of the bond. He suggested to obtain updated financial statements from Penn Waste as well as the assurance that the Bond will, in fact, be forthcoming.

PASCH Mr. Pasch stated that fulfillment of the requirements are important for the residents of the Township.

GURRERI Mr. Gurreri indicated that the contract was over a 3-year period. He asked whether the amount could be lowered.

SCHENCK Mr. Schenck re-stated that it depended upon the residents. If the majority of the residents select a three-bag option, the cost to that resident would cost less with bidder number two. However, the three-bag option with a totter added seemed to be the selection of the residents.

MR. GURRERI MOVED TO TABLE BIDDING UNTIL WE GET UPDATED FINANCIAL SHEET AND THE BOND OR SOME TYPE OF ASSURANCE IN WRITING FROM THE BONDING COMPANY IF THEY ARE PREPARED TO ISSUE THE BOND. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Consensus of the Board was to meet Friday, December 7th at 7:30 a.m. specifically to award the trash contract.

WAGNER Scott Wagner asked for a list of what the Township needed. He indicated frustration with the bond issue as he was certain one could be provided within 24 hours. He would have preferred that the Board awarded the contract subject to the financial information.

PASCH Mr. Pasch asked whether the contract could be awarded subject to receipt of the financial information.

GURRERI Mr. Gurreri observed it would not be much different if it were today or Friday.

MITRICK Chairman Mitrick asked whether the Board would be willing to consider another position.

SABATINI Mr. Sabatini stated he was comfortable with awarding the contract by the end of the week.

MITRICK Chairman Mitrick asked Solicitor Yost for his opinion on how to proceed.

YOST Solicitor Yost responded that the motion would have to be conditioned upon Scott Wagner providing updated financial information satisfactory to the Township and showing assurances from the bonding company that they will, in fact, write the bond for Penn Waste.

SCHENCK Mr. Schenck stated that even if the award were conditioned, that would not help the contractor.

SABATINI Mr. Sabatini added that it would close up the time line and add an extra day or two.

BISHOP Mr. Bishop indicated that it might not be Friday, but it could be Wednesday or whenever the information would be available.

YOST Solicitor Yost indicated he was not comfortable with a conditional award.

SCHENCK Mr. Schenck stated that the Board would wait until the information would be provided.

BISHOP Mr. Bishop stated for clarification the two things requested:

- Assurance from a bonding company that they will write the bond,
- A more current balance sheet than one up to 12/31/00.

YOST Solicitor Yost asked for an expanded balance sheet with a profit and loss statement as of the third quarter, i.e. the end of October 2001.

Consensus of the Board was to Table until December 7, 2001 at 7:30 a.m.

WAGNER Mr. Wagner indicated he would provide a balance sheet as of October 31, 2001 and a letter from the equipment company regarding the equipment order, statements from his bank re/bank lines. He indicated he would deliver the bond tomorrow morning (12/4/01).

SCHENCK Mr. Schenck commented that Mr. Wagner had indicated he was speechless. Mr. Schenck stated he, too, was speechless because this was the first time he had a second low bidder raise the bidding process. It is the first time he had been sued in Federal court and local court at the same time. He indicated he did not mind stating that he would err on the side of safety.

WAGNER Mr. Wagner responded that he respected Mr. Schenck's comment. Mr. Wagner felt he had been very fair and that the information he needed had not been supplied. He wanted to move forward on a positive note, and would have the information prepared for the Township. He asked to whom he should provide the information.

MITRICK Chairman Mitrick responded that he should provide it to Mr. Sabatini.

3. FIRE DEPARTMENT:

<u>Fire Department - Overview</u>

SABATINI Mr. Sabatini stated that the next Agenda item was the 2002 Budget review of the Fire Department.

HADGE Mr. Hadge presented the proposed 2002 Budget for the Fire Department.

HICKMAN Chief Hickman commented on the Fire Protection portion of the budget and pointed out the high Overtime Budget. He explained four main reasons for that:

- One Firefighter on sick leave with a major medical problem. That had cost approximately $68,000 in overtime.
- Secondly a Firefighter did not pass the Academy and washed out of the fire department.

- Another individual went out on an extended personal leave mandated by the Township which cost about $6,000.
- Lastly one mandated Duty Officer for Friday night and Saturdays, which cost approximately $41,000.

Chief Hickman indicated that a rough total of those figures added up to $120,000.

GURRERI Mr. Gurreri asked about the Fire Administration Salaries/Wages raising from $59,000 to $64,500.

HADGE Mr. Hadge responded that the Adopted 2001 budget did not include the Chief's salary increase, which was 5% and 4% for 2002, which was an average of 3.7%.

GURRERI Mr. Gurreri commented that the economists say we are in a recession. He felt there should be a cut back.

SCHENCK Mr. Schenck asked what percentage of the wages are in the labor contract.

HADGE Mr. Hadge responded that the Fire Department is 4-1/2%.

Training

HICKMAN Chief Hickman commented that his second issue related to training He stated there would be a significant increase in training, which reverted back to his memo to the Board two months ago covering the training expenditures. The training schedules he had produced will go into effect after the first of the year. Testing for Firefighter I will be done in May, which will get everyone at a minimum level.

SCHENCK Mr. Schenck asked whether there were enough people to bring trainers to York from HAAC.

HICKMAN Chief Hickman responded that the Township would pay the instructors to come here to deliver the test. The Township has the facility to do it and just need them to bring the instructors to us. The training will be done in-house. If the personnel were sent to HAAC it would cost $4,000 per person.

MITRICK Chairman Mitrick commented that it was a sizable increase.

GURRERI Mr. Gurreri asked about the overtime and whether it would continue.

HICKMAN Chief Hickman responded that we did not foresee the difficulty that happened.

SCHENCK Mr. Schenck questioned how much was budgeted.

HICKMAN Chief Hickman responded the figure was $17,000 and added that the training started two weeks ago.

PASCH Mr. Pasch observed that personal leave was understandable. However, he questioned what could have been done before sending people to HAAC to deter anyone from washing out. Could it have been determined beforehand?

HICKMAN Chief Hickman responded that, in the particular case, a physical agility test and four interviews were done, but there was an undisclosed physical injury problem.

PASCH Mr. Pasch asked whether a medical history was requested when someone is hired.

HICKMAN Chief Hickman responded not at the present time; however, that requirement will be in the guidelines that are being written.

PASCH Mr. Pasch stated that if people are hired who are less physically capable, there could be serious consequences for those who work with them.

Technician Class

HICKMAN Chief Hickman reported that within the past week he had been notified that HAAC would host a Technician class at Station 16. HAAC will give the Township three spots for the Volunteer Firefighters. If a Volunteer Firefighter would take the class, the Township would have to compensate them. That may have an impact on the budget. However, he added that at the current time he did not know if anyone would take the class.

BISHOP Mr. Bishop asked what kind of commitment would be required.

HICKMAN Chief Hickman responded that the class is for three months for two or three times a week at $1,000 a week; he added the cost could be as much as $13,000.

BISHOP Mr. Bishop commented that the favorable result is a Firefighter who also is an EMT.

HICKMAN Chief Hickman responded that was correct.

SCHENCK Mr. Schenck asked what the benefit would be to the Township.

HICKMAN Chief Hickman responded that immediately, not a lot, but in the future, grants for AED's will be applied. When an ambulance goes out on a call

an engine with the new EMT's will respond to provide some life support care. That is the ultimate goal.

MITRICK Chairman Mitrick commented this was something, which had been discussed for a long time.

SCHENCK Mr. Schenck asked where he would find that in the budget for 2002.

HADGE Mr. Hadge responded it showed up under Employee Benefits.

BISHOP Mr. Bishop asked when the completed budget for 2002 would be provided to the Board.

HADGE Mr. Hadge responded it would be in March 2002.

PASCH Mr. Pasch asked whether the revenue and expense distribution was the same as last year.

HICKMAN Chief Hickman responded that the only fundraisers the fire company had done were calendar sales and the fund drive. He had made an assumption they would do the same next year.

PASCH Mr. Pasch commented that whatever Chief Hickman brings forth to the Board is going to be his budget which was not going to be adopted by the fire company.

HICKMAN Chief Hickman stated that was correct. His budget would be more toward the career side.

SCHENCK Mr. Schenck asked about Capital Equipment Reserves.

HADGE Mr. Hadge responded that was the Township's commitment to the fire company. It would be kept in reserve to build up for a number of years for fire apparatus.

GURRERI Mr. Gurreri commented that under Employee Benefits, that was taken out so that the total department is about the same $1,196,000 compared to $1,150,000. He observed that the overtime had gone up.

HICKMAN Chief Hickman responded that in 2002 he felt that the overtime budget would be higher due to new people and Duty Officers on duty. During the extensive training program, there are 112 days we will not have coverage because we are still less one person. That will be covered with overtime.

PASCH Mr. Pasch asked about the budget for volunteer recruiting.

HICKMAN Chief Hickman responded that was in the volunteer budget.

EMS

HICKMAN Chief Hickman reported one line item over the budget for materials and supplies. This will be the first full year of control of the EMS Services. Last year's budget was somewhat of a guess. There had been some materials, which were necessary to replace and not planned for; those items raised the amount. In the coming year there will be contractual issues for wages. Everything else held the line.

GURRERI Mr. Gurreri observed that overtime was about the same for EMT's; he asked whether cross training will help.

HICKMAN Chief Hickman stated that he has a hard time taking a Firefighter off a piece of equipment and put on EMS care. He would rather run fire suppression. Chief Hickman stated he is already short staffed as it is.

GURRERI Mr. Gurreri noted that wages would be raised another 3%.

HADGE Mr. Hadge responded that the Teamsters dictated the 3%.

SCHENCK Mr. Schenck asked what the figures would be on the revenue side in round numbers.

HADGE Mr. Hadge responded that there would be a substantial increase; likely $100,000 to $150,000 total revenue.

SCHENCK Mr. Schenck stated that he wanted to be sure that the revenue stream did not fall into typical governmental processes where it doesn't seem quite as important. A focus on revenues helps to make sure they are secured.

SABATINI Mr. Sabatini reported that he had a pretty big battle for six months trying to convince Health Care Finance Administration about the 501C3. The Township is a not-for-profit corporation. That had been cleared up in July. These revenues have all been since the end of July. We had nothing coming in during the first part of the year.

SCHENCK Mr. Schenck asked whether there was any need for vehicles, ambulances, Chief vehicles or service cars.

HICKMAN Chief Hickman responded that there were no requests.

HADGE Mr. Hadge stated that he was very pleased with the figure of $117,000 on the revenue side as of October.

BISHOP Mr. Bishop added that in order to put it all in perspective, the Board was reasonably convinced that the number was significantly over $200,000 before knowing actually what the number was.

HADGE Mr. Hadge stated that $200 is charged for each transport and is usually handled based on what is reimbursed by the State.

BISHOP Mr. Bishop asked whether Springettsbury charged the lowest fee, and if so, there must be others higher.

HICKMAN Chief Hickman stated that the highest is White Rose, but they are a for profit company. They don't have the Ambulance Club membership paying a flat $35.00. They can afford to get $400 to $500 for a transport.

SABATINI Mr. Sabatini commented that it should be part of the fee schedule work being done. The Township had never set a fee schedule for ambulance service. A basic transport fee should be set.

SCHENCK Mr. Schenck commented that the Township is a non-profit that is subsidized. There's a whole huge gap between that and a for profit corporation. He felt that the Township has the ability to be profitable.

HICKMAN Chief Hickman responded that the way it is set up that it will never be profitable. The Ambulance Club is profitable because they don't pay salaries.

PASCH Mr. Pasch observed that most of the fees are paid by insurance whether it's Medicare or some other type of medical insurance. If those insurers are not objecting to rates that are $100 more per trip than Springettsbury's, then we should charge another $100.

GURRERI Mr. Gurreri agreed but would not want to go back after the residents for the fees.

HICKMAN Chief Hickman stated that they are billed for the balance. $53,000 had been collected from members.

SCHENCK Mr. Schenck commented that if someone is a member and needed to be transported, the insurance company pays $100, and the Township bills $200. The consumer doesn't pay the difference because they are a member. He asked whether that insurance would be offset and/or subsidized and not really going back to the Ambulance Club or the Township. He asked whether the general fund was subsidizing the insurance policy.

HICKMAN Chief Hickman stated he would have to review the matter to see how many members are using the service. He stated he would check into it.

SABATINI Mr. Sabatini reported that there are 2000 household memberships. The average calls are six to eight per day. Twenty percent of those are based on household memberships. He added that did not include the business community.

HICKMAN Chief Hickman reported they had covered a tremendous amount of Motor Vehicle Accidents. He indicated he could check on the bottom line figure for the memberships that had been used.

SABATINI Mr. Sabatini stated that an additional area to explore would be a review of business subscriptions, which would place extra money into the system. In addition, working with the fee schedule to maximize revenues will be helpful.

MITRICK Chairman Mitrick commented that she felt it was a great idea to explore. She added that many times things are discussed during the budget process; however, no due date is set for it.

SABATINI Mr. Sabatini responded that a Fee Schedule would be ready in January. He would like to see fees adjusted routinely and ultimately have the schedules changed during December as part of the budget process.

HADGE Mr. Hadge indicated that the Township does not have a revenue problem; the revenue is conservative but solid. He agreed with fee schedules, which will only enhance revenues.

SCHENCK Mr. Schenck agreed that this Township is fortunate. However, he cautioned that if the Board would not pay attention to things like this, over the years we lose sight of fees and then have to provide adjustments. The Board never really had any input into what fees were going to be, and he was glad to have a part of the thought process.

BISHOP Mr. Bishop stated that clearly it should be a policy of the Board to maximize revenues wherever possible.

SABATINI Mr. Sabatini concluded that the action reverted back to the Board's direction earlier this year to run the Township more like a business.

4. POLICE DEPARTMENT:

<u>Police Department - Overview</u>

ESHBACH Chief Eshbach provided a few comments with regard to the Police Department. They had been working short of officers since August. They

had replaced/filled two of the three positions open. The third person will begin employment with the Township January 3, 2002. They are all certified officers from other municipalities. The new officers will be on the street on their own, two in November and one in April. They will go through a 12-week field training program in order to learn procedures of Springettsbury Township. There are 28 sworn officers, including himself. Chief Eshbach continued that he had attempted to hold the line on the 2002 budget. The fixed cost of 5% was contractual for union salaries. A additional line item was added for Emergency Preparedness. Chief Eshbach added that the Township does not have equipment necessary to respond to acts of domestic terrorism and civil unrest, such as riot shields, helmets, guns, gas masks, etc.

GURRERI Mr. Gurreri commented that usually when there is a problem like that the National Guard would be called.

ESHBACH Chief Eshbach responded that the National Guard could not cover this completely; there may be instances right here, for instance at the prison. If there were a prison riot, equipment would be needed.

MITRICK Chairman Mitrick commented that this might be a matter that the Township should request and almost expect contributions from the County to purchase equipment to defend the prison. Chairman Mitrick asked whether the training would come out of the New Equipment line item.

ESHBACH Chief Eshbach responded some of this training would be done in-house, some with training in special weapons. He commented on the different types of training the officers have received in the encounter of new types of crimes. The officers need to have the best equipment available to get the job done.

SCHENCK Mr. Schenck asked how training was managed as opposed to the budget.

ESHBACH Chief Eshbach responded that typically no one is training on overtime. They have to go to this class, and it might be on their day off. Another day off would be provided at another time. The training is posted on a calendar and schedules are adjusted for that training.

Communications

ESHBACH Chief Eshbach reported that the Communications line item had been adjusted to accommodate and allow for the telephone long distance and fax machines for the department that had previously not been in their budget. Other items noted within the Communications area were: Provider Communications, Radios, Wireless Communication Portable Repairs, Battery Replacement, Pager Dispensers.

Vehicle Program.

ESHBACH Chief Eshbach stated that the vehicle replacement program called for two vehicles to be purchased. He did not believe two were necessary at this point, and to keep costs down, he would hold this request to one.

SCHENCK Mr. Schenck asked where the vehicle would come from.

ESHBACH Chief Eshbach responded that any purchase would be made through the state contract.

PASCH Mr. Pasch asked what caused the increase in service calls of 22%.

ESHBACH Chief Eshbach responded that service calls include everything other than crime calls.

PASCH Mr. Pasch asked whether responding to people having keys locked in the car was included there. He commented that there is no charge for that, and perhaps there should be a charge.

GURRERI Mr. Gurreri felt it was nice to do that for the residents.

PASCH Mr. Pasch agreed, but if people call a locksmith, they pay around $50.00.

Lock Jock Function

GURRERI Mr. Gurreri asked about the lock jock function as far as good public relations and whether it was very expensive.

ESHBACH Chief Eshbach responded that it takes 20 to 25 minutes to get there, write the report, takes the Township mechanic time to get the parts, fix it. If we continue to do it, we should have people sign a waiver because we may damage the car.

MITRICK Chairman Mitrick stated she would support not fixing the cars, just supply the service.

ESHBACH Chief Eshbach responded that he would get a waiver and provided it to the Solicitor for review. He added that one thing they do to prevent problems is open the passenger door rather than the driver door.

SABATINI Mr. Sabatini commented that one area is the alarm ordinance, which he and Chief Eshbach had been reviewing. Ten percent of alarm calls are false alarms.

ESHBACH Chief Eshbach reported that there were 12,103 alarm calls during the year.

SABATINI Mr. Sabatini added that the fee schedule for that item caps out at $100. He reported that it seemed to be cheaper to pay the fees than to fix the problem. With the fire company it is even greater with one third of calls being false alarms. This is an area for fee schedule review.

P**ASCH** Mr. Pasch understood; however, if he had a situation that was setting his alarm off, he would have to pay for it, and if he locked his keys in his car he would not have to pay for it.

ESHBACH Chief Eshbach responded that Springettsbury is probably the only police department that still provided the service. In addition, if they disable someone's door, they have always fixed it as a convenience.

SCHENCK Mr. Schenck suggested that they sign a waiver for damage.

GURRERI Mr. Gurreri asked whether domestic calls had been on the rise or had changed much since September 11th.

ESHBACH Chief Eshbach responded that overall it seemed like the call rate went up in general since September 11th. As far as splitting it out we've had a huge number of thefts from vehicles, of vehicles as well as domestic calls, etc. and added that people are all messed up.

PASCH Mr. Pasch asked the reason that traffic arrests were around 3300 and dropped to 2300 in 2000.

ESHBACH Chief Eshbach responded that 25% of the department have less than two years on the job. It takes time for the officers to learn all the different aspects of the job and longer to do the paperwork. More calls are being experienced, and the department is seriously reviewing what it will do, as they cannot keep pace with it the way it is now. He expected to streamline and change the way the department works and look at ways to do everything better by working smarter instead of harder with the computer system so that not as much time is spent sitting somewhere writing reports. The cost is going up, and something will have to be cut or more people hired.

PASCH Mr. Pasch stated that service calls affect this issue, and no revenue is collected. Mr. Pasch also commented that some of the comments the Board had been receiving related to traffic calming and residents never seeing any police around for traffic. Mr. Pasch noted that there was a 30 to 35% reduction in traffic arrests. If there is not as much activity in the traffic, the comments from neighborhoods having a lot of problems are very true because of the fact that the police are not out there handling it as you have explained. New officers are being trained, but the activity is not as visible to the public.

ESHBACH Chief Eshbach responded that was probably true because the amount of training that is required to maintain our certification is greater now than in the past. The more down time that you have answering calls for service and fines, the less time you have to spend making traffic arrests.

SABATINI Mr. Sabatini commented that a list of priorities will be compiled for next year. One of the items will be revised monthly departmental reports for more specific information.

MITRICK Chairman Mitrick asked about Sgt. Harvey being shifted to Emergency Management.

ESHBACH Chief Eshbach responded that Sgt. Harvey had not been shifted to Emergency Management; he had been assigned as the Emergency Management Coordinator of the Township by the Governor. We are the only police department in the County that directly supervises the government and administers the Emergency Management work in the municipality. This is a very big job and became huge with September 11th considering the volume of calls that the department receives and the expertise it takes to deal with those calls. He is Platoon Supervisor. Someone had been needed to deal with them immediately as part of his responsibility for Emergency Management. One facet of that is maintaining the Emergency Preparedness for the Township. This is a double-faceted plan with one part for a nuclear disaster, tornadoes, floods, and airliners down. He maintains that plan and trains others to implement the plan. Chief Eshbach indicated he could not say enough about how important it is because an officer is only as good as their training. You will not revert to anything in crisis other than what you've been trained to do.

MITRICK Chairman Mitrick asked who took over for Sergeant Harvey as of September 11th.

ESHBACH Chief Eshbach stated that no one had for a period of time. Corporal Bean then took his place, and Patrolman Stump moved into Corporal Bean's position.

MITRICK Chairman Mitrick asked what the future of that would be.

<u>Creating Two Lieutenant Positions</u>

ESHBACH Chief Eshbach responded that his plan included creating some new administration positions for the department. Chief Eshbach proposed to create two Lieutenant positions, one in charge of administrative issues and one in charge of operations issues. This action would save money on

overtime. He proposed to start by promoting one person shortly after the beginning of 2002 and the second some time during July.

Chief Eshbach added that the department had been complimented by York County for the Emergency Preparedness program, along with the really good program going on in Central School District and Suburban School District, both of which are making a difference. He did not want to stop doing that even though it would save time and benefit financially. He felt it would be detrimental in the long run and lose ground gained with the youth and the contacts made. The former Principal of North Hills Elementary saw a significant decrease in discipline problems and attributed that to the department's involvement through classes with the kids. Chief Eshbach had checked with Northern Regional, which covered Central Schools. Last year they were called to the school 100 times. That's another are to prepare for the future.

Chief Eshbach added another matter was that they had entered an accreditation process for a law enforcement agency, which was something that he had wanted to do to maintain the best law enforcement agency that we can in the State of Pennsylvania. The benefits include specific reduction in insurances, liability, Workman's Comp and auto insurance.

SABATINI Mr. Sabatini added that the certification would provide a positive impact in litigation.

GURRERI Mr. Gurreri stated he had a concern with putting more people during this time of recession. He considered four people to be excessive.

ESHBACH Chief Eshbach responded that it was a request but would not take four people to do that. Two new positions don't require new hires. The department can stay the same but cannot provide more services. Chief Eshbach felt the department would have a difficult time maintaining the current workload. He wanted to be as prepared as possible regardless of what happens. Trend wise when the recession time is up, crime is already up; when the economy is bad, crime will be worse.

GURRERI Mr. Gurreri stated that somewhere things have to be cut.

ESHBACH Chief Eshbach commented that at the same time strategic planning should be taking place.

GURRERI Mr. Gurreri asked what the minimum would be to get through next year.

ESHBACH Chief Eshbach responded that if the administrative positions were taken care of and he got some help to do some of the operations work, they

could be done and out of this overtime situation. The personnel issue could be re-addressed next year at this time.

SCHENCK Mr. Schenck asked whether he would promote two people with the intent to back fill these positions.

ESHBACH Chief Eshbach stated that would be correct if this would be accommodated in the budget.

SCHENCK Mr. Schenck asked whether two additional officers were included.

ESHBACH Chief Eshbach stated that the numbers are not in this budget. Two new supervisor positions would be added, one in the beginning of the year, one in six months with two new hires both in six months.

SCHENCK Mr. Schenck stated for clarification that in 2003 there would be four.

ESHBACH Chief Eshbach responded that was correct.

GURRERI Mr. Gurreri wondered about the impact of the Central School project.

ESHBACH Chief Eshbach stated he had been aware for over a year of the potential for the school existence. If that occurs there absolutely will be a need for police service. If a School Resource Officer were put into place, that would be for nine months of the year, 40 hours a week and grant money would be available for that.

MITRICK Chairman Mitrick asked whether there is currently an officer in the Central High School.

ESHBACH Chief Eshbach responded he did not think there was anyone there permanently, but officers are in and out. His understanding is Northern Regional COP grants are gone. They had a program set up, and at the last minute the school district backed out. Then Columbine happened, and everybody thought they should have taken that. They had the ability to get grant money from PCCD. With the programs the department has done in the schools, a lot of ground had been developed with the kids who will be adults shortly.

MITRICK Chairman Mitrick asked whether the department had received many calls from the college residential complex.

ESHBACH Chief Eshbach responded that he would have to run an analysis. To his knowledge there had been some calls but they had not been exorbitant.

MITRICK Chairman Mitrick indicated it was an important number because that was one of the biggest complaints that the local residents had.

SABATINI Mr. Sabatini stated that he fully supported the Board's amending the budget proposal to add at least one officer full time and preferably two officers to the Lieutenant position.

SCHENCK Mr. Schenck stated that some documentation would be needed. He hoped that it would result in some additional street activity.

ESHBACH Chief Eshbach reported that there were plans to use that traffic safety unit and assign people per platoon to specific areas for traffic. Given the opportunity his department could do it very well.

BISHOP Mr. Bishop fully supported the action. He reiterated Mr. Sabatini's comment that people move to Springettsbury Township because of the police department, and Mr. Bishop felt it was fundamental to everything in the Township.

ESHBACH Chief Eshbach referred to the total budget, and if everything was included it would be 6-1/2% greater than last year.

MITRICK Chairman Mitrick commented on the trash contract. Requests had been made to keep the trash haulers off the main roads during rush hour.

ESHBACH Chief Eshbach indicated they will keep watch.

SCHENCK Mr. Schenck observed that training for the Police Department was done during working hours; Fire Department does all their training on Overtime.

SABATINI Mr. Sabatini responded that there are 24-hour schedules with minimum shift staffing requirements on the fire side. That does not exist with the police department.

5. RECREATION

HADGE Mr. Hadge provided introductory commentary with regard to the Recreation Department budget.

WENDEL Mr. Wendel provided a comprehensive report on Springettsbury Township Recreation. He included the following points:

- Provide high-quality customer service through registration, recorded messages.
- Enhancing the leisure programs through addition of programs

- Rejuvenate parks that will become destination points.
- Develop community partnerships with school districts and churches to provide programs.
- Achieve self-sufficiency with a balance of revenues and expenditures.
- Establish Program Fees to reach broader range of the population.
- Enhance performances to draw broader age groups.
- Institute sponsorships of concerts.

SCHENCK Mr. Schenck commented on the cost for a top-notch entertainment group, which could be $2,000 to $4,000.

WENDEL Mr. Wendel indicated that the performances scheduled for the upcoming season would average $1400 per act. He looked forward to utilizing the amphitheater.

SCHENCK Mr. Schenck commented that the amphitheater would not be available during the 2002 season.

WENDEL Mr. Wendel responded that he had obtained approval from York County Parks for John Rudy. The plan at this point would be to continue to provide an entertainment series at John Rudy Park. The stage had been kept in tact, which will save money. Some entertainment will be provided during 2002 with a Grand Opening Celebration during May/June 2003.

SCHENCK Mr. Schenck asked what Mr. Wendel's plan was for the neighborhood parks in general, as opposed to the summer parks program.

WENDEL Mr. Wendel responded that he felt a neighborhood parks program certainly was possible. However, he had not been able to identify the need at this point. Some parks, for example, Kingston and Springetts Oaks draw the most kids.

SABATINI Mr. Sabatini commented that one area they had discussed over the past couple of months was determining what the community and the immediate neighborhood thinks of neighborhood parks and what the role should be. The parks need to be maintained, but there is no community or neighborhood involvement in the parks. There are greater levels of vandalism. The neighborhood parks are not meeting the needs of the neighborhood. He and Mr. Wendel had discussed targeting two parks and sitting down with the neighbors to determine their thinking. The focus would be to develop a balance with the community at large.

PASCH Mr. Pasch commented that one of the problems that had come up many times is that if a neighborhood park is dedicated to athletics, the neighborhood doesn't like it because of parking problems and noise.

SABATINI Mr. Sabatini stated that a disconnect exists between the neighborhood park community, and without spending large sums of money on these things the Township wants to work with the neighbors and see whether the civic association could maintain the plantings in order to have people feel like it is their park.

BISHOP Mr. Bishop agreed with Mr. Sabatini about the disconnect. The neighborhood parks were designed to be neighborhood parks and have now become sports complexes and not parks with no parking or anything. They are being used in a way they were not intended to be used. That's one of the reasons why this friction exists.

SABATINI Mr. Sabatini added that parks were meant to have swings and playgrounds and a walking trail and pavilion and all of a sudden there's three soccer fields running solid. He added that there must be a regular turf maintenance program of our fields or they will end up not having fields that are workable.

MITRICK Chairman Mitrick asked whether there was a rotation program in place.

WENDEL Mr. Wendel responded that the rotation program had been initiated when there were only three parks being used by athletic organizations. That now has grown to six different parks used for soccer leagues. People are just looking for every parcel of land available to conduct practices. That policy had been revised to include other parks. Kingston, Springetts Oaks and Camp Security are really in poor condition. All of them should be closed to rehab. Unfortunately there's nowhere else to send these organizations that primarily target Springettsbury Township youth.

SABATINI Mr. Sabatini offered a couple of solutions for that, i.e., close one park per year to allow the turf to rehabilitate. Secondly, work with the business community, for example, the Bon Ton field. Some businesses, if they can get a waiver of liability, are willing to allow their green space to be used.

MITRICK Chairman Mitrick commented that at one time the Board had Park & Rec look around and approach businesses. There were complications that they would approach the business without Township approval.

SABATINI Mr. Sabatini stated that much of that hinged on how it's approached and when they can use it. It would be difficult for a business to continue its operations when there's a soccer game going on during the middle of a business day or towards the end of a business day. The scheduling needed to be worked out correctly.

MITRICK Chairman Mitrick asked about the status of Penn Oaks where an attempt was made to get the Army Corps of Engineers to redo it.

SABATINI Mr. Sabatini responded that the Township needed to focus on our resources here and put a consistent program in place similar to Mr. Lauer's capital program for the streets. Develop a similar plan for Park & Rec to rehab at least one park every so many years.

MITRICK Chairman Mitrick questioned the Recreation Concert where she had been told that in the past they had always passed the hat around for contributions. She wondered why that ended this year.

GURRERI Mr. Gurreri indicated it had been a traditional thing.

WENDEL Mr. Wendel responded that the reason was to compensate them based on what they had received in the past in donations and thereby avoiding having people feel obligated to make a contribution.

SABATINI Mr. Sabatini added that with having Recreation, as compared to all of the other concerts, there were a lot of things off the books with it such as the passing of the hat, meals, lodging which was not part of the contract. We made their contract consistent as everyone else's contract.

BISHOP Mr. Bishop stated for clarification that it was off the books in terms of an agreement, but we paid.

SABATINI Mr. Sabatini responded that was correct in that the Township paid for meals, etc.

MITRICK Chairman Mitrick stated that, as far as passing the hat or the basket whatever, perhaps in the brochure a statement could be made so that the residents are informed.

WENDEL Mr. Wendel agreed. He had not realized the number of veterans in the audience who supported their efforts.

BISHOP Mr. Bishop stated that in his remarks he had mentioned mailings to non-residents. He asked him to elaborate.

WENDEL Mr. Wendel responded that there had been quite a few non-residents that attended the concerts from neighboring communities. They were provided the opportunity to receive more information on our programs if they would indicate their name and address and phone number and we would then send a copy of our brochure. With the new amphitheater, Springettsbury may become a destination for South Central Pennsylvania. He felt promoting the programs outside the Township was a good idea even though there would be some expense involved. One hundred brochures will be mailed, but upon

review of the addresses they were primarily from the neighboring communities, not Lancaster or Harrisburg, etc.

SABATINI Mr. Sabatini added that expanding on existing customers is easier than to get new ones especially for the classes offered.

WENDEL Mr. Wendel stated that many people become aware through newspaper or family members or friends about the concerts or a class or a trip.

BISHOP Mr. Bishop asked what the differential in price was for non-residents.

WENDEL Mr. Wendel responded it is an additional $5.00 for non-residents in the classes.

MITRICK Chairman Mitrick mentioned that a survey had been done as to what was wanted in the park, and one of the big concerns of the residents was that this park will become such a wonderful place that it will start attracting people from all over the community outside of Springettsbury. That was not the priority. It will be an attraction and there should be strong publicity to our own community without reaching out to other communities. It's a philosophical approach that was discussed at length. She would recommend not to promote the amphitheater and its performances beyond the community.

GURRERI Mr. Gurreri commented that a lot of people from other municipalities attend.

SABATINI Mr. Sabatini asked whether they were referring to advertising versus free publicity. How far does the Township take advantage of free advertising and control the out of town free advertising.

GURRERI Mr. Gurreri did not think that could be controlled.

BISHOP Mr. Bishop stated that what could be controlled was the philosophy of how to promote it.

PASCH Mr. Pasch commented that with improvement in the programs, along with advertising, our own residents won't be able to participate. Mr. Pasch did not have a problem with other people coming until it would get to a point where our own residents could not get a seat.

MITRICK Chairman Mitrick asked about utilization of the farmhouse and added that there was space that could be utilized for small groups.

WENDEL Mr. Wendel responded that it had been used for floral design and centerpiece classes with 10 to 15 people. Some of the larger fitness classes require the utilization of the fire hall.

SABATINI Mr. Sabatini indicated he had received a comment about the township having a community center. It might be something for review in the future.

MITRICK Chairman Mitrick indicated that had been a request of the Task Force. They asked for a location where teen groups could go so they're not out on the street, but there was an organized set of activities.

GURRERI Mr. Gurreri asked what was wrong with using Commonwealth Fire Hall.

SABATINI Mr. Sabatini responded that the ceilings are low. It was okay for step aerobics.

MITRICK Chairman Mitrick indicated that she had received questions about having classes in the basement of the Township Building.

SABATINI Mr. Sabatini responded that was not suitable for classroom space. There are too many pipes and no heat.

BISHOP Mr. Bishop asked about program fees and what was included.

SABATINI Mr. Sabatini responded it included fees paid to the class instructors.

BISHOP Mr. Bishop observed an increase of 40% in mailings and program fees over last year's budget and asked how that could be justified.

WENDEL Mr. Wendel responded that it had increased primarily due to the fact that there are 42 new programs compared to 8 last year.

MITRICK Chairman Mitrick stated she would be interested to see how many residents are attracted.

BISHOP Mr. Bishop indicated that a lot of money was being spent there and he was not sure this is program or the best year to do it especially showing a 40% increase over the previous year.

WENDEL Mr. Wendel stated that a review of the participation would show that the concerts and classes were at the top of the list.

BISHOP Mr. Bishop asked how much of that included participation in the parks.

WENDEL Mr. Wendel responded that park participation remained stable as it had over the previous 6 to 7 years.

SABATINI Mr. Sabatini stated he would like to review limiting the amount of subsidy. With regard to the summer parks program, every other community he was aware of charged a nominal fee for their summer playground program. He asked if the Board would like the staff to explore that and whether there was a strong commitment to the free summer program.

SCHENCK Mr. Schenck commented that if the participants would be charged $100 for the summer season, would they also be charged for taking them away to a basketball game or white water rafting, or down the Appalachian Trail. A lot of programs go on in addition to the regular summer program and there is a charge for them.

WENDEL Mr. Wendel responded that there is a fee charged that covers the cost of additional activities.

SABATINI Mr. Sabatini stated that some programs are not available to all people who participate in the park program. He was not thinking of a $100 fee, but rather a $5 or $10 fee to help slightly offset some costs and felt it would be fair to examine it.

SABATINI Mr. Sabatini commented that communities center around the park system, and communities that have strong self identity have strong parks program.

PASCH Mr. Pasch indicated he thought there was an obligation to provide a certain amount of recreation capabilities and services within the community.

BISHOP Mr. Bishop commented that it was a matter of where to spend this money. Spending money for the park program in the summer was not difficult for him to look at, but he was not so sure about subsidizing golf lessons for 40 people.

MITRICK Chairman Mitrick stated that the park system was a quality of life issue. She would measure which programs have more of what we want. With the park opportunity in the playground you're reaching young and group participation.

SCHENCK Mr. Schenck commented that the Township should provide recreation especially in the summer parks. He had not heard anything that would make him nervous.

MITRICK Chairman Mitrick agreed with Mr. Schenck. Typically people come to Springettsbury meetings with negative comments. The park system is something that is very positive with the identity of Springettsbury Township.

SABATINI Mr. Sabatini commented that the quality of life issues like traffic, safety and recreation create and preserve the community. It is impressive that this Township had a name like Springettsbury.

MITRICK Chairman Mitrick stated that this discussion was a great opportunity for the Board to sit down and philosophically talk. Often the Board does not get that time with department heads. She hoped Mr. Wendel would take this discussion as a very positive interest in the department.

WENDEL Mr. Wendel agreed and added that it might be difficult for the Board to have a clear picture of exactly what is going on in recreation other than comments heard from residents. He felt there was a lot of positive feedback and that they are moving in a positive direction. Recreation is a perfect vehicle to raise the identity of the community.

BISHOP Mr. Bishop was curious whether anyone else cared that there was a $12,000 increase in program fees this year.

SCHENCK Mr. Schenck made an assumption that there was a corresponding increase in revenue.

BISHOP Mr. Bishop could see $25,000 worth of revenue.

PASCH Mr. Pasch commented that program fees had gone from $23,000 to $35,000, and yet the revenue that's coming in from that function is not near that type of increase.

SABATINI Mr. Sabatini indicated that the current budget for Park & Rec fees, which would be program fees, ticket sales, different events, trip fees were $90,000 for the Revenue and the expenditures for those three items was $110,000.

PASCH Mr. Pasch stated that the Board had always maintained that the programs, whether they were ticket sales or whatever, should cover the direct expenses plus a share of the overhead.

SABATINI Mr. Sabatini indicated that was the direction they had been moving towards.

BISHOP Mr. Bishop agreed to the extent that expenses are shooting up to where we think the revenues might be, but we can't be sure the revenues are going to

be there. He understood the philosophy but he was not sure if it was wise to keep increasing the expenditures on the performances when they cannot be held in our facility yet.

WENDEL Mr. Wendel responded that he thought it would help with the transition. He expanded on Wednesday and Sunday concerts being planned. When the amphitheater is completed in 2003 there could be concerts on a Saturday afternoon for kids.

BISHOP Mr. Bishop recommended a go slow approach to figure out what is going to be a draw rather than spend $18,000 more to do new programs. Let's feel our way and figure out what the market really is rather than expand and hope that one of the things will go.

SABATINI Mr. Sabatini stated that there was a much better understanding this year. Children's programming, once the word got around, did very well. The six bands booked had done fairly well. There was increased participation. The experiments were nominally successful and showed what not to touch.

WENDEL Mr. Wendel felt they had done very well this year. He expounded on the different bands that attracted the crowds.

BISHOP Mr. Bishop stated he felt they were headed in the right direction. He questioned how to keep going in that right direction without spending any more money.

6. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 11:30 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **NOVEMBER 20, 2001**
BOARD OF SUPERVISORS - BUDGET 2002 – FIRST MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held the first Budget 2002 meeting on Tuesday, November 20, 2001 at 6:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Nick Gurreri
Don Bishop
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Jack Hadge, Finance Director
Mike Bowman, Supervisor-elect
Mark Hodgkinson, WWT
Jim Crooks, WWT
Charlie Lauer, Public Works
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 6 p.m. She stated the purpose of the meeting was to begin budget discussions for the year 2002.

SABATINI Mr. Sabatini stated that the 2002 Budget had been transmitted to the Board. He re-stated the strong advice of the Board of Supervisors following the September 11th. Concern had been expressed about the economy and that concern had been built that into the budget picture. Many projects were completed, with focus on internal activities resulting in lower costs in manpower activities. Most of the expenditures outside the normal operating expenditures would not take place until the second half of the year, which will enable the Township to defer on those expenditures if the economy becomes worse. If the economy brightened, a comfort level existed knowing the funds would be there for those activities. Mr. Sabatini announced that no tax increase or sewer fee increases had been included. Additionally, no additional personnel were expected to be added. Mr. Sabatini provided a summary memo, which included overall information relating to the General Fund and Sewer Fund. Capital Reserve fund and Liquid Fuels were self-explanatory. Additionally, Mr. Sabatini commented that there had been some changes in budgeting practice especially relating to the Sewer Fund. The Recreation Department accounts had been combined for ease of use. Mr. Sabatini indicated that, although the budget is tight, the Township had a history of being able to maintain its overall budget.

HADGE Mr. Hadge stated that the plan for this meeting was to review the Sewer Fund, Other Funds and Public Works. He requested that the Board first review the Sewer Fund. He stated that Jim Crooks and Mark Hodgkinson had done a excellent job in terms of their narrative, their research and their presentations. Mr. Hadge particularly focused on the Sewer Fund and General Fund. Their analysis indicated that administrative charges had been moved up to approximately $200,000 compared with the $197,000 proposed for next year. Actual administrative charges for 2001 were $178,000. During the last few weeks, Mr. Hodgkinson had signed off approximately $51,000 of insurance costs that would now be charged to the Sewer Fund. He had worked with an insurance analyst, who termed it premium allocation. This had never been done before in this Township. A policy of excess coverage had been secured and isolated to exact costs in the Sewer Fund. Mr. Hodgkinson saw the detail when he signed it, and represented a very serious effort to have the appropriate costs returned to the General Fund. Mr. Hadge continued with the second portion of the Sewer Fund, the Revenue Section. He stated that the real revenues coming into the Sewer Fund, along with the real expenditures going out of the Sewer Fund had never been calculated before in this section. Figures for 2001 were $2,550,000 and for 2002 were $2,985,000. That increase had been realized because Springettsbury's portion of the sewer charges had been left out because the Township was paying itself, which was not a true picture. This shows clearly what the revenues and expenditures are. Mr. Hadge commended Jim Crooks and Mark Hodgkinson's efforts and assistance in preparation of the budget.

<u>Sewer Fund - Collections</u>

CROOKS Mr. Crooks commented that it had been a very good year for the collection department of the Wastewater Treatment Department. Several projects would help reduce INI. A synopsis of his report follows:

- Project completion of removal of sewer water basins from sanitary sewer on Market Street.
- Rehabilitation of the sanitary sewer manholes system; 11 repaired.
- Township rented Permacast equipment from Lower Paxton; completed an additional 37 manholes, some of which were leaking.
- Pipe installation at East York Pump Station enabling abandonment of Stonewood Farms pump station, which would have entailed a major overhaul.
- East/West Interceptor project nearly complete; significant difference expected in the flow through North Hills flowmeter.

Mr. Crooks had been able to reduce the budgeted amount in several categories: materials, chemicals, repairs, rental equipment, liner equipment, travel purchases and training. One significant increase was revealed in utility expenses due to a return to a tariff rate rather than the electric choice plan. A 22% increase resulted from the York City

Diversion Pump Station expense not budgeted during 2001. Objectives for 2002 include aggressively pursuing INI, grouting of sewer lines, permacasting manholes and replacing manhole inserts. One large capital project, the rehabilitation of Ridgewood Road/Coffee Mill Lane, is planned. Mr. Crooks reported that the On-Lot Septic Management Plan had been instituted during 2001 in lieu of costly sewer extensions.

PASCH Mr. Pasch commented that the results of the On-Lot Plan would not be determined immediately inasmuch as it is a three-year program.

CROOKS Mr. Crooks responded that the total number of households in the plan would be phased in one year at a time. The affects of the program will be revealed after one year.

PASCH Mr. Pasch stated that he hoped there would be some type of measurement of its effectiveness.

MITRICK Chairman Mitrick asked what would be done regarding the lots, which had failed the On-Lot Management System.

CROOKS Mr. Crooks responded that Ed Sowers was taking the lead on that project. He felt he might provide misinformation if he were to answer that question.

PASCH Mr. Pasch indicated that the results of INI would be difficult to determine as it had been so dry.

CROOKS Mr. Crooks responded that when the rain and wet weather returned, the success of the INI would be revealed.

MITRICK Chairman Mitrick stated she felt it was important to point out to the residents the work being done to help the INI.

BISHOP Mr. Bishop observed that the Capital Reserve budget looked odd and asked whether it was realistic to spend $750,000 and then spend nothing for the next three to four years.

CROOKS Mr. Crooks responded that he could not justify any capital projects at this time.

PASCH Mr. Pasch asked whether a program should be instituted to complete a specific amount of replacement or lining each year.

CROOKS Mr. Crooks stated that maintenance and inspections are being done, and if upgrades or relining were necessary, the work would be completed; however, he was not aware of any situations at this time.

SABATINI Mr. Sabatini commented that the money would be available. The Board could consider calling it an unspecified project.

HADGE Mr. Hadge stated that the Cor-Box Pump Station had been noted in the budget for the last few years and would be completed in 2002.

Sewer Fund - Treatment

HODGKINSON Mr. Hodgkinson reported that 2001 had been an excellent year. He commented on the achievement of several goals:

- Testing completed on having Bio-Solids designated as class A. Met and exceeded requirements.
- Excessive risk to move to class A due to testing procedures needed to maintain class A.
- Public education brochure to assure the public of the safety of our Bio-Solids.
- Recaptured unpaid debts of industrial users.
- Third, the raw pump drive project will begin in early December.

Mr. Hodgkinson reported that the operating budget included an increase in chemical costs, due to the odor control equipment purchased and installed. Utility costs also went up due to the tariff rate situation previously mentioned.

Mr. Hodgkinson mentioned several future projects:

- Local Limit Review or MPDS permit good through 2006. Local limit evaluations will be done.
- Solids Handling Project designed to generate less solids and less odor.
- Portable pump used for tank maintenance and flooding supplement.
- Replacement of the spectrophotometer utilized for industry sampling.
- Replacement of Digesters and Aerators.

SABATINI Mr. Sabatini reported that a notice had been received from the City of York indicating a willingness to sell capacity at $105,000 per year, which would provide 500,000 gallons. The Township is in need of added capacity at least on paper, since the 82,000 gallons remain over the course of five years.

SABATINI Mr. Sabatini commended Messrs. Hadge, Crooks and Hodgkinson for their effort the past year toward mending fences. Yoe was the only municipality that had not signed on to the existing agreement and is at the point of installing temporary flow meters. Credit goes to the team for being able to work with the other municipalities.

PASCH Mr. Pasch echoed Mr. Sabatini's comment especially in the areas where

MITRICK Chairman Mitrick stated that she was sure they felt a sense of accomplishment and added that they had accomplished far more than they realized.

Other Fund Sections - Fuels

HADGE Mr. Hadge reported that revenue from the state was raised due to the 2000 Census with an increase in population. We still have a good balance in the Fuels Fund, $608,000 of revenue. Mr. Hadge stated that Mr. Lauer would outline the expenditures.

LAUER Mr. Lauer stated that anticipated expenditures would be $104,000 for 2002. A second payment would be made on the John Deer loader purchased last year along with the replacement of one trimming mower and adding a snow blower on it for use on the sidewalk in the new park.

SABATINI Mr. Sabatini stated several objectives:

- Reduction of long-term operating costs. He proposed to install LED signals on Route 30 at the signaled intersections. He stated that initially the LED signals would not be cheap; however, over time they use only one tenth of the electricity.
- Install Emergency Vehicle Pre-empts at intersections to enable fire and police vehicles to pass through.

BISHOP Mr. Bishop asked which vehicles would activate the signals.

SABATINI Mr. Sabatini responded that both police and fire vehicles would be able to activate the signals.

MITRICK Chairman Mitrick asked about the yellow lights on the station.

SABATINI Mr. Sabatini stated that the yellow light is for the Fire Chief; the flashing red light is to get attention. Mr. Sabatini added that the cost to do LED's at all of the intersections in the Township would be over $200,000, which he would propose to do over the course of four or five years.

HADGE Mr. Hadge mentioned a series of materials and supply accounts designated for street cleaning, snow, ice and traffic. More dollars would be needed in the materials fund. He had added $10,000.

LAUER Mr. Lauer commented that currently the figure was $41,000.

HADGE Mr. Hadge stated that the amount of current spending was approximately $330,000. Next year $300,000 was budgeted. Mr. Hadge stated a willingness to raise the fund balance $10,000 to $20,000.

LAUER Mr. Lauer stated that with $300,000 his department could do a very good road program this year. He added that some big projects were coming with Eastern Boulevard, the traffic calming and whatever the Board decided that might be an exception.

PASCH Mr. Pasch stated that probably there would not be any decision made or any work started until late 2002 or early 2003.

GURRERI Mr. Gurreri commented that the speed bumps would have to be done toward the traffic calming project, and his observation was that they would not be the smaller ones, but rather the big ones that require a lot of blacktop.

HADGE Mr. Hadge indicated that $100,000 had been allocated for traffic calming in 2002. In 2003 the Capital Improvements Budget has an estimated $100,000 to $150,000. This had been based on a discussion with John Luciani and Tom Austin.

GURRERI Mr. Gurreri asked how the speed bumps affect the snowplow.

LAUER Mr. Lauer responded that the long ones are not bad at all; the short ones cause the damage.

MITRICK Chairman Mitrick asked how much Mr. Lauer depended upon his equipment for snowplowing.

LAUER Mr. Lauer responded that they depend on the equipment quite a bit. Several years ago they had four pieces of equipment, and now only one.

MITRICK Chairman Mitrick stated that Mr. Hodgkinson had indicated a piece of equipment was needed to plow the snow.

LAUER Mr. Lauer responded that he had spoken with Mr. Hodgkinson. He did not have a real problem putting the plows on and helping Mr. Lauer's department plow and/or use the equipment. He had discussed what would be the best plow to put on the new truck as far as wear and durability. The manpower and a vehicle had been utilized to operate the equipment where no operators were available. The Public Works Department pays for the repairs of the snowplows, etc. There is no expense for them other than mileage.

SCHENCK Mr. Schenck stated that the work was so much the same, with a duplication of equipment. Eventually he felt the work should be combined.

Fire Company Fund

HADGE Mr. Hadge commented on the allocations based on the millage. There were some issues about the allocation for Capital Reserve and Equipment for the future.

SCHENCK Mr. Schenck mentioned one, which had been discussed earlier during the year, which was not to release any funds after April to the fire companies until they were together. The fire companies had been paying their own bills. At the end of this year there will be approximately $100,000 that normally would have gone to the fire companies. At the beginning of the year we are going to start up again with the tax records coming in. A possible suggestion would be to take that money and place it into fire equipment purchases in a reserve account controlled by the township, and when the Fire Company is ready to purchase or rehab a truck, the money would be available.

MITRICK Chairman Mitrick stated it was a good idea as there had always been a concern about equipment.

Capital Reserve Fund

HADGE Mr. Hadge provided background information on the revenue portion. He indicated a transfer would be made from the General Fund and from the Recreation Reserve Fund. Mr. Hadge discussed the proposed road improvement costs and indicated money was earmarked for those projects.

GURRERI Mr. Gurreri asked whether any money had been included for placing curbs at the park or in the vicinity of the Adams property. He suggested that the Township consider doing the curb work.

LAUER Mr. Lauer responded that costs associated with curbing were not included in the $40,000 allocation.

SABATINI Mr. Sabatini indicated there would be some demolition work with heavy equipment done in that area. Some curbing could be crushed with the equipment, and he stated he would prefer to wait until that demolition work was completed before putting in curbing.

GURRERI Mr. Gurreri asked whether Public Works could do the demolition work.

SABATINI Mr. Sabatini responded that they could not. Mr. Stern had advised that DEP would not issue a permit for it.

HADGE Mr. Hadge mentioned the connector roads and traffic calming projects at approximately $800,000 for the capital building and construction work.

BISHOP Mr. Bishop asked whether the traffic calming included the entire East York corridor. He added that the engineering for Haines Road/Memory

Lane would be completed in the first quarter of 2002. He asked whether anything was budgeted for construction during 2002.

SABATINI Mr. Sabatini indicated that the decisions would be made during the third quarter of 2002.

MITRICK Chairman Mitrick asked about the Memory Lane exit ramps.

SABATINI Mr. Sabatini responded that PennDot is doing this study, and at the very earliest expenditures could probably be spent in 2005.

BISHOP Mr. Bishop commented that, if there would be any chance that the Haines Road study would be finished, it might be shortsighted not to earmark funds for 2002.

MITRICK Chairman Mitrick stated that budgeting funds would indicate to PennDot a serious commitment by the Township.

BISHOP Mr. Bishop added that the action might actually put the Township in a position to do some of the more simple projects such as re-aligning traffic lanes.

MITRICK Chairman Mitrick stated that PennDot worked favorably with municipalities that make commitments.

SABATINI Mr. Sabatini commented on traffic signals and other planned improvements.

MITRICK Chairman Mitrick asked what the anticipated cost would be for the Plymouth Road improvements.

LAUER Mr. Lauer responded that the original cost estimate was $50,000; however, he projected it would be approximately $28,000 to $30,000.

GURRERI Mr. Gurreri commented that the extension would connect with Concord Road.

SABATINI Mr. Sabatini responded that at least $25,000 would be shaved off the Plymouth Road project.

MITRICK Chairman Mitrick asked whether that would be put in writing soon.

SABATINI Mr. Sabatini responded that they are hoping to have that wrapped up before the end 2001.

Recycling Bins

SABATINI Mr. Sabatini provided commentary on the recycling bins and the pending garbage contract. The refuse bins could be distributed by the Township or by the new waste hauler.

HADGE Mr. Hadge stated that the funds would come from the General Fund.

MITRICK Chairman Mitrick asked whether the possibility existed for a larger recycling grant.

SABATINI Mr. Sabatini stated that a 90% grant was possible during the next cycle in September of 2002. The bins could be purchased and then a reimbursement application submitted. Mr. Sabatini added that he recommended a rubberized plastic container.

MITRICK Chairman Mitrick asked whether the figure was included in the budget.

SABATINI Mr. Sabatini responded that it was not included because it would be approached from a grant standpoint.

MITRICK Chairman Mitrick indicated it would have to wait until the trash contract decision.

SABATINI Mr. Sabatini stated that the Board should decide about the distribution of bins as far as having the trash hauler or the Township distribute them.

MITRICK Chairman Mitrick asked whether the manpower was available to do so.

SABATINI Mr. Sabatini responded that the manpower was available.

Consensus was to have Mr. Lauer's department distribute the new recycle bins.

Insurance Fund

HADGE Mr. Hadge discussed the Insurance Fund. He indicated that insurance costs represented a considerable portion of the budget on the expenditure side.

SABATINI Mr. Sabatini stated that the Township had been self-insured since the mid-eighties. A discount had been received from NCAS, the doctor's office and medical facility, at a costed rate.

HADGE Mr. Hadge mentioned that the Lively fund indicated earned interest on the estate owing money to the Township. Lower interest rates would show lower earnings during 2002.

Supplemental Section

HADGE Mr. Hadge referred to the General Fund where there would be no spending at all during 2002 for Public Works.

GURRERI Mr. Gurreri asked about the road maintenance and re-paving of roads.

SCHENCK Mr. Schenck commented that there are constant complaints about the maintenance on state streets and roads.

SABATINI Mr. Sabatini responded that snow removal was handled through the State's Agility Program.

SCHENCK Mr. Schenck mentioned that it had a lot to do with the resources of the Township. Mr. Lauer might not have access to some of the big equipment used.

SABATINI Mr. Sabatini mentioned that even PennDot has to rent a street sweeper.

MITRICK Chairman Mitrick asked whether there was any other way to do Edgewood. That area had very consistent complaints and was an area where there are many senior citizens that are home a lot, and it is a constant thorn in their side.

LAUER Mr. Lauer responded that the state does their cleaning, cutting grass, and the only thing the Township had to do was take care of the liability.

SABATINI Mr. Sabatini mentioned it was very important to meet PennDot's specifications for traffic control.

HADGE Mr. Hadge pointed out the wages for the Public Works Department relating to the Township buildings.

GURRERI Mr. Gurreri noted the salary of $30,000, which had been $25,000 in 2001.

LAUER Mr. Lauer reported that the salary was for the janitor for the Police Department.

GURRERI Mr. Gurreri asked whether the alarms were included in the item for communications.

SABATINI Mr. Sabatini responded that it included the entire telephone system, the new security system, and security for Public Works maintenance facility in 2002. It is all of the communications interests with the exception of the specialized communications of the police.

HADGE Mr. Hadge stated that the information concluded the Other Funds in the Public Works Department and the General Fund.

BISHOP Mr. Bishop asked what the actual amount was for 2001.

HADGE Mr. Hadge responded that the amount was $33,906 through October. The extra costs included communications for the municipal building.

MITRICK Chairman Mitrick asked where Employee Appreciation, as well as any celebrations would be noted.

SABATINI Mr. Sabatini responded that they would determine figures spent during 2001 and plug them in for 2002.

Executive Session

MITRICK Chairman Mitrick announced there would be a short Executive Session immediately following this meeting regarding legal matters.

2. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 8:35 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **NOVEMBER 14, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Wednesday, November 14, 2001 at 7:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Nick Gurreri
Don Bishop
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Bill Schenck

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Andy Mears, YSM
Andrew Stern, Economical Development Director
Mark Hodgkinson, Supt. of WWT Operations and Technical Services
Dave Eshbach, Police Chief
Mike Hickman, Fire Chief
Dori Bowders, Manager of Administrative Operations
Betty J. Speicher, Director of Human Resources
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:40 p.m. She announced that an Executive Session was held before the Regular Meeting regarding legal matters.

A. Pledge of Allegiance

GURRERI Mr. Gurreri prayed a short prayer for world peace and led the Pledge of Allegiance.

MITRICK Chairman Mitrick announced that Supervisor Bill Schenck was unable to attend the meeting. She added that there would be an Executive Session following the Regular Meeting regarding legal and personnel matters.

2. COMMUNICATION FROM CITIZENS:

A. Swearing in of New Police Officers

MITRICK Chairman Mitrick stated that it was a pleasure to welcome two new police officers to the Township. She requested Mr. Ken Pasch to administer their oaths.

Joseph S. Winkowski

ESHBACH Chief Eshbach introduced Joseph S. Winkowski, Jr., a recent new hire to the Police Department. He stated that Mr. Winkowski had received his basic police training at Delaware County Jr. College in 1994 and had been formerly employed by the Wrightsville and West York Borough Police Departments as a certified police officer and as a result would not have to attend the basic police academy training. Chief Eshbach introduced his wife, Wendy, and his daughter, Madison.

PASCH Mr. Pasch administered the Oath.

ESHBACH Chief Eshbach presented Officer Winkowski with his official police badge and identification cards.

William Polizotto

ESHBACH Chief Eshbach introduced Mr. William Polizotto, also recently hired, along with his wife, Jen. He stated that Mr. Polizotto graduated from East Stroudsburg Sr. High School and East Stroudsburg University where he earned a Bachelor of Science degree in Recreation and Leisure Services. He completed his basic police academy training at Lackawanna Jr. College in 1997. He served in the Pennsylvania Army National Guard from 1992 to 2000 after which he was Honorably Discharged. He had been formerly employed by the Lower Windsor Township Police Department, and the Pennsylvania Department of Conservation and Natural Resources and Pennsylvania Fish and Boat Commission.

PASCH Mr. Pasch administered the Oath.

ESHBACH Chief Eshbach presented Officer Polizotto with his official badge and identification cards. Chief Eshbach presented both officers to the Board of Supervisors.

Recycling Containers

MILLER Mr. Harry Milwater, 419 Pinehurst Road stated that he had a problem with Waste Management and the recycling containers. He had observed one of the waste handlers throw his recycle container up in the air 10 feet bouncing it off his driveway cracking it completely. He had been repairing it for months. He had unsuccessfully telephoned Waste Management. He telephoned the

Township and spoke with the Receptionist, who advised he would have to pay $6.50 for a new one. He indicated he hadn't broken it so he shouldn't have to pay for it. He commented on the contract under consideration for the waste haulers. Mr. Miller stated he hoped the Supervisors would consider the residents with regard to the contract with Waste Management. He felt that if the citizens could not get any satisfaction from the company, the contractor should be dropped.

GURRERI Mr. Gurreri stated that he agreed if the waste hauler broke something they should replace it.

MITRICK Chairman Mitrick stated that the Township was about to enter into a new contract for trash pickup. One of the Board's main concern was increased communication between the waste hauler and the Township.

MILLER Mr. Miller emphasized that the Township residents should not have to pay for containers that had been broken.

SABATINI Mr. Sabatini stated that the Township pays for the recycle containers through a grant. The Board of Supervisors had established a policy a number of years ago following the distribution of the bins where residents could purchase replacement or addition bins at the $6.50 figure.

MILLER Mr. Miller had surveyed his neighborhood. Out of 19 houses five had cracked, 13 had no cracks and one had serious cracks.

SABATINI Mr. Sabatini commented on the type of materials used in the containers.

MITRICK Chairman Mitrick stated that Mr. Miller had brought up some very good points and the Board would consider his comments.

<u>Agenda Change</u>

MITRICK Chairman Mitrick announced that the Board would move through item 3 with the Engineer's Reports, and following that, item 10B would be moved up on the agenda following item 3C due to the fact that the Agenda was fairly light.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober provided an update to his written report. The contractor is moving toward the east down past Weiner World

doing the East/West Interceptor work. He felt that the work might be completed before Thanksgiving. The boring contractor is still working underneath the railroad, having found more rock than expected. Mr. Schober did not anticipate any delay.

MITRICK Chairman Mitrick asked whether signs would be posted to warn motorists when roads would be closed.

SCHOBER Mr. Schober responded affirmatively that there will be signs.

SCHOBER Mr. Schober reported that the Raw Pump Drives contractor would be on site after the holidays; installation will take place during December.

SCHOBER Mr. Schober reported that the survey of the Meadowlands Pump Station area had been completed and right-of-ways are being prepared. Documentation will be provided to Solicitor Yost next week.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani stated he had two brief updates. The concrete testing was in process. The cores had been received and the analysis will be completed within a week or so. Information should be available by the next Board meeting.

Applebee's

LUCIANI Mr. Luciani reported that he met with Applebee's. As part of their Land Development submission, they had not submitted their full traffic study. He added that a signal is warranted at the Walmart entrance on Northern Way. Mr. Luciani stated he would provide updates as they become available.

Handicap Access

GURRERI Mr. Gurreri asked about the process of installing curbing at an intersection. He asked whether there were mandatory requirements in place to provide handicap access.

LUCIANI Mr. Luciani responded that typically for any development, handicap ramps are required. He cited additional requirements for the curbing relating to height and slopes, etc. He mentioned that for the Harley-Davidson signal relocation, there was a Federal requirement for pedestrians, which also included handicap access.

York Suburban Middle School

MITRICK Chairman Mitrick asked whether Mr. Luciani had been out to the site of the York Suburban Middle School.

LUCIANI Mr. Luciani indicated that the Superintendent had telephoned and Mr. Luciani's services had been volunteered.

MITRICK Chairman Mitrick indicated that she thought the school district was waiting to hear from Mr. Luciani and asked that Mr. Luciani telephone them.

LUCIANI Mr. Luciani stated he would contact the engineer.

MITRICK Chairman Mitrick asked for clarification whether he stated at one time that the land already had been surveyed.

LUCIANI Mr. Luciani responded that the original land development plans were prepared in 1980 by Buchart-Horn. The property line will not need to be surveyed; simply setting the corner markers.

MITRICK Chairman Mitrick asked for his guess as to the approximate cost for setting the necessary corner markers.

LUCIANI Mr. Luciani stated that it would involved three days of field work; conservatively two days. A two or three man crew will be $1,000 a day, and he would cap at $5,000 to $7,000 as a reasonable figure.

C. YSM

Springettsbury Park Project

MEARS Andy Mears of YSM reported on the park project. Contracts 1 and 4 had moved into stage two, the contract for the site work and electric. The first deadline established for the lower portion of the site, the seeding and grading associated with the ball fields, has been completed, and the work proceeded into stage 2, which includes the building. Work in progress includes foundation, footings for both the amphitheater and the concession building. Perimeter sidewalk and curbing is underway. Nothing had been added to the Change Orders to date. Mr. Mears provided an update concerning the remediation of contaminated soil. Some preliminary estimates had been received to take it off site and take it to the land fill. Another option was being explored to see if it meets DEP regulations and can be supported on the site to fill the detention basin provided it is suitable for that area. They will report back as to the status. The fill is the other item, and a source had been located. Unfortunately, Charlie Lauer's schedule only enabled them to stock pile it on site until Mr. Lauer could get to it.

Curbing, Sidewalks/Handicap Ramps

GURRERI Mr. Gurreri asked about the cement sidewalk at Williams Road and Pleasant Valley Road and commented that there were no handicapped ramps.

MEARS Mr. Mears responded that it had not been designed to have handicapped ramps at that intersection. He stated that there are no developments across the street. They had followed up with the ADA hot line and spoke with some of the specialists there. The recommendation was that it doesn't need to be there because there are no accessible routes to anywhere. There are curb cuts and handicap ramps connecting to all the other facilities, the sidewalk to the residential areas and the other developments across the street, but in that area there is nothing so at this time there was no need to put them in.

GURRERI Mr. Gurreri stated that if sidewalks are placed on the other side, then the Township would have to put the handicap ramps in. He thought it would be good to do it since there would be a sidewalk there at some point.

MEARS Mr. Mears indicated that when that time came they can always go back in and install them.

GURRERI He thought it would have been better to put them in now so that we wouldn't have to do it then because it would cost more money.

MEARS Mr. Mears stated that it had not been recommended, even though some research had been conducted.

STERN Mr. Stern reported that a progress meeting had been held last Thursday and this issue had been discussed. When it was discovered that the curb was not going into that intersection, the staff recommended to install it; however, the problem was that the slopes at that intersection are not conducive to an ADA ramp that meets ADA's requirements. There would be a substantial cost to modify that intersection to put in an ADA ramp. Mr. Stern stated that if Mr. Miller ever developed the other side of the street, the township may at some point have to do that, but at this point it would be expensive to level out the slope so that ADA's requirements could be met.

Sign – Park Entrance

MITRICK Chairman Mitrick commented that mention had been made in the last Minutes that the Board needed to make a decision on the sign.

MEARS Mr. Mears indicated that the decision had been made as to the entrance sign to the park..

MITRICK Chairman Mitrick stated that there had been some question as to the use of the crest as opposed to not using the crest. She asked Mr. Sabatini to keep the Board informed of any decisions necessary.

BISHOP Mr. Bishop stated that the Board had given YSM discretion on everything else other than the sign.

MEARS Mr. Mears indicated that there would be a need to re-visit that quickly so it could be in the next packet.

MITRICK Chairman Mitrick asked Mr. Mears to please be sure to stay on top of the information on the sign.

Use of the New Ball Fields

BISHOP Mr. Bishop asked if Mr. Mears could provide his idea as to what affect the current drought conditions would have on the schedule for actually enabling people to be able to use some of the ball fields.

MEARS Mr. Mears stated that the original assumption at the beginning of the project was that construction activities would close the park from spring of 2001 until spring of 2002 as the best case scenario. The logical situation would mean the fall of 2003. Typically YSM recommends a minimum of two growing seasons for athletic fields. That was the reason it had been broken into stages in an attempt to get the lower half underway, which consisted of many of the athletic fields in the first phase. However, the drought had put all that at risk. A directive had been issued to the contractors to begin watering. There had been a period where there was some warm weather so we felt that they could get out there and water and get that germination going, but they responded with some strong concerns, mainly based on the weather patterns and trying to predict it. They felt they were putting everything at risk. Ann Yost and Mr. Mears had contacted the AG district, and the same feeling was there as well. Additional research had been done with some of her contacts at Penn State. If those seeds begin germinating and it freezes, the possibility of losing everything existed. That was the risk. The recommendation was to hold.

BISHOP Mr. Bishop asked Mr. Mears to make the Township aware of the status, in order to make sure that all the people planning to use the fields somewhere down the road are advised of that.

MEARS Mr. Mears reported that he had met with Dave Wendel last week and reviewed the matter. Mr. Wendel would be meeting with some of the sports groups and the target date is spring of 2003.

Retention Pond

BISHOP Mr. Bishop asked about the status of the retention pond. He indicated that it appeared that St. Onge's pond was retaining water.

STERN Mr. Stern had met with representatives of St. Onge. He viewed their pond, and there is water in their pond. There were several options for our pond: filling in with clay, concrete and a liner, and each steps was more expensive. St. Onge plugged their with clay, and it is holding water. They do not know how long it will work. They chose the least expensive method for now to see if it works. It is losing water, but they believe it is due to evaporation and lack of rain, not the sink hole. They will give it some time and see if it holds. If it doesn't then they have to go to the liner.

BISHOP Mr. Bishop asked what areas they had plugged with clay.

STERN Mr. Stern indicated they had plugged the bottom; however, he could not confirm that because the engineer had not been present.

BISHOP Mr. Bishop stated that the Township has some time to decide about the park pond. He suggested to keep watching the St. Onge pond.

MEARS Mr. Mears stated that St. Onge does have some sink holes developing in the bottom of that pond as well, so that's an additional concern. They had discussed putting in a liner, and that was one of our main concerns with this pond, hitting that rock right at the bottom of the elevation and knowing over time that that could potentially lead to a sink hole.

MITRICK Chairman Mitrick stated that item 10B on the Agenda would be moved to this point during the meeting.

10 ORDINANCES, RESOLUTIONS AND AGREEMENTS

C. Ordinance No. 01-16 – Amending Zoning Map (Bentivegna Rezoning)

STERN Mr. Stern stated that on the previously provided map, the request had originally included only one parcel. Through the Planning Commission process the Planning Commission and staff recommended that the other two parcels be added, the Collins Wagner Insurance Agency and the East York Women's Health

Center. They are both non-conforming offices in a residential district. Four parcels would be included in the re-zoned district. Springettsbury Township Planning Commission recommended approval of the rezoning of those parcels, and the York county Planning Commission recommended denial of the re-zoning request. Their letter with reasons were presented. At the beginning of the process he had provided the Board and the Planning Commission a list of five concerns that he had. In his new memo, which included responses, the concerns all had been addressed to his satisfaction. Staff recommended approval for re-zoning.

PASCH Mr. Pasch asked whether the smaller lot was owned by the applicant.

STERN Mr. Stern responded that the two lots go together as one parcel. During the Planning Commission process, one of his comments had been concern about the future use of the upper parcel. The smaller lot could be viewed as a separate parcel.

YOST Solicitor Yost interjected that it was what commonly would be called a de-facto subdivision.

STERN Mr. Stern commented that the parcel is extremely small, and chances of it being used were slim. There are minimum size requirements for lots, 20,000 sq. ft.

PASCH Mr. Pasch asked who would be responsible to maintain the smaller lot.

BENTIVEGNA Dr. Bentivegna stated he would maintain the lot.

MITRICK Chairman Mitrick asked whether it is two parcels or one.

STERN Mr. Stern confirmed it as one parcel.

MITRICK Chairman Mitrick asked what could happen if a developer wanted to develop that parcel. Would that mean the developer could put a larger building on either piece or parcel.

STERN Mr. Stern responded that the Planning Commission had discussed whether anyone could build a larger office on the bigger piece and use the smaller piece as their Open Space requirement. The answer was no because it is a de-facto parcel.

MITRICK Chairman Mitrick asked whether any consideration had been given to excluding the parcel on the North side of Eastern Boulevard.

STERN Mr. Stern responded that the parcel was not originally in the proposal. During the process the applicant pointed out as part of the justification that there were other offices located there, i.e. Collins Wagner and York Women's Health Center which were non-conforming. During the review of this request the other two non-conforming uses could be corrected at the same time.

KATHERMAN Attorney Katherman re-stated the process and indicated that nothing would change except that a wrong would be made right. The residents were in favor.

MITRICK Chairman Mitrick asked whether opinions had been sought from the residential properties east of the Health Center.

KATHERMAN Attorney Katherman stated that their opinions had not been sought; however, the proper advertising had been done.

STERN Mr. Stern added that signs had been posted at all the properties and notices sent to everybody within 200 plus feet.

MITRICK Chairman Mitrick commented that no opposition had been heard.

KATHERMAN Attorney Katherman confirmed that he had heard no opposition of any kind from anyone.

GURRERI Mr. Gurreri stated it was a good idea, and he was glad it included two other lots and clean up the area.

MR. GURRERI MOVED TO APPROVE ORDINANCE 01-16, AN ORDINANCE AMENDING THE SPRINGETTSBURY TOWNSHIP ZONING MAP. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of November 14, 2001
B. Williams Service – Police Building – Progress Billing #3 - $9,987
C. Williams Service – Police Building – Progress Billing #4 (Final) - $4,771
D. Philips Brothers Electrical Contractors, Inc. – Diversion Pumping System – Final Payment and Retainage Release - $500

MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS A THROUGH D AS PRESENTED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS:

York Waste Disposal – Bid Proposal for 2002 – 2004 Garbage and Recycling Contract

MITRICK Chairman Mitrick stated that at the October 25th meeting the Board requested that Mr. Sabatini and Solicitor Yost research the contract information. The Board had an opportunity to hear from the Solicitor regarding the research that had been done. Having stated that she asked the Board if there was any discussion. Hearing none, she stated that she would allow a representative from each company to address the Board. She indicated there had been plenty of public comment at the prior meeting. As a result she limited each company to two minutes for a very brief presentation if they so desired.

Penn Waste

WAGNER Scott Wagner of Penn Waste stated that he was interested in what the Solicitor's findings and decisions were. He had met with Chairman Mitrick, Mr. Gurreri, Mr. Pasch and Mr. Bishop following the last meeting.

MITRICK Chairman Mitrick asked Solicitor Yost to respond to Mr. Wagner.

YOST Solicitor Yost stated that the response consisted of two documents, one a report from the Manager and Solicitor who were directed to make the report. Solicitor Yost indicated he actually had drafted the report. He was not sure whether the Township Manager had signed off on it. He did not object if the Board wanted to share a copy of it with Mr. Wagner. The bottom line of that report was that he did not find any breach of performance significant enough to disqualify York Waste as a bidder. The question was that the complaint reports were not filed, and we verified with them that they never filed them, and the Township never asked for them. All of the other issues were addressed as Solicitor Yost and Mr. Sabatini had understood them. Late last week an issue arose, and Solicitor Yost indicated it had been raised by Mr. Wagner, concerning the number of units the contract specified, and the specification estimated that there were 6,600 units. The number of units was questioned in that there might be as many as 7,000. Solicitor Yost indicated that he considered that information to be hearsay, but that he had written a letter to the Board addressing that issue. The letter stated essentially that the number was only an estimated number, and that the contract states that the contractor is required to verify to its own satisfaction the number of units.

Based on that Solicitor Yost did not deem that point a significant enough breach or failure of performance again to disqualify York Waste. Those two reports addressed that.

WAGNER Mr. Wagner stated that on Page 23, Section 9 under Billing and Payment System for Curbside Collection Bags, it stated that it shall be the responsibility of the contractor to develop a vendor capable of producing quarterly billings.

YOST Solicitor Yost stated that he had addressed that also. His position was that a vendor list was intended to be a customer list and he considered it to be ambiguous.

WAGNER Mr. Wagner stated it was not ambiguous and indicated it stated that a copy of the vendor list shall be provided to the Township at the beginning and the ending of the contract and become Township property. On September 20th Mr. Wagner stated he had requested a copy of that list in writing to Mr. Sabatini, who responded that he did not have a copy but thought he could get it. Last Friday when Mr. Wagner met with Supervisor Mitrick and Supervisor Gurreri, Mr. Sabatini said that the list was proprietary. Mr. Wagner stated that it was required under the contract and added that the contractor was required to submit it to the Township. When it becomes Township property, it is public information. The list would tell how many customers are billing in this Township. Mr. Wagner stated that the number of customers is one of the factors he uses in his bidding process. He felt that because it was not submitted it gave York Waste a competitive advantage over any other bidder in the Township.

MITRICK Chairman Mitrick stated that the Board needed to move on.

WAGNER Mr. Wagner continued that the Board had heard from the residents about complaints. It seemed as though there was no interest in doing a survey. The Township should not be charging for the bins, because the Township gets those and the York County Solid Waste Authority assists the Township in filling out a grant. They get 90% grant money from the state; it costs the Township 10%. Mr. Wagner stated he had the sense that the Board does not care.

GURRERI Mr. Gurreri asked Mr. Wagner how many homes he had considered when he bid this contract.

WAGNER Mr. Wagner responded that it was assumed on 6,600 homes, which was information supplied by your bid documents.

York Waste

DIVALERIO Dean Divalerio, Area President for Republic Waste Services, locally known as York Waste Disposal stated that he had the pleasure of meeting with the Board individually over the last couple of weeks. He stated that he thought the meetings were constructive and to the point and would be helpful toward moving forward hopefully with York Waste becoming an even better contractor than it had been for the Township. He stated that the Township residents should know that everyone had been open, fair and disciplined in the approach to this contract. He concluded that the residents of Springettsbury Township could rest assured that the Board's vote tonight to award the contract to York Waste Disposal has the resident's interests at heart.

GURRERI Mr. Gurreri asked how many homes they had considered in bidding on the contract.

DIVALERIO Mr. Divalerio responded that they had bid on the number in the bid documents, 6,600 homes.

GURRERI Mr. Gurreri stated that was the same figure as had been used by Penn Waste.

MITRICK Chairman Mitrick asked for comments from the Board.

PASCH Mr. Pasch indicated it was important to point out that 6,600 was the number used in the bid documents. However, he added that it also had been stated in the bid proposal that it was up to the contractor to determine that on his own.

GURRERI Mr. Gurreri stated that York Waste had not been disqualified.

MR. GURRERI MOVED FOR APPROVAL OF THE LOW BIDDER, YORK WASTE FOR $2,554,204. MR. PASCH WAS SECOND.

MITRICK Chairman Mitrick called for discussion on the motion. She asked Mr. Sabatini whether the other items would be discussed later as far as if the fall cleanup, or whether that had been included.

SABATINI Mr. Sabatini responded that everything was included. The Board had directed to not proceed with any further discussion on the fall cleanup.

GURRERI Mr. Gurreri indicated he did not see anything wrong with taking a survey of the residents. He stated he has trouble spending people's money without hearing from them.

SABATINI Mr. Sabatini stated that was the reason why they had recommended not to have the fall cleanup.

MITRICK Chairman Mitrick called for the vote.

MR. GURRERI AND MR. PASCH VOTED IN FAVOR. MR. BISHOP AND CHAIRMAN MITRICK VOTED NO.

MITRICK Chairman Mitrick asked Solicitor Yost for a determination.

YOST Solicitor Yost responded that a tie vote indicated no action taken. There is neither an approval nor a denial.

MITRICK Chairman Mitrick asked what the next step should be.

YOST Solicitor Yost recommended that there would be two options. Someone could make a motion to award it to Penn Waste, and if the vote was the same, it would have the same result. The second option would be to re-bid it.

MITRICK Chairman Mitrick asked what the time frame would be if it were to be re-bid.

SABATINI Mr. Sabatini calculated the timing and responded that at the earliest it would be the end of the first week of December.

YOST Solicitor Yost indicated it would have to be advertised twice not less than three days apart, and open bids no more than 45 or less than 10 days after it had been advertised. He added that it was not a long schedule and that re-bidding would provide an opportunity to address some of the things in the specifications that were at issue during this round.

PASCH Mr. Pasch commented that it would be up to Mr. Sabatini, in terms of whatever time he needed to address it.

SABATINI Mr. Sabatini indicated that he had begun looking at some additional changes in anticipation of having a 2/2 vote for direction from the Board to otherwise re-bid it. He felt he could turn it around fairly quickly.

BISHOP Mr. Bishop, for the sake of clarification, made the following motion:

MR. BISHOP MOVED THAT WE AWARD THE CONTRACT TO PENN WASTE IN THE AMOUNT OF $2,581,092. MR. PASCH WAS SECOND.

MITRICK Chairman Mitrick called for the vote.

YOST Solicitor Yost stated that prior to proceeding with such a vote York Waste would have to be disqualified as the low bidder.

MR. BISHOP RESCINDED HIS MOTION. MR. PASCH AGREED.

MR. BISHOP MOVED TO DIRECT THE TOWNSHIP MANAGER TO PREPARE REVISED BID SPECIFICATIONS ADDRESSING SOME OF THE APPARENT DEFICIENCIES IN THE BID PROCESS AND MOVE AS EXPEDITIOUSLY AS POSSIBLE TO SOLICIT NEW BIDS FOR THE GARBAGE CONTRACT. MR. PASCH WAS SECOND.

GURRERI Mr. Gurreri stated that anyone could bid on the contract.

MOTION UNANIMOUSLY CARRIED.

B. Hondru/Philips Ford, Manheim, PA – Bid Proposal for 2002 Three Quarter Ton 4x4 Pickup Truck (WWTF) - $29,924

SABATINI Mr. Sabatini stated that the Board had been presented with two bids for trucks for the Wastewater Plant. His concern had been that the total bid was higher than anticipated. The Board directed a review of the costs for the second vehicle. Mr. Hodgkinson had done so and submitted a report provided to the Board. Anticipated repairs were estimated at approximately $1300.

MITRICK Chairman Mitrick commented that in Mr. Hodgkinson's report he mentioned that because of the dry year, money was available in the budget.

HODGKINSON Mr. Hodgkinson stated that utility costs had been much lower because of the flows being down.

PASCH Mr. Pasch stated he felt it was important that when Mr. Hodgkinson and staff reviewed this they recognized that the truck was necessary. The only reason that it had not been approved during the last meeting was because of budget concerns. As far as Mr. Pasch was concerned he felt it would just cost more money if it was purchased later.

GURRERI Mr. Gurreri agreed and stated that the other item needed was the snow plow on the truck.

MR. GURRERI MOVED TO ACCEPT THE BID OF HONDRU/PHILIPS FORD FOR A 2002 THREE QUARTER TON 4X4 PICKUP TRUCK WITH TRADE-IN IN THE AMOUNT OF $29,924. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. IETC Electrical – Park Project – Change Order #5 - $651.99

SABATINI Mr. Sabatini commented on Change Order #5, which was to move the stage control outlet boxes to make them more accessible.

GURRERI Mr. Gurreri asked whether this was just to move them and not a design issue.

STERN Mr. Stern stated that he did not know about the design. The electrician and inspector from R.K.&K. had made the recommendation to make it more accessible.

MITRICK Chairman Mitrick asked about Andrew's signature on this paperwork, along with the representative from YSM, and R.K. & K. For clarification she stated that before anything would be spent the paperwork would come to Mr. Stern.

SABATINI Mr. Sabatini indicated that was correct; anything below $5,000 the staff was given discretion and then ratification by the Board.

GURRERI Mr. Gurreri stated there had been a lot of signatures like that on the building, but sometimes a signature was necessary to keep the job moving.

MR. PASCH MOVED TO APPROVE THE IETC CHANGE ORDER #5 IN THE AMOUNT OF $651.99. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. LD-01-13 – Diehl Motor Company – Action

STERN Mr. Stern stated that a Land Development Plan had been approved during 2000 for a service center at the corner of Memory Lane and Whiteford Road. The service center construction was nearly completed. At that time there was a large square of land to be undeveloped at the corner of the intersection. Since that time Diehl Motor Company has a new owner and new management, and they had come to the conclusion that additional paved area was needed to store cars as they come off the carriers so that they can

be taken across the street to be sold at the sales facility. They had provided a new Land Development Plan, which was more of an amended Land Development Plan showing additional parking area in the originally undeveloped area. On October 18th the Springettsbury Township Planning Commission voted to recommend approval of this plan with similar requirements as the original plan. Mr. Stern provided the requested waivers. Mr. Stern stated that Brad Peters of Site Design Concepts, the Engineer for the project was present to respond to questions. He was accompanied by Jim Opolka, the Vice President.

PETERS Mr. Peters stated that the net increase in parking spaces was 121.

PASCH Mr. Pasch stated that the increase in parking spaces is not in the same concept of parking space if it would temporarily house the units coming in for prep. He asked whether he was correct in that they're not parking spaces per se, but storage area for units to be prepped.

OPOLKA Mr. Opolka responded that the new service facility will handle all new vehicles that come from Toyota, Suzuki and Daewoo, and as well will handle all of the outside locations in Harrisburg and Hanover plus the five used car locations that owned in York. It would be basically just a holding ground, lined and painted. We will want it to look extremely nice as it is still display. They will not be selling cars there; but it would not be a dumping zone.

PASCH Mr. Pasch commented that it was a very prominent and highly visible corner. Mr. Pasch indicated he would not want to see collision damaged cars placed there.

OPOLKA Mr. Opolka stated that any vehicle in need of body work would immediately be sent to their collision center at 301 North Sherman Street. The company would not want those vehicles in a visible location. He commented that they want a nice, clean image and take pride in what is placed in front of their buildings. He added that the front part of that location also might be used for employee parking. There would be easy access for the building with the service center. Currently they rent about 100 spaces from CNA and Graham Packaging.

MITRICK Chairman Mitrick asked whether they intended to have any signage in the southeastern corner where landscaping shows on the plan.

OPOLKA Mr. Opolka responded that at this point there would not; all the signage would be on the building.

GURRERI Mr. Gurreri asked whether there were sidewalks the whole way around the property except at the upper end.

OPOLKA Mr. Opolka responded that was correct and added that the sidewalks had been already installed.

MITRICK Chairman Mitrick stated she was glad to see this. When the first plan came in she had been very concerned about this corner. She hoped that the landscaping that on the plan would look very nice at that intersection. Ultimately it will be better than to push in another building.

MR. GURRERI MOVED FOR APPROVAL OF LAND DEVELOPMENT 01-13 – DIEHL MOTOR COMPANY WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM SUBMISSION OF A PRELIMINARY PLAN;**
- **WAIVER FROM REQUIREMENTS TO SHOW ALL EXISTING FEATURES WITHIN 400 FT.;**
- **WAIVER FOR CURB AND SIDEWALK REQUIREMENTS PER SIX MONTH NOTE ON PLANS;**
- **MODIFICATION FROM WAIVER FOR STREETSCAPE BUFFER REQUIREMENTS;**
- **MODIFICATION FROM WAIVER FOR ZONING DISTRICT BUFFER REQUIREMENTS;**
- **CONDITIONED ON SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER.**

MR. BISHOP WAS SECOND.

MR. BISHOP STATED FOR THE RECORD THAT THE WAIVER FOR CURBS AND SIDEWALKS IS ONLY FOR THE SMALL PORTION OF THE SIDEWALK ON THE SOUTHWEST CORNER OF THE PARCEL.

MR. GURRERI AGREED. MOTION UNANIMOUSLY CARRIED.

B. SD-01-07 – Creston Tate – Time Extension to 1/24/02

MR. GURRERI MOVED TO ACCEPT THE TIME EXTENSION FOR CRESTON TATE, SUBDIVISION 01-07 TO JANUARY 24, 2002. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. LD-01-12 – Central York High School – Time Extension to 1/24/02

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR CENTRAL YORK HIGH SCHOOL, LAND DEVELOPMENT 01-12 TO JANUARY 24, 2002. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Orchard Hills (Allen Smith) – Sewer Planning Module – A3-67957-209-3 – 38,500 GPD

STERN Mr. Stern stated that item D covered a Sewer Planning Module for Orchard Hills, a subdivision plan at Old Orchard and Witmer Road for 110 residential lots for 38,500 gallons per day. The subdivision issues are still outstanding; however, approval of the Planning Module itself had been recommended by staff.

E. MR. GURRERI MOVED TO APPROVE SEWER PLANNING MODULE ORCHARD HILLS A3-67957-209-3 – 38,500 GPD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS

GURRERI Mr. Gurreri stated that the community map project showed Crescent Drive off of Deininger Road. He indicated it is off of Queen Street and this should be corrected on the map.

GURRERI Mr. Gurreri attended a meeting of Central York Communities that Care. He stated that this program was relatively new, approximately three years old. The state funds this up to three years. They survey the schools from sixth, eighth, tenth, eleventh and twelfth grade to determine what problems they have such as drugs, alcohol, bullies, etc. and work with them. Mr. Gurreri felt this was a very good program. He stated that they would be having a program on November 29th at Central York High School auditorium entitled, "What Parents Must Know About Drugs and Alcohol from the People Who Do Know." An additional program will be held on December 4th, "Impact of Media on our Children in the World." The speaker is Bob McCannon and it will be held from 7 to 9 p.m. at Central Middle School Auditorium. Mr. Gurreri had placed additional information on the counter in the lobby.

BISHOP Mr. Bishop asked whether there had been discussion regarding erecting a plaque on this building indicating when it was built, etc.

MITRICK Chairman Mitrick stated that she thought that had been discussed early in the processing.

BISHOP Mr. Bishop felt that it would be appropriate to have something similar to what had been in the other building.

PASCH Mr. Pasch recalled the discussion as well.

GURRERI Mr. Gurreri asked where a plaque would be placed.

BISHOP Mr. Bishop responded it should be in the lobby.

MITRICK Chairman Mitrick asked Mr. Sabatini to provide some recommendations to the Board.

LUCIANI Mr. Luciani stated he had a brass plaque catalog he could provide with suppliers.

Pump Station Opening

BISHOP Mr. Bishop mentioned that there had been discussion concerning the opening of the pump station, and the Board had decided to put that off, but a lot of work had been done in terms of who should be invited. Mr. Bishop felt it was something that should be done. The Federal government provided $1 Million and this would be a great opportunity to get the Congressman and everyone else involved in the user community. Mr. Bishop urged that the idea be kept in the forefront as something that should be done, even if it is planned for the spring of 2002.

YOST Solicitor Yost stated that he had heard a few comments about the building. He added that it would be an educational opportunity.

MITRICK Chairman Mitrick indicated that if Solicitor Yost was hearing comments on the street, perhaps it should not be held off until spring.

SABATINI Mr. Sabatini suggested that it could be held right after the first of the year.

MITRICK Chairman Mitrick asked Mr. Sabatini to get some ideas together.

Left Turn Signal

GURRERI Mr. Gurreri asked Chief Eshbach about the left turn signal at Kingston and Eastern Boulevard heading south. He indicated it was still not working in the left-turn lane.

ESHBACH Chief Eshbach stated that it was not Kingston Road; bur rather the driveway coming out of what used to be the Ames building. They had checked it and were told by the electrician that it was operating.

GURRERI Mr. Gurreri stated that it was not working last Thursday. He asked him to check it again.

ESHBACH Chief Eshbach indicated they could check, but stated it was on private property and it was not a Township responsibility to correct. There is an unoccupied building there right now, and that was not designed to be a throughway.

GURRERI Mr. Gurreri stated that if we have a light there, the residents deserve a light to be working.

Grant Program

GURRERI Mr. Gurreri asked about the status of the grant program.

SABATINI Mr. Sabatini responded that he had e-mailed information to Mr. Gurreri a few weeks ago. The RISK program had been closed. He did not have the document with him, but approximately $35,000 had been raised. Fund raising for the concert series had been done. Federal Firefighter's grants for equipment and health and safety were done. The Grants Writer's salary had been covered for the year with one grant cycle. There are two grant cycles, one in May/June and the second in September/October. Approximately seven or eight grants had been applied for for Park and Rec, Recycling, Recycling Technical Services, 902 Grant for Reimbursement for Part of the Cost of the Newsletter under Act 101, Public Publication. One twelfth of those annualized costs had been requested to reimburse the Township.

GURRERI Mr. Gurreri stated that PennDot is holding a public meeting on Local Interchange Improvements on December 13 on the Central Middle School and North Hills Road. Mr. Gurreri felt a representative from the Township should attend.

Pay Increases

BISHOP Mr. Bishop asked for clarification as he recalled that the Board directed there would not be any pay increases for anyone in the Township other than contractual obligations. He had been presented payroll checks with two individuals who were getting pay raises.

SABATINI Mr. Sabatini responded that these were normal post-probationary for non-uniformed employees. Their estimated wage had been reduced by a certain amount during their probationary period. Upon successful completion it was a standard step increase to their regular salary, which had been the practice for a number of years.

BISHOP Mr. Bishop questioned whether that standard practice would be in effect even when there is a pay raise freeze in effect.

SABATINI Mr. Sabatini stated that it was to cover anything outside of standard practice, which would be new hires, non-standard step increases. There had been no increases other than those who came out of probationary periods since the Board made that direction.

BISHOP Mr. Bishop asked Mr. Sabatini whether he would consider giving everyone in the Township a raise every year to be a normal step increase?

SABATINI Mr. Sabatini responded no; this was only for the people that have come out of a new hire, probationary period.

BISHOP Mr. Bishop stated that he had made the motion, and he did not interpret it that way. He indicated he was very uncomfortable with the policy and procedures. He thought the motion was very clear that no one was to get a raise unless this Board approved it or we were under contractual obligation to give it. He apologized if he had not made his motion clear.

GURRERI Mr. Gurreri commented that he thought that was the way it was and recalled that he had seconded that motion. He indicated agreement with Mr. Bishop.

PASCH Mr. Pasch indicated that his only question was whether people who are on a probationary period are not paid what their rate is going to be while they're in a probationary period. He asked whether the Township has a contract with them when they are hired.

BISHOP Mr. Bishop stated that was a legitimate point. His understanding was that legally the Township could not have a contract with any employee along those lines unless it's a bargaining unit.

PASCH Mr. Pasch indicated that it may not be a written contract, but rather an understanding.

SABATINI Mr. Sabatini stated that there are written letters of office employment and following probationary period there's a pay increase. The practice had been in effect a number of years.

GURRERI Mr. Gurreri commented that Mr. Bishop's motion changed that practice.

MITRICK Chairman Mitrick stated she thought she remembered the motion correctly, and would tend to agree with Mr. Bishop. She left with the understanding that there was a freeze unless an issue came to the Board, and thought possibly Mr. Sabatini should have brought those matters to the Board indicating whether it was a verbal or written commitment or agreement and then allowed the Board to discuss it.

SABATINI Mr. Sabatini stated he had a few additional ones that he will bring to the Board's attention that will be coming out of a probationary period within the next 30 days.

Recycling Committee

MITRICK Chairman Mitrick reported that she received a letter from Ron DiAngelo, Chairman of the Recycling Committee. The Recycling Committee is still promoting the pay as you throw for trash pickup in the community. Additionally they are concerned about the recycling information sent out to the residents as to what can be recycled and jars should be cleaned, etc. Chairman Mitrick encouraged promotion of that information and to work closely with the Recycling Committee to get information out because in the end it's money returned to the Township. From Mr. DiAngelo's report, it does seem that people are losing sight of what is recyclable, and if it is, how it should be recycled.

SABATINI Mr. Sabatini stated that for a number of years there was nothing in the newsletter about recycling. Now it is a requirement under Act 101 as part of the public education process.

BISHOP Mr. Bishop added that there should be some kind of public relations or some requirement in the contract as well that our vendor is required to communicate.

SABATINI Mr. Sabatini responded that he had some nice literature in that regard.

MITRICK Chairman Mitrick reported that a letter had been received from Cecilia Cook on South Kershaw who asked about recycling and

trash pickup. Chairman Mitrick requested Mr. Sabatini respond to her letter.

MITRICK Chairman Mitrick indicated she had previously requested the staff's plan or recommendations on the use of the farmhouse.

SABATINI Mr. Sabatini responded that they had come up with several ideas and stated he would have the report ready within a week.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost reported that he had nothing to add to his written report. Any further items he would discuss in Executive Session.

9. MANAGER'S REPORT:

Transportation Coalition Meeting

SABATINI Mr. Sabatini reported that there would be a Transportation Coalition Meeting in Hanover, which he planned to attend. Regarding the TIP program, the first four years of the 12-year program was being wrapped up.

Fire Police Radios

MITRICK Chairman Mitrick asked about the status of the fire police radios. She indicated she had requested a report on the status, not just the existence of them.

SABATINI Mr. Sabatini responded that as soon as he had an opportunity to discuss the matter with the Chiefs he would let the Board know what the game plan is.

MITRICK Chairman Mitrick indicated she was not looking for the game plan. She was looking for what is in practice and had been told at a previous meeting the Fire Police just weren't doing it. She wanted to know what is happening now, not what is going to happen.

SABATINI Mr. Sabatini responded he would have that as well.

Locust Grove Road

SABATINI Mr. Sabatini reported that PennDot had advised him they would like to meet regarding Locust Grove Road. He indicated he would report to the Board the results of that next week.

Ordinance Codification

SABATINI Mr. Yost and Mr. Sabatini had met a week or two ago about Ordinance Codification. They worked through Chapter 1 and part

of Chapter 6. They have drafted revised Ordinances. He indicated there weren't a lot of guidelines regarding some of the committees, such as Recycling, Historic Preservation, especially regarding removal or appointment to office. That had been addressed. Also addressed was the issue of the Planning Commission. Solicitor Yost will review this and circulate it to the Board for direction. Once reviewed, appropriate comments will be incorporated and brought back to the Board as part of the Codification. We tried standardizing a lot of them.

Community Map

GURRERI Mr. Gurreri asked about the status of the community map.

SABATINI Mr. Sabatini indicated that following the election he would have to make changes in some of the pictures. There are just one or two tweaks on it. He added that the only thing outstanding that he could not fully address is the State Representative for the new district. That election isn't until the end of next year, and the map is a three-year project. All primary vendors are listed. The third item is the garbage contract. The information had been ready to print since May, and it must be done no later than the first quarter of 2002.

MITRICK Chairman Mitrick stated that the letter that went out to the contributors was an embarrassing letter. She was glad Mr. Sabatini's name was not on it.

SABATINI Mr. Sabatini stated that he accepted the responsibility for the Township.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Ordinance No. 01-15 – Establishing No Parking Zone on Eleventh Avenue

SABATINI Mr. Sabatini indicated that traffic studies had been completed and the Police Chief concurred that this Ordinance was appropriate. It had been previously advertised.

MR. GURRERI MOVED TO ADOPT ORDINANCE 01-15, AN ORDINANCE ESTABLISHING A NO PARKING ZONE ON ELEVENTH AVENUE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Ordinance No. 01-16 – Amending Zoning Map (Bentivegna Rezoning)

This item, Ordinance No. 01-16, had been acted upon previously during the meeting.

11. ACTION ON MINUTES:

A. Board of Supervisors Regular Meeting – October 25, 2001

MR. PASCH MOVED TO APPROVE THE MINUTES OCTOBER 25, 2001 REGULAR MEETING AS AMENDED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

A. Other Items

There were no items for discussion.

13. NEW BUSINESS:

A. Other Items.

There were no items for discussion.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:40 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **NOVEMBER 14, 2001**
PUBLIC HEARING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Wednesday, November 14, 2001 at 6:30 p.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Bill Schenck

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Andrew Stern
John Luciani
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the Public Hearing to order at 6:30 p.m. She stated that the Public Hearing concerned a re-zoning request for parcels along Eastern Boulevard, the details of which would be described. She informed the attendees that a Public Hearing enabled the Board of Supervisors the opportunity to hear from the public and that the Hearing would not be a decision-making forum. The re-zoning request appeared on the Agenda for the Regular Meeting of the Board of Supervisors to be held at 7:30 p.m.

Chairman Mitrick announced that Supervisor Bill Schenck would not attend.

Chairman Mitrick asked Mr. Stern to provide information about the re-zoning matter.

2. NEW BUSINESS:

A. Amending Zoning Map of the Springettsbury Township Zoning Ordinance

1) The zoning district designation of the following three parcels shall change from R-2 Medium Density Residential to O-Professional Office:

a. Parcel #46-14-328-F: 3015 Eastern Boulevard

b. Parcel #46-28-45-A: 2900 Eastern Boulevard
c. Parcel #46-21-44: Vacant land on south side of Eastern Boulevard at Mills Street and Moul Street.

STERN Mr. Stern stated that the rezoning request originated during the month of April 2001 and had been sent to the Planning Commission for review. At that time, only one parcel had been involved. The Planning Commission recommended that several other parcels located directly to the west be included. The parcels were the Collens-Wagner Agency, Inc. along with the York Women's Health Center, both of which are identified currently as a non-conforming use in a residential district. By adding those two properties to the re-zoning request, the action would bring them into conformance.

KATHERMAN Attorney Robert Katharman of 345 East Market Street, York, PA represented Dr. Lee Bentivegna. During the preliminary stage of the project, he had appeared before the Board and twice before the Planning Commission. He commented about the Township Ordinances and Zoning issues. He submitted that the re-zoning request was an appropriate request for the following reasons:

- Two of the three parcels currently are identified as offices in a residential zone. His review with the Township staff had not revealed when those properties received variances; however, they do not conform to the Ordinance. If this re-zoning occurs, then both offices would be in an office zone.

- Attorney Katharman had investigated whether this action would set a precedence; however, each case would be viewed on its own merits. Rezoning of one property would not create the precedent for any other properties.

- Spot zoning would not be an issue. If anything the action would create an appropriate natural buffer for the remainder of the area to the south and makes it harmonious with the other property and uses along Eastern Boulevard.

- The attractiveness or value of the neighborhood would not be diminished. Because two of the uses are already in place, there would be no negative impact.

- The Township had requested a traffic study, which revealed that the use for the purpose of a dental office would have no impact inasmuch as the read already is a high volume road.

- There would be no impact upon the school system.
- There would be no impact on the water and sewer system.
- The residents in the surrounding neighborhoods had been visited by Dr. Bentivegna and his father and discussed their plans. The residents had signed a favorable petition for submission to the Township.

KATHARMAN Attorney Katharman stated that he had been asked to obtain comment in writing from the Women's Health Center and Collens-Wagner because they were included in this original proposal. He had a letter, which he had sent to William Hass, Attorney for the Women's Health Center, which had been returned with his signature indicating approval. As well he had a letter from Attorney Robert Strickler, representing Collens-Wagner, likewise indicating approval. He presented those documents to the Board.

Attorney Katharman made an additional point that, when this zoning action would be taken, Dr. Bentivegna stated that he would build a dental office on this property. Once the zoning is changed, any options could be taken. Therefore, he urged the Board to consider the integrity of the Bentivegna family, long-time residents of Springettsbury Township for three generations. Dr. Bentivegna would build the building for his and his son's dental practice.

Attorney Katharman presented a letter from the bank, which had indicated willingness to loan the money to Dr. Bentivegna for the building project.

GURRERI Mr. Gurreri asked about the plans for the smaller lot.

KATHARMAN Attorney Katharman indicated the smaller lot could not be subdivided as it was too small; it could become gardens or parking.

MITRICK Chairman Mitrick asked why the parcel on the north side of Eastern Boulevard had been included.

KATHARMAN Attorney Katharman responded that the Planning Commission raised the issue of the fact that offices currently are there that are in a residential zone, and no one really knows why. It seemed logical to correct this situation to include all properties and establish definitive lines. He added that there is no other land available for development in this area.

MITRICK Chairman Mitrick opened the floor for Public Comment.

TOSHI Harry Toshi of 280 Moul Street resided at the corner of the lot under discussion. He wanted to know the definition of professional offices and what kind of business could be considered offices. He asked several questions as to the height of the building, parking, and occupants. He suggested that the use should be revealed before a decision would be made on the re-zoning.

STERN Mr. Stern responded that some of the questions were Land Development questions to be responded to later during discussion on the building plans. Generally the uses permitted would be business services, medical offices, business and office machine repair, reproduction art, photography services, advertising, employment, legal, mortuary, church and child care. In this case a dental office had been proposed, which is a permitted use. There would be no maximum number of stories, but a 35-foot maximum height exists in the Township. A one-story was proposed. He added that this was a request to change the zoning district only. Following action on this portion then a Land Development Plan will be done and provide the answers to his specific questions.

MITRICK Chairman Mitrick commented that the Board understood that although the present intention is for it to be a dental office, that could change. When the re-zoning is reviewed, although the Board respected that they would like to put a dental office there, the Board must look strictly at the re-zoning aspect.

KATHARMAN Attorney Katharman asked how many in the room lived contiguous to or very close to the parcel in question. He asked whether anyone objected to the request. There were none.

HUNTZINGER Ms. Judith Huntzinger of 291 Moul Street stated she had lived in the area about three years. She asked for the reason why nothing had been built on the property before this. She asked what now would allow a review of the residential area for re-zoning.

STERN Mr. Stern responded that he could not specifically respond to her question as to the reason nothing previously had been built there. However, he stated that in this case an individual had requested the Township to consider changing the zoning of the property, and that was the reason for the Public Hearing.

ULRICH Jack Ulrich of Collens-Wagner Agency, 2900 Eastern Boulevard commented that his office had been at that site since 1977. The

reason that the land in question had not been sold was that no one had been able to determine how to use it. To build a home there had been previously considered. He had spoken with the owners several years ago when he had thought about trying to expand his office; however, with automation they had confined everything to their existing structure. He stated that they were very pleased to hear that Dr. Bentivegna and his son would be neighbors and added that he felt it would work well for the neighborhood.

BENTIVEGNA Dr. Lee Bentivegna expressed to the neighborhood residents that they already have a practice that is a "stone's throw" away. That had been build for a multi-doctor type practice. What differentiated the proposed building was that it will be a dental facility for he and his son. Their plans include a one-story facility with an appropriate amount of parking, not out of character for the neighborhood. Also they will consider the matter of privacy and will provide landscaping for the adjacent properties. The facility will be open from 9 a.m. until 6 p.m. Monday through Friday with some Saturday hours.

MITRICK Chairman Mitrick asked for any additional comments. Hearing none, she stated that the item appeared on the Agenda for the Regular Meeting beginning at 7:30 p.m.

3. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the Public Hearing at 6:50 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **OCTOBER 25, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, October 25, 2001 at 7:30 p.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck, Vice Chairman
Don Bishop
Nick Gurreri
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Buchart-Horn, Inc.
John Luciani, First Capital Engineering
Ann Yost, YSM
Andrew Stern, Economic Development Director
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Services
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 7:35 p.m. and welcomed the attendees. She asked Mr. Pasch to lead in a prayer.

PASCH Mr. Pasch offered a prayer for wisdom for government leaders, President Bush, and the military forces.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

2. COMMUNICATION FROM CITIZENS:

A. Acknowledgment of Posters Presented to Public Safety/Emergency Services Personnel from Stonybrook Elementary Students

MITRICK Chairman Mitrick asked Fire Chief Hickman and Police Chief Eshbach for a report of their visit to Stonybrook.

HICKMAN Fire Chief Hickman reported that on October 17th Emergency Services in Springettsbury Township had been invited to Stonybrook Elementary School for an appreciation breakfast. The youth of the community provided an emotionally touching and warm salute to police, fire and emergency services. This had been done in several different ways, including hand puppets and presentation of artwork along with handbooks created to show their appreciation. Chief Hickman provided the artwork and a letter to the Board of Supervisors. He added that members of the State Police were there, other area police departments, Manchester and York City Fire Departments.

ESHBACH Police Chief Eshbach commented that the presentation had been very touching, especially in view of what people had been through during the last couple of weeks. There were a number of officers from the Police Department, as well as the Fire Department. The children put a lot of time, effort and their hearts into this and made a nice presentation. The Principal had done a wonderful job of putting the program together. Hearing the children sing God Bless America and saluting the flag was very moving. Large police badges were created with different words representing what they thought a police officer was and stood for, and those badges are displayed in the Police Department.

MITRICK Chairman Mitrick stated that she had been advised earlier during the week that Springettsbury Township is unmatched in York County for the superior emergency preparedness provided. She thanked Chief Eshbach and Chief Hickman on behalf of all the residents of the Township.

MITRICK Chairman Mitrick indicated that if there were those in the room who wished to address the Board concerning the trash contract, there would be opportunity later during the meeting to speak.

Basketball League

PICKLER Matt Pickler, 2485 Crystal Lane, along with Keith Eisenhart, 330 South Russell Street, addressed the Board regarding the recreational basketball league at York Suburban Middle School. They reported that every year about 25 to 30 players play regularly on Monday and Thursday evenings. There had been a large increase in the fee charged, a $25.00 fee, which had greatly diminished the amount of people who participate.

EISENHART Keith Eisenhart commented that if the fee were put toward improving that recreation program it could be justified. There are only 10 to 15 people coming out because of the fee, and a quality

game of basketball cannot be played with that amount of people. The participants do not understand the need for the increase. He asked whether it could be addressed in the next newsletter. Perhaps the Recreation Director could provide some explanation. There are no shirt supplies.

PICKLER Mr. Pickler stated he thought the school was provided at no cost.

EISENHART Mr. Eisenhart added it was not so much an issue of the amount but more an issue of what the money was going towards.

MITRICK Chairman Mitrick asked Mr. Sabatini to respond.

SABATINI Mr. Sabatini responded that one of the policy directives that the Township Board of Supervisors had asked was to do a better job of recovering fees and costs for different recreational programs. An analysis of products resulted in the fact that money was being lost. Basketball was losing $700 a year. Spring Garden Township does not have a monitor for its basketball program. Springettsbury does not pay a fee to utilize the facility, but there are costs that amount to several hundred dollars yearly. Prices are to be monitored, and possibly will go down because of the market place.

PICKLER Mr. Pickler commented that a large increase would drive people away.

EISENHART Mr. Eisenhart asked what the $700 in specific costs covered.

SABATINI Mr. Sabatini responded that the costs include salary, FICA, Workers Comp Insurance, Unemployment Insurance, and overall insurance for the organization, plus overhead associated with the Park & Rec Department. The question had been raised as to how much money was being spent to date for recreation, which amounted to several hundred thousand dollars a year on programming and facilities. The increases had been done across the board, not just basketball.

PICKLER Mr. Pickler mentioned that the basketballs provided are ancient and should be replaced.

MITRICK Chairman Mitrick commented that the basketball program had not been picked upon. The Board had requested that all of the programs in the Recreation Department cover their own costs. She provided an example through the people who go on the bus trips. Non-residents should contribute an additional cost to go on the trips. The Township is not out to make money on the basketball

program, but just to cover the costs. She added that if it had not been properly explained it should be done in the next newsletter. She asked Mr. Sabatini to please look into the condition of the basketballs.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

Industrial Highway

SCHOBER Mr. Schober reported that activities on Industrial Highway indicate that the contractor had begun the boring operations. A road closing schedule had been compiled which would be provided to the Township as well as to the residents.

Raw Pump Drives

SCHOBER Mr. Schober reported that the factory test had been bumped back a week to the first week of November. Township staff and B-H staff will be present to check the equipment before delivery.

Meadowland Pump Station

MITRICK Chairman Mitrick asked about the status of the Meadowland Pump Station Force Main and whether there had been a resolution.

SCHOBER Mr. Schober responded that with the existing drain line traversing that property, there is an 18" drain that used to go from the school over to Mt. Zion Road. There is no right-of-way associated with that, so at this point a right-of-way needed to be generated. At the same time, the new force main will be included in the same right-of-way. This will require surveying property corners and locating the line exactly so that can be described in the deed. That work is scheduled to begin within the next week or two. Deed searches will be done. Solicitor Yost reviewed it to be sure there was no existing right-of-way; had there been it would have greatly simplified things, but it does not appear as though that is the case.

PASCH Mr. Pasch asked whether obtaining the right-of-way would hold up the project.

SCHOBER Mr. Schober responded that it would be necessary to have approval before the work can proceed; however they had discussed it with the homeowner, who indicated a willingness to give the right-of-way.

B. Civil Engineer – First Capital Engineering

Traffic Calming

LUCIANI Mr. Luciani reported that a traffic calming meeting had been held earlier during the week with the Focus Group. The attendance and input had been very good. In addition, a budget had been generated, along with a concept plan, which had been submitted to Mr. Sabatini. During the meeting the attendees prioritized what they would like to see implemented in the traffic calming. The budget must be consistent with the priorities in order to phase them over time. The final traffic calming meeting will be held November 7th from 7 to 8:30 p.m. at Advent Lutheran Church.

Plymouth Road

Mr. Luciani reported that Mr. Lauer informed him that Monarch had delivered some of the inlets. There are about six days to wrap this up by October 31, and if the work cannot be completed by then the overlay must wait until next year. The shoulder will be in place.

Landscaping

PASCH Mr. Pasch asked when the landscaping would be placed around the Springettsbury building drain lines.

LUCIANI Mr. Luciani responded that Charlie Lauer asked about the status of the landscaping and the resulting dead trees. The landscaping work had been done in two parts, i.e., under a grant program, and some as part of the building program. Normally the trees are under warranty, with a provision that watering be done. Mr. Lauer stated that, if there is a one-year warranty, replacement should be pursued. There may be some contract negotiations to work through between Mr. Sabatini and Mr. Stern with Solicitor Yost.

SABATINI Mr. Sabatini reported that Mr. Stern had sent a Certified letter regarding the dead trees.

MITRICK Chairman Mitrick asked about the grass.

SABATINI Mr. Sabatini indicated that issue had been addressed as well.

Concrete Testing

PASCH Mr. Pasch asked about the concrete testing and whether it seemed like an expensive proposition.

LUCIANI Mr. Luciani responded that the testing would be the only way to determine whether the contractor finished the concrete with trapped water beneath the surface. Two cores had been pulled and sent to the lab for analysis at a cost of $750 per core. Mr. Luciani

indicated that this might bring closure to the matter as to whether the concrete is or is not sound.

PASCH Mr. Pasch asked how it had been determined as to where to do the cores.

LUCIANI Mr. Luciani stated that the best method would be to go across the entire surface; however, they chose two of the worst areas. If those two are suitable, then the two worst areas would be okay, and it must be concluded that the material in the balance of the site is satisfactory quality.

PASCH Mr. Pasch commented that, if the concrete were found to be defective, then the Township would ultimately be more successful in a suit and claim against the contractor.

YOST Solicitor Yost agreed and indicated that was the only reason for doing the test.

GURRERI Mr. Gurreri added that there are additional items to be addressed other than just the quality of the cement. By hiring an expert, he felt that there should be some kind of written form that, because there aren't enough expansion joints, it would crack and the peeling was coming from working the cement too much; unevenness results from improper preparation. He thought that report should be sent to the contractor and that the contractor would have to pay for it.

LUCIANI Mr. Luciani stated that the cores would be sent to a neutral party that will review the material.

GURRERI Mr. Gurreri stated that would only ascertain one thing, but a further issue indicated that the cement moves up and down when it freezes, as well as the fact that it is peeling.

LUCIANI Mr. Luciani stated that out of all the things that had been discussed regarding the potential concerns with the concrete, the scaling is the biggest item and is more than a surface problem; it's a serious problem that will warrant a large replacement. Without doing this testing, it would be impossible to know why the surface scaling had occurred.

MITRICK Chairman Mitrick stated that the Township is not going to lawsuit yet; just doing background work to determine the status of the concrete.

LUCIANI Mr. Luciani stated that, if the material is found to be defective, then the Township could go back to the contractor with the results of the testing.

GURRERI Mr. Gurreri asked whether a letter had been sent to the contractor and what it stated.

SABATINI Mr. Sabatini responded that a letter had been sent indicating that the Township was not satisfied with the exterior concrete work and believed it should all be replaced. Mr. Sabatini did not expect a response for about two weeks.

GURRERI Mr. Gurreri stated that his point was that a contractor had been hired to do a job; he bought cement that might be defective. That should be the contractor's problem, not the Township's problem. The Township should be going back to the contractor.

LUCIANI Mr. Luciani stated that the key operative word was that it "may" be defective. The possibility exists that it may not be defective. The only way to test to see if it was finished too early would be to remove a core, send it to a lab and do this analysis. They did do a test for strength, and it may be plenty strong, but if they did not finish it the right way, that is the only way we are going to find out. As far as the issue of scaling, the only way to track down what causes scaling is by having a petrographic analysis done.

GURRERI Mr. Gurreri commented that the Township spent a lot of money on this building with an ugly sidewalk; he felt esthetics were very important.

MITRICK Chairman Mitrick asked what the turnaround time would be for the report.

LUCIANI Mr. Luciani responded it would be about three weeks.

East York Elementary School

MITRICK Chairman Mitrick commented that, in the motion regarding the East York Elementary School project, it had been stated that the Township Engineer would determine how many markers were necessary. She had driven by the site and there was a lot of activity and wondered whether the markers had been set.

LUCIANI Mr. Luciani responded that he had not reviewed their bond estimate or the plan with Mr. Slonaker to set those corners, but he expected to do so in the near future.

C. YSM

YOST Ms. Yost reported that the Park Project was on schedule and into the second phase. The earth work was completed and the excavation for the footings for the two buildings was underway. The erosion control concerns had been addressed. She provided the Change Order Log and identified the items. Ms. Yost asked for some decisions on the block for the restrooms. She provided some suggestions.

MR. BISHOP MOVED THAT THE BOARD LEAVE THE PREVIOUSLY DISCUSSED COLOR SELECTIONS TO ANN YOST'S DISCRETION. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

YOST Ms. Yost discussed the sign layout and color scheme, which also would compliment the buildings and roofs of the buildings.

BISHOP Mr. Bishop commented that the ugly logo had not been included on the newly constructed buildings.

MITRICK Chairman Mitrick asked when she would need a decision on the signs.

YOST Ms. Yost indicated within two weeks would be fine.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of October 25, 2001

B. Orchem Pumps, Inc. – Odor Control Equipment - $23,500

MITRICK Chairman Mitrick asked about an item shown for Fred Henry and whether or not he was doing plumbing in the Township buildings.

SABATINI Mr. Sabatini responded he would have to investigate that and report to her later.

MR. GURRERI MOVED TO APPROVE ITEMS A AND B AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS

A. Hondru/Phillips Ford, Manheim, PA – Bid Proposal for 2002 Three Quarter Ton 4x4 Pickup Truck (WWTF) - $29,924 (includes trade-in)

B. Hondru/Phillips Ford, Manheim, PA – Bid Proposal for 2002 17,500 GVWR 4x4 Stake Body Truck (WWTF) - $36,304 (includes trade-in)

SABATINI Mr. Sabatini commented that items A. and B. involved pickup trucks approved by the Board of Supervisors as part of the 2001 Budget for Wastewater. They had been budgeted at $53,000, and actually, with the trade-in the two trucks came out to $66,000. Mr. Sabatini recommended that item A be rejected and item B accepted in the amount of $36,304 including trade-in.

HODGKINSON Mr. Hodgkinson commented that the truck that item B would replace is a two-wheel drive with more mileage.

GURRERI Mr. Gurreri asked whether both trucks were bid with the same specs.

HODGKINSON Mr. Hodgkinson responded that was correct; their bid price coincided with each bid. They were low bidder on each truck, which were two totally different types of vehicles.

PASCH Mr. Pasch commented regarding the one suggested not to purchase, the Board thought at the beginning of the year that it should be replaced. He asked why the change in direction and whether it was because the price was up over the budget or whether there had there been a miraculous cure in the current vehicle.

HODGKINSON Mr. Hodgkinson responded that both the trucks need replaced. They are 1985 and 1987 models; both have serious body rust but are able to be inspected. As the bids came in the amount was $13,000 more than what was budgeted. In addition to that, consideration was given to the directive that the Board had given a few weeks ago, he and Mr. Sabatini discussed it, and the need for replacing the two-wheel drive vehicle was more critical.

PASCH Mr. Pasch commented that if it were not replaced this year, the trade-in value would diminish more and will be worth practically nothing.

HODGKINSON Mr. Hodgkinson stated that the cost of everything goes up every year. Next year the truck will be a higher cost, plus the trade-in will go down; instead of being $29,000 or $30,000 it may be $31,000 or $32,000.

PASCH Mr. Pasch wondered whether there had been a lot of down time and repairs with the existing unit.

HODGKINSON Mr. Hodgkinson responded that was correct.

PASCH Mr. Pasch stated that the matter should be re-examined. It had been approved in the Budget, and just because the price came up different from what had been anticipated, it was in the Budget for a reason. There are extreme problems with the vehicle with downtime and repairs. He suggested to re-visit the item.

SABATINI Mr. Sabatini stated that bid specs are generally in effect for 30 to 60 days.

GURRERI Mr. Gurreri agreed with Mr. Pasch that the matter should be reviewed.

PASCH Mr. Pasch indicated that the intent was that it should be replaced. He questioned whether a lot of money would be saved by not proceeding with the purchase at this time.

BISHOP Mr. Bishop stated he agreed and added that the objective of looking at current expenditures was not to eliminate worthwhile capital expenditures, but rather to eliminate discretionary expense-type expenditures so that the cash on hand would be conserved.

SABATINI Mr. Sabatini's primary concern was that it had come in significantly over the budgeted amount.

PASCH Mr. Pasch indicated that if the purchase were held off until next year, it would only provide the chance to budget more closely.

BISHOP Mr. Bishop asked whether specs could be developed differently to provide that the same functionality could be obtained.

HODGKINSON Mr. Hodgkinson stated that one of the reasons they came in over budget was when he had prepared the budget item last year he had not included snow plows. The specs included the snow plows.

MITRICK Chairman Mitrick asked Mr. Sabatini if he was concerned about the guarantee on the price.

SABATINI Mr. Sabatini responded that he was not sure how long the price would be held.

HODGKINSON Mr. Hodgkinson thought the term was 60 days.

BISHOP Mr. Bishop commented that, even if it were 30 days if the bids were opened on October 17th, there would be plenty of time.

MR. BISHOP MOVED TO ACCEPT THE BID OF HUNDRU/PHILLIPS FORD FOR 2002 4X4 STAKE BODY PICKUP TRUCK IN THE AMOUNT OF $36,304 INCLUDING TRADE-IN. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick requested Mr. Sabatini to bring back item A on the next Agenda.

C. York Waste Disposal – Bid Proposal for 2002 – 2004 Garbage and Recycling Contract

MITRICK Chairman Mitrick stated that she would ask Mr. Sabatini to explain the contract briefly and then the Board would discuss it. She indicated that the floor would be open to any comments from the public. Prior to taking action, she would ask for comments from the Solicitor.

SABATINI Mr. Sabatini reported that a bid opening occurred on October 17th for the collection of residential garbage and recycled materials. There were four eligible bidders, three of which actually submitted bids. The base bids had been evaluated on the overall cost of bid items 1 for a one bag pickup, spring cleanup and recycling on a weekly basis, and big item 2 for a three bag pickup, spring cleanup and recycling on a weekly basis. He reported the following:

- Upon aggregating the bids, the apparent low bidder for the base bid was York Waste Disposal in the amount of $2,554,204. One of the alternates for the Board's decision is whether or not to approve bid item 5, an alternative fall cleanup, in addition to the spring cleanup. York Waste's bid for item 5 was $117,216; the next low bidder was Penn Waste at $91,872.

- Aggregated the low bid was for both base bid, items 1 and 2 and fall cleanup which is items 1, 2, and 5. The low bid is still with York Waste Disposal in the amount of $2,671.420.

- The Township also had two other bid items within the contract, one of whom was for extra bag tags, and the second was for toter rentals. Those items were not calculated into the base bid; however, the low bid for both the extra bag tags and total rentals are with York Waste Disposal. We have reviewed the

bids, and Solicitor Yost concurs that the low bid meets the specifications of the bid packet itself.

SABATINI Mr. Sabatini indicated that the staff recommended that the Board of Supervisors award the contract to the low bidder, York Waste Disposal. Mr. Sabatini introduced John Yinger of York Waste Disposal, as well as Scott Wagner from Penn Waste.

MITRICK Chairman Mitrick asked whether the Board had any questions.

SCHENCK Mr. Schenck asked whether the toter rental and the bid alternate 4 would be part of the contract and whether the Board would have to make any decision about that item.

SABATINI Mr. Sabatini responded that they are part of the contract, but the Board would not have to make any decisions.

MITRICK Chairman Mitrick asked whether there would be two large pickups in the base bid.

SABATINI Mr. Sabatini responded that items 1 and 2 included just a spring cleanup. If the Board chose to add a fall cleanup, they would have to also approve item #5. If the Board chose not to, it could reject item #5 and not accept that alternate.

PASCH Mr. Pasch felt it was important to note that as far as the bid alternate #5 was concerned the fact is that it is approximately $38,000 a year. This fall cleanup would happen three times, over a three-year period.

MITRICK Chairman Mitrick asked whether the Board had heard any complaints with regard to preference for one or two large pickups.

Consensus of the rest of the board was that they had not heard complaints.

MITRICK Chairman Mitrick opened the floor to public comments.

OSHEFSKI John Oshefski of 430 Pinehurst reported that he was concerned about recyclable tubs. He had observed the empty tubs being thrown onto curbs and concrete sidewalks. The tub does not appear to have much strength to withstand the sharp impact. In the interest of trying to reduce his tax dollars, he urged the Supervisors to specify a more shock observant tub or have a serious discussion with the trash contractor about the shock absorption value of the grass plots along the street.

BARLEY Michael Barley of Thunderhill Road spoke of an issue of recycling. Mr. Barley had experienced several times being missed during the recycle pickup. He had made telephone calls to the Township, to Chairman Mitrick's home and to York Waste. He indicated a willingness to pay more to have better performance.

WALKER Roy Walker of Thunderhill Road brought similar issues as Mr. Barley. When their pickup had been missed on a Friday, they spent the whole weekend picking up trash and newspapers around the neighborhood. He stated they are tired of doing it. He wondered how the Township would know whether other streets had the same problems. He thought there should be some statistics or some mechanism of reporting. He asked whether any surveys had ever been sent taken. With a $2.5 Million bid, he thought it would be important to know whether the taxpayer base was satisfied. He asked whether there would be an "out" if the contract were accepted and the service continued with the same issues.

MITRICK Chairman Mitrick asked Solicitor Yost to respond.

YOST Solicitor Yost responded that there was nothing specifically in the specifications, but if there were a default on the contract, yes.

WALKER Mr. Walker asked whether there was a surcharge of some sort and whether the various charges could be clarified.

SCHENCK Mr. Schenck indicated that he had also voiced a question about the reporting. He asked Mr. Sabatini to address that issue.

SABATINI Mr. Sabatini responded that the Township does receive telephone calls when pickups are missed. There were numerous calls last December. The waste hauler was notified, a letter was sent which detailed several issues and stated penalties for failure to provide service and to terminate the contract. The letter also indicated that a representative from York Waste must attend the January meeting of the Board of Supervisors. Mr. Sabatini indicated they had rapidly responded and the complaints diminished to almost nil until a week or so ago.

BISHOP Mr. Bishop stated that with regard to any kind of reporting, to his knowledge, he had never seen any reports at all on complaints or customer satisfaction. It was a concern that Mr. Bishop had administratively and internally.

GURRERI Mr. Gurreri asked what kind of a response that Mr. Walker received when he called York Waste.

WALKER Mr. Walker responded that it varied. Sometimes the people were not very polite; sometimes they were. There was an uncertainty as to whether he was speaking with the right person. Mr. Walker thought there should be some type of compliance reports.

PASCH Mr. Pasch asked whether there was anywhere on the bills themselves that go out that has a customer service number or customer designated title that the people can call. In addition, he suggested that the Township number be placed on the bill.

MITRICK Chairman Mitrick stated that at one time in the past the Township asked York Waste to have a complaint line with an answering machine if a complaint was filed during off hours.

PICKLER Matt Pickler of 2485 Crystal Lane had a situation where his garbage had piled up at Christmas time. Eventually they did come, but the entire condo was missed. He suggested to have some kind of feedback.

GURRERI Mr. Gurreri asked Mr. Pickler what kind of response he got when he called York Waste.

PICKLER Mrs. Matt Pickler responded that she had made the telephone calls and had basically received a voice mail message.

WALKER Mr. Walker asked whether the contractors have an obligation to report to the Township on a regular basis.

MITRICK Chairman Mitrick responded that it was in the current contract; they are to submit monthly reports.

WALKER Mr. Walker asked whether they had seen a trend.

SABATINI Mr. Sabatini responded that no monthly reports had been received.

BISHOP Mr. Bishop asked whether the Township should have to ask for those reports, or whether the contract specified that they will be provided.

SABATINI Mr. Sabatini indicated the contract language reads “shall be provided.”

DIANGELO Mr. Ron DiAngelo of 103 Lyndhurst Road invited the attendees to participate in the Recycling Committee meetings for Springettsbury Township where some of the problems could be corrected. He asked whether yard waste was in the contract.

SABATINI Mr. Sabatini responded that it was in the contract, in Addendum #2, and stated that residents shall be limited to 10 bundles of yard waste per pickup. Previously it had been unlimited.

DIANGELO Mr. DiAngelo mentioned that he hoped the Board could get the message across to the waste hauler that they do not pick up more than the allotted number of containers unless they have a tag on it. The Recycling Committee would like to keep the volume down so that our performance grants can go up. This is one way of doing it.

Penn Waste

HOVIS Attorney Steve Hovis stated that he represented Penn Waste. He introduced Scott Wagner, the CEO of Penn Waste. He stated that they attended the meeting to ask the Board to make a difficult decision in the best interest of the Township and its citizens. This concerned the refuse contract for 2002 through 2004. Some of his comments were:

- The specifications for the contract specifically state that no proposal will be considered from any person, firm or corporation who has defaulted in the performance of any contract or agreement made with the township within the previous five years, or who has conclusively shown to have failed to perform satisfactorily under such a contract or agreement.

- He provided arguments including case law for consideration by municipalities making determinations regarding contract bidders.

- He also produced newspaper articles citing York Waste for negligent performance in other neighboring municipalities.

- He suggested that the lack of producing monthly reports regarding customer service indicated York Waste had not provided proper reporting to the Township.

- He added that the bill that the residents receive actually comes from York Waste. Most municipalities sent out their own bills, and when they have complaints they usually call the person that is billing them. In this case, I assume that many customers actually call the person who sent the bill to complain.

- He added that the Board had the right to a thorough investigation of the complaints. Springettsbury Township is a second class township. You provide and your citizens deserve first class service. Penn Waste can provide you that first class service. If you analyze the contracts, $26,000 over three years, broken down per year per unit, that is $1.35 per year per person. If you go with your fall cleanup, that is 8 cents per person per year. Attorney Hovis requested right decision that's best for the citizens.

YINGER John Yinger, General Manager of York Waste Disposal stated he had come on the scene in January, 2001 and did not deny there had been problems over the holidays in 1999 and into 2001 over the new year. He stated that his career in the garbage business spanned 27 years. He had responded to Bob Sabatini and to the Township on a more personal basis. He had found that meeting face-to-face on a personal basis and going the extra mile to help the elderly was the best way to solve problems. Mr. Yinger reported that the service had improved during 2001. He did not deny the telephone line was busy on occasion. They had provided a good and fair bid. They want to be able to continue to serve the Township and receive the award because York Waste was the lowest responsible bidder.

BAKER Attorney Timothy Baker, represented York Waste Disposal. Some of his points were:

- It really is a simple decision, not a hard decision.
- They could demonstrate aggregated savings to the Township.
- York Waste Disposal is a responsible bidder, the lowest responsive bidder. That had been acknowledged by Solicitor Yost.
- York Waste was invited to participate in the pre-bid meeting; they did so. They provided bid specifications that were responsive.
- York Waste had never had its bond pulled.

GURRERI Mr. Gurreri stated that the service had gotten better since Mr. Yinger came on board. He asked him how the Board could be assured he would stay with York Waste.

YINGER Mr. Yinger responded that he had been in and even taught the garbage business for many years. He has a family here; never moved away; raised three kids here. He had worked for Waste Management, SCA, Zeiglers Refuse. He stated he had no plans to

leave the area or York Waste. He referred back to dealing with people face-to-face and indicated he would even put his cell phone, home number and direct line on all the bills.

GURRERI Mr. Gurreri asked him to address some of the problems brought up tonight such as people calling and not being able to get through. He asked what could be done to correct that.

YINGER Mr. Yinger explained that they have a bank of phone lines that do get busy from time to time. York Waste services a lot of customers including commercial customers and industrial customers through those lines. Customer Service Representatives are available to take those calls. At certain times of the year on a quarterly basis those lines get busier yet because of the amount of calls that are coming through. The calls are answered, but again he referred back to his personal relationship with the Manager and being able to contact him anytime.

GURRERI Mr. Gurreri commented that Mr. Yinger had admitted there were problems. Since he had talked with Mr. Sabatini, there were people who had come to the Township offices furious about the haulers breaking their recycle bins. They called York Waste and were told that the resident would have to go there and buy one. Mr. Gurreri stated that if the hauler worker breaks one, York Waste should be responsible for it. Mr. Gurreri asked whether they hire temporary help.

YINGER Mr. Yinger responded that they do hire temporary help when someone is ill; however, the driver is always the same driver.

BISHOP Mr. Bishop asked whether he could address the apparent deficiency in reporting customer service complaints.

YINGER Mr. Yinger responded that he could not, except that it was his understanding that the monthly recycling report was given to the Township. The only other communication had been done through Mr. Sabatini regarding complaints. No report had been sent back to him; if he called about a complaint, he took care of it.

BISHOP Mr. Bishop stated that there was no way for the Township to know who had called.

YINGER Mr. Yinger stated that right now there was not.

BISHOP Mr. Bishop asked whether Mr. Yinger would not disagree that the contract requires York Waste to do that.

YINGER Mr. Yinger responded that he had heard that.

SCHENCK Mr. Schenck stated that in their cost analysis, it looked like they had hard numbers applied to the cart rentals and the extra service tags. Those numbers are based on known historical data and only you would know what those exact figures would be.

BISHOP Mr. Bishop asked whether they knew what the exact figures were for one bag and three bags.

COUGHLIN George Coughlin responded that they had used the bid specs.

BISHOP Mr. Bishop asked whether he would know how many people actually use the one bag.

YINGER Mr. Yinger responded that the number was very close. There was an Addendum that changed the numbers to round them from what the real numbers were in the first place for calculations.

BISHOP Mr. Bishop indicated that one item that always was a question in his mind with additional fees remitted to the Township. He asked whether they use the actual numbers to calculate that fee or the original bid numbers for the current contract.

COUGHLIN Mr. Coughlin responded that the Township fee was based on their quarterly billing, added to their billing and remitted back to the Township on the number of units billed. You have 6,666 people here that get a trash bill every quarter. It will fluctuate up and down; people stop service for the winter; some will move away; houses get built. Every quarter a bill goes out, the fee for the township is added on to that, and then the fee is remitted over to the township.

BISHOP Mr. Bishop asked whether those fees are remitted to the Township quarterly.

COUGHLIN Mr. Coughlin responded that was correct but that it was usually a quarter behind because it takes 90 days to collect.

BISHOP Mr. Bishop asked whether the contract required that they remit that in any certain time schedule, or just doing that quarterly when they get the money.

COUGHLIN Mr. Coughlin indicated he would have to review that; he thought it just indicated to remit the quarterly fee back, the same as paying for the extra tax.

COUGHLIN Mr. Coughlin stated that, with regard to the complaint log, he had gone through the file extensively. He thought originally when the contract was started five years ago they were told to let that item go. We tried to put that in, and were going to combine that in with the recycling reports and it was let go years ago through a couple of township managers and company owners. He added that they would not say no if the Township demanded the report. It was a mutual agreement and contract mutual agreement, contract modification.

BISHOP Mr. Bishop asked whether they would have any letter or anything to that effect.

COUGHLIN Mr. Coughlin stated he would have to review the files.

MITRICK Chairman Mitrick asked Solicitor Yost for his comments with regard to the Township's ability to award this contract.

YOST Solicitor Yost had addressed that in a letter to the Supervisors that, if the Board had substantial information which led them to conclude that the low bidder is not responsible, the Board does have the right, after a full and complete investigation, to demonstrate that and award to another bidder. The situation here tonight is somewhat unusual. In general, a disappointed bidder does not have standing to bring an action against the Township either to enjoin the award of a bid or to protest the award of a bid to another contractor. The bidding requirements of the second class township code and all the municipal codes is for the benefit of the citizens of Springettsbury Township. In fact, you have to be a taxpayer of the Township to enter a bid protest.

BISHOP Mr. Bishop asked whether there was any difference in terms of awarding a contract due to the fact that Springettsbury Township is not paying the bill directly but basically providing a franchise to someone to bill Township residents directly. He asked whether there was any legal distinction there in terms of awarding contracts.

YOST Solicitor Yost responded that he would conclude that there is not because if that distinction were drawn then the whole process is drawn into question. When the Township went to this process it was based on a court decision that approved this type of a process.

Mr. Yost indicated that if it's going to be an approved process under the Second Class Township Code then the standing applies to that as it would the award of any other contracts. The reason he brought up the issue of standing is that it's obvious that's why there had been several taxpayers in the Township here making the complaint or suggesting that the service from York Waste has not been what they anticipated or believe it should have been. Solicitor Yost was not certain that Penn Waste itself has standing to come before you and to complain about the lack of responsibility of York Waste. The taxpayers and the citizens of the Township do. That may be a distinction without much of a difference, but I think the Board understands where I am coming from. The court made very clear that the Board would have to look at all of the factors and make a reasoned discretionary judgment if the award would go to the second lowest bidder. I am not absolutely certain that you have an affirmative obligation to investigate where the bidder is not really being challenged in a substantial way by citizens or taxpayers of the Township. Solicitor Yost added that his only interest was in protecting the Township. It occurred to him that the simplest way that he could explain what he believed was the proper thing is that if he was going to get sued, he would want to get sued by the second lowest bidder rather than by the lowest bidder. It is really that simple. We have a disappointed bidder at this point in time. If it is awarded to Penn Waste, the Township was going to have another disappointed bidder. He thought we could almost assure ourselves of litigation. Solicitor Yost would rather defend a suit brought by the second lowest bidder than by the lowest bidder.

GURRERI Mr. Gurreri indicated that the question remained as to whether this is a legitimate bidder, York Waste. He had not heard anything said that York Waste was not a legitimate bidder. He would vote for York Waste because they are a legitimate bidder, with problems. Mr. Gurreri commented that one item requiring a decision was the spring and fall cleanup. He favored one pickup.

MITRICK Chairman Mitrick asked for the Board's consensus on the two pickups.

Consensus of the Board was favorable with only one large item pickup per year.

SCHENCK Mr. Schenck stated that there had been comments made about doing a thorough investigation. He stated that this issue had come up at an earlier meeting, and Mr. Schenck did not think it had been really reviewed. He indicated that if that was not a concern with anyone else, fine, but the time to do that kind of work was before doing the bids, and in his opinion that had not been done.

BISHOP Mr. Bishop responded that if it were not done now, it could not be done for another three years. He agreed to the extent that he was really concerned about the discrepancy with reporting. He thought the Township not getting any reports ever that we are aware of concerning customer service complaints from a current contractor was unconscionable to him.

SCHENCK Mr. Schenck commented that there was the question of whether the Township told them not to provide the reports.

BISHOP Mr. Bishop found that hard to believe, but apparently no one questioned it or required them to do it. He would feel more comfortable with a review of the matter.

SCHENCK Mr. Schenck indicated that was the reason he raised the question. As a Board member, he was asked to make decisions for which he takes responsibility. Perhaps he did not do his job and thoroughly analyze this and force the issue. He asked what the time restriction might be.

SABATINI Mr. Sabatini responded that the contract is open for 60 days. He added that he was not aware of any defaults of efforts or removal from contracts in York County.

SCHENCK Mr. Schenck acknowledged that there would be complaints and problems no matter which firm has the contract. He asked whether the number of complaints that we have had with York Waste was greater than what should be expected, and those facts are unknown.

SABATINI Mr. Sabatini responded that from comments he had received from staff the complaints are not outside of the realm of what he would expect. Since January I had received 25 complaints.

BISHOP Mr. Bishop added that was after a horrendous period and in the time period where everybody knows the contract is coming up for renewal.

PASCH Mr. Pasch commented that at this point he did not have a real problem. He felt that whoever the waste hauler is there will be difficulties. He did not know how to measure one against the other. He did not believe some of the members wanted to vote on it. If this can be tabled until more information can be gleaned and still have time to determine the award, he did not have any problem with tabling it. He cautioned that care should be taken

that there would not be a situation where there is no waste hauler out there. He asked when the contract expired.

SABATINI Mr. Sabatini responded that it expired on 12/31/01. A decision would have to be made at the next meeting.

SABATINI Mr. Sabatini indicated he would go over the files completely and provide a summary. He will also pull a D&B on both companies.

BISHOP Mr. Bishop asked for the payment history of the payments that come from the hauler to the Township and whether they've been done in the manner that has been prescribed by the contract and if the written contract has been followed. In addition, a search of Township records to determine whether there is any written documentation of waving the reporting requirements. Go back to the beginning of the contract four years ago.

HOVIS Attorney Hovis suggested to call the 15 municipalities that Penn Waste represents. They would be happy to provide the Township with a list of those municipalities.

SABATINI Mr. Sabatini asked what the largest municipality is where they are currently under contract.

WAGNER Scott Wagner responded that they current service East Hempfield Township, which is across the river in Lancaster County with 6,344 residents.

MITRICK Chairman Mitrick asked the Board whether there was a consensus to take action or whether the consensus was to table this item on our Agenda. The next Board meeting is Wednesday, November 14, 2001.

BISHOP Mr. Bishop indicated he would like to see some more information.

PASCH Mr. Pasch did not think that there will be any other conclusion. He did not see anything that is a critical type of context here. He added that he had no objection to the tabling.

MITRICK Chairman Mitrick stated that she personally believed that since Mr. Yinger had been on board with York Waste there had been a significant improvement in the service, and she believed he had provided good customer service. She agreed with Mr. Pasch and was willing to table action, but she was not sure that there would be significant information to justify what Solicitor Yost described

as our responsibility. She requested Solicitor Yost to work with Mr. Sabatini on the parameters of this two-week research so that we are sure it is legitimate and fair to everyone.

GURRERI Mr. Gurreri agreed with Mr. Pasch and Mrs. Mitrick.

MR. SCHENCK MOVED TO TABLE THE AWARD OF THE GARBAGE CONTRACT UNTIL THE NOVEMBER 14TH MEETING AND DIRECT THE TOWNSHIP MANAGER TO WORK WITH THE SOLICITOR TO PROVIDE THE INFORMATION THAT HAD BEEN DISCUSSED THIS EVENING. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick requested permission from the Board to move item 10B up on the Agenda, which was the Ordinance No. 01-16 - Ordinance Authorizing Borrowing to Refund 1997 Bond Issue.

Consensus of the Board was agreement to do so.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

C. Ordinance No. 01-16 – Ordinance Authorizing Borrowing to Refund 1997 Bond Issue.

GIBBONS Chris Gibbons of Concord Public Finance stated he had left the last meeting with instruction to fix the terms of the amortization that the Drover's Bank proposal provided. The amortization he had put together was the most conservative position where as much savings would be taken up front as possible if interest rates went to the highest level from year six through eight and stayed there. If interest rates were better than the worst case scenario, then the savings would be greater. He stated that based on some work that he and Mr. Carlucci had done over the last several days, the savings will increase by approximately $28,000 net to the Township. That was possible essentially by getting a higher rate of return on investment of the escrow. These bonds are not callable until May 15 of next year so that money will be invested between now and May 15. His original premise was to invest it in U. S. Treasury obligations. In discussions with Bob Sabatini there are other investment vehicles available to the Township, specifically collateralized certificates of deposit. Through going back to several of your banks they were able to get a rate far in excess of what the rate was through Treasuries. As a result that provides $28,000 of savings to the Board.

PASCH Mr. Pasch asked whether it was a comparable risk.

GIBBONS Mr. Gibbons believed it was not comparable and stated that there was always more risk with a bank than with Treasuries. He did not believe the risk was great, as it was also only a 5-month risk. At that point the investment will come due; the bonds will be paid off and there will be no more risk. He had provided a summary of what he had previously provided. Bond issues this week are higher than they were two weeks ago. There would have been less savings by going the bond route than with the bank loan. The total net present value savings on this financing is $253,000. That is a worst case scenario. If interest rates are not at the peak from year 6 through 8 there is more than $253,000 in savings.

BISHOP Mr. Bishop asked whether the interim CD's are with the bank.

GIBBONS Mr. Gibbons responded that they are with Commerce Bank, which had given the best proposal.

CARLUCCI Mr. Carlucci did not disagree that there might be some increased risk but the risk may be on getting paid the full interest. They are going to be collateralized by Treasury obligations 100%.

PASCH Mr. Pasch commented that the only risk would be the spread between the Treasuries and the collateralized.

CARLUCCI Mr. Carlucci commented that the amount of the borrowing had decreased. The principle amount was now $6,379,000.

GIBBONS Mr. Gibbons added that it decreased essentially because we were able to get a higher rate of return and can borrow less and invest it. This is the maximum amount at which we can re-invest this money.

PASCH Mr. Pasch was in favor. He stated that it was a lot of money that the taxpayers of this township do not have to worry about, and he appreciated the effort.

CARLUCCI Mr. Carlucci stated that they had distributed to the Board the final version of the debt ordinance, and if the Board was inclined to proceed the Ordinance should be enacted, which will do a number of things legally. It will formally accept the proposal from Drover's Bank, pledge the full faith credit and taxing power of the township as security for the loan from the bank. It approves the form of the note to be issued and authorizes the various officers of the township to execute and deliver whatever documents are necessary in order to consummate the loan. It also authorizes us, Don and Chris to proceed to do whatever is necessary to make the

necessary filings, get the approvals in order to bring this to a close. Mr. Carlucci indicated they would like to close it by November 20, which is aggressive. There are some post-enactment advertising requirements that need to be met, along with Proofs of Publication by law, certain proceedings have to be filed with the Department of Community and Economic Development. They may take up to 20 days in order to review and approve. Things are getting busy right now so if the filing could be made by the end of October it should be closed by November 20th.

YOST Solicitor Yost stated the only comments he had on the original draft were a couple of editorial ones, which had since been corrected. He had reviewed the other changes made in the draft, which were minor language changes.

MR. PASCH MOVED TO APPROVE ORDINANCE 01-16, AN ORDINANCE AUTHORIZING THE BORROWING OF FUNDS FROM DROVERS BANK FOR THE PURPOSE OF REFUNDING THE 1997 GENERAL OBLIGATION BOND ISSUE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. Jack Giambalvo – Sewer Planning Module – A3-67957-327-3: 350 GPD

STERN Mr. Stern reported that the Sewer Planning Module covered by item A was for the former Lowe's building.

SCHENCK Mr. Schenck asked whether actual readings had been taken with what was currently permitted.

STERN Mr. Stern responded that the background checking had been done and based on the water readings and adding 15 employees, they will need the additional EDU.

MR. GURRERI MOVED TO APPROVE THE SEWER PLANNING MODULE FOR JACK GIAMBALVO A3-67957-327-3 FOR 350 GPD. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. York Container – Sewer Planning Module – A3-67957-324-3: 2,000 GPD

STERN Mr. Stern provided background information for item B for York Container Company. The Reverse Subdivision and Land Development Plan had been approved for the 182,000 square foot addition at the last meeting. The Planning Module had not been ready for action at that time. This requests an additional 2,000 additional gallons per day. Staff recommended approval.

MR. SCHENCK MOVED TO APPROVE THE SEWER PLANNING MODULE FOR THE YORK CONTAINER PROJECT, 2,000 GALLONS PER DAY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. LD-00-13 – York VW – Time Extension to 12/13/01
D. SD-00-07 – York VW – Time Extension to 12/13/01

MR. BISHOP MOVED TO ACCEPT THE TIME EXTENSION FROM YORK VW LAND DEVELOPMENT 00-13 AND SUBDIVISION 00-07 TO 12/14/01. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. SD-01-07 – Tate – Time Extension to 11/14/01

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR THE TATE SUBDIVISION 01-07 TO 11/14/01. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. SD-00-10 – Sheridan Manor – Time Extension to 12/31/01

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION SHERIDAN MANOR PHASE I SUBDIVISION 00-10 TO 12/31/01. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. SD-01-05 – Abboud/RMA – Time Extension to 01/31/02

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR RAYMOND ABBOUD, SUBDIVISION 01-05 TO 01/31/02. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. LD-01-05 – Budget Host Inn – Time Extension to 12/14/01

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION BUDGET HOST INN, LAND DEVELOPMENT 01-05 TO 12/14/01. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

Community Map

GURRERI Mr. Gurreri asked about the status of the community map. This project began in 1999 and people paid money for it, and they still do not have the map.

SABATINI Mr. Sabatini responded that correspondence would be forthcoming regarding the map. A recommendation had been made to defer the map and refund the money as changes to the Board were coming

and a new legislative district for Springettsbury Township with possible other changes.

SCHENCK Mr. Schenck indicated surprise inasmuch as how aggressively the Community Map firm had approached him last November.

SABATINI Mr. Sabatini indicated the firm had the full final approved copy since May.

Municipal Parking Lot

GURRERI Mr. Gurreri commented on how great the parking lot looked, and it had been done by in-house contractors who came in and did the curbing and do the blacktop with a cost of $19,700. A bid had been previously received from East Coast Contractors for $46,000. Mr. Gurreri indicated that was a 60% savings, and that was why he wanted to continue to utilize in-house personnel.

Building Costs

GURRERI Mr. Gurreri asked about the list of building costs and whether a letter had been sent about the subject.

SABATINI Mr. Sabatini responded that the architectural matters would be discussed in Executive Session.

New Electricity Sources

GURRERI Mr. Gurreri reported he had attended the York County Transportation Coalition meeting. Discussion had taken place with regard to a gas-fired plant in Newberry, York Haven area, four in Lancaster, and that will provide people with more choices from which to choose electricity.

MITRICK Chairman Mitrick stated that a letter had been received from Melinda Higgins as well as Becky Roman from Historic York.

Newsletter

MITRICK Chairman Mitrick asked about the status of the newsletter.

SABATINI Mr. Sabatini responded that the letter was being held until a later time.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost stated that he had nothing to add to his written report. The Board's recommendation had been filed in the Judy Moul case and are awaiting a response.

SCHENCK Mr. Schenck asked Solicitor Yost about his counsel on Orchard Hills as to who was to approach the residents.

LUCIANI Mr. Luciani responded that initially the developer was to do so; however, the names had been provided to Mr. Luciani, who had contacted one of the residents.

SCHENCK Mr. Schenck indicated that Solicitor Yost had recommended that the Township help facilitate the action and that it really should not be the developer's full responsibility to make those contacts but rather be a joint effort. Mr. Schenck confirmed that Mr. Luciani would attempt to facilitate the developer's actions.

9. MANAGER'S REPORT:

Mellon Bank

SABATINI Mr. Sabatini reported that on October 11 Mellon Bank disbursed funds. They were directed to maintain their November 1 payment for police pensioners. The money had been disbursed from Legacy Trust and Fulton Financial Advisors. A meeting had been held with both parties, and revised investment guidelines will be provided to the Board consistent with discussions earlier this year regarding 50/50 between equities and fixed with 10% flexibility for the investment houses to use their sound discretion on how the money is being invested.

Williams Road

Mr. Sabatini reported that he and Mr. Luciani held additional discussions regarding Williams Road. The conclusion was that a significant construction project is unnecessary by moving the stock bar up 20 feet closer to the intersection. Some shrubbery will be removed, and a small portion will be trimmed at the crest of the hill, but not the 1/10th of an acre previously thought necessary; more likely 200 square feet.

MITRICK Chairman Mitrick asked whether that action would open up a whole different negotiation process with Mr. Miller.

LUCIANI Mr. Luciani did not believe so and stated it would simply shrink down the amount of square footage.

SABATINI Mr. Sabatini indicated it would exceed the PennDot minimum specifications by 40% for site distance at less money.

MITRICK Chairman Mitrick stated that, to satisfy the neighbors in that community, when would this work be done, i.e. when would the

stop bar be moved. Mr. Lauer indicated that all road work would stop at the end of the current week due to leaf collection.

SABATINI Mr. Sabatini responded that the stop bar would be moved the following week. The hedges and right-of-way could be shaved as soon as the agreement is made with Mr. Miller. Nothing has to be done with the road surface.

MITRICK Chairman Mitrick indicated she felt it should be done as quickly as possible for the neighbors.

SABATINI Mr. Sabatini added that the money Mr. Kinsley had provided was for transportation improvements overall. There could be potential improvements at Mt. Zion and Pleasant Valley Road and Sherman and Pleasant Valley. This meets the same criteria.

Newsletter

SABATINI Mr. Sabatini reported that the newsletter should include the garbage contract, which would be placed on the front page.

MITRICK Chairman Mitrick stated her concern with the draft was that items 1 and 2 on the telemarketing fraud and smart giving may not be appropriate and does not serve the purpose of our newsletter. She suggested to add a brief article about the increased costs of Park & Rec with some answers for the people who voiced concern.

SABATINI Mr. Sabatini wanted to be sure that the publishing deadlines could be met, as Recreation is tied in with dates, etc.

MITRICK Chairman Mitrick stated that if the garbage contract was not awarded in time for the deadline, a statement regarding the status of it could be made.

SABATINI Mr. Sabatini added that there has to be a notice sent out to each household.

Executive Session

SABATINI Mr. Sabatini stated that he would like to have a brief Executive Session regarding architectural fees and any potential claim on that.

MITRICK Chairman Mitrick announced that an Executive Session would be held immediately following the Regular Meeting regarding litigation.

MITRICK Chairman Mitrick requested that dates be set for the Budget Meetings.

Consensus of the Board was to meet as follows:

Tuesday, November 20th at 6 p.m.
Monday, December 3rd at 6 p.m.
Tuesday, December 11th at 6 p.m.
Monday, December 17th at 6 p.m.
Thursday, December 20th at 7:30 a.m. for Adoption

GURRERI Mr. Gurreri asked Mr. Sabatini about the approved Park & Rec Board Minutes.

SABATINI Mr. Sabatini responded that he would follow up.

GURRERI Mr. Gurreri asked Mr. Sabatini about the status of grants received.

SABATINI Mr. Sabatini responded that the grants project was in the first cycle.

SCHENCK Mr. Schenck asked about inviting the new board member to be a part of the budget meetings. He explained that it had been very helpful to him.

GURRERI Mr. Gurreri agreed that it had been helpful to him as well.

YOST Solicitor Yost added that it would avoid the possibility of the Budget being re-opened in January. Where there are newly-elected members, they have the right to have the budget re-opened.

Consensus of the Board was to invite the new board member to the Budget Meetings.

Eastern Boulevard – Painting and Striping

SCHENCK Mr. Schenck stated that he had received a telephone complaint about the striping and markings on Eastern Boulevard, i.e., the paint had worn; he wondered whether a longer-lasting paint could be utilized.

Website

SCHENCK Mr. Schenck mentioned that the website should be reviewed for revision and upgrade.

BISHOP Mr. Bishop stated agreement with Mr. Schenck.

Health Plan

SABATINI Mr. Sabatini mentioned that at the next Board Meeting he would have the final details for the Board's approval on an additional health plan addition at a lower cost with more options.

MITRICK Chairman Mitrick stated that yesterday she and Mr. Lauer met with Steve Shetter from Ehrlich regarding the lack of and need for landscaping in front of the Police Department. She felt that it indicated an incomplete project. Mr. Shetter discussed what he felt was needed and provided a proposal.

SABATINI Mr. Sabatini stated that the price was $2,150.

MITRICK Chairman Mitrick added that he could landscape in front of the building with a little bit on the side. With that figure comes a 1-year guarantee. Ehrlich would water if drought conditions exist.

GURRERI Mr. Gurreri asked whether Public Works could do the work for 50-60% less.

MITRICK Chairman Mitrick responded that there would be no guarantee. So much money had been invested in the complex that to leave the front of the building in its current state would be unwise. Mr. Shetter indicated he would look for good, quality plants, and the price could be lower depending on the costs.

BISHOP Mr. Bishop indicated that if the Board was serious about watching money, that was something that could be postponed until the spring when there is a better idea of the current finances.

MITRICK Chairman Mitrick stated she was in favor of it.

SCHENCK Mr. Schenck indicated he could not get excited about the idea, but he was not opposed to it.

PASCH Mr. Pasch was not excited about it either.

MR. BISHOP MOVED THE SUGGESTED LANDSCAPING NOT BE DONE. MR. GURRERI WAS SECOND. MOTION CARRIED. CHAIRMAN MITRICK STRONGLY OPPOSED.

Flag Pole

SABATINI Mr. Sabatini mentioned that the Police Chief mentioned there was no flag pole out front. He had obtained a price of $953.00 including the flag.

YOST Solicitor Yost commented that a light would be needed.

SCHENCK Mr. Schenck asked who would provide the flag pole.

SABATINI Mr. Sabatini responded it would come from Security Fence Co. He added that Chief Eshbach had reviewed the matter, but he had to leave the meeting earlier during the evening and could not respond to questions.

MITRICK Chairman Mitrick asked Mr. Sabatini to bring the matter up at a future meeting.

PASCH Mr. Pasch suggested that it might be a good project for sponsorship by a VFW or an American Legion.

SCHENCK Mr. Schenck added that it might be a good Boy Scout project. He was aware of a Scout who was working on becoming an Eagle Scout. He indicated he would pursue the matter.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Ordinance No. 01-15 – Establishing No Parking Zone on Eleventh Avenue

SABATINI Mr. Sabatini provided background information, which would establish a no parking zone on Eleventh Avenue. Because of the narrowness of the roadway, emergency vehicles could not navigate this road.

MR. GURRERI MOVED TO DIRECT THE TOWNSHIP STAFF TO ADVERTISE THE PROPOSED ORDINANCE ESTABLISHING A NO PARKING ZONE ON ELEVENTH AVENUE TO BE ACTED UPON AT A LATER BOARD MEETING. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Ordinance No. 01-16 – Ordinance Authorizing Borrowing to Refund 1997 Bond Issue

This item had been acted upon earlier during the meeting.

C. Resolution No. 01-51 – Application to PA Department of Conservation and Natural Resources for Park Grant

SABATINI Mr. Sabatini stated that, as part of the submission of a Grant Application to the Pennsylvania Department of Conservation and Natural Resources, the Township must obtain authorization by Resolution from the Board of Supervisors. This would cover

Phase II of the park in 2003 and would require a 50% match to be raised in any manner.

MR. SCHENCK MOVED TO APPROVE RESOLUTION NO. 01-51 AUTHORIZING THE TOWNSHIP TO APPLY FOR A GRANT FOR THE TOWNSHIP PARK. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Resolution No. 01-53 – Appointing Police Pension Fund Chief Administrative Officer

MR. SCHENCK MOVED TO APPROVE RESOLUTION 01-53 APPOINTING BOB SABATINI AS THE POLICE PENSION FUND CHIEF ADMINISTRATIVE OFFICER. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Regular Meeting – September 13, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF SEPTEMBER 13, 2001 BOARD OF SUPERVISORS MEETING AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Regular Meeting – September 27, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF SEPTEMBER 27, 2001 BOARD OF SUPERVISORS MEETING AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Board of Supervisors Special Meeting September 18, 2001

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 18, 2001 AS DRAFTED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Board of Supervisors Special Meeting October 4, 2001

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 4, 2001 SPECIAL MEETING AS DRAFTED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Board of Supervisors Regular Meeting – October 11, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE OCTOBER 11, 2001 BOARD OF SUPERVISORS REGULAR MEETING AS PRESENTED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. PASCH VOICED

APPROVAL OF THE MINUTES, BUT ABSTAINED FROM THE VOTE CONCERNING SUBDIVISION 99-01 – HUNTERS CROSSING FROM PAGES 16 THROUGH 34 BECAUSE HE WAS ABSENT.

12. OLD BUSINESS:

A. Other items

There was no Old Business for discussion.

13. NEW BUSINESS:

A. Acknowledgment of the Liquid Fuels Tax Fund Audit Report for the Year 2000.

MR. SCHENCK MOVED TO ACKNOWLEDGE RECEIPT OF THE 2000 LIQUID FUELS TAX FUND AUDIT REPORT AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Other Items

There were no further items for discussion.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 11:25 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **OCTOBER 11, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, October 11, 2001 at 7:30 p.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck, Vice Chairman
Don Bishop
Nick Gurreri
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Buchart-Horn, Inc.
John Luciani, First Capital Engineering
Ann Yost, YSM
Andrew Stern, Economic Development Director
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Services
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 7:35 p.m. and welcomed the attendees. She asked Mr. Gurreri to open the meeting with a word of prayer and the Pledge of Allegiance.

GURRERI Mr. Gurreri asked for a moment of silence for the victims and families of the World Trade Center disaster, the firemen, policemen, EMT's and volunteers. Mr. Gurreri prayed for the armed forces and world peace.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

MITRICK Chairman Mitrick announced that an Executive Session had been held earlier during the evening regarding legal matters. She indicated that, due to the turnout of residents, there was a very clear assumption that many people would like to address the Board. She asked that those who wished to speak would sign the sheets available on the podium at the door.

2. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober provided an update to his written report. The contractor had begun work on the Industrial Highway. Work had been done on the right-of-way to provide the pump station force main across to Route 24. In that same area is a 24"storm drain, which appeared to be in place without a current right-of-way. A deed search is underway, and the objective will be to combine the two together into one right-of-way.

B. Civil Engineer – First Capital Engineering

Orchard Hills

LUCIANI Mr. Luciani provided several updates, the first of which concerned Orchard Hills Development. A letter had been sent to the developer advising them to stake the area and coordinate with the homeowners. Mr. Luciani had discussed the project with a long-term homeowner who indicated he was aware of the safety hazard.

Traffic Calming

LUCIANI Mr. Luciani reported that he met with one of the East York residents. He felt they had provided a satisfactory answer to the reported speed problem.

Concrete Quality

LUCIANI Mr. Luciani indicated he had received a proposal to do a Petrographic Analysis, which he intended to provide to Mr. Sabatini, if the Board decided to move forward with a concrete analysis.

Plymouth Road

GURRERI Mr. Gurreri asked for the status of Plymouth Road.

LUCIANI Mr. Luciani responded that they are waiting to receive the inlets from Monarch, the pre-caster. As soon as the inlets are received, the work can be completed.

GURRERI Mr. Gurreri cautioned that, if the work was not completed by the end of October, it could not be done until spring. He did not want to see that happen.

LUCIANI Mr. Luciani agreed. He indicated there was a good chance to speed up the process. He explained that the materials brought to this site need to be PennDot approved. Mr. Luciani added that there is about one week's worth of work to be done.

C. Landscape Architect (Springettsbury Park) – YSM

Substantial Completion Date

YOST Ms. Yost reported on the Park Project. The first substantial completion date had been reached on Monday, October 15. The work is slightly behind; however, prepping and seeding had been done during this week and seeding and mulching next week. The contractor missed it by 4 days, but the work had been completed during the week requested. Ms. Yost indicated that the significance would be the season rather than a date; however, a notice will be sent to the contractor indicating that the date had been reached. No action was required.

Field Work

Ms. Yost continued her report that topsoil had been placed on all the fields, the walkways had been prepared, and part of the retaining wall had been completed. A citation had been issued on erosion control, and the excavator had prepared a draft letter in response to the Conservation District; there are five days to respond. One critical item on the list had already been corrected.

Change Orders

Ms. Yost advised that an update to her previous Change Order report had been provided to the Board. One price placed on Change Order #5 for $651.99 was under review. Regarding Change Order #3 on the retention pond, Contract #1, no price had been noted. That was the item needed to fill the detention pond. Township personnel were utilized to identify a construction site in the Township where some fill could be obtained. The Ego-technical engineer looked at it, and it is suitable material for use with the right compaction. That solution will lower the ultimate cost of the Change Order, possibly under $10,000. The cost will not be available until the work is completed. Charlie Lauer and his crew will be asked to bring the clay and stockpile it on the recently acquired site in the southeast corner. The basin is currently being used as an erosion control sediment basin. When it's no longer being used for that, the option will be for the Township to bring it to the site or the contractor bring it to the site.

1. Springettsbury Township Park Phase 1 Construction Documents – Addendum #4

SABATINI Mr. Sabatini reported that item 1 referred to a price for the engineering work to the Adams property to do a soccer field per the master plan.

MITRICK Chairman Mitrick asked Mr. Gurreri to provide an overview on his idea for the southeast corner.

GURRERI Mr. Gurreri responded that he had looked over the property, on which he had observed many beautiful trees providing a nice area in which to relax. He felt it should be reviewed for that reason. He suggested benches and a pavilion.

YOST Ms. Yost responded that many trees had been removed, and if that area became a soccer field, even more would be removed. There are some which could be salvaged. As part of the design, they would try to fit a pavilion walkway and a soccer field in that area. It would not be just one desolate soccer field there, but rather tied to the entire park. That came out of the fact that there is a need for fields, and this park does not have a stand-alone, multi-purpose type field. She did caution that although there are some nice, mature trees, many were silver maples, which involve more maintenance. The evergreens are nice, but the deciduous trees are not a quality tree.

GURRERI Mr. Gurreri stated that $3.5 Million was being spent, and there was a need to cut back due to the current economic times. His opinion was to let it sit.

MITRICK Chairman Mitrick asked which field would be there.

YOST Ms. Yost responded it would be a soccer-LaCrosse field. It would be a multi-purpose, rectangular sports field. One of the pro's with moving ahead would be that the excavators are there and mobilized, etc. If the field were done as part of the next phase, for which funding was being pursued, there would be two divergent portions of the property being worked on, which is not a real efficient way to work.

SCHENCK Mr. Schenck asked how much time was available with regard to the excavators.

YOST Ms. Yost responded that they are pushing now to meet a deadline for seeding. They could continue to do their bulk work in that area and if the engineering could be done quickly, they could move into it at once. We would have to go through E&S again, reflected in the price. There are some things that must be done. There is an opportunity to move into that area.

GURRERI Mr. Gurreri commented that the area would need a lot of grading.

YOST Ms. Yost agreed and added that a significant number of trees would be lost. She had requested Barton to engineer the lighting completely, so that price had been included in the same package on that corner lot as would be for the rest of the park. That would not need to be done now and is not part of this phase.

BISHOP Mr. Bishop stated that he found it difficult to justify rushing into making any changes there. He felt the Township had done the right thing in acquiring the property, having spent a fair amount of money to do that. He felt it would be unwise to proceed from a logistics point, as well as spending more money that may not be available.

YOST Ms. Yost indicated she had not done a cost estimate on the field, but there was no doubt that it would be an expensive field.

SCHENCK Mr. Schenck commented that there was too much to be done.

Consensus of the Board was not to proceed with any further work on the southeast corner property.

3. SUBDIVISIONS AND LAND DEVELOPMENTS:

MITRICK Chairman Mitrick commented that, as the Board proceeded into the Subdivision and Land Development section of the Agenda, that there were plans on the Agenda which had come with a great deal of community interest. The Board was appreciative of the interest of residents of Springettsbury Township. She added that Springettsbury Township is proud of its reputation that the meetings are courteous and orderly. She asked that the residents would help to support that. She provided an overview of how the projects would be handled, first hearing from the staff and consultants, then comments or questions of the developer and consultants by the Board, followed by hearing from the public before any action would be taken.

A. LD-01-08 – Harley Davidson – Project Keystone – Action

STERN Mr. Stern provided background information regarding the Harley Davidson project, which involved an area for a 350,000 square foot new facility located east of the existing location on Eden Road. Additional parking, internal roadway structures, stormwater management and other infrastructure and utilities would be added. At its August 16th meeting the Springettsbury Township Planning Commission voted to recommend approval of this plan with several waivers and conditions. Mr. Stern commented that Harley hoped to have the facility complete by the fall of 2003, the 100th anniversary of their company. The soil and erosion work had been approved and started. No work toward improvements had been granted. The transportation issues had not changed since the last report from Mr. Stern. Mr. Stern explained that this project has some different aspects inasmuch as in this case the Commonwealth of Pennsylvania has guaranteed a minimum of $5 Million for highway improvements, and the work will be completed through PennDot. It will be the State's responsibility to do the improvements and not the developer. As a

result, no condition had been listed for a PennDot Highway Occupancy Permit. Mr. Stern had reported that Harley held one resident meeting with the neighborhood. The purpose of that meeting was to discuss the neighbors' concerns and to let the neighbors know of the plans for the expansion. Since that time a second meeting had been held. The issues raised had been included in the packet for the Board. Some of the issues related to the roadway improvements necessary and the need to stagger shifts, reduce traffic headed northbound through the residential neighborhoods, deer. Staff recommended approval of this major project. He commented on the waivers and conditions.

MITRICK Chairman Mitrick asked whether Mr. Luciani had any additional comments.

LUCIANI Mr. Luciani responded that he had reviewed the Harley plan on October 2 He had created 16 comments, 14 of which Mr. Stern had mentioned involving waivers. He mentioned two specifically.

- The interior landscaping for the parking lot. Mr. Debes from Nutech provided a revised interior landscaping plan, which does meet the Ordinance requirements of 5% interior.

- Concern about the buffering near the Armory, the residential area at Canterbury Lane and their visibility of the new Project Keystone. Mr. Debes provided a landscaping plan to add some pine trees and provide some buffer from those current residences. Mr. Luciani stated that a complete boundary survey had been done in order to insure that the boundaries are computed accurately.

GURRERI Mr. Gurreri asked Mr. Stern about the traffic light at Sherman and Paradise Road. The residents seem to be concerned about that; however, with the improvements on Route 30, the traffic should be directed to 30.

STERN Mr. Stern responded that a light had been proposed for Sherman Street and Paradise. The turning lanes also had been reviewed, and the solution appeared to be a minor radius improvement with a traffic light.

MITRICK Chairman Mitrick asked about item 11 with regard to the Highway Occupancy Permit. She asked for Mr. Stern's confidence level.

STERN Mr. Stern responded that he met with PennDot, and their explanation was that when a developer does a project, a note goes on the plan saying that access to the state road is not permitted until a Highway Occupancy Permit is issued. In this case, since the developer would not be doing the improvements, the State is, the developer wouldn't be applying for a Highway Occupancy Permit or receiving a HOP, and the State would be doing it as a course of their project.

PASCH Mr. Pasch asked whether the stormwater management issues had been handled satisfactorily in view of those stormwater issues on the south side of Route 30.

STERN Mr. Stern responded that Harley's consultants had updated the stormwater management plan and satisfied the Township with the exception of the waiver requests indicated for depth and slope.

MITRICK Chairman Mitrick asked for input from Mr. Luciani as to the modification for setting the concrete property corner markers. The paperwork indicated that the 12 corner markers had been located. She asked whether 12 would meet the requirement.

LUCIANI Mr. Luciani responded that the property encompasses 225 acres. Concrete markers would not be necessary for the entire property; existing iron pin markers would not be disturbed. He believed that 12 concrete monuments would be sufficient, and he would make sure they are placed in the proper location.

STERN Mr. Stern introduced Bill Dannehl, Vice President, Plant Manager of Harley Davidson-York.

DANNEHL Mr. Dannehl stated that Harley-Davidson had been building motorcycles since the early 1970's. This year they celebrated building the Two Millionth Motorcycle in York. The company makes a direct economic impact in the Commonwealth of about $300 Million a year, and an overall economic result of about $1 Billion in the Commonwealth of Pennsylvania. The plant expansion is critical in the long-term strategy for sustainable growth for Harley-Davidson. They had reviewed the entire plan with an attempt to improve the plant needs but also to improve the site and the roadway access and concerns and issues of the neighbors. He asked for approval to help them move forward with this important project. He asked Tim Debes, Vice President of Nutech Design, to speak to some of the technical elements of the expansion strategy.

DEBES Mr. Debes indicated that Nutech served as the Land Development Engineer for the project. He highlighted some of the key features.

- Project Keystone was situated as close as possible to the existing assembly plant in order to (1) negotiate a slope, and (2) to have the front of the building align itself with the existing plant. The landscaping criteria had been met.

- Internal road circulation improvements include the relocation of Eden Road to the existing barrier break (part of the old North York Spur never built) will allow the influx of trucks and passenger cars in a more central location. Truck traffic will move clockwise to service Project Keystone and be forced to turn left and go back out to Route 30.

- Some of the perimeter traffic improvements include a signal light at Sherman and Paradise to facilitate the left-hand turn movements for that intersection. Some smoothing of 90° turns will be done with a re-alignment of Eden Road. Additional turning lanes and extended cue lanes will be added. There will be widening of Route 30 for three lanes each direction.

DEBES Mr. Debes provided an architect's drawing of the new building and explained some of its features. He then turned the comment portion over to Tom Austin, TRG, for some traffic issues.

PASCH Mr. Pasch asked Tom Austin to provide information regarding the shift change and its impact on Route 30. He asked how this plan would provide improvements.

AUSTIN Mr. Austin indicated that Bill Dannehl could better respond to Mr. Pasch's question.

DANNEHL Mr. Dannehl responded that, in relationship to ingress and egress of the employee base, they had reviewed a number of changes to staggering shifts differently. They are working with the union leadership, which had been very cooperative with the company in the review of shift times; they are confident that revised shift times will be made. The main intent is that the development of Route 30 and the widening and improvement of the infrastructure would allow more of the employees to exit out into the corridor and improve the flow of traffic.

PASCH Mr. Pasch asked Tom Austin whether he believed those changes would help and whether his studies showed that would be the case.

AUSTIN Mr. Austin indicated he believed it would. The peak traffic occurs from 4:30 to 5:30 p.m. Shift changes need to be made so that they do not impact those peak times on Route 30. He reiterated that with the new intersection and roadway improvements, it should be a nice improvement on Route 30.

MITRICK Chairman Mitrick asked whether right-of-ways had been obtained in relation to the south side of Route 30.

AUSTIN Mr. Austin responded that they had not but that would be dovetailed in the PennDot funded improvements. Nutech started some of the base surveying to establish the rights-of-way. Dialogue had been held with some of the property owners, who indicated interest in moving the project ahead.

PASCH Mr. Pasch asked Solicitor Yost whether or not Springettsbury would have to do the taking.

YOST Solicitor Yost responded that was correct.

PASCH Mr. Pasch asked whether Springettsbury would be absolved of any expense in doing the taking.

AUSTIN Mr. Austin responded that would all be funded with the PennDot work.

SCHENCK Mr. Schenck stated that he had full confidence in the improvements the state had proposed. He commented that, as Board members, they were being asked to approve a plan, which hinged on the traffic improvements with indications that the site won't work without them. He asked what commitments or documentation they had received from the State that would make him comfortable with the improvements and the funding, and whether there was any time line in that commitment.

DANNEHL Mr. Dannehl responded that they had received a commitment letter from the Governor through the Action Team regarding the infrastructure improvements. He added that there are no firm dates to those commitments; however, the commitments are to support the expansion activities.

SCHENCK Mr. Schenck commented that it was possible that the improvements would not be in place by the completion time of the plant. The plan relies significantly on those improvements.

DANNEHL Mr. Dannehl explained it would not be until about 2005 that the infra-structure would become a barrier if not in place.

AUSTIN Mr. Austin stated that the engineering and design of the improvements had begun. An environmental scoping meeting with PennDot and FHWA. The environmental group from the district reviewed the environmental issues. The scope was in the final stage for the engineering work which will follow similarly to what was in process for the Concord Road work. Surveys are under way.

SCHENCK Mr. Schenck observed that they are doing all the engineering that PennDot would normally do for this type of project. The Township had done that on

previous projects because it shortens PennDot's time line and goes a long way to make sure their funding comes through.

STERN Mr. Stern added that an actual grant application would be submitted to the State Department of Community and Economic Development, an infra-structure development grant. That grant will cover engineering expenses, and it will be up to the Board to decide whether it wants Tom Austin to continue with what had been done, or if the Board wanted to hire a different traffic engineer. The goal would be to do an accelerated design construction.

SCHENCK Mr. Schenck asked Solicitor Yost whether the documentation received from the state would be of any value to the Township to assure those commitments.

YOST Solicitor Yost stated that some type of assurance from the state was necessary.

STERN Mr. Stern indicated that he had seen a copy of the letter from the Governor and the Action Team. They did mention this project and another project. They have assured the Township that the letter sent to Harley is sufficient. He was not sure of the legal aspects.

DANNEHL Mr. Dannehl added that Harley-Davidson's approach as a company was to maintain relationships, and that relationship building extends to the Commonwealth and PennDot. They had been working with them and knew of no reason why they would renege on that commitment as shown in the Letter of Intent. He could not speak to the legal binding nature of the letter, but believed that the Commonwealth was acting in good faith and had given those commitments and would come through with the development.

STERN Mr. Stern indicated that the letter clearly stated a minimum of $5 Million, which money would be funneled through the York County Transportation MPO. The project would be no different from any other projects on the 12 Year Plan or TIP except that it had been accelerated and is at the top of the $5 Million earmarked for this project.

MITRICK Chairman Mitrick asked Solicitor Yost whether that letter could provide the assurance that could settle the Board on the matter.

YOST Solicitor Yost asked for a copy of the letter.

MITRICK Chairman Mitrick asked Mr. Austin to discuss the extension of Eden Road.

AUSTIN Mr. Austin described the relocation of Eden Road around the existing west parking lot of Harley-Davidson. He stated a two-fold objective.

- There is a severe safety issue with the number of people at shift changes that cross over Eden Road. They have to compete with the same space that cars and trucks take.

- Realignment would grant a new right-of-way for the Township. When completed it will be elevated to finally solve the issue of Eden Road being submerged during heavy rainfall. It's a win-win situation. The existing curves will remain to serve as traffic calming measures.

MITRICK Chairman Mitrick asked Mr. Stern what the dollar amount was for the grant being applied for on the extension of Eden Road.

STERN Mr. Stern responded that the dollar grant would amount to $1.25 Million, which from the developer's estimates is on the high end of what that project would cost to relocate Eden Road including engineering and any other costs. It had not been approved yet.

MITRICK Chairman Mitrick commented that it really would not have the guarantee that the other moneys have.

DANNEHL Mr. Dannehl indicated he could not respond to the legal binding nature of the document. He felt that Harley had developed a high integrity relationship with the Commonwealth of PA, the Governor's Office and the Action Team. Harley was operating in good faith that it would be in our mutual interest to go forward with both of those grants and those projects.

STERN Mr. Stern commented that the $5 Million letter does exist and he had seen it. However, he was not able to produce a copy of that letter for Solicitor Yost.

SABATINI Mr. Sabatini stated that, based on his experience, that is a relative commitment letter based on the infra-structure grant. It is a difficult program to get into because there are a significant number of municipalities that receive those funds.

DEBES Mr. Debes pointed out that the project could still survive as it currently exists. He added that within the next 30 days a pedestrian flashing light will be going up with crosswalk improvements as a result of a permit from PennDot, which in the interim will ease the safety concerns that the Union has had with employees crossing over Eden Road.

SCHENCK Mr. Schenck asked Mr. Stern whether the $1.2 Million grant would require any matching funds.

STERN Mr. Stern responded that it would normally, but Karen Edwards and he had spoken with Anthony Steel, a state representative, who indicated that for this grant the state would be viewing the $150 Million from Harley as the matching funds for this project.

PASCH Mr. Pasch commented that the change on Eden Road, except for the fact that it's not flooding and it's going to be better for the Township to maintain, the primary benefit would be for Harley and their people in terms of crossing Eden at shift changes. The amount of traffic traveling through there, other than for the Harley plant, would be minimal.

DANNEHL Mr. Dannehl stated that was Harley had worked out the expansion strategy with the State because they were adamant about the state helping with funding so as not to place a burden on Springettsbury Township for that purpose. The earmarked $1.25 Million was a part of our negotiations with the State to try to benefit the Township to reduce the financial exposure.

MITRICK Chairman Mitrick stated that Springettsbury Township was being pressured from all angles for road improvements. She asked Mr. Dannehl whether there would be any pressure from Harley for the Township to improve that roadway if the grant failed.

DANNEHL Mr. Dannehl responded that if the grant failed he would be in Governor Schweiker's office putting a great deal of pressure on the integrity of the State and the commitments made to us. There would be a continual lobby to hold those commitments firm. He commented on economic impact that Harley has made in the Commonwealth, and their effort towards continuing to build jobs. Within the last decade over 1,000 jobs had been created in York County. It's not in the Commonwealth's interest to walk away from those kinds of commitments from the kind of corporate citizen that Harley Davidson represents. Mr. Dannehl continued that when Harley decided to invest $145 Million in a plant to be built in advance of roadway commitments, that was an item they had to weigh. Harley Davidson made that $145 Million commitment on the assumption that the Township and the State would hold up their end of the bargain. Their confidence level is very high.

YOST Solicitor Yost stated that he would feel a little more comfortable with a document.

GUNARICH Mr. Mike Gunarich, the Union Representative, stated that there is a Letter of Intent of a minimum of $5 Million from the Commonwealth, which was a joint effort with Bill Dannehl and the Union President meeting with Governor Ridge. That letter is in the possession of Harley-Davidson and could be provided to the Township. The Board of Directors would not have given

Harley the money for this project without the Letter of Intent from the Commonwealth.

YOST Solicitor Yost asked whether application had been made for the funding.

STERN Mr. Stern responded that the application had not yet been filed pending the results of this meeting.

YOST Solicitor Yost asked whether they had an actual copy of the offer for the $1.25 Million. The Township has Harley's acceptance but no copy of the offer.

SCHENCK Mr. Schenck asked whether it would be appropriate to state that all those documents, the Letter of Intent and the Offer for the grant that the Township would use just be included in the documentation that accompanied the plan.

YOST Solicitor Yost responded that would be appropriate for the Township's comfort.

PASCH Mr. Pasch stated that the Board could then just include in the motion that it would be "conditioned upon."

DANNEHL Mr. Dannehl stated that Harley would be more than happy to comply with that request.

MITRICK Chairman Mitrick asked who would be responsible for the traffic signal on Sherman.

AUSTIN Mr. Austin responded that the signal was included in the $5 Million.

SABATINI Mr. Sabatini added that ultimately it would be the Township's responsibility to operate it.

MITRICK Chairman Mitrick mentioned the meetings held with the residents and asked whether there were any outstanding concerns expressed that Harley felt could not be addressed or satisfied.

MUCCI Mr. Doug Mucci of Harley Davidson had attended those meetings. He responded that there were none. He added that he could say they had been addressed, but certainly relating to all the issues elevated by the local community, action plans are being put into place. The biggest issue to our understanding is the Paradise to Sherman road. Tom Austin did some work on calming devices to offset some traffic diverting into the local roadways. The other issue was the deer herd. Harley clearly believes a very robust solution was forthcoming that will meet all the interests of all the stake holders. They

are working together with the Pennsylvania Game Commission and Penn State University.

PASCH Mr. Pasch asked whether all the residents that are concerned are as comfortable as Harley.

MUCCI Mr. Mucci responded that two meetings had been held and their concerns were documented and addressed. He was not sure how to gauge consensus.

DANNEHL Mr. Dannehl added that the issues raised in those meetings are issues that exist today. They are not issues that would be exacerbated by the development of the property. Harley is engaged in a very open debate with our neighborhood constituents and trying to find solutions.

MITRICK Chairman Mitrick asked whether there were plans to have other meetings with the neighbors.

DANNEHL Mr. Dannehl responded that Harley needs to find some real action plans associated with those issues. As far as the deer herd, when we get closure we would inform the neighbors. He anticipated that within the next six to nine months there may be a few more meetings held with the residents. He added that some of the issues are not within Harley's ability to change.
Once our employees exit out onto the public roads, there is a limited amount of things that can be done to control actions on a public highway. We did send letters informing our employees, co-signed by the Union President and myself, discussing the issues and concerns of the residents. Harley is taking that seriously but still has some work to do.

SCHENCK Mr. Schenck asked about the HOP note. He questioned whether there was any harm in it being included even if it would not require anything.

BISHOP Mr. Bishop asked whether it was reasonable for the plan to be contingent upon approval of a Highway Occupancy Permit if required. The Township would simply not want Harley to build this expanded plant and not be able to get onto the roadway.

YOST Solicitor Yost stated that Mr. Bishop made a good point; otherwise there would be a question whether the Township was complying with the MPC.

SCHENCK Mr. Schenck stated that it should be stated as "conditioned upon receiving it, if required."

DANNEHL Mr. Dannehl questioned the issue of timing as it related to achieving the expansion plans in the timing designated.

BISHOP Mr. Bishop responded that you would have to have the Occupancy Permit by the time you complete the expansion. The Board was not indicating that Harley could not start the project.

STERN Mr. Stern stated that Harley could not use the state roads until the state approved them.

YOST Solicitor Yost indicated the Board could not approve a plan without putting a notation on the plan that if needed, Harley would have to get a Highway Occupancy Permit; otherwise the approval would be defective.

MITRICK Chairman Mitrick asked whether any residents had signed the register to speak about the project.

SABATINI Mr. Sabatini indicated there were none on the registration sheet.

MR. SCHENCK MOVED FOR THE APPROVAL OF LAND DEVELOPMENT 01-08 FOR THE HARLEY-DAVIDSON KEYSTONE PROJECT WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM THE REQUIREMENT TO SUBMIT A PRELIMINARY PLAN;**
- **WAIVER FROM SHOWING ALL ADJACENT LANDOWNERS, STREETS AND EASEMENTS;**
- **WAIVER FROM SHOWING ALL MAN-MADE FEATURES IN THE NON-PROJECT AREAS;**
- **WAIVER FROM SHOWING ALL PROPERTY LINES, EASEMENTS, AND RIGHT-OF-WAYS IN NON-PROJECT AREAS;**
- **MODIFICATION FROM SETTING ALL CONCRETE PROPERTY CORNER MARKERS AS PRESCRIBED BY THE TOWNSHIP ENGINEER;**
- **WAIVER FROM THE CURB AND SIDEWALK REQUIREMENTS CONDITIONED ON OUR STANDARD SIX-MONTH NOTE;**
- **WAIVER FROM THE REQUIREMENT FROM STORMWATER MANAGEMENT BASIN DEPTH MAXIMUM OF 6 FEET;**
- **WAIVER FROM THE 4% MAXIMUM STORMWATER SLOPE REQUIREMENT;**
- **CONDITIONED ON THE SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER;**
- **CONDITIONED ON RESOLUTION OF EASEMENT FOR SANITARY SEWER LINE AT PA ARMY NATIONAL GUARD ARMORY;**
- **CONDITIONED ON RECEIVING PENNDOT HIGHWAY OCCUPANCY PERMIT IF SO REQUIRED BY PENNDOT;**

- **CONDITIONED ON THE INSTALLATION OF A SIGN AT THE NORTH END OF THE PROPOSED INTERNAL ROADWAY WHERE IT CONNECTS TO PARADISE ROAD PREVENTING TRUCKS FROM TURNING RIGHT ONTO PARADISE ROAD;**
- **AND THAT THE LETTERS OF INTENT FOR THE $5 MILLION GRANT AND THE $1.2 MILLION DOLLAR GRANT APPLICATIONS BE INCLUDED IN THE DOCUMENTATION WITH THIS PLAN AND THAT SUCH DOCUMENTATION BE REVIEWED AND ACKNOWLEDGED BY THE TOWNSHIP SOLICITOR. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

DEBES Mr. Debes stated that during the course of the five-month process they had received tremendous cooperation from Messrs. Luciani and Stern. They had performed their jobs and were tough when they had to be. They also gave some flexibility within the site to make this a more smooth passage. The Harley team thanked them.

DANNEHL Mr. Dannehl added that Harley's success comes from the partnerships that have been built over time. Harley is excited with the partnership with Springettsbury Township and is glad for the approval.

Recess

MITRICK Chairman Mitrick announced a short recess at 9 p.m. The meeting was reconvened at 9:10 p.m.

B. SD-99-09 – Hunters Crossing – Action

MITRICK Chairman Mitrick repeated some of the comments made earlier with regard to the procedures to be followed. She asked for cooperation towards a courteous meeting. She reiterated that the Township staff and consultants would provide their information and comments. Following that the developer and his consultants would comment on the plan and answer any questions that the Board might have. Following that, prior to the Board taking action on the plan, the floor would be opened to public comment. She indicated she would call upon those individuals who had signed the sheet.

MITRICK Chairman Mitrick announced that Supervisor Ken Pasch recused himself from participation in the business of this subdivision because of a stated conflict of interest.

STERN Mr. Stern stated that the purpose for SD-99-09 - Hunters Crossing was to subdivide a 68.74 acre tract into a 106 lots, 101 of which would be building lots, and 5 would remain open. This plan falls under the residential Open Space development, covered in Section 1933 of the zoning ordinance. Hunters

Crossing will be comprised of 50.15 acres, 21.75 of those acres, about 43% will remain open. He provided a breakdown of the lots as follows:

Lots 1 through 62 will be single-family, detached dwellings.
Lots 63 through 101 will be semi-attached and attached units, townhouses and duplexes
Lot 102 will remain the original tract owned by the Wiests, 18.59 acres.
Lot 103 will be the wetland, grassland area and remain untouched, 5.6 acres.
Lot 104 is titled Woodland Preserve with 9.44 acres.
Lot 105 is the Historic Preserve area, 6.71 acres.
Lot 106 is located in Windsor Township and will provide for a roadway connector to Marvel Drive in Windsor Township.

Mr. Stern indicated that comments had been provided through the Minutes from Springettsbury's Recreation Committee related to recreational facilities. The Ordinance required that the Recreation Committee provide its opinions on recreational facilities, as Planning Commission also has the opportunity. Ultimately it's the Board's decision. The developer would be provided commentary on those facilities.

Mr. Stern reported that on September 20, 2001 Springettsbury Township Planning Commission took its final action on the plan. The vote was 2/2, so it came without a recommendation, although the exact motion is listed in the memo. Draft Minutes from the Planning Commission meeting were attached to provide issues discussed. John Luciani would be providing his comments. Open comments remain as follows: Waiver from stormwater basin slope; Approval of the DEP permits; Stormwater swale – Luciani
Ownership and maintenance of the stormwater ponds must be resolved; Owned by the developer, a homeowners association, or the township or a private property owner; historical aspects were not discussed in lieu of others in attendance wishing to discuss those.

Mr. Stern stated that the plan was an excellent one as far as planning principles. The original plan that had come before the Township in 1999 was a cookie cutter plan for 73 lots, which would account for development of 100% of the 50 acres in question. The Township hired an independent planner to work with the Township and developer to find a way to make this an Open Space plan, which is what had been done.

Mr. Stern stated that the staff recommended approval of the plan with several waivers stated in his memorandum.

MITRICK Chairman Mitrick asked Mr. Stern about the condition on the approval by Windsor Township and what would happen to the plan as it was presented if the developer would not get approval from Windsor Township.

STERN Mr. Stern responded that the plan would not be recorded until the conditions were resolved. If the other township did not approve it, then the plan would not be approved. If they did not approve it, Mr. Stern assumed they would provide a reason. If the reason were something that could be corrected, the developer would correct it, obtain approval and satisfy that condition. If the reason for denial is one that cannot be resolved by the developer, then modifications would need to be made in the plan in the Springettsbury Township portion.

LUCIANI Mr. Luciani stated that Mr. Stern had touched on most of his comments. He commented on the minor issues outstanding as follows:

- A swale – the developer's engineer had provided computations for the swale which are satisfactory. That concern has been met.

- Maintenance program for the stormwater management basin still remained outstanding.

- A number of DEP permits that need to be obtained: GP4 for a detention basin outfall, GP5 which is a sanitary sewer stream crossing and a GP7. He mentioned the Windsor Township approval needed.

- The new pump station which the Township preferred to have relocated. The developer had agreed to do so; however the pump station, Part II Permit, was an outstanding condition.

- Bonding - The developer could proceed with preliminary approval go ahead and install infrastructure being the roads, bridge, sewer and storm lines but not allow him to sell residential lots. He'd need to file a final plan to begin selling lots and bond at that time.

SCHENCK Mr. Schenck asked about the procedure from the Preliminary Plan to a final plan. The developer would not be on a time line for an application for final approval.

STERN Mr. Stern responded that no application for final approval had been filed. There is a suggested time period of not later than six months.

MITRICK Chairman Mitrick stated that between the time of a preliminary plan that is approved and before it comes back for final approval, the developer does have the right to enter the property and begin working on the infra-structure, the roadways and utilities.

GURRERI Mr. Gurreri asked Mr. Luciani about the one waiver concerning the basin slope.

LUCIANI Mr. Luciani responded that the slope had been modified. In the analysis it was determined that the stormwater basins in the development needed to be raised to prevent flood waters from flowing back into the stormwater management basins. The Ordinance required a minimum of 4/1 slope. When the basins are lifted to avoid an encroachment of the wet lands, they are required to put a retaining wall and need a side slope waiver from the basin side slope to allow the retaining wall in the basin.

MITRICK Chairman Mitrick asked the developer and consultants to come forward.

STERN Mr. Stern stated that Tim Pasch is the developer of the plan; the consultant is Jerry Stallman.

STALLMAN Mr. Stallman of the engineering firm of Stallman and Stallman, the engineers for the project stated that a copy of the plan had been provided to the Board. He reiterated the information that Mr. Stern had provided relative to the plan. Mr. Pasch had embraced the idea of an Open Space development, and that plan had gone through many different changes to arrive at the plan as presented. The input and concern of the individuals who represent Camp Security had been taken into consideration, and he asked the Board to take note that approximately seven acres in the center of the site which is being called the Camp Security area is intended to remain open.

Board Comments

BISHOP Mr. Bishop asked Mr. Stallman to address the basin slope issue.

STALLMAN Mr. Stallman responded that the waiver for the side basin slope applied if a retaining wall were installed. It has infinite slope because of the definition of slope, which is rise over run, and the language in the Ordinance says that this slope can be a maximum of four to one. If one would consider that this wall had infinite slope, then the waiver would be needed. As was pointed out this same type of waiver is a common one granted to address that issue when it comes to retaining walls.

MITRICK Chairman Mitrick asked about the center area where there was an indication that there are 17 lots.

STALLMAN Mr. Stallman responded that she had referred to the center area. The plan included 100 building lots. If one would want to develop that, there was a reference made to a number of lots. There had been a plan that referenced streets going through there with a series of adjacent lots. The lots all back into the Camp Security area so that there is no frontal activity. There are accesses into that site.

PASCH Mr. Pasch commented that he had been making an attempt to show a way for the Friends of Camp Security to the Federal Government to purchase one large lot. There could be a potential of 17 lots there, but his note on the plan was more for his benefit. He added that he was excited about the Open Space development. He commented that he had met his commitment to preserve as many of those trees as possible for Penn Oaks.

MITRICK Chairman Mitrick asked whether Tim Pasch's note on the plan showing 17 lots should be removed.

YOST Solicitor Yost indicated that it should be removed.

PASCH Mr. Pasch stated that he was trying to give the Camp Security people time to raise some funds for that, and I thought if it were on the plan then it would be clear, but if it shouldn't be on there it's not an issue.

MITRICK Chairman Mitrick understood why you wanted it there for personal reasons as well as for those who may want to purchase and preserve it, but for Township purposes, she felt it was inappropriate.

PASCH Tim Pasch agreed. He stated that mid-day yesterday he had received a fax with comments from Friends of Camp Security's engineer which included a number of traffic issues. That plan was reviewed by Jon Seitz, and he asked him to come and provide comments regarding the traffic issues.

SEITZ Mr. Jon Seitz, Professional Engineer, with Transportation Resource Group (TRG) stated that he had been provided with comments from a letter of September 13 prepared by Thomas P. Wilson of HRG, Inc. There were 10 comments that related to traffic. He had met with their engineering traffic technician who had actually reviewed the Traffic Impact Study and had written the comments. Mr. Seitz reviewed his letter with Kevin Birk, the technician, over the telephone, who seemed to be agreeable with the responses.

BISHOP Mr. Bishop stated that the subject of traffic did not seem like it was crucial to the Board's deliberations.

SEITZ Mr. Seitz stated that the Traffic Impact Study had been reviewed by York County Planning Commission, the Township Engineer, and comments had been received in the past. This is a third entity. We did prepare the responses but he was not sure of the applicability of the comments from HRG.

MITRICK Chairman Mitrick indicated she had raised some questions when she spoke with Mr. Luciani regarding numbers in the report that arrived yesterday at 11:30 and he did explain to me why the numbers were incorrect. Personally she did not have any further questions.

SCHENCK Mr. Schenck asked about Tim Pasch's activities with Windsor and about the status of their process.

PASCH Mr. Pasch stated that a meeting had been held at the site of Marvel Drive.

SEITZ Jon Seitz indicated that upon visiting the area and having the review, the result was an optimal alignment. It had been recommended that a three-way stop sign be placed on each of the legs of the roadway. It had been mutually agreed that there was a good plan for a safe intersection, which was to be carried to Windsor Township for their review.

PASCH Tim Pasch commented that a concern had been raised of site distance as motorists could not see if there was parking on one side of the intersection. A no parking sign was placed on the plan.

STALLMAN Mr. Stallman added some comments about street widths, which they had addressed.

PASCH Tim Pasch stated that he though the plan was excellent and that it had accomplished a win-win for everybody involved, the Township, the developer, the final end users, and Friends of Camp Security.

MITRICK Chairman Mitrick indicated that there had been a fee negotiated for traffic. She asked for the history of the negotiation and who settled that matter.

PASCH Tim Pasch responded that John Luciani and Jon Seitz had discussed a number of items and came up with a percentage figure of his impact. He had sent a check in that amount of $2,615.

STERN Mr. Stern responded that he had a check dated August 2. He would not summarize it as a negotiation. The applicant proposed the logic of 1.7%. There is nothing in the Ordinance that spells out how that is determined, so the

check is being held pending agreement or lack of agreement. The logic made sense, but it is also a very small contribution.

GURRERI Mr. Gurreri asked when he would build the first house, and when would people move in, provided he received approval.

PASCH Mr. Pasch responded that they are up to 83 people on a waiting list. He projected the best case would be to start in the spring; worst case, summer. He added that he would have too much to do start moving too much dirt. He could go over and start some stormwater management, but with the snow coming early, spring would be the earliest.

GURRERI Mr. Gurreri indicated he thought Locust Grove road work was scheduled for spring of 2004. It had been moved from 2002 to 2004 and could very well be moved to 2006.

PASCH Tim Pasch added that he should be able to improve that greatly because his firm was are under contract for the drive in. He will be putting a traffic light there in that subdivision in front of the Food Lion. That intersection will grow and get better because of the traffic light. That 26 acres will have a lot of traffic coming out of that site. He projected he would probably improve Market Street before PennDot would as far as the next project.

MITRICK Chairman Mitrick stated, for those in the room who had an interest in the preservation of that property, Tim Pasch had stated that he would not going to disturb property until spring of 2002 at a minimum.

BISHOP Mr. Bishop commented that the stormwater basin ownership and maintenance had not yet been addressed.

PASCH Tim Pasch responded that he had provided the homeowner's association documents to Solicitor Yost. He would prefer to deal with it through a homeowner's association as they work well as long as he was involved. If the Township wanted to take over the stormwater, that's your prerogative. The homeowner's association does address it.

BISHOP Mr. Bishop stated that Mr. Stern's recommendation was that we condition any approval on resolving this issue.

STERN Mr. Stern referred to Mr. Pasch's comment. If the Township takes possession, the developer could provide an amount of money for the maintenance. Stormwater ponds every year become more of a problem for his office as far as property maintenance goes. Mr. Pasch's ponds are better than the average pond as far as maintenance is concerned, but once he's out of the picture, the

homeowner's association is completely responsible. Almost every pond in the township had been a problem at some point in the last five years. Mr. Stern continued to recommend that the Township take funds to cover maintenance.

PASCH Tim Pasch added that his homeowner's association document is written that the Township has the right to take over and to assess a fee to each homeowner who lives there. If we wanted to do that in the beginning instead of a homeowner's association, a stormwater district could be created for each homeowner in their tax and it could be paid quarterly.

MITRICK Chairman Mitrick stated this was an issue that needed resolution; she asked for the consensus of the Board.

SCHENCK Mr. Schenck stated that the Board had discussed the matter a number of times. Mr. Stern had indicated more of a policy decision. Bigger stormwater districts had been discussed as well. To take that argument and apply it to this plan doesn't make sense. For this plan, the Board should discuss what Tim Pasch proposed, which is what we've done to date. From Mr. Stern's standpoint we should be establishing a policy outside of this plan.

BISHOP Mr. Bishop agreed.

PASCH Mr. Stallman had been instructed to widen and regraded the basin for easier access.

SCHENCK Mr. Schenck asked about the references of the general permits 4, 5, and 7 from DEP and whether they related to the stream crossing.

PASCH Tim Pasch commented that it related to the bridge crossing, the stream and the utility boring.

SCHENCK Mr. Schenck asked whether the recreation needed to be discussed further.

STALLMAN Mr. Stallman responded that the Board would have to make a decision as part of the final plan as part of the Ordinance. The matter had been reviewed by the Recreation Committee, and a recommendation had been made. Further the Ordinance indicated that a recommendation was needed from the Planning Commission. At some point that has to be resolved.

BISHOP Mr. Bishop asked whether there was a recommendation from the Rec Board as to who would own it.

PASCH Tim Pasch responded that the Park & Rec Department wanted it. Their theory was that they would add to it as money became available. Tim Pasch's

concern was that it could be handled as a fee in lieu of, but Camp Security Park doesn't need anything, and the other park that's close to that is Penn Oaks which is a fair distance away. No one from Hunters Crossing would really benefit, and he would rather spend the money here.

STALLMAN Mr. Stallman stated that the Board had the added problem of the statutory limitation on spending that money.

MITRICK Chairman Mitrick commented that she had read the Minutes from the Park & Rec Board of August 20. They had taken action on their recommendation, and she indicated agreement. She felt it was a very fine proposal for that property. For the public's information, Chairman Mitrick provided the recommendation from the Park and Rec Board, that from the grasslands down into the woodland preserves following the creek to put in a pavilion, benches for resting area, one or two picnic tables in the picnic area using crusher waste and screening, as well as going into the Camp Security area itself with educational information including podiums to indicate what was estimated to be here and there, - all to be handicapped accessible.

MITRICK Chairman Mitrick asked Mr. Stern about the agreement and whether there would be a fee to maintain that.

STERN Mr. Stern responded that he could not answer her question. The Land Development Ordinance says recreation areas of less than three acres proposed to be dedicated to the Township shall not normally be accepted unless opportunities exist to combine them with other recreational areas.

PASCH Tim Pasch stated that it would depend on how the walkways were delineated through the Open Space. If the perimeter of the walkway were made wider, they could easily come up with three acres if the Township wanted it. If not he could easily put a dollar amount of $3.00 a month in everybody's association dues to pay for the crusher waste. It all depends on the control. If the Rec Board or the Township doesn't own it, they could not add to it. The Rec Board wanted to eventually, when money became available, add a water fountain, etc.

YOST Solicitor Yost commented that the homeowner's association would be responsible under the covenants for the maintenance of the recreation area. It would be a common area.

MITRICK Chairman Mitrick indicated that the issue would be something on which the Board needed to agree.

BISHOP Mr. Bishop stated that, if this project goes forward, that is a good opportunity to keep it in the homeowner's association. Mr. Bishop thought the Rec

Board's recommendations on what should be done made a lot of sense, but in the interest of the Township not having to maintain it into perpetuity it would make sense to keep it in the homeowner's association.

YOST Solicitor Yost cautioned that the issue it is that the Township Ordinance requires the fee in lieu or dedication to the public. That means each of you and everyone in Springettsbury Township or elsewhere has the right to go there, use those picnic benches, use that pavilion. Solicitor Yost could not see a homeowner's association being willing to continue to care for and maintain those facilities for the use of the public. This is somewhat like the Wyndamere situation where they, by providing an apartment complex where they provided their own recreation area for their people and then tried to pawn it off on us as public recreation. It was not public recreation. He felt that would be the problem, but stated that the concept was wonderful.

BISHOP Mr. Bishop stated that what he understood Solicitor Yost was saying was that the only way this could be done to do what Mr. Pasch recommended would be to take the fee in lieu.

YOST Solicitor Yost stated that was correct.

PASCH Tim Pasch stated that his goal was that it would be used there for the Hunters Crossing people.

SCHENCK Mr. Schenck commented that if the Township takes the fee in lieu of, the Township would not get the property.

BISHOP Mr. Bishop stated that was correct but would not have to maintain it either.

PASCH Tim Pasch stated that he really did not care who would own the park. He just wanted a park there. If he gave the Township the money and the Township put the park in, other people can use it, but 95% of the people who will use it will be there. He asked if he provided the money, when would that be done.

SABATINI Mr. Sabatini stated that it would have to be done in three years.

PASCH Tim Pasch added that he would like his counsel, Ken Joel, to comment.

JOEL Attorney Ken Joel, Rhoads and Sinon in Harrisburg commented. He spoke about several issues:

- The plan complies with the Subdivision Ordinance.
- Notification had been provided to the PHMC.

- There had been a prescribed PHMC study done in conjunction with the Army Corps of Engineers, Milner Associates and PHMC on site.
- The Board of Supervisors had been provided with the necessary information.
- The Plan preserves an area for Camp Security.
- He urged the Board to vote in favor of the plan.

MITRICK Chairman Mitrick stated that they needed to resolve the issue of Park & Rec and the stormwater pond.

LUCIANI Mr. Luciani stated that if the Board decided to take the stormwater basins and include a fee with the developer similar to what we did for Greystone, it could be based on the area and slopes.

BISHOP Mr. Bishop asked whether the maintenance would go to the homeowner's association if the action was silent on the issue of stormwater.

LUCIANI Mr. Luciani stated that was correct.

Citizen Comment

MITRICK Chairman Mitrick asked the citizens who comment to come to the microphone and state their name and address for the record.

WILT Joanne Wilt of 3631 Kingston Road indicated concern about the traffic at Kingston Road.

KRAMER Jackie Kramer, Executive Director of the Farm and Natural Lands Trust of York County with offices located at 156 North George Street, York, PA 17403 officially notified the Township that the Farm and Natural Lands Trust would be submitting an application to the Department of Conservation and Natural Resources to acquire Camp Security.

GLASS Dr. Brent Glass, Executive Director of the Pennsylvania Historical and Museum Commission based at 300 North Street, Harrisburg, PA He also serves as the State Historic Preservation Officer for Pennsylvania. A synopses of his comments follows:

- The site is eligible for the National Register of Historic Places and possibly as a National Historic Landmark.
- He was pleased to learn that Congressman Platts had introduced legislation that would lead to a study establishing its national significance.
- Not enough information is known about Camp Security to adequately identify the full extent of the site.

- The Pennsylvania Historical and Museum Commission has played the role of a consulting agency during the past two years as a result of the proposed housing subdivision.
- They would like to conduct an annual field school in historical archeology at the Camp Security site. This field school would be directed by our Senior Curator at the State Museum of Pennsylvania. It would take place in June and July, 2002, and would require approval of the owner of the property.

GEMMILL Attorney Helen Gemmill of McNees, Wallace and Nurick in Harrisburg, Pennsylvania spoke in behalf of the Friends of Camp Security, a non-profit organization. A synopsis of her comments follows:

- The boundaries of Camp Security have not yet been sufficiently delineated as noted by the Army Corps of Engineers report.
- What the Board had before it was an incomplete understanding of what the dimensions are of Camp Security.
- The Phase I Environmental Impact Study was not sufficient.
- A state agency is willing to look at the site, and the developer is not going to move any earth until spring.
- Once the earth starts to be moved, important parts of the site could be lost.
- Section 309J of the Township Ordinance stated that the Board had the right to reject a plan if the Environmental Impact Study is incomplete or identifies excessive unavoidable environmental impacts.
- Springettsbury Township had devoted several pages of information about Camp Security in its Centennial Book.
- She urged the Board to make a decision with the interests of the Township's own Ordinance and the significance of this very important site.

SCHAEFER Mr. Tom Schaefer of 138 North Keesey Street provided several comments, a synopsis of which follows:

- Ordinance 309J allowed the Board to essentially approve or deny the plan.
- York Countians don't deal with unconventional situations well; this is a unique site.
- He had personally dug the ground in 1979 but could not prove where the core area of the site exists.
- Information and documentation indicated that there may have been closer to 2,000 people there.
- The remains of people from Britain, Scotland and Canada could be found there.
- He urged the Board to think in unconventional ways.

FOLTZ Patrick Foltz, Executive Director of Preservation Pennsylvania, located at 257 North Street in Harrisburg stated that he is a resident of York County had been

Director of the Historical Society of York County. He provided the following comments:

- He is sensitive to the importance of the Camp Security site as an artifact and key element of a portion of the history of York County.
- He managed the Gates and Plough for 13 years. We told the story there in a site that had been savagely modified and brought back and recreated.
- The Board's decision will have ramifications far outside of Springettsbury Township.
- This is a time when we are looking to the past feeling pride, feeling a sense of nationalism.
- To bring a bulldozer onto that site before we know the full extent of that Camp is not an act of development; it's an act of desecration.

LLOYD Ms. June Lloyd of 3119 Lakefred Road in Windsor Township stated that her profession is history. Some of her comments follow:

- In the Springettsbury Township book the second largest article is on the Camp Security site. The last sentence in the article reads "This article is dedicated to the preservation of more than a legend, but rather the known history of this important revolutionary war site in our Township."
- York County is proud of its history. Springettsbury Township is proud of its history because of publications such as this and the display in the lobby.

DELLINGER Elizabeth Dellinger of 2865 Eastwood Drive stated that:

- We citizens owe it to ourselves and to the country at large to take our time with this.
- If you have a provision in the Ordinance to postpone development, do so.
- Bulldozers will work three years from now just as well as this spring.
- Time is on our side. Find all the facts before anything is done.
- Information is only helpful. It cannot be hurtful.

ROMAN Ms. Becky Roman of Historic York, 225 N. George Street stated:

- Historic York supported everything that had been stated by the historians.
- Camp Security may be one of the most important historic places in York County.
- Springettsbury Township is lucky to have it and she hoped that the Board appreciated that and could make a decision knowing that.

MITRICK Chairman Mitrick concluded that all of the individuals who wished to address the Board had spoken. She stated, on behalf of the Board, to thank the public for its interest and participation. She indicated that the decision on this project would not be an easy one to make. She asked the Board for their comments.

GURRERI Mr. Gurreri stated that he thought it was an excellent plan, especially in comparison to the initial cookie cutter plan. He did not want to see the plan turned down, but he would like to allow the historians time to study the site for the eight weeks needed if Brent Glass could work something out with Tim Pasch. There's money coming from the land trust, but the Congress activity could take five years. It had been mentioned that time was on the side of the historians, but time is not on the side of the contractor inasmuch as he had been working on this for three years at a substantial cost.

BISHOP Mr. Bishop stated that the Field School needed a specific eight-week period next summer.

GLASS Mr. Glass responded that the Field School runs June and July.

SABATINI Mr. Sabatini proposed a scenario which allowed for Dr. Glass' Field School, and the result delineated 7 acres but in a different shape than is existing on the plan. He asked whether Tim Pasch would have to submit a new Subdivision Plan based upon that revised delineation or would the project go forward and the efforts of the school be only to gather the artifacts from the areas that are scheduled for construction.

YOST Solicitor Yost responded that it would be entirely up to Tim Pasch. The Township could not compel him to enlarge, modify his plan unless he wanted to.

BISHOP Mr. Bishop asked whether there would be any way for the Township to compel him to cooperate in any way with of the archeological activities.

YOST Solicitor Yost stated that the Township would have no such authority; it could only suggest and request; nor does the Pennsylvania Historic and Museum Commission. Dr. Glass indicated they could only enter on the site with the permission of the land owner.

BISHOP Mr. Bishop commented that the Township's authority and flexibility was very limited. The choice was either to approve the Preliminary Plan or deny it. There are certain conditions, which could be placed on it but those conditions would be limited to the Township Ordinance. Mr. Bishop stated that personally he thought that historic preservation was a wonderful thing--something that definitely deserves attention, commitment and resources. Unfortunately, in this particular situation he felt that the people who had the responsibility for historic preservation and the people who had an interest in historic preservation, especially with respect to this site, really didn't do enough until the last minute to preserve this site. The site had been there for a very long time. A lot of people who are coming out now in positions of some

responsibility had really dropped the ball over the last 20 years. Those people, rather than telling us about our opportunities now, should reflect on the opportunity that they had missed over those years. One of the reasons this Board sits here is that our job is to balance competing interests. Mr. Bishop recognized significant value to historic preservation, he also recognized the significant value to the property rights of individuals. Those property rights are very important. What the Board was being asked to do was to preserve things about a revolution that happened in our country. Mr. Bishop stated he would vote on the side of preserving the ideals for which the revolution had been fought. He did not think that it was the role of government to say what a property owner could do with a property, especially if something were found on that property. In this case it's a very similar situation. A property owner, a family, or an individual wants to develop a piece of property. Mr. Bishop did not think it was the role of government to get in the way of that. He believed that, as the Supervisors of Springettsbury Township, this Board was compelled to approve this Preliminary Plan.

SCHENCK Mr. Schenck stated that, as far as from a planning perspective, and aside from the historical issues involving this piece of property, this is the best plan he had seen since being on the Board. He had been a long-time proponent of an Open Space development, and was very pleased with how Tim Pasch worked with the Township to create an Open Space development. It meant a lot to him.

One point that everyone missed was the cooperation that this Township had from this developer since 1999, which had far exceeded anything that the proponents of preservation have done. He stated that because it was important to know that opportunities were given. PHMC was notified in September of 1999 officially, and responded by letter in September of 1999 to Tim Pasch. The opportunity here was given, and now the Board is asked to right all the errors by a very slim part of our Ordinances. The lack of effort on this preservation group is very disappointing. Tim Pasch worked very hard to come up with a way to balance this. Mr. Schenck had been very concerned about the notification of the PHMC in the whole process, and there was no doubt in his mind as he had multiple documents that they were notified officially. That argument would hold no water with him. He commented on whether or not the Ordinances had been met and added that the plan was the cleanest plan he had seen in a long, long time. Mr. Schenck indicated he was extremely frustrated. The activity here started so late when the developer was working all along to try to do everything he could to make sure that the requirements were met. However, this is history that occurred 200 years ago. In Mr. Schenck's opinion at this point in time, six months, eight months, ten months is nothing. While he was not comfortable at all in what he was suggesting that he would do he wanted to see the Township take the position that, if a mistake were going to be made, that it be a mistake that can be

corrected. By that he meant, if a mistake is made that this is significant and it is developed that could not be corrected. If a mistake is made and abused our Ordinances, that can be corrected and this developer can come back; he can develop this land; it might be delayed only six to eight months. So he would err on the side of time and put the Township at risk. He felt the time lapse between when the events on this site occurred and the short time line that the Board was faced with tonight would be worth that investment. He strongly emphasized that this plan had been alive with plenty of opportunity for this. He reiterated his complete frustration that now this group had put him in this position to be the gatekeeper of this when all this activity could have occurred and should have occurred. There was no excuse in Mr. Schenk's book.

TANZOLA Carol Tanzola apologized for speaking out of turn, but felt that she needed to comment to Mr. Bishop's statement. A synopsis of her comments follows:

- She became a member of the initial Springettsbury Township Historic Preservation Committee in 1991.
- The Committee had been asked to determine sites in Springettsbury Township eligible for historic preservation, and Camp Security was number one on top of the list.
- When Tim Pasch's plan first came to their attention, the Historic Preservation Committee of Springettsbury Township had been advised they could not get involved as it was under Federal jurisdiction.
- At the time when the entire Preservation Committee was so frustrated because no one could do anything, a letter had been presented to the Board indicating that there were times when private citizens must act.
- Friends of Camp Security was formed, and Ms. Tanzola eventually resigned from the Township Committee to avoid any conflict of interest.
- During the time that the Army Corps was involved, the plan had been changed, and the plan had undergone several changes since then.
- She felt Tim Pasch had made a tremendous effort to work with the Township. This is not a question of anti-development, anti-sprawl, anything else. This is on the historical significance of this site.

BISHOP Mr. Bishop stated that he had not intended to single any one person or group out; however, there was plenty of blame to go around. He, frankly had not even considered Springettsbury Township's Historical Preservation Committee in his thinking about who he thought was not really doing the job, say 20 years ago. He was considering a much broader scope than the Township's own committee.

MITRICK Chairman Mitrick stated that she would have to agree with Mr. Schenck and others in the room that have indicated that Tim Pasch has been an extremely cooperative developer through this entire process. He took a concept of Open

Space development that this Board has been holding out for because it would be a wonderful concept, and he spent many, many months trying to work that plan so that it would be reasonable to all interests in this room and in this community. She thanked Tim Pasch and his consultants for the time and the effort put forth to do what the Board had hoped you would do with the land development of an Open Space concept. She also thanked the staff - Mr. Stern and Mr. Luciani, for the number of hours put into this plan. Our staff, the developer, all the consultants did what she felt was an excellent job in attempting to meet the requirements of our Ordinances. Ladies and gentlemen, this Board received this complete Land Development Plan one week ago tonight. Very true in the past many months many pieces of information had been received on other plans, but one week ago received the completed package. Since that time she personally had spent several hours with our own Township Solicitor in an attempt to go through the details of the Ordinance as they match the plan. As late as 11:30 yesterday she received a FedEx package from the attorney of the firm for Friends of Camp Security. Many of the opinions in that package were contrary to what our own Solicitor had provided us. There was not a lot of time to go through those comments. Further, by authorization of this Board, myself particularly, Mr. Sabatini went out and secured another set of eyes to look at the legal documents that had been presented to us. One common thread that I saw was that although there was some vagueness in the language of our Ordinance or the language of the law, our Township Solicitor and our second set of eyes were in agreement. I asked that this opinion that we received today be put in writing for me because a verbal opinion concerned me, but there was not enough time. There had been so much legal focus on the legal language, particularly related to Section 309, the Environmental Impact Study. Chairman Mitrick stated this was a very difficult decision, because she did not feel personally confident that the language of Section 309 had been met. She had not been intimidated by the threat of lawsuits. She appreciated the opportunity to hear from individuals historical experts on Camp Security. In her mind an error could possibly be made with the action of her vote. She felt she must respond to do what she felt was right based on the information that had been provided to her. She stated that her desire was to proceed with the future of Camp Security, the future of the Hunters Crossing development and move in the right direction not just for the people in this room, but for all people. She concluded that it was very difficult.

GURRERI Mr. Gurreri indicated agreement. He stated that Tim Pasch had been very cooperative and worked very hard on this as many of the people in the room have. Mr. Gurreri asked Tim Pasch to comment on whether or not he would accommodate Mr. Glass' Field Study look at this property for eight weeks.

PASCH Tim Pasch stated that he understood every Board member's viewpoint and that it would be a tough decision. Mr. Glass' Field Study was projecting eight weeks in the summer. He had been working on this project for a long time, and out of everybody in the room, he had spent the most money trying to come up with a win-win situation for everyone. He mentioned that he could say okay to eight weeks, and he felt in his heart that there would be requests for another two weeks and another two weeks. Whether they can say that tonight or not is not the issue. He stated that his plan meets the Ordinance. He added that he would cooperate with Mr. Glass' Field Study, but he would still develop the land. If there were some artifacts found, they could be placed in a plaque or at the Township Building. He commented that the historic people had told him they would not be satisfied until the whole site was preserved; that they would make it negative so that it would be worse for him to do this development. Tim Pasch did not believe that was a way to win. He had done everything he possibly could to meet the Ordinance, and he did not believe that he should be subjected to more burden put on him.

GURRERI Mr. Gurreri thanked him for his response and added that he believed the Ordinance had been met and that it was a good plan. He added that he was in favor of the plan.

MITRICK Chairman Mitrick stated that she had learned through this process that the preservation efforts in the State of Pennsylvania lack what she felt was the necessary clout to do what they have to do. Unfortunately, preservation is put in the position where it must be reactive. They do not have a funding source from which to purchase or secure sites that they feel are significant, which she felt was extremely regrettable. She commented that a fax had been received earlier from Todd Platts' office indicating that he had proposed a Bill that would possibly set the stage for what Chairman Mitrick felt was really necessary for preservationists. It wouldn't be a complete stage, but I believe it would be a start. Again, she stated that Tim Pasch should be commended for the job that he had done working with Springettsbury Township. The full picture needed to be reviewed in her mind, and that was where she would cast her vote.

MR. BISHOP MOVED TO APPROVE THE PRELIMINARY PLAN AND SUBDIVISION 99-09 HUNTERS CROSSING WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM REQUIREMENT FOR A MAXIMUM 4:1 MAXIMUM BASIN SLOPE;**
- **CONDITIONED ON APPROVAL BY WINDSOR TOWNSHIP;**
- **CONDITIONED ON RECEIPT OF GENERAL PERMITS 4, 5, & 7 FROM DEP;**
- **CONDITIONED ON PART 2 PUMP STATION PERMIT BEING GRANTED;**

- **CONDITIONED ON TOWNSHIP ENGINEER'S APPROVAL OF THE NEW SWALE DETAIL AND DIRECTING THE TOWNSHIP STAFF TO WORK WITH THE DEVELOPER TO SET THE SPRINGETTSBURY TOWNSHIP PARK AND REC BOARD RECOMMENDATIONS FOR PARK FACILITIES WITHIN THE DEVELOPMENT THAT WOULD BE OWNED BY THE HOMEOWNER'S ASSOCIATION BUT DEDICATED TO PUBLIC USE.**

MR. GURRERI WAS SECOND. MESSRS. BISHOP AND GURRERI VOTED YES; CHAIRMAN MITRICK AND MR. SCHENCK VOTED NO. A TIED VOTE INDICATED A DENIAL.

Recess

MITRICK Chairman Mitrick announced a short recess at Midnight. The meeting was reconvened at 12:10 a.m.

Mr. Ken Pasch returned to the Board table.

C. SD-01-08 – York Container – Action

STERN Mr. Stern spoke for the York Container property on Mt. Zion Road. The purpose of this Subdivision Plan was to combine four tax parcels into one parcel of land. Those parcels were identified in his memorandum. Eight tracts of land make up four tax parcels. With this plan completed, there will be one deed and all parcels will be together as one tax parcel per the York County tax map. This will lead into the Land Development Plan, the next item on the Agenda. On September 20th the Springettsbury Township Planning Commission voted to recommend approval of this plan with six waivers and conditions. Several of those items had been resolved; staff recommended approval with several waivers and conditions.

MR. GURRERI MOVED TO APPROVE SUBDIVISION-01-08 – YORK CONTAINER WITH THE FOLLOWING RECOMMENDATIONS:

- **WAIVER TO SUBMIT A PRELIMINARY PLAN;**
- **WAIVER FROM SHOWING ALL STREETS WITHIN 400 FEET OF THE PROPERTY;**
- **CONDITIONED ON THE COMPLETION OF ALL REQUIRED SIGNATURES, SEALS AND NOTARIZATIONS;**
- **CONDITIONED ON SETTING KEY PROPERTY CORNERS AS SPECIFIED BY THE TOWNSHIP ENGINEER, JOHN LUCIANI.**

MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. LD-01-08 – York Container – Action

STERN Mr. Stern discussed the Land Development Plan for the property created by the action in item C. The property is located in the Flexible Development Zoning District and the addition will cover 159,700 square feet of additional manufacturing area, 22,450 square feet of office area, and those are being added to 204,700 square foot existing facility. On August 16, 2001 the Planning Commission voted to recommend approval with several waivers and conditions. He commented that the Sewer Planning Module had been received in his office but was not at a stage ready for action by the Board.

LUCIANI Mr. Luciani commented that the plan had gone through a number of iterations. Currently they have access to Industrial Highway and Mt. Zion Road with a signal there. This is one of the largest developments in the Flex Zone, which allowed them to encroach much closer to the road right-of-way that would normally have been required in this zone. The issue of truck docks had been reconfigured. Additional landscaping in that area will buffer those from northbound travelers. Their response to technical comments regarding stormwater had been addressed satisfactorily. Traffic study revealed one outstanding issue. The light at the intersection of Mt. Zion and Industrial Road was recommended to be reprogrammed. However, that light was strung together with everything in the Mt. Zion Road corridor, which may make it difficult. The cost of re-programming lights had been estimated at $1,500. That money would be bonded and set aside. Aside from the light reprogramming, their impact on traffic is minimal.

DAYTON Mr. Judd Dayton of Evans Engineering indicated he had prepared the site plans. He introduced Don Landis of St. Onge Ruff Associates, responsible for the mechanical, electrical and plumbing design, and the architecture of the building.

SCHENCK Mr. Schenck asked about the buffer for the new loading dock in the front of the building. He commented that there was a large stand of existing evergreen trees there now. He asked whether that was the buffer, or whether those would be removed.

DAYTON Mr. Dayton responded that the existing pine trees are shown near the corner of the building. He indicated several other points shown on a drawing where new trees and shrubs, deciduous trees would be placed especially around the loading dock, which would be lower. A retaining wall would be placed there about eight feet. On top of the retaining wall, they proposed a timber fence eight feet high with slats with small openings in between. In front of that there will be the required trees.

SCHENCK Mr. Schenck asked about the environmental study in reference to the noise. Outside of any construction noise issues, recent complaints of noise at that site had been made, and Mr. Schenck personally had observed them.

LANDIS Mr. Landis spoke up and indicated that he had some conversations about that issue. It had been brought to their attention. The head of maintenance at York Container went up north of the Township Building into the residential area from where the complaints were coming. Via phone they hooked up and systematically shut down the blowers on the roof that go to the dust collection system. They learned that one of the blowers was the noise problem. That blower had had velocity problems. They were having problems picking up the particles and getting them up to the dust collector so they had amped up the rpm's on the motor; they had been pushing it to the limit. The solution would be to install an additional booster motor to that blower so they can bring down the rpm's and get a lower flow but still be able to pick up the particles that they need to get to the dust collector. They are aware of the situation, and are addressing it.

SCHENCK Mr. Schenck stated that he was really glad to hear that. He knew it was a real problem and it sounded like they were correcting it.

MITRICK Chairman Mitrick stated that most of her questions had been answered earlier by John Luciani. She stated that now that the tracts are all combined and it cuts through two zones, she was concerned about the possibility of tractor trailers leaving the Flex Development Zone and exiting or entering through the High Density Residential onto Market Street.

LANDIS Mr. Landis responded that currently there is no development on the plans to take it down through the tract that goes to Market Street. A review of the traffic study produced indicated that very few of their trucks make that turn and go in that direction. They go to Route 30 to get to 83. They have no interest in doing that. It's not shown on the plan, and therefore, we could not make that kind of a curb cut and access to that road without bringing a plan back for the Township's review and approval.

PASCH Mr. Pasch asked about the traffic study.

LUCIANI Mr. Luciani responded that a traffic study had been done analyzing the impact of the expansion and the existing level of service. Industrial Road and Mt. Zion fail currently. The people of York Container exit out onto Mt. Zion.

PASCH Mr. Pasch asked whether that area would be affected by the new Concord Road passage.

STERN Mr. Stern responded only on the north side of the railroad tracks

BISHOP Mr. Bishop asked about building sidewalks on Mt. Zion Road.

DAYTON Mr. Dayton responded that his only concern with that was that there aren't any other sidewalks nearby. The biggest concern with putting them there was that there really was not a good pedestrian passageway over the overpass and over the railroad tracks. Folks who would walk through there would be walking between a section of guide rail, a little bit of grass, the shoulder for Mt. Zion Road, and right there would be the traffic for Mt. Zion Road. It seemed to him that a pedestrian might be pinched out there. He felt it was at least a safety hazard. The rest of the frontage he did not see that condition and if the whole thing were not being done, they decided to request the waiver.

MITRICK Chairman Mitrick indicated she had questioned that item herself. She travels by York Container all the time, numerous times each day. She commented that it was amazing to see how many people walk there, and they are walking on the shoulder of the road.

DAYTON Mr. Dayton stated that he had tried it himself a few times, but he was not very comfortable doing it. However, he noticed others doing it there as well.

GURRERI Mr. Gurreri stated that was a good point; that's why a sidewalk was needed.

DAYTON Mr. Dayton responded that he was not sure he would have been comfortable on a sidewalk either.

MR. BISHOP MOVED TO APPROVE LD-01-06 – YORK CONTAINER WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM THE REQUIREMENT TO SUBMIT A PRELIMINARY PLAN;**
- **WAIVER FROM STORMWATER ORDINANCE SLOPE REQUIREMENTS TO ALLOW A 1% SLOPE WITH A LOW-FLOW CHANNEL;**
- **WAIVER FROM SHOWING ALL STREETS WITHIN 400 FEET OF THE PROPERTY;**
- **WAIVER FROM THE PLAN SIZE REQUIREMENTS;**
- **CONDITIONED ON THE APPROVAL OF A SEWER PLANNING MODULE.**

MR. SCHENCK WAS SECOND.

SCHENCK Mr. Schenck stated he understood the omission of the request for a waiver to install sidewalks but asked whether there was physical room to install sidewalks.

STERN Mr. Stern responded that there was room.

GURRERI Mr. Gurreri questioned the statement made which related to the $1,500 for the light and whether that should be included in the motion.

LUCIANI Mr. Luciani responded that it should be included, "Subject to the approval of bonding by the Township Engineer."

YOST Solicitor Yost asked whether that had been offered.

LUCIANI Mr. Luciani responded that the amount of $1,500 was an estimate recommended by HRG in their traffic study; the bonding amount had not been approved yet.

YOST Solicitor Yost asked whether the owner/developer had offered the $1,500.

LANDIS Mr. Landis responded that he did not believe the developer would have a problem with the $1,500.

YOST Solicitor Yost accept that response as an acceptance.

MR. BISHOP AMENDED HIS MOTION TO ADD THE FOLLOWING:

- **SUBJECT TO THE APPROVAL OF BONDING BY THE TOWNSHIP ENGINEER WHICH SHALL INCLUDE $1,500 TO BE USED AT THE TOWNSHIP'S DISCRETION TO MITIGATE THE TRAFFIC IMPACT AS OFFERED BY THE DEVELOPER/OWNER. MR. SCHENCK WAS SECOND TO THE AMENDMENT.**

MITRICK Chairman Mitrick stated that there was an indication that there is room for sidewalks. The curbs are there.

DAYTON Mr. Dayton stated that there is curbing from the driveway to the south. There are no curbs between the driveway and the railroad tracks.

MITRICK Chairman Mitrick asked whether sidewalks could go in where there are no curbs.

BISHOP Mr. Bishop stated that the Township Ordinance requires curbs and sidewalks.

MOTION UNANIMOUSLY CARRIED.

E. Bentivegna – Rezoning Request – Eastern Boulevard – Permission to Schedule

Consensus was to hold a Public Hearing and meet for ½ hour at 6:30 p.m. prior to the Wednesday, November 14th Regular Meeting.

F. Sewer Planning Module – Ling/Lookinbill (Dallastown) – A3-67804-031-3 – 2,800 GPD

MR. SCHENCK MOVED TO APPROVE THE SEWER PLANNING MODULE FOR JOHN LING AND EDWARD LOOKINBILL (DALLASTOWN BOROUGH) 2,800 GALLONS PER DAY. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. COMMUNICATION FROM CITIZENS:

A. Pleasant Valley Condominiums

RICHARD Ms. Nancy Richard, 3632 Hope Lane represented the Pleasant Valley Condominium neighborhood issues.

STERN Mr. Stern provided a chronological report with regard to the Pleasant Valley condominiums and responded to all of the questions and issues brought forward by the neighbors.

STERN Mr. Stern provided an updated report on the installation of a traffic light, a left-turn signal at Mt. Zion and Pleasant Valley Road. Some progress had been made regarding improvements on Williams road pending right-of-way acquisition from the Miller property.

KLAUBER Mr. Roy Klauber presented further opinions in disagreement with regard to Mr. Stern's report and the abutting property matter.

SABATINI Mr. Sabatini responded to his disagreement in that there was no adjacent property according to the determination of Mr. Stern and the Township Solicitor.

STERN Mr. Stern stated that the only other issue remaining on the list of issues was the matter of the GPU poles.

CAMPBELL Mr. Richard Campbell commented on the pole situation. He reported that he had received a telephone message from an attorney in Reading with regard to his complaint with GPU. He then called the PUC in Harrisburg and advised them of his message and stated that he didn't know why GPU would have an attorney calling him upon the filing of a formal complaint. The PUC response indicated that it was totally incorrect and asked Mr. Campbell to put that in writing and send it to him, which he had done.

MITRICK Chairman Mitrick stated that Mr. Bill Murphy had requested a copy of the condo lease agreement.

STERN Mr. Stern responded that had been provided to him.

5. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of October 11, 2001
B. Keystruct Construction - Park Progress Billing #2 - $234,167.98
C. IETC – Park Progress Billing #2 - $28,612.35

MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS A THROUGH C AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Concord Public Finance Advisors

SABATINI Mr. Sabatini stated that Chris Gibbons from Concord Public Finance had been asked to undertake the analysis and refunding of the 1997 Bond Issue.

GIBBONS Mr. Chris Gibbons reported that Concord Public Finance had been very successful with refinancing of Bond Issues with both bank loans and other Bond Issues. He had suggested that before moving toward a Bond Issue to get bank loan proposals and compare the two. He reported that they had received five proposals from 11 of the banks. There were very strong rates, which was a good indication of the condition in the financial community. Both fixed and variable rate proposals had been requested. He had provided the Board with a summary including the rates.

BISHOP Mr. Bishop commented that the eight year period corresponded with the years of the current Bond Issue.

GIBBONS Mr. Gibbons stated that this would not be the scheduled maturity of the issue. He provided a detailed summary of the proposals received indicating net present values and additional savings to the Township.

PASCH Mr. Pasch asked whether there would be any prepayment penalties.

GIBBONS Mr. Gibbons responded there would not.

SCHENCK Mr. Schenck asked whether the savings include the costs.

GIBBONS Mr. Gibbons responded that the costs were included.

BISHOP Mr. Bishop asked whether the amortization schedule could be negotiated.

GIBBONS Mr. Gibbons stated that was part of the flexibility.

BISHOP Mr. Bishop asked how long the proposal was good.

GIBBONS Mr. Gibbons responded that it would be good until October 26th.

MITRICK Chairman Mitrick asked Mr. Sabatini what he was looking for from the Board.

SABATINI Mr. Sabatini responded that he was looking for a go ahead from the Board to pursue the proposal with Drovers to utilize the savings. There will be a need to file a Local Government Debt Act Statement. He stated that he would like to have authorization following Solicitor Yost's review of the Ordinance to advertise the Ordinance for adoption at the next Board meeting for the borrowing of this money. The Board will have to make a determination based on the recommendation of the staff and consultants on how to do the amortization schedule and begin working on the BCED paperwork. On October 26th which is two weeks from today, the papers will be signed and in the hands of the bank. It usually takes several weeks for BCED to complete the paperwork phase and get all the relevant parties together so we have the money in hand sometime the week before Thanksgiving.

SABATINI Mr. Sabatini stated that the November 5th payment will still have to be made.

BISHOP Mr. Bishop asked how the payments would be made on the new note.

GIBBONS Mr. Gibbons responded that payments would be made semi-annually on May 15th and November 15th.

MR. PASCH MOVED TO ADVERTISE AN ORDINANCE AUTHORIZING THE BORROWING FROM DROVERS BANK FOR THE PURPOSE OF REFUNDING THE 1997 BOND ISSUE OUTSTANDING DEBT SUCH TO THE APPROVAL OF THE FORM OF THE DRAFT ORDINANCE BY SOLICITOR YOST. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS & CONTRACTS:

There were no items for action.

7. COMMUNICATION FROM SUPERVISORS:

MITRICK Chairman Mitrick requested dates for the Budget Meetings.

There were twelve possible dates suggested for Budget Meetings: November 12, 13, 15, 17, 19, 20, 21, 23, 26, 27, 28, 29.

Consensus was that November 20th at 6 p.m. was the only date that all Board members could attend.

SABATINI Mr. Sabatini agreed to e-mail the Board with other dates.

PASCH Mr. Pasch suggested he provided the earliest possible date and the ending date and the Board could give him their availability.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost stated that he needed 20 seconds in the Executive Committee meeting to discuss specific items of litigation.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini stated that he had no urgent matters for action.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Ordinance No. 01-15 – Establishing No Parking Zone on Eleventh Avenue

Consensus of the Board was to Table item A.

11. ACTION ON MINUTES:

A. Board of Supervisors Regular Meeting – September 13, 2001
B. Board of Supervisors Regular Meeting – September 27, 2001
C. Board of Supervisors Special Meeting – September 18, 2001
D. Board of Supervisors Special Meeting – October 4, 2001

Consensus of the Board was to Table the Action on the Minutes until the next meeting.

12. OLD BUSINESS:

A. Other Items

There were no items for discussion.

13. NEW BUSINESS:

A. Acknowledgment of the Liquid Fuels Tax Fund Audit Report for the Year 2000.

B. Other Items

Consensus of the Board was to table items A and B until the next meeting.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 1:25 a.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

ja

SPRINGETTSBURY TOWNSHIP **OCTOBER 4, 2001**
SPECIAL MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a special meeting on Thursday, October 4, 2001 at 5:30 p.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:	Lori Mitrick, Chairman Bill Schenck, Vice Chairman Don Bishop Ken Pasch Nick Gurreri
ALSO IN ATTENDANCE:	Robert J. Sabatini, Jr., Township Manager

1. CALL TO ORDER:

Chairman Lori Mitrick called the meeting to order at 5:30 p.m.

2. AGENDA ITEMS:

Chairman Mitrick said that the purpose of the meeting was a follow-up to the September 18, 2001 special meeting to review ongoing township projects, staffing and structure issues and other items. There was a broad range of discussions on various items.

3. ADJOURNMENT:

The meeting adjourned with unanimous consent at 7:30 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

rjs

BOARD OF SUPERVISORS **SEPTEMBER 27, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, September 27, 2001 at 7:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Nick Gurreri
Don Bishop
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Ann Yost, YSM
Andy Mears, YSM
Andrew Stern, Economical Development Director
Dave Eshbach, Police Chief
Mike Hickman, Fire Chief
Dori Bowders, Manager of Administrative Operations
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:35 p.m. with a welcome to all in attendance. She stated that there would be an Executive Session immediately following the regular meeting regarding legal matters. She asked Mr. Gurreri to open with a prayer for world peace.

GURRERI Mr. Gurreri prayed a prayer for President Bush, the nation's leaders, the servicemen, all the families and friends of those who lost their lives during the September 11th terrorist attack. He prayed for us to come together in peace.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance

2. COMMUNICATION FROM CITIZENS:

Pleasant Valley Condos/Intersection/Ordinances/GPU Poles

RICHARD Mrs. Nancy Richard of 3632 Hope Lane read a petition, which she presented to the Board. The main points of her letter included the following:

- Pleasant Valley Condos – Interpretation of Ordinances, Compliance with Zoning Ordinance/Square Footage; Building Inspections
- Williams Road/Pleasant Valley Road – Intersection Improvement; 4-way stop sign and grading for site distance.
- Noise Ordinance – Is one in place in Springettsbury Township?
- Traffic – No Parking Signs on Pleasant Valley Road at new condos.
- GPU Poles on Pleasant Valley Road – Was a permit granted?
- Pleasant Valley/Mt. Zion Road Intersection Improvement – Status?

MITRICK Chairman Mitrick responded to several of the comments, for example, the size of the Pleasant Valley units built. She stated that before the Board could respond, they would need to be provided with information from the staff. That response will be provided pending a report from staff.

BISHOP Mr. Bishop referred to the mention of Solicitor Yost's name in her letter. Mr. Bishop stated that it had been something that Mr. Stern reported that Solicitor Yost said, and Mr. Bishop felt it was unfair to direct a question to Solicitor Yost. He suggested that it might be reasonable to hear Mr. Stern's response if he would be comfortable making one at this time.

MITRICK Chairman Mitrick stated that she would prefer that Mr. Stern give a full report in response to these questions to the Board and in that way the Board would be better prepared with what Mr. Stern had to say. She added that she was not putting off the issues; however, some of the items had come as a surprise. She indicated that the matter would be placed on the agenda for the next meeting. Chairman Mitrick did address the matter of the Noise Ordinance, which she indicated had come before the Board numerous times. The possibility of creating a noise ordinance had been researched; however, the enforcement is the problem, and it an Ordinance were written the Board felt strongly that it should be enforceable.

SABATINI Mr. Sabatini commented with regard to a noise ordinance, that usually the original complaint comes under noise but ends up being disorderly conduct. Mr. Sabatini stated that in 12 years of dealing with noise ordinances, he had only heard of one citation filed.

RICHARD Ms. Richard commented then that a noise complaint should be addressed to the police department as disorderly conduct.

SABATINI Mr. Sabatini responded that was a standard practice.

MITRICK Chairman Mitrick asked Chief Eshbach to add to the response as he had been involved in the process.

ESHBACH Chief Eshbach responded that Mr. Sabatini was correct in his statement. Disorderly Conduct, a state statute, is in place, which covers noise type issues. However, he added that was only one part of it. It also covers fighting in public and other things, such as loud stereo, revving of car engines, etc. He explained the typical police department procedure when addressing such a complaint. They must go to the person responsible for the noise and give them an opportunity to stop the noise. If they do not, then they are cited with Disorderly Conduct. He added that when there is a state statute in place, that state statute supersedes any local ordinance, which covers the same elements of that crime. They had never found the need to have a Noise Ordinance as long as the state statute is in place.

SABATINI Mr. Sabatini commented on the issue of ordinances. He stated that there are some ordinances that are no longer enforceable because of the myriad of case law established in the past five years. The Township Solicitor and Mr. Sabatini are beginning the process again of the ordinance codification and working through two or three that have flaws and are identifiable. Those would then be brought to the Board of Supervisors for action. Some of the impractical parts of our Ordinances are being discarded, however, the process is very lengthy. Several weeks ago there had been a discussion on the language regarding square footage, and it was an issue determined to be corrected. Mr. Sabatini responded to her Williams Road item and reported that negotiations are currently underway with the Miller family regarding an acquisition of right-of-way. He indicated it would not be a major job to trim back that embankment. He added that he did not believe that the project called for a 4-way stop sign. However, he stated that there is a review underway toward adjusting the stop sign going westbound on Pleasant Valley Road to move it forward as it is too far back. Mr. Sabatini reported that the Township had received notice this week that the York County Planning Commission had reviewed the parking restriction on Pleasant Valley Road at Deamerlyn Drive at the entrance to the condos. The County has rejected that request because it did not meet engineering criteria set forth by state law, and therefore, the Township will not be able to do that.

RICHARD Ms. Richard asked what the criteria was.

SABATINI Mr. Sabatini responded that it was the standard PennDot 4-way specifications of the Motor Vehicle Code.

LUCIANI Mr. Luciani added that a traffic and engineering study typically would be done. The criteria has to do with the narrowness of the roadway, the site distance, the volume of traffic, and an evaluation of those things. Then a recommendation would be made both for 35 mile an hour speed limit to be posted there.

SABATINI Mr. Sabatini commented on parking restrictions, which are warranted based upon several factors, i.e. speed limits, roadway classifications such as width and alignment considerations, curbs, sidewalks, functional classification of the roadway in question, accident information related to parked vehicles. Pleasant Valley Road is a two-lane residential street of asphalt with 35 feet of street with curbs and sidewalks. The alignment is straight and level. The Township will work from the state criteria.

MITRICK Chairman Mitrick mentioned the intersection of Pleasant Valley Road and Mt. Zion and asked whether Mr. Sabatini could put a timetable on it.

SABATINI Mr. Sabatini responded that he understood the signal was scheduled within the next couple of days.

LUCIANI Mr. Luciani added that the permit just went into PennDot.

RICHARD Ms. Richard asked whether there would be a left turn signal turning on to Mt. Zion.

LUCIANI Mr. Luciani responded that it would be a 5-section signal head and will allow for an advanced left-turn lane going south on Mt. Zion Road.

SABATINI Mr. Sabatini stated that he had just signed the plans; they had turned the permit around in a matter of days, and he was sure the work would begin in the next week or so.

MITRICK Chairman Mitrick reiterated that a report will be provided in response to her first set of questions. She indicated that would be discussed at the next Board meeting.

BISHOP Mr. Bishop asked for a commitment that the Board would have that by the next meeting and can actually have it on the Agenda.

Comprehensive Plan/Harley Davidson Expansion

WEITKAMP Ms. Beatrice Weitkamp, 2101 Pleasant View Drive, stated she was concerned about the Comprehensive Plan that had been established several years ago and asked how regularly the Plan was followed within the Township.

MITRICK Chairman Mitrick responded that the last Comprehensive Plan written was for the 1990's through the year 2000. A new Comprehensive Plan had not been pursued because directives are coming from the state that would impact the writing of that plan. Before embarking on a new Plan, those directives need to be clear.

WEITKAMP Ms. Weitkamp asked about the cost of the Comprehensive Plan.

SCHENCK Mr. Schenck responded that it had been close to $200,000.

GURRERI Mr. Gurreri added that York City had just done one, and it cost about $200,000.

WEITKAMP Ms. Weitkamp stated that she was concerned about that because she had read the Comprehensive Plan, and there are some things happening in the Township that she was sure many people are concerned about. She wondered why the Township did not observe the Comprehensive Plan more regularly because it was the taxpayer's money that paid for it. In conjunction with that she voiced a very special concern with the roadways in our Township; for instance, accommodation of the new school if and when built on Mundis Mill Road. Secondly Sheridan Road. Thirdly what changes are planned for Pleasant View Drive. She was concerned about the Harley-Davidson plans that are forthcoming in regards to the roadways and changes thereof. According to the Comprehensive Plan, no changes were indicated on certain roadways which includes near my home on Pleasant View Drive. She asked whether the Board could foresee any changes coming with regard to what was being planned at Harley Davidson. The residents had been invited to a meeting, but none of the Board attended. Harley-Davidson held the meeting for the residents.

SABATINI Mr. Sabatini stated that was a meeting between Harley Davidson and the residents. It was not a meeting for Township officials.

WEITKAMP Ms. Weitkamp indicated that another meeting was being planned and asked whether they would be able to attend. She read a letter from Harley-Davidson to the residents that stated they had reviewed their plans and again were ready to share the plans. A follow up meeting was scheduled for Wednesday, October 3 at 8 p.m. at the Commonwealth Fire Company, 2045 N. Sherman. .

SABATINI Mr. Sabatini responded that the Township had encouraged Harley Davidson to get out to its neighbors. He could not respond as to whether a representative from Springettsbury Township would attend the next meeting.

WEITKAMP Ms. Weitkamp asked whether the results of that meeting had been provided to the Township.

STERN Mr. Stern acknowledged that he planned to attend the October 3 meeting. The Township had not attended the previous meeting because they had wanted the focus of the meeting to be specifically Harley and its neighbors.

WEITKAMP Ms. Weitkamp commented on the reference to noise. She experiences 200 motorcycles at one time with no patrol or control.

Central School

PALMER Mr. Dave Palmer, 2640 North Sheridan Road, provided documentation to the Board, which he had filed with the District Attorney's office, against some school board members on the actions of how the land had been required. He had not received a response from the DA's office. He recommended that any new business coming before the Board of Supervisors from the school not be given any motion. The packet of documentation required that the school board answer some questions. Mr. Palmer provided the specifics of what he had provided to the Board.

GURRERI Mr. Gurreri asked Mr. Palmer whether he had provided this documentation with the school board.

PALMER Mr. Palmer responded that it had been filed with the District Attorney's office, and he did not believe it was a requirement to file with the school board.

GPU Energy - Poles

MURPHY Mr. Bill Murphy, 3735 Springetts Drive, stated that he had been a resident of Springettsbury Township since 1974, previously residing at 3390 Harriet Road. He asked whether the Township had taken a position or made a recommendation on the location of the electrical poles placed by GPU Energy along Pleasant Valley Road between Williams Road and Deamerlyn.

SABATINI Mr. Sabatini responded that the Township had originally rejected the permit request by GPU to place the poles within the right of way. There were additional discussions with GPU including them notifying the Township of their rights under the Public Utilities Act. Subsequently, following review with Township staff, the permit had been issued inasmuch as their view was correct. They did have the right to place poles in the right-of-way on Pleasant Valley Road. Under the PUC Code they are allowed to make that determination where the poles are to be placed.

MURPHY Mr. Murphy's concern was the location of the poles. There are no snow fences in the winter, snow blows across that road, and the poles are very close to the berm. He indicated that the residents would have to wait until some accidents take place before a safety issue could be addressed.

SABATINI Mr. Sabatini emphasized that the Township was overridden by the state law. The Township had no choice in the matter.

GURRERI Mr. Gurreri asked Mr. Murphy if he was acquainted with Dick Campbell.

MURPHY Mr. Murphy stated he was and that he is his neighbor.

GURRERI Mr. Gurreri indicated Mr. Campbell was working with GPU to get the poles removed and placed underground.

CAMPBELL Mr. Dick Campbell, 3755 Springetts Drive, responded that he had submitted a formal complaint to the PUC in Harrisburg. GPU will receive that and have 30 days to respond. Following the 30 days the PUC will establish a hearing date, which could take 60 to 90 days. That was the status to date. Mr. Campbell asked Mr. Sabatini for a copy of his letter written to them.

SABATINI Mr. Sabatini responded that he would make a copy available to Mr. Campbell.

MITRICK Chairman Mitrick commented that she had been somewhat involved in the request, along with Mr. Campbell, and Mr. Stern. GPU really did something beyond what they normally do for Springettsbury Township. They had gone to the landowners on the adjacent property to the south and requested right-of-ways for those poles, which they do not typically do. The result was that the landowners indicated they would not consider a right-of-way. Chairman Mitrick believed the GPU had made an attempt to work with the Township even though they were not required to do so. They did not receive cooperation from the landowners.

MURPHY Mr. Murphy asked whether an Occupancy Permit been issued for the Pleasant Valley Condo development.

STERN Mr. Stern responded that an application had been submitted for approximately half of the condos and that the Permits would be issued in a few days.

MURPHY Mr. Murphy asked whether the condos would be inspected and by whom to insure that they comply with the approved plans, all Township Ordinances, and Pennsylvania Department of Labor and Industry.

STERN Mr. Stern responded that the condos had been inspected. Not every one that had been requested had been inspected by the Township. The Department of Labor and Industry does not have jurisdiction on them as they are single family houses. The Township is in the process.

BISHOP Mr. Bishop added that that was done by the Township Building Inspector.

STERN Mr. Stern stated that it was done, not only by the Building Inspector, but also the Plumbing Inspector, Sewer Inspector and himself, who reviewed the site.

MURPHY Mr. Murphy asked what the square footage of the units.

STERN Mr. Stern responded that he could not advise the exact figure without referring to the paperwork.

MITRICK Chairman Mitrick stated that Mr. Murphy's question related to questions voiced earlier during the meeting. That information will be provided at the next meeting.

MURPHY Mr. Murphy indicated the condos are being advertised as 1,350 square feet. He asked whether a surety bond had been posted by the developer as required and in what amount.

STERN Mr. Stern responded that a surety bond had been filed. He asked Mr. Luciani if he recalled the amount.

LUCIANI Mr. Luciani responded that he was not sure of the amount but he thought it had been in the hundreds of thousands of dollars, which included stormwater, erosion control, landscaping and required off-site improvements.

MURPHY Mr. Murphy asked whether the Township had been provided with a copy of a sample lease and condo document, which the developer had agreed to provide.

STERN Mr. Stern responded that he did not think those documents had been provided.

MURPHY Mr. Murphy commented that once the Township obtained possession of those documents, they would be public documents.

YOST Solicitor Yost interjected that the condo documents are probably already a matter of public record as the declaration would have been filed in the Recorder's Office.

MURPHY Mr. Murphy stated he would like to know when they are available, as he would like to inspect those documents. He asked if he could be notified when they become available.

MITRICK Chairman Mitrick asked Mr. Stern if he would notify Mr. Murphy as soon as the documents become available.

STERN Mr. Stern responded that he would do so.

Camp Security

KING Mr. Richard King, 3456 Stone Ridge Road, stated that he lived within a mile of Camp Security. He advised that he would like to see it developed in such a way so that people could still enjoy the history of the area. He commented that it was a large area with plenty of room for houses and a separate camp. He asked the Board to take that into consideration upon making decisions about the development.

MITRICK Chairman Mitrick stated that the Preliminary Plan went before the Planning Commission recently. The Board of Supervisors had not yet received a copy of any of the plans.

MITRICK Chairman Mitrick thanked the residents for their comments.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober provided an update to his written report; however, he added that they are working on the Codorus Creek Interceptor Model. They are modeling a portion of the interceptor below the new Diversion Pump Station, so that the staff can develop an operating strategy. They are working with Mark Hodgkinson on a local limits evaluation, which is part of the MPDES permitting process.

BISHOP Mr. Bishop asked whether the pump had been turned on.

SCHOBER Mr. Schober reported that Mr. Crooks had been exercising the pump; however, it had not been needed to date.

B. Civil Engineer – First Capital Engineering

Traffic Calming Update

LUCIANI Mr. Luciani reported one item in addition to his written report with regard to the traffic calming meeting held earlier during the week with the Focus Group. The Group consisted of about 14 residents who expressed an interest in having input into the process of traffic calming measures. A Power Point presentation had been made showing some options with some specific recommendations. The results of their discussions follow:

- An individual had a concern about Philadelphia and cutting traffic off into that area. The studies reveal that there is not a speed problem

(avg. 33 mph); there is not a capacity problem. Tom Austin and Mr. Luciani will meet with the individual in the field for further review.

- There was a consensus developed on a number of issues, a few of which were questionable. The ones with clear consensus were East Market Street and Eastern Boulevard where there is a big wide area. Prohibiting left turns would be a good possibility. They discussed shrinking that down on Vernon Street where there is a traffic signal. People tend to rocket towards the signal when they anticipate a green light. A consensus that a speed hump in that vicinity, mid-block, might be possible.

- A consensus had not been developed on Marshall Street where it could not be made a one-way street. The Focus Group was to discuss this with their neighbors, and one more meeting will be held during mid-October in that neighborhood, possibly in a church or facility in that area.

- The goal from Mr. Sabatini was how much money should be budgeted for the calming devices, which Mr. Luciani felt he could provide with a ±20% budget figure to implement some of the physical measures.

Mr. Luciani stated he felt it had been a beneficial meeting. The goal for the next meeting would be to pin down specifically what measures with which to proceed. As they had discussed, the Focus Group people would be assigned with the objective of getting 75% of their adjoining residents to agree on the measures.

PASCH Mr. Pasch commented about a speed bump and getting consent of the people who live there. He asked whether there was a process established, such as a referendum to implement a calming device.

LUCIANI Mr. Luciani responded that if it were decided to place a speed hump there, it would be drawn up and done. It would not be an expensive proposition; however, it is important to get the people to support the measures.

PASCH Mr. Pasch asked how the Township would know that the people support it.

LUCIANI Mr. Luciani used Vernon Street as an example. He explained that there are about 24 homes on Vernon Street, and the Focus Group member will walk that street and get a petition signed that it is something with which they agree.

GURRERI Mr. Gurreri asked how snow would be plowed over a speed bump.

LUCIANI Mr. Luciani responded that there had been a lot of questions about that, and he wanted to make it very clear that it was not a speed bump, but rather more of a gradual hump. The plow will fit across it. There had been questions about drainage in the gutters alongside. The speed humps that are place are not curb line to curb line; they are placed about four feet short on each side, but a car cannot scoot around it.

GURRERI Mr. Gurreri asked whether all the people who were on the list had been invited. He had people ask him in church on Sunday when the next meeting will be.

LUCIANI Mr. Luciani responded that another public meeting will be scheduled, but as opposed to meeting with 60 or 70 people, there are 14 total selected for the Focus Group who are working the streets. Those 14 people had volunteered to serve in this capacity.

SABATINI Mr. Sabatini explained that there were two different lists. One list was for the people who want to be informed of the next general session, and the other was for a small working group.

GURRERI Mr. Gurreri asked whether the next meeting was for the general public.

LUCIANI Mr. Luciani responded that the next meeting would be with the Focus Group. Following that a public meeting will be held to bring closure to the traffic calming devices.

LUCIANI Mr. Luciani indicated he had one item for discussion in Executive Session.

SCHENCK Mr. Schenck asked whether that particular item pertained to Orchard Hills.

LUCIANI Mr. Luciani responded that it would relate to Orchard Hills.

SCHENCK Mr. Schenck indicated that he wanted to be totally sure he understood what Mr. Luciani had written and drawn and what those affected were being asked to do. As Mr. Schenck had been unable to visualize it on paper, he asked whether Mr. Luciani would accompany him to the site to gain a better understanding.

LUCIANI Mr. Luciani responded that he would be glad to visit the site with any of the Supervisors.

YOST Solicitor Yost stated that a meeting had been held during the week with the representatives of the developer and his counsel. He had indicated that he would mention it briefly during Executive Session. They intended to prepare copies of plans where it could be better visualized for review. He asked Mr. Luciani to identify which drawing.

LUCIANI Mr. Luciani responded that it was the HOP plan with the site distance that they had prepared.

YOST Solicitor Yost indicated he thought that was the key plan.

Plymouth Road Improvements - Cost

MITRICK Chairman Mitrick asked for the cost on the improvements for Plymouth Road.

GURRERI Mr. Gurreri asked about the progress on Plymouth Road.

LUCIANI Mr. Luciani responded that Charlie Lauer had placed the curbing. They are waiting on stormwater inlets from Monarch Pre-cast, which had been ordered two weeks prior. One more week and they should be ready, and Mr. Lauer would place the pipe.

Memory Lane/Haines Road

BISHOP Mr. Bishop asked for the status on Memory Lane/Haines Road.

LUCIANI Mr. Luciani responded that he had met with Tom Austin, whose study was nearing finalization. They discussed a mapping exhibit of the entire corridor. Last week they, along with Township staff, met with PennDot, which is currently looking at Mt. Rose Avenue, Market Street and other exits. They are looking for a direct connector to Route 30. The Haines Road study parallels what PennDot is doing on Route 83. Another public meeting will be held; no date had been set, but it will be some time in October. The PennDot meeting had been beneficial as there are parallel corridors. The goal of study was to determine whether people would continue to stay on 83 as opposed to cutting through. PennDot hired a consultant who did a traffic study conducted by license plate count. They counted cars at Mt. Rose Avenue getting off, to see if they would end up on 30. There were some parallel numbers, which was good input to tie into Tom Austin's study.

C. Landscape Architect (Springettsbury Park) – Yost-Strodoski-Mears (YSM)

YOST Ms. Yost reported that work was progressing at the park site. Based on the progress meeting held earlier during the day, the contractors are on target for the initial substantial completion date of October 15th. She had several questions and requests. The electrical contractor requested to utilize the parcel recently purchased at the southern end of the southeastern corner of the site. That item had been brought up as a potential for their use at the pre-construction meeting. They were following up and wondering whether it was available for staging and storage of materials.

SCHENCK Mr. Schenck asked whether the property was empty.

SABATINI Mr. Sabatini responded that settlement would be held on September 28th.

YOST Ms. Yost indicated she would follow up with Mr. Sabatini on Monday.

MITRICK Chairman Mitrick commented that during the previous Board meeting, mention had been made of grading that area. A determination needed to be made as to what would be the most beneficial to the Township. If a decision was made to allow them to use the buildings, then the equipment has to be brought back on site.

SABATINI Mr. Sabatini added that they are waiting for a price on that issue.

YOST Ms. Yost indicated she was developing an addenda. From C. S. Davidson she had requested the curb, sidewalk and all the work associated with extending it around there to follow through with what they had done with the initial plan. They need to put their price together and present it to the Township. They would like to request a Change Order at this time from the electrical contractor to drop conduit under the new walkway that is going in so that lights could be extended over there to that site. As part of the plan the service was sized to accommodate lights but not dropping the conduit. It would not be very expensive; however, since the pathway was going in now, and they wanted to get that dollar figure going, which she was sure it would fall well under the ceiling set for them to deal with staff.

Keystruct Construction did the demo on the Little League building without charge to the Township. Additionally, they are putting together an outline of the amenities that the Township planned to purchase. They were removed from the general contract inasmuch as they are on the state list of items for purchase. Mr. Mears and Ms. Yost put together a list, the colors, the contact person so that the Township could proceed with that. A place for storage of those items should be determined. They want to have the items on site in order to be ahead of the time line on delivery.

Ms. Yost had prepared a tabulation on change orders to provide a report to keep the Supervisors informed. She reviewed the report item by item. She indicated that she did not intend to go through each item at each meeting, but for the first report she felt it would be more easily understood.

GURRERI Mr. Gurreri commented that he was pleased with her report.

BISHOP Mr. Bishop referred to a portion of her report and asked who from the Township had made the request for four-inch conduit.

STERN Mr. Stern responded that the request came from Mr. Hinkle who had asked the telecommunications people for telephone and data lines. He indicated it was for four, four-inch conduit. Barton Associates, the engineer who designed it, agreed that four-inch line would eliminate any complications.

YOST Ms. Yost needed a decision with regard to the face on the clock in the tower on the concession building. There was a choice of clock faces. She provided the Board with several choices and indicated that the architect recommended the one showing numerals on it with an Arial font.

PASCH Mr. Pasch commented that the clock above appeared to have bigger numbers.

YOST Ms. Yost indicated it was a different font.

MITRICK Chairman Mitrick agreed with Mr. Pasch's selection.

BISHOP Mr. Bishop liked the one in the lower left because it was cleaner and more easily read.

GURRERI Mr. Gurreri agreed with Mr. Pasch.

YOST Ms. Yost understood their selection and thanked the Board for their selection.

MITRICK Chairman Mitrick requested that, when the earth moving work was completed, Mr. Sabatini send a note of appreciation to the local neighbors for their patience and understanding with the dust during the construction process.

YOST Ms. Yost stated that the general contractor poured a sample area of the colored, imprinted surface. It had not been approved yet as it was not meeting the specifications. They used a substitute product and system. Ultimately what they will give us is what was specified. She advised the location if the Board would like to review it and provide their opinion to the staff.

SABATINI Mr. Sabatini cautioned the Supervisors to telephone the police station before going on the site. He reported that the new fencing had worked very well, and he had seen very few people going across.

MITRICK Chairman Mitrick asked whether the Supervisors could go out and review the concrete by Friday of the following week and provide Mr. Sabatini direction.

Consensus from the Board was that they could do so by Friday, October 5, 2001.

YOST Ms. Yost reported that they had a meeting with DC&R to review the park grant funding for the second submission to receive dollars. Through that exchange they will up the limit of the requested amount from the previous $150,000 to $250,000 with a good likelihood that they will look favorably on it. This will be a 50/50 match.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of September 27, 2001
B. East Coast Contracting – Progress Billing #18 - $35,092.57 (conditioned on approval of Change Order #11 (5A below).
C. IETC – Progress Billing #1 – Park Project - $41,267.70.
D. Keystruct Construction – Progress Billing #1 – Park Project - $151,703.91

MITRICK Chairman Mitrick asked if there were any questions on items A through D.

GURRERI Mr. Gurreri asked about the cement poured out front of the municipal building. He asked why the two blocks were replaced out front.

STERN Mr. Stern responded that the blocks were cracked.

GURRERI Mr. Gurreri stated that the contractor had re-poured the blocks, and he expected that they would crack again due to the fact there was no expansion joint.

STERN Mr. Stern responded that one should not crack; the other is possible to crack. In Mr. Stern's opinion it was a design flaw. There are expansion joints around the two sections. There are plastic joints put in and then caulking was added.

GURRERI Mr. Gurreri indicated he had looked at it, and there were a couple places where they needed expansion joints. He was trying to establish that the Township had a claim. It was reported that the peeling had occurred because the Township put salt on it. Mr. Gurreri did not think that Public Works would use anything on the walkway that would cause cracks. He asked Mr. Luciani whether he thought the peeling of the concrete out front was due to putting salt on the cement.

LUCIANI Mr. Luciani responded that there was some pitting or scaling. It would be important to know how the concrete was specified for the building, and when a review was made of the volume of cement in that mix it probably should be very resistant and should not have any problem even if salt were

put on. He was not sure what Public Works uses as a de-icer. He did see some mild pitting, but he would have to look at the specifications prepared for the concrete. Most concrete poured with the proper consistency should not have pitting.

GURRERI Mr. Gurreri stated that what Mr. Luciani was saying was that the work was very shoddy. Mr. Gurreri did not know why it was lifting up or down, but he was referring to the surface of it. It's peeling off at some of the places, and that is from being worked too much bringing too much cement to the surface, and there is nothing holding it together and it's peeling off. He asked Mr. Luciani if that was a true statement.

LUCIANI Mr. Luciani responded that there are areas where it appears that they did not let the water escape from the surface, which resulted in a weakened surface, which could be causing the scaling.

GURRERI Mr. Gurreri asked Mr. Luciani if he would say that the Township would have a claim to fix that.

LUCIANI Mr. Luciani indicated he could not say with any certainty that you could get the contractor to fix it, but he added that there are some moneys still withheld.

PASCH Mr. Pasch asked what kind of money would they estimate if it had to be replaced.

LUCIANI Mr. Luciani observed that it was a fairly large area involving a couple thousand square feet. If new concrete is $5.00 a square foot, and to remove the old concrete is $3.00 a square foot, it would be $8.00 to $10.00 a square foot. It could be up to $40,000 worth of work.

PASCH Mr. Pasch stated that the contractor is certainly not going to agree that he was at fault until we take action. If the Township takes action, an expert opinion would have to be obtained indicating that it was faulty. If a claim is to be made, the Township better be prepared with what it will cost to do so and what the probabilities are for success.

GURRERI Mr. Gurreri indicated that if the Township is holding money, we are in a lot better position for him to come back and do the repairs than if we pay the money. Mr. Gurreri stated he felt a claim was warranted.

LUCIANI Mr. Luciani stated that he used to handle complaints because his family was in the ready mix and pre-cast work. He used to go out and handle some of the complaints. He was not sure who had provided the ready mix for the Township project, but that might be a good first step to determine who the supplier was, i.e., Miller or Zeigler, and maybe have them come

out and look at the concrete. Sometimes weather has something to do with it, and then a decision has to be made as to whether it is acceptable quality work.

MITRICK Chairman Mitrick asked Solicitor Yost whether this matter was possible litigation material.

YOST Solicitor Yost did not think that the discussion would have any affect on litigation. What he heard Mr. Luciani saying was that unless and until an expert takes a core boring and does an analysis of the concrete, no decision could be made on responsibility. It could be the quality of the concrete; it could be the quality of the workmanship; it could be what happened since the work was done.

GURRERI Mr. Gurreri mentioned the quality of the concrete would be the contractor's problem, not the manufacturer's problem. That is between the contractor and the manufacturer. Mr. Gurreri mentioned that the Township only has until the 27th of next month to enter a claim. He stated that Mr. Luciani would be considered an expert.

LUCIANI Mr. Luciani stated that he would be biased. He added that quality of the work is sometimes in the eye of the beholder. It is a very subjective thing. Someone might look at it and say it is beautiful work, but on a scale of 1 to 10, it might make a 3. The specifications were prepared but cannot hold the contractor to a higher quality.

PASCH Mr. Pasch stated that the Board was getting into something aside from the payables. That was only one of the payables, and he had a lot of questions.

MITRICK Chairman Mitrick asked for any questions on item A, Regular Payables.

PASCH Mr. Pasch asked about the terminology of the Charles Design Group item, which was paid for recreational printing and the printing of the newsletter. He asked why that item would be placed under advertising.

SABATINI Mr. Sabatini responded that the way the account structure had been set up, it was advertising and printing costs.

PASCH Mr. Pasch considered it a misnomer, and not really an advertisement. He thought a review should be made.

PASCH Mr. Pasch mentioned the Mellon corporate credit cards. One item for $266.13 had been specified as personal expenses. Whatever that was for, i.e. travel, entertainment, etc., but he was not in favor of a bill listed as personal expenses on a credit card.

MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES OF SEPTEMBER 27, 2001 AS PRESENTED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick called for questions on item B.

SABATINI Mr. Sabatini explained that item B was for East Coast Contracting Progress Billing #18, an item, which had been previously tabled by the Board. He asked that the Board provide follow up direction as to proceed with a claim against East Coast. One without the other would subject the Township to possible litigation.

PASCH Mr. Pasch asked Solicitor Yost whether there would be any legal problem with holding the money against a pending claim.

YOST Solicitor Yost responded no, but an excessive amount should not be withheld.

PASCH Mr. Pasch commented that it could be $30 - $40,000. If the amount of item B were withheld it would be $35,092.57, and he did not view that to be excessive.

PASCH Mr. Pasch added that when he went through Mr. Stern's municipal construction report, most of what he could see indicated that it was not the contractor's problem in the change orders. He read it as being a design problem. One of the items that disturbed Mr. Pasch was in Mr. Stern's comment that some of the things that had to be done later were not put in there because it was the designer's effort to keep costs down. Mr. Pasch wanted to know who told them to do so.

STERN Mr. Stern responded that was a million dollar question, and he could not answer that.

PASCH Mr. Pasch mentioned some specific dollar figures regarding the farmhouse. He stated that what really bothered him was when the Board was determining whether to do the farmhouse or not, Mr. Gurreri was very adamant that it should not be done and should be torn down, and some of the other board members were on the fence. If the Board had any indication that there would be another $32,000 to renovate this farmhouse, it may well have been that we would all have agreed with Mr. Gurreri and torn it down. Mr. Pasch stated that he thought the Board had received improper information from our design group in terms of making a decision. He thought that some of the things they did were inadequate such as putting it out for bid without getting the proper approvals from Labor and Industry, our own plumbing people and whoever else were bad

decisions on their part to go ahead with it. Other items he read related to the basement, and as this Board went through this one of the Board members argued that we should not build the basement. Had the Board known all the additional work involved, along with the correct numbers we might well not have done the basement, especially when they had the pipes set so they were running across the top of the floor; the basement could not have been used in that condition. If the design engineer had been more accurate in what they were telling us we may not have spent the money to build that basement. Mr. Pasch projected that a couple hundred thousand dollars had been spent to keep the farmhouse and to put into that basement. Mr. Pasch continued that he was very disturbed as he reviewed the numbers. There were some items where changes had to be made, but there were some very obvious things such as changing circuits and re-doing a lot of this work that had been done. That was extra money the Township had to spend. Mr. Pasch indicated that there was probably another $50,000 that had to be spent because of the design.

GURRERI Mr. Gurreri commented he thought it was in the design.

PASCH Mr. Pasch stated that most of these change orders are not the cause of the contractors. If there is a legitimate claim against the contractor and there is no problem withholding a reasonable amount of money, I have no problem with vote not to approve the payment, but I also agree with Mr. Sabatini that we give direction to get the necessary people in to determine the claim.

GURRERI Mr. Gurreri had a problem with some of the items. He looked at change order #11 and saw there was $14,000 for locker extension due to bad shelves with a credit here of $1,400. Several other items, such as deleting break room cabinets, deleting sign installation concrete work. Labor was $9,000 to build the back of those cabinets with the paint at $3,400. The original contract called for painting that room. He asked whether the $3,400 was extra.

STERN Mr. Stern responded that the locker room was not spec'd to paint the lockers. They were spec'd to have hangars in them, but they were too small for the hangers. It was a design issue. It's not fair to look at what was credited but they were things that were of no use to us. As far as the building, the Township is still holding the performance bond.

GURRERI Mr. Gurreri reiterated that if money was withheld, the contractor would have to come back to the Township and something could be worked out. Mr. Gurreri stated that you can't expect perfection from the lowest bidder and added they don't do as good a job.

MITRICK Chairman Mitrick stated that these items that should be discussed in Executive Session. She did not want to cut Mr. Gurreri short, but asked Solcitor Yost if they are, to please advise the Board.

Y**OST** Solicitor Yost responded that the items should be discussed in Executive Session.

MITRICK Chairman Mitrick asked Mr. Gurreri to hold his further comments until Executive Session.

MITRICK Chairman Mitrick called for action on item B.

MR. PASCH MOVED THAT ITEM B – PROGRESS BILLING #18 FOR EAST COAST CONTRACTING NOT BE APPROVED WITH THE UNDERSTANDING THAT THE STAFF AND BOARD WILL WORK TO DETERMINE WHATEVER CLAIMS THERE ARE AGAINST EAST COAST CONTRACTING, AND DO IT IN A TIMELY AND PRUDENT MANNER. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

GURRERI Mr. Gurreri stated that an expert would be required to look at this.

PASCH Mr. Pasch indicated that the staff would have to determine the claims and take whatever steps are necessary.

C. IETC – Progress Billing #1 – Park Project - $41,267.70

MITRICK Chairman Mitrick called for action on item C.

SABATINI Mr. Sabatini commented on item C, a Progress Billing #1 for IETC for the park project.

MR. GURRERI MOVED TO APPROVE IETC PROGRESS BILLING #1 IN THE AMOUNT OF $41,267.70 AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick called for action on item D.

D. Keystruct Construction – Progress Billing #1 – Park Project - $151,703.91

SABATINI Mr. Sabatini commented that item D related to the first progress billing from Keystruct Construction on the park project.

MR. SCHENCK MOVED TO APPROVE KEYSTRUCT CONSTRUCTION PROGRESS BILLING #1 IN THE AMOUNT OF $151,703.91 AS PRESENTED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS:

A. East Coast Contracting – Change Order #11 - $39,334.57

SABATINI Mr. Sabatini provided commentary with regard to item A. The Board had approved Change Order #11 and not approved the payment.

SCHENCK Mr. Schenck indicated that everything he had read in Mr. Stern's report stated that the work had been done.

STERN Mr. Stern indicated that was correct.

SCHENCK Mr. Schenck asked Solicitor Yost if it would be appropriate to approve the Change Order. Mr. Schenck had no problem withholding the payable, but he did not think the Board could challenge a Change Order that had already been done.

YOST Solicitor Yost responded that the Change Order work had been done with the Board's knowledge and consent, and there was an obligation to approve that.

GURRERI Mr. Gurreri stated he was confused on the price of the Change Order. He thought it was $35,000.

STERN Mr. Stern responded that the payable was $35,000. The Change Order was $39,334.57. The reason for that was a portion of the Change Order previously had been paid. There are construction change directives where the Township had ordered them to change something immediately, and they bill us for that. A portion of the $39,334.57 had been paid.

GURRERI Mr. Gurreri asked if there was still money being held after the $39,000.

STERN Mr. Stern responded that $35,000 was being held.

PASCH Mr. Pasch stated that he had no problem with approval of the Change Order.

SCHENCK Mr. Schenck stated he could see even a benefit with other issues to approve the Change Order.

BISHOP Mr. Bishop indicated that the issue was not with that Change Order.

MR. SCHENCK MOVED TO APPROVE EAST COAST CONTRACTING CHANGE ORDER #11 IN THE AMOUNT OF $39,334.57. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

B. Reimbursement Agreement between Commonwealth of PA and Springettsbury Township for Design of the Extension of Concord Road

SABATINI Mr. Sabatini provided background information regarding item B, which was a standard PennDot agreement outlining responsibilities and reimbursement practices for the design of the Concord Road Extension. Cost sharing for the design was identified within the agreement. The agreement had been reviewed by staff and Solicitor Yost, who suggested a review of Township inspection fees. Mr. Sabatini recommended authorization of the agreement. A further authorization of a Resolution would be requested later.

MR. GURRERI MOVED TO ENTER INTO AN AGREEMENT BETWEEN SPRINGETTSBURY TOWNSHIP AND PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF ENGINEERING SERVICES RELATED TO DESIGN OF THE CONCORD ROAD EXTENSIONS. MR. SCHENCK WAS SECOND.

BISHOP Mr. Bishop commented that he agreed with the procedure being followed; however, he voiced his fundamental problem with the project. He felt it was ill-conceived to build the road. He did not believe it would relieve any traffic problems in the Township because of the approaches to it. He felt the whole project should be reconsidered because it was costly, and he was not sure that the money would be available.

GURRERI Mr. Gurreri commented that when the Concord Road project was first discussed, Home Depot wanted to donate money, as well as McCrory's, and others.

BISHOP Mr. Bishop indicated that the other tenants behind Home Depot had indicated interest. He added that they probably would be the only ones who would benefit.

SABATINI Mr. Sabatini stated that one of the options that the Board could consider would be donations going towards the municipal share of the project, rather than gathering donations from the business community or the property owners to pay for a share of the design costs.

SCHENCK Mr. Schenck stated that the question on the table is whether the road was needed at all.

GURRERI Mr. Gurreri felt the road was needed especially to relieve some of the traffic on Memory Lane.

BISHOP Mr. Bishop stated he did not believe it would relieve any traffic, or that any traffic study had been done or serious recommendations that the way it's configured will actually relieve any traffic off Memory Lane.

LUCIANI Mr. Luciani commented that from discussions he held with Tom Austin, this was based on the capacity of Market Street and what that's currently carrying, plus the lane at the intersection of Market Street and Mt. Zion and additionally spending $150,000 for that signal. Home Depot came in and a traffic study had been done which putting the grade right back to an F. Tom felt that the by-pass will provide some relief. Currently Market Street is really at capacity especially with all the commercial activities in that segment. People trying to go 30 East can get off and cut through this road. In addition, there was a Flex Zone area provided off of Mt. Zion Road, and this road will provide some more business frontage for them. Mr. Luciani thought the shopping center at Sam's Club in the back of those areas would provide some benefits, but also provide some additional commercial road access to Mt. Zion Road corridor. Mr. Luciani thought it would provide some relief from Market Street as a corridor. He offered to have Tom Austin provide some benefits.

BISHOP Mr. Bishop responded that he felt it was an extremely high price to pay for whatever relief would come. He added that he was not sure that the facts were known as to whether or not it might make problems worse on Memory Lane.

MITRICK Chairman Mitrick stated that the Concord Road project is part of a longer-range project, which extends on the other end of Concord Road. There had been some activity on that extension with the Commissioners.

SABATINI Mr. Sabatini responded that was correct and they are attempting to secure some land areas the Commissioners were interested in deeding over to the Township.

PASCH Mr. Pasch commented that his recollection when the project began was that it was going to be a viable project and relieve a lot of the traffic problems. As far as Market Street was concerned it should and should be a benefit to the Township.

LUCIANI Mr. Luciani added that this project was already on the York County Transportation Improvement Plan. York County's committee had actually funded construction money toward the roadway.

MOTION CARRIED. MR. BISHOP VOTED NO.

MITRICK Chairman Mitrick requested Mr. Sabatini to research the history of the contributions that had been offered a few years ago and refresh the Board

on that. If the Township would pursue doing this portion, it would be wise to continue pursuit of the eastern portion.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. LD-01-08 – Harley Davidson Project Keystone – Time Extension to 10/25/01

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM HARLEY DAVIDSON FOR LAND DEVELOPMENT 01-08 UNTIL OCTOBER 25, 2001. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick reported that she had attended the Transportation Coalition meeting last week. She sat through the meeting, a portion of which had been devoted to the Keystone Project. She received a sense from the meeting that there was a "go ahead" on information and plans that the Board of Supervisors had not yet formally seen.

STERN Mr. Stern indicated that the plans that are before PennDot for their review are the same plans that he had presented to the Board a month and a half ago when the Board had met with the Planning Commission about Central York School, followed by the drawings he had provided regarding the Harley project. Those same exact plans had been sent to PennDot for their review and comment. Nothing had changed and PennDot will be providing their comments; that was one reason why Harley Davidson had delayed their plans.

MITRICK Chairman Mitrick recalled the discussion after the Central School meeting. She recalled from that meeting that some of the conclusions or elimination of possibilities for traffic improvements were absolutely not going to occur. At the Transportation meeting, she heard differently. She added that she was not finding fault; however, she had been somewhat embarrassed to learn what was going on in the Township and felt that she didn't really know the right information. She added that Mr. Stern had presented a lot of information.

STERN Mr. Stern asked Chairman Mitrick if she could tell him what those items were, he would be glad to go over them. He had not attended the meeting because he had been told the project would not be on the agenda.

MITRICK Chairman Mitrick stated it was not on the agenda, but was open comment.

STERN Mr. Stern assured her that nothing had changed. A meeting had been held with PennDot and the Federal Highway Administration within the past two weeks. Nothing had changed.

B. SD-00-10 – Sheridan Manor – Time Extension to 10/25/01

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR SUBDIVISION 00-10 SHERIDAN MANOR TO OCTOBER 25, 2001. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. LD-01-05 – Budget Host Inn – Time Extension to 10/26/01

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION TO LAND DEVELOPMENT 01-05 BUDGET HOST INN TO OCTOBER 26, 2001. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. LD-01-06 – York Container – Time Extension to 10/31/01

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION TO LAND DEVELOPMENT 01-06 – YORK CONTAINER TO 10/31/01. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Harley Davidson Project Keystone – Sewer Planning Module A3-67957-321-3 – 100,000 GPD

STERN Mr. Stern provided background information regarding item E, a Sewer Planning Module for 100,000 gallons per day for Harley Davidson-50,000 gallons per day for their existing needs and 50,000 gallons for their new facility. This equated to approximately $550,000 in tapping fees, of which $260,000 already had been placed in escrow pending the approval, the remainder to be paid following approval.

MITRICK Chairman Mitrick asked Mr. Stern about the stated number of 570 new employees and whether that was the number that had been previously given.

STERN Mr. Stern responded that Harley Davidson guaranteed 300 new employees to the state as part of their $9 Million incentive package. Harley had estimated somewhere between 300 and 600 employees, but for the purpose of sewer planning, they wanted a round number and picked 570 employees.

PASCH Mr. Pasch added that information from Harley Davidson indicated that there would be probably 600, but they would be transferring 300 elsewhere out of the existing facility.

MR. GURRERI MOVED TO APPROVE SEWER PLANNING MODULE A3-67957-321-3 – 100,000 GPD, HARLEY DAVIDSON PROJECT KEYSTONE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Allyson's Crossing (Windsor Township) – Sewer Planning Module A3-67966-321-3 – 33,250 GPD

STERN Mr. Stern indicated that item F related to a Sewer Planning Module for Allyson's Crossing, which involved a 39-acre subdivision with 95 parcels east of Windsor Road in Windsor Township. Mr. Stern recommended approval.

MR. SCHENCK MOVED TO APPROVE THE SEWER PLANNING MODULE FOR ALLYSON'S CROSSING IN WINDSOR TOWNSHIP FOR 33,250 GALLONS PER DAY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. Harley Davidson Keystone Project

SABATINI Mr. Sabatini stated he had requested Mr. Stern to provide a presentation on the status of the Harley Davidson Keystone Project.

STERN Mr. Stern indicated he could provide that whenever the Board directed.

MITRICK Chairman Mitrick stated that they would return to the subject at a later time on the agenda.

7. COMMUNICATION FROM SUPERVISORS:

SCHENCK Mr. Schenck reported that he had been invited to attend a meeting, along with Mrs. Mitrick, hosted by the Farmlands and Natural Trust. A core group was working to put together a financial package relating to the Hunter's Crossing development. He had been asked to attend the meeting because what they wanted to advise the Township was that they will be applying, depending on how their discussions go, for a state grant. Part of the normal state grant process indicates that the Township has to review that grant request. This would not suggest that the Township had to voice support or not; just a matter of responding that it had been reviewed and understood the request had been filled out because of its location in Springettsbury Township. They wanted to give us a heads up that it would be coming.

MITRICK Chairman Mitrick added that the information should be received very shortly so that the grant application could be reviewed. They would like to have some consideration given to it on the next agenda.

PASCH Mr. Pasch asked Mr. Stern about his memorandum about East Coast Contracting, etc. Comment in the memo had been made with dealing with low bidders indicating that the Township might receive less than the best

with the low bidder. If that is the predominant thinking of the staff, he asked Solicitor Yost why the low bidder had to be accepted.

YOST Solicitor Yost responded that statutorily the Township was required to accept the lowest responsible bid.

PASCH Mr. Pasch asked how to determine what responsible means.

YOST Solicitor Yost responded that the only way to do that would be to document it from other projects done by the bidder.

PASCH Mr. Pasch stated that if a due diligence were done on a contractor that bids on a job, and we are able to determine, in our opinion, that he was not responsible because of other projects, that bid can be turned down and proceed to the next low bidder.

YOST Solicitor Yost responded that was correct. He added that it was not an easy task to do and rarely done because of the difficulty in documenting what work was done responsibly or not. Solicitor Yost commented that this was a standard complaint and he had never been satisfied that it holds water. Just because the contractor is the lowest contractor that you get a lower quality product. Theoretically you should not because he has to meet the specifications of the project. If he meets the specifications, you should get the same quality regardless.

PASCH Mr. Pasch mentioned that in the past couple years the Township had been involved with a couple of contracts on the sewer plant and the pump station where we had nothing but problems with the contractors. Similar problems were discovered later that other municipalities had.

GURRERI Mr. Gurreri commented that you just have to make them do what they're supposed to do when you get those kinds of guys.

BISHOP Mr. Bishop stated that one of the things that had not been done was a research of bidders. That needs to be somehow part of a review process before large contracts are let.

YOST Solicitor Yost responded that the only logical and rational basis to disqualify someone is based on the quality of their work. There are certain contractors who will bid a project. I don't think any of them bid it without anticipation of a profit but they also know well how to work on that and that doesn't necessarily affect the quality of the work.

BISHOP Mr. Bishop added that once a contract is let, it must be managed properly.

PASCH Mr. Pasch commented that he only brought it up because he wondered whether the due diligence work necessary was being done before we let a contract.

SABATINI Mr. Sabatini stated that with the park project, a due diligence review was one of the items that had been required on each of the contractors there, and the consulting architects did contact numerous previous clients. They contacted at least 15 other clients of Keystruct and got an idea who they are and what they do. He himself had personally followed up with a couple of different contacts about this company too. In this case the Township did do a due diligence review of previous contracts of the companies associated with the contract.

PASCH Mr. Pasch asked whether it was any easier done if a due diligence were done certain contractors would not qualify as a responsible bidder and could not bid.

YOST Solicitor Yost stated that there were certain cases where you can prequalify bidders, which is in effect disqualifying bidders. To his knowledge that is very difficult to do under Pennsylvania law. That was a theory of Mr. Amic's that bidders could pre-qualify bidders which is in effect to say you disqualify those you don't like, and it is difficult to do.

PASCH Mr. Pasch stated that as a Board, tightening up on those kinds of things is a responsibility.

GURRERI Mr. Gurreri agreed.

GURRERI Mr. Gurreri reported he attended a York Area Metropolitan Planning Commission meeting. They removed 83 exits 6, 7, and 8 from the program and indicated they had planned improvements to the off ramp and the on ramp this summer. They let the contract, but that work will be done in the spring of the year.

Mr. Gurreri reported the following meetings scheduled to be held:

- York County Convention is November 8th.
- Saturday morning, September 29th, York County Central York Communities that Care are having a breakfast at the new Manchester Township building.
- York County Municipal Elected Officials had been invited to a Emergency Services Pennsylvania Management Agency, Training for Emergency Services for Elected Officials scheduled to be held on October 25 at 1:30 p.m. and at 7 p.m. at the York County Annex Building 118 Pleasant Acres Road, York, PA

- The Assembly of Effective Government will meet at Franklin Marshal College Tuesday, October 9, 2001. The subject will be sprawl.

He had received a complaint about York Waste dropping garbage and not picking it up. The hauler told the resident it wasn't their job.

SABATINI Mr. Sabatini stated that he needed to have a name and date of the complaint and he would follow up.

GURRERI Mr. Gurreri stated that he had previously received the York County Planning Commission Minutes but had not received them in the recent past.

SABATINI Mr. Sabatini responded that he would provide them to the full Board.

GURRERI Mr. Gurreri reported that the Chamber was holding a ribbon cutting ceremony. He felt it was important for someone from the Township to attend. This would be held at the Travel Design on November 8th at 10 a.m. at 3755 East Market Street, Stonybrook Shopette Center.

BISHOP Mr. Bishop commented that, given the somewhat extra-ordinary financial situation in this country, the Township should probably be doing some reconsideration of current and planned budget and spending. He did not have a specific proposal, but felt it was something that the Board should act upon very quickly. Consideration should be given to the fact that the revenues would be lower in the future. He urged the serious reconsideration as to even spending at current levels already budgeted for this year. The Manager had advised that a target for next year's budget was for everything to be a 5% increase over this year. Mr. Bishop would like to see some immediate cutting of discretionary spending. He added that the matter was something that the Board needed to consider whether to give some direction in that regard.

PASCH Mr. Pasch agreed with Mr. Bishop. The bulk of the income comes from mercantile tax and personal income, not from property taxes. The other ones could very definitely be affected by what happened.

SABATINI Mr. Sabatini responded that he planned to meet with Mr. Hadge on Monday. He stated that Mr. Bishop was correct, we had given some general marching orders of about 5% - pre September 11th. He had spoken this day with Mr. Hadge and discussed reconfiguring the revenue estimates. He had spoken with Mr. Stern and cut building permits by 30% alone from this year's anticipated figures. We're going across all those revenue figures and deciding what is elastic and what isn't. Some recommendations will be made as part of the budget, but a review could

also be made through the end of this fiscal year on where some of the costs could be brought down and take advantage of some cost savings immediately. At the request of the Board we can provide that in memo form as quickly as possible.

MITRICK Chairman Mitrick felt the focus would be a wise consideration.

BISHOP Mr. Bishop stated that the imperative would be if we're going to try to save some money this year we've got to do it quickly and put a very specific plan in place right away. If something could be done to address that it would be very wise.

MITRICK Chairman Mitrick stated that Springettsbury Township received a letter from Jeffrey Varnes, Executive Director of American Red Cross. He sent his note of appreciation to Springettsbury Township for immediate response in offering to conduct a blood drive in the Township to help the need after the September 11th tragedy. He did indicate that there had been an overwhelming response and there was not a need at that time for Springettsbury Township to respond. He was appreciative of the offer. Chairman Mitrick added that since Mr. Varnes had taken the time to send the letter, she asked the Township Manager to send a letter to Mr. Varnes. He had been featured on the news the other day. He ran the Red Cross Disaster Team in western Pennsylvania and was commended for the excellent job that he had done, and since this is our local chapter it would be nice of us to recognize it as well.

BISHOP Beyond being the local chapter, Mr. Varnes is a resident in Springettsbury Township.

SABATINI Mr. Sabatini added that at least on a temporary basis the Red Cross is locating in Springettsbury Township.

Consensus of the Board was to send a letter of appreciation to Mr. Varnes in recognition of his contribution of service.

MITRICK Chairman Mitrick mentioned that she had received a letter of resignation from Lou Skeparnias from the Park and Rec Board. She asked Mr. Sabatini to advertise for that vacancy as well as the two vacancies on the Historic Preservation Committee.

MITRICK Chairman Mitrick reported she had received a petition with 78 additional signatures to be added to the 500+ that had already been received with regard to Preserve our American History - Save Camp Security.

MITRICK Chairman Mitrick mentioned that the news had reported that many police officers had been called for reserve duty. She asked Chief Eshbach whether that had any affect on the Springettsbury police force.

ESHBACH Chief Eshbach responded that there are no members of the force who had been called, but there are some who could be called.

PASCH Mr. Pasch asked how many officers are in the reserves.

ESHBACH Chief Eshbach responded that no one currently is in the reserves. There are still some who have inactive reserve status, and at least one would not come off that status for eight more months. The potential was better than 50% that the individual could be called.

BISHOP Mr. Bishop asked whether an analysis was available within the township of what the potentials are.

SABATINI Mr. Sabatini responded that the only people in the reserves are in the police department. We have people who are former military personnel, but are not on reserve status. Mr. Sabatini had requested Betty Speicher to check the records, and there were no indications other than in the police department.

ESHBACH Chief Eshbach stated that the gentleman to whom he had referred was not a reservist, but was out of the military but could be called back for a certain number of months.

SABATINI Mr. Sabatini stated that it was his understanding that, depending upon his specialty, he could be completely out or completely back in.

MITRICK Chairman Mitrick asked that he would keep the Board posted on the matter.

MITRICK Chairman Mitrick commented on the promotion of Governor Ridge, but also the loss to the State of Pennsylvania. She asked the Board on behalf of Springettsbury Township whether they agreed to sending a note of appreciation and congratulations to Governor Ridge. She felt he had been a very visible Governor to Springettsbury and supportive of many of the requests that had been submitted to Harrisburg.

Consensus of the Board was in favor of sending the letter to Governor Ridge.

SABATINI Mr. Sabatini stated that he would do so.

GURRERI Mr. Gurreri commented on the letter from Mr. Skeparnias and stated that Mr. Skeparnias felt that he was not appreciated. Mr. Gurreri felt that was

a matter for review as to showing appreciation for the volunteers who give of their time.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost reported he had nothing to add at this time. He would address other matters during the Executive Session.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini reported that the speed limit signs had been placed on Pleasant Valley Road and Springetts Drive.

SABATINI Mr. Sabatini reported that Mr. Hodgkinson had been working with DEP He recommended that the Township not proceed with a Class A license for the cake sludge, particularly in view of the holding time which the sludge would have to be kept until a determination would be made. The existing Class B license would be kept, which indicates a very solid Class B program.

SABATINI Mr. Sabatini reported that he had received information that the Pleasant Valley Road No Parking signs. That will be monitored and follow up once those properties are occupied. They will provide advertisements to the Board.

SABATINI Mr. Sabatini reported that a request had been received from a concert promoter to set up a fund raiser for victims of the September 11th disaster. It would be held at the Central York Middle School. All money would be sent to the IAFF Disaster Relief Fund headquartered in Washington, DC. Well known recording artists from the area would be featured, at no cost to the Township. We're asked to be a host site for a rolling concert series. He asked whether this would be acceptable to the Board.

Consensus of the Board was not to pursue being a host site for the fund raiser.

SABATINI Mr. Sabatini reported that a brainstorming session had been held with the Board of Supervisors a few weeks ago. He requested another meeting date for an additional brainstorming session and added that a quarterly basis seemed to work well.

Consensus was that a brainstorming session would be held on Thursday, October 4th at 5:30 p.m.

SABATINI Mr. Sabatini mentioned that this would be a public meeting and it would be advertised.

BISHOP Mr. Bishop asked for the official November meeting dates.

SABATINI Mr. Sabatini stated that the Regular Board Meeting would be held November 14th at 7:30 p.m. The Police Pension Board Meeting would be held at 7 p.m. prior to the Regular Meeting. No meeting will be held on November 8th.

MITRICK Chairman Mitrick asked whether any Budget Meeting dates had been scheduled.

SABATINI Mr. Sabatini indicated he would be providing those dates very soon. They were looking at the week of November 12th or November 19th. Mr. Hadge had some dates in mind.

SABATINI Mr. Sabatini reported that a pre-bid meeting had been held on the garbage contract. The question had come up again about a Performance Bond. There had been a three-year requirement for a Performance Bond. Mr. Bishop had asked that a review be made of the Second Class Township Code, and Mr. Sabatini asked that Solicitor Yost review that again. Solicitor Yost had done some legal research and found a method to use to reduce the Performance Bond to a one-year contract, because it is a service contract rather than a construction or public works contract. Mr. Sabatini recommended that a one-year bonding be acceptable. He requested that the Board to ratify a motion to cover one year of the contract.

YOST Solicitor Yost indicated that would not work. His opinion was if the Township was going to have a performance bond, it would be for the entire amount of the contract - the three-year period. Since it is not a Public Works contract but rather a service contract, there is a provision in the contract that the Township can have a Performance Bond for not less than 10% nor more than 100% of the entire contract. The only problem for our case right now is that you could set it at 10%, 20%, 30% or anything but it must be set by the Board of Supervisors and it must be accepted by the Board at the time of the advertisement to bid, which already was past. He had dictated a letter to Mr. Sabatini saying that since there is a mandatory pre-bid year and there is an opportunity to put an Addendum to the ad or to the specifications or Notice to Bidders, that it be done. He indicated he was not uncomfortable with doing that since he was satisfied that all potential bidders would be aware of the change and would bid accordingly. What would be needed from the Board tonight would be a motion setting a percentage of the entire contract that you want the Performance Bond to cover.

SABATINI Mr. Sabatini would recommend 35%, a little bit above one third.

PASCH Mr. Pasch asked why we want to do that.

SCHENCK Mr. Schenck asked the same question.

BISHOP Mr. Bishop responded to the question. The first objective was to have bidders bid as low as possible to collect the garbage. He did not see Performance Bonds for bonding year three of a three-year contract as a particular risk if that contractor goes out of business that another contractor could not be contracted in this township to pick up the garbage. An assumption would be made that they would go out on a non-perform issue or something similar. Mr. Bishop indicated that it would be an added expense that would be funneled right to the residents because it isn't coming out of the contractor's profit. It comes out of the revenues that are generated from the residents. It is a cost that we're imposing in the contract that really doesn't get us anything.

SCHENCK Mr. Schenck wondered what even a third would get us. If they failed within 3 to 6 months we could get another contractor.

PASCH Mr. Pasch stated that the Township would have a right to go against them if our residents are paying and now because they go out of business and we have to get someone in a hurry it costs X + Y, it would be an exposure to go against the bond.

SABATINI Mr. Sabatini indicated the bond would go on a declining scale: first year – 100% for 3 years; second year – 100% of the value for 2 years; third year – 100% of the remaining value. His guestimation was that a lot of money will be saved.

SCHENCK Mr. Schenck stated that seemed fairly safe.

MITRICK Chairman Mitrick asked Solicitor Yost whether that would be his recommendation.

YOST Solicitor Yost responded that it was a very low risk move at 30 to 35%. That amount would cover any time you needed to get a new contractor and any additional costs.

MR. BISHOP MOVED THAT THE GARBAGE CONTRACT BE BID THAT WE ADJUST THE AMOUNT OF THE TOTAL CONTRACT TO BE BONDED TO 35% OF THE TOTAL CONTRACT VALUE OF 100% FOR THREE YEARS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

YOST Solicitor Yost requested that Mr. Sabatini provide an Addendum for his review.

A. Presentation by Fire Chief

SABATINI Mr. Sabatini stated that Fire Chief Hickman had two items for presentation to the Board, one is the status of the Volunteer Fire Company and their Reorganization efforts; secondly the transitional work associated with the Shift Officers.

HICKMAN Chief Hickman commented that he felt uncomfortable in a public forum explaining what was going on in the Volunteer Fire Company. He would be brief and speak to the Board at another time regarding those issues. He stated that when it comes time for the Volunteer Fire Company to do something there is not much action. He was not sure whether that should be handled collectively as a group.

SCHENCK Mr. Schenck asked whether it would be uncomfortable to be briefed on where the process is and what needs to be done.

5013C

HICKMAN Chief Hickman reported that the status of the process right now is that they are waiting for the 501C3 information to come back as being approved. Chief Hickman personally did not know the status. He indicated he knew that all the paperwork had been signed; the documentation had been forwarded to the appropriate governing bodies. As a result there is no movement of funds being combined anywhere. As far as the Board of Directors we meet, we discuss issues, and that's as far as it goes. Because there is no forward movement between the two groups to really combine, we are at a stand still.

YOST Solicitor Yost indicated that the process of the 5013C typically was a 4-5 month process. He will check with Attorney Wolfberg.

PASCH Mr. Pasch suggested that Solicitor Yost determine how to nudge the jurisdictional people to get the thing done.

HICKMAN The current Chairman, Steve Musser, signed the documents and supposedly sent it in.

PASCH Mr. Pasch would like some kind of verification that it had been submitted.

Shift Officers

HICKMAN Chief Hickman reported that as far as the Shift Officers and that program goes, he felt much of that was a budgetary issue. I could outline a training program for the Board with areas of responsibility, but until the 2002 budget is passed he could not tell the Board exactly what they were going to do. He could provide his "wish list" as to what he wanted to do, which is outlined in a document he had provided to them previously.

BISHOP Mr. Bishop asked if he could say what actually had been done.

HICKMAN Chief Hickman responded that what had been done is that he had met a few times with the appointed Deputy Chiefs that will be assigned to a shift. Each one had taken a particular area of expertise they excel in, one being training. They had outlined a training program that could be done relatively inexpensively. The focus was for the fire department to train our own firefighters. Training manuals had been purchased through an agreement reached and those manuals were placed in stations to actually train for Firefighter 1, Inspections, Emergency Vehicle Driver Operations, etc. There are four instructors who have been certified; we will teach and test in-house for National Board Certifications.

SCHENCK Mr. Schenck asked who would be trained.

HICKMAN Chief Hickman responded that they would be training everybody. Two separate programs are being set up right now. His reporting follows:

(1) Career Firefighters – The training will be mandated that they do this on duty. Once a week they will sit down for two to three hours and go over one chapter a week for Firefighter 1 starting with the manual. The same opportunity will be offered for the volunteers except it will be done in the evening. There will be a 19-week program and at the end of 19 weeks we will do three weeks of brushing up. A few testing scenarios will be done followed by a joint test, which is both a written and practical exam.

(2) Some of the additional certifications will involve more expense. Public Education – Some expense will be necessary here due to the materials. Several programs are now in place, A, B and C Shift programs. Our Public Education Deputy is John Schive. We won't stop doing what we are currently doing; still do fire safety training, fire safety house, exit drills for the nursing homes, day care classes, etc. By the second half of next year we are all going to be doing the same thing. If you get A shift, it will be the same as C shift and that will show that we are evaluating what we are doing.

(3) Dan Flohr will take over doing the inspection program and re-establishing the way it should be, and in conjunction he will do a pre-plan. Chief Hickman stated he based the Fire Department's productivity not on the number of alarms responded to or the dollar loss that was saved. Rather he judges it on how many alarms we have prevented. We look how we helped the business community and residents make their areas more safe. Later on in the year towards the third quarter the department will start getting into houses provided the Business Program and High Hazard Programs are in place. It may be 2003 before we start offering it

to the citizens where we would publicly go to their houses and do safety home checks, fire education, check their smoke detectors in place.

Each deputy will have those three little sidelines, along with volunteer retention. We will assign the Shift Officers to be their mentors to increase awareness and promote volunteerism in a way that's not being done now.

HICKMAN Chief Hickman stated that aside from the smaller jobs there are three major topics. Once they are completed you will see great changes in the fire department. Right now we're up against a wall with contractual issues. Every step that we take right now is being questioned heavily.

SCHENCK Mr. Schenck asked whether during the day to day programming, are they performing the function that had been anticipated.

HICKMAN Chief Hickman responded that the firemen in the station are performing as the Duty Officer. They are working on timetables and scopes appropriate with their responsibilities. During the next meeting they will focus on job descriptions and in that way they will know what they are going to do. Right now they are not functioning as a true Deputy Chief in charge of the shift. They are functioning more as a Duty Officer making sure we have command control taken care of every day, 24 hours a day, 7 days a week.

YOST Solicitor Yost commented that by Ordinance there was to have been a Fire Chief and a Deputy Fire Chief; by Agreement we have two Station Chiefs and everyone else is within the organizational structure that had been set up. Chief Hickman had referred several times to Deputy Chief. He asked whether they are equivalent to Station Chief or something else.

HICKMAN In the ranking of the command structure they are equivalent of the Deputy Chief. The title Deputy/Shift is the title passed by the Board.

BISHOP Mr. Bishop stated that those are the shift officers, the paid people, the ones on duty at all times--not the volunteer Station Chiefs.

YOST Solicitor Yost indicated that the Ordinance authorizes a Deputy Chief and that probably should be reviewed.

SABATINI Mr. Sabatini commented that he thought the 5013C had been submitted in July.

PASCH Mr. Pasch commented that the Township had Mr. Musser's indication that it had been signed and done.

HICKMAN Chief Hickman reported that he met with VFIS yesterday and the insurance policies had been consolidated for a savings of about $4,000. VFIS looked very favorably upon the actions that had been taken.

MITRICK Chairman Mitrick reported that she was traveling on Market Street one day last week, and the fire trucks were coming out of the station and the yellow flashing lights were not on.

HICKMAN Chief Hickman responded that the action was a courtesy type light which had to be manually activated. The problem is where the button is placed, the driver has to go out of his way to activate the button. This was a design problem from the beginning which had been investigated. However, they were advised that it could not be corrected due to the wire lead having to have 45 feet of lead wire.

PASCH Mr. Pasch stated that there had been a lot of discussions about that because of the Board's concern for traffic. We had been assured at the time that it could be controlled without any difficulty.

HICKMAN Chief Hickman responded that the problem is that when they are activated, motorists don't really look at the yellow flashing lights. They don't heed the warning.

PASCH Mr. Pasch commented that at least with the light, there is another deterrent to wake people up.

YOST Solicitor Yost added that it would be a good practice liability-wise.

MITRICK Chairman Mitrick stated that she had an on-going concern about the Fire Police in general. Her most recent concern involved whether or not they have adequate operating radio equipment so that when they are out on the scene they are safe. She had expressed to Mr. Sabatini a situation that was brought to her attention just recently on Mt. Zion hill, which raised a safety concern. She understood they are volunteers, as well as the separation, but if one of those Fire Police officers gets injured standing in the middle of the roadway, then it becomes Springettsbury Township's problem. She stated that she had asked Mr. Sabatini to, within 30 days, give her a report assuring her that these people are safe out there and that they have the equipment they need. She requested that Chief Hickman work with Mr. Sabatini to provide her with the comfort level that if they are going out there in the name of Springettsbury Township that they are safe.

HICKMAN Chief Hickman responded that all of the questions she mentioned had been addressed and answered in a meeting with Chief Eshbach, myself, Sgt. Laird and 15 of our Fire Police members held about a year ago. He added

that every Fire Police officer in Springettsbury Township knows where to go to have their equipment taken care of and repaired. In the past 30 days, they have replaced 24 batteries. There are guidelines in place that are to be followed that are to prevent any problems; a lot of times they're not following the guidelines. We do everything we can to keep our people safe.

MITRICK Chairman Mitrick stated that she understood.

Harley Davidson

SABATINI Mr. Sabatini explained that what he wanted to do was to keep the Board abreast of transportation items happening now and in the future associated with PennDot funding to take traffic to the site.

STERN Mr. Stern asked whether there were specific questions that he could answer.

MITRICK Chairman Mitrick commented that, when Mr. Stern had addressed the Board after the Central meeting, he advised that he really did not know what PennDot was planning to do. She indicated he had told us a few things you didn't think that they would do.

STERN Mr. Stern provided the same drawing he had shown the Board previously, which had been submitted to PennDot, for which he was awaiting feedback. There were a few specific items that they absolutely positively said will not happen, which follow:

- Those were the left turn onto Eden Road at the intersection currently is at Route 30. That intersection will be moved to the east.

- The old intersection - they want a new median across there to prevent left turns. They would not discuss any openings for a left turn. There would be a right turn in and a right turn out.

- We wanted to remove the dual left turn lane in eastbound into Harley and to the new Eden Road and have people come around and straight across. That wouldn't happen. The argument there was that it would force a long truck to turn this way it makes the problems worse.

- Stealing green time from east/west and giving it to north/south, and during peak hours would cause more problems. Harley supported this, but our own traffic study indicated it would cause problems for the east/west.

The one item they did budget on so far was discussing us leaving the existing Eden Road in front of 84 Lumber as a right out. The rest is still up to them.

Mr. Luciani and Mr. Stern met with Harley, PennDot and the Federal Highway Administration a few weeks ago for a scoping meeting. A formal scoping report will be submitted by Transportation Engineer to PennDot.

STERN Mr. Stern commented on another issue, which related to the meeting on October 3, i.e., what to do with Paradise Road. Originally it had been suggested to taking all the curves making it a straight road, putting in a traffic light at Sherman Street with turn lanes and making it a better road. The traffic light is still a question for the Township and PennDot to discuss. Provisions and design will be made to allow for a traffic light. Some of the residents have commented that to put a traffic light there, if it doesn't work right, people in the neighborhoods will cut down the side streets to avoid the traffic light. Sheridan Road, in theory, if it's timed right will be better. Traffic light timing does not always work the way it's supposed to.

SABATINI Mr. Sabatini commented that one thing that will be reviewed is the whole issue relating to traffic calming in East York. It is hoped to move as much traffic in and out of Route 30 as possible.

GURRERI Mr. Gurreri asked Beatrice Weitkamp where her property is.

WEITKAMP Ms. Weitkamp pointed to her property on the map. She stated she is very concerned about what happens in their environment and in the Township. Likewise her neighbors on Pleasant View Drive are concerned. Not all have come to the meetings, but some have. They are concerned about putting a signal light up there. Paradise Road will not work. Already Harley-Davidson people go out Pleasant View. They go down City View, and that was all explained at the meeting with the residents. We're still opposed to that signal light out there at the end because Harley will go out there; stop very briefly if at all and down North Sherman.

STERN Mr. Stern indicated that was part of the reason the Township encouraged Harley to have the meeting with the residents. About two or three years ago, when they did their master plan, they had agreed to look at staggered shifts. Now they're going to further stagger shifts to having the two facilities on different shift cycles segregating parking so they park in lot A, or B on specific shifts, which they can better control. Harley has to do that. When the township tells them, it's not the same as when the residents say it.

GURRERI Mr. Gurreri asked whether this plan would alleviate some of the traffic problems. If the plan brings them out on Route 30, they would not be traveling back into the residential areas.

STERN Mr. Stern responded that that would be logical, and transportation planning defies logic. Mr. Stern reiterated that he thought the key would be the shift cycles.

WEITKAMP Ms. Weitkamp stated that the whole matter is beyond control. The employees from Harley go down Ridgewood and out on 30. They don't go any other direction. She suggested that someone follow them and watch what they do.

MITRICK Chairman Mitrick responded that they had gone out and explored moving traffic and safety issues. Harley responded as a good neighbor and notified their employees about traffic safety. She stated she thought it would have to be an on-going effort. There are a lot of workers leaving in a small amount of time.

WEITKAMP Ms. Weitkamp stated that many of the residents there have lived there for years. She felt it was not right to have all this intrusion all the time into our environment even at 3 a.m. She added that she fed the fawns, about 100 or more and they are loaded with ticks. Feeding time is 9 to 9:30 a.m. They love apples. Sometimes people are lined the whole way up Paradise Road to Pleasant View down to Ridge, all along they are pulled over. Some come the other way and they park double. Cars come along there in a hurry to and from Harley, and the road is blocked. They blow their horns and cuss at each other.

STERN Mr. Stern stated that the Harley meeting will be held October 3. He expected they will come before the Board of Supervisors for Land Development approval on October 11th.

WEITKAMP Ms. Weitkamp said that some of our residents said they will not come because it won't do any good.

STERN Mr. Stern mentioned he was working with a biologist to address the deer issue. They knew the deer they were feeding somewhere. They did a video of the deer, which revealed that they walked to the Guard Shack at Harley and back.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Resolution No. 01-49 – Establishing Average Lot Price Figure for Calculating Fee in Lieu of Recreation Land Dedication

SABATINI Mr. Sabatini provided background information regarding item A establishing the lot fee, which is included in the Ordinance, and approval was recommended.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 01-49 ESTABLISHING THE AVERAGE LOT PRICE FOR DETERMINING RECREATION FEES. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI WAS OUT OF THE ROOM.

B. Resolution No. 01-50 – Reimbursement Agreement between Commonwealth of Pennsylvania and Springettsbury Township for the Design of the Extension of Concord Road

SABATINI Mr. Sabatini commented that this Resolution authorizes the township Manager to sign this agreement.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 01-50 AUTHORIZING THE TOWNSHIP MANAGER TO SIGN THE PENNDOT REIMBURSEMENT AGREEMENT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Special Meeting – August 14, 2001

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE AUGUST 14, 2001 SPECIAL MEETING AS PRESENTED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED AS HE WAS NOT IN ATTENDANCE.

12. OLD BUSINESS:

There was no Old Business for discussion.

13. NEW BUSINESS:

A. Minimum Municipal Obligation – Police Pension Fund

SABATINI Mr. Sabatini stated that each year the Board of Supervisors approved a preliminary MMO by September 30. This is based on the actuarial study and the amount was established at $77,160 for 2002.

SCHENCK Mr. Schenck asked what the history of that figure had been.

SABATINI Mr. Sabatini responded that the MMO amount had been fairly static. Generally the issues go back to the MMO. Number one is the normal cost

percentage. If benefits are added, that normal cost percentage increases. The payroll is an issue, which fluctuates each year. Member contributions, which the township does not require at this point and also the 10% negative unfunded approval, is a credit because you are over-funded to the amount of $1.23 Million. As that figure goes down or goes up that will affect the MMO value. There is another factor: this is the total amount that has to go into the Pension fund. It does not include any of the reimbursements from the Commonwealth of PA. That is based upon a per unit value that changes each year and goes up and down depending upon some calculations; we do not pay the full $77,160, only a small portion of that.

MR. SCHENCK MOVED TO APPROVE THE PRELIMINARY 2002 POLICE PENSION FUND MINIMUM MUNICIPAL OBLIGATION AS PRESENTED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resignation of Park and Recreation Board Member – Lou Skeparnias

SABATINI Mr. Sabatini commented on the resignation of Lou Skeparnias from the Park and Recreation Board. His resignation was effective on September 19th. Mr. Sabatini asked that the Board accept his resignation and added that a letter would be sent to him thanking him for his service.

MR. SCHENCK MOVED TO ACCEPT THE RESIGNATION OF LOU SKEPARNIAS FROM THE PARK AND REC BOARD EFFECTIVE SEPTEMBER 19TH. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop asked Mr. Sabatini if he had any intention of addressing any of the issues raised by Mr. Skeparnias.

SABATINI Mr. Sabatini indicated he would review the Minutes of the past two meetings and follow up with the Board. Mr. Skeparnias had made a number of statements, none of which had been raised by any other Board member.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 11:30 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary
ja

SPRINGETTSBURY TOWNSHIP **SEPTEMBER 18, 2001**
SPECIAL MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a special meeting on Tuesday, September 18, 2001 at 5:30 p.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:	Lori Mitrick, Chairman Bill Schenck, Vice Chairman Don Bishop Ken Pasch Nick Gurreri
ALSO IN ATTENDANCE:	Robert J. Sabatini, Jr., Township Manager

1. CALL TO ORDER:

Chairman Lori Mitrick called the meeting to order at 5:30 p.m.

2. AGENDA ITEMS:

Chairman Mitrick said that the purpose of the meeting was to review ongoing township projects, staffing and structure issues, and other items. There was a broad range of discussions on various items.

The Board directed that another meeting be held in the near future to discuss other items.

3. ADJOURNMENT:

The meeting adjourned with unanimous consent at 7:00 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

rjs

SPRINGETTSBURY TOWNSHIP **SEPTEMBER 13, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, September 13, 2001 at 7:30 p.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck, Vice Chairman
Don Bishop
Nick Gurreri
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Charles Rausch, Solicitor
Mike Schober, Buchart-Horn, Inc.
John Luciani, First Capital Engineering
Ann Yost, YSM
Andy Mears, YSM
Andrew Stern, Economic Development Director
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Services
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 7:35 p.m. and welcomed the attendees. She asked Mr. Pasch to open the meeting with a word of prayer in view of the events of the country, for future decisions to be made and for the victims of the disaster.

PASCH Mr. Pasch offered a prayer.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

MITRICK Chairman Mitrick reminded the attendees that President Bush had declared Friday, September 14th, a day of Prayer and Remembrance.

MITRICK Chairman Mitrick announced that the Board of Supervisors held an Executive Session prior to the regular meeting regarding personnel. She stated that there would be an Executive Session immediately following the regular meeting regarding litigation.

2. COMMUNICATION FROM CITIZENS:

Resident Complaints

SHAFFER Mr. Chet Shaffer, 3201 East Market Street, York reported that when one walks down from Springetts Manor, from Yorkshire Apartments and from Lafayette Plaza on East Market Street, at and east of GTE the stones on the sidewalks are quite bad. He stated he was fearful that someone might slip and fall into an automobile. He asked whether something could be done about removing the stones off the sidewalk.

MITRICK Chairman Mitrick agreed that the area is a mess. She asked the Township Manager to make the appropriate telephone call for action.

SHAFFER Mr. Shaffer asked about policy and procedure. He asked if he called the Township and asked for the Zoning Officer or the Township Manager, why he had to go through 20 questions. He asked about the procedure for calling the Zoning Officer and finding out if something was not in accordance with his interpretation of the zoning rules.

SABATINI Mr. Sabatini responded that a Receptionist was on duty to take incoming telephone calls. In order to make sure that calls are going to the right person, the Receptionist had been instructed to ask a few questions and take messages if necessary. Telephone calls normally are returned promptly.

SHAFFER Mr. Shaffer stated that he had telephoned the Township a few years ago and complained about the weeds on Eastern Boulevard. He continued to call and complain about the weeds time after time. He finally asked who was responsible for the weeds, and the response from that person was that the weeds were not to be cut more than twice a year. He wondered whether anyone was enforcing the zoning laws, or whether it was up to the citizens to complain.

SABATINI Mr. Sabatini responded that it was both and that the Township relies upon the codes personnel as well as the citizens.

SHAFFER Mr. Shaffer asked how many complaints the Township normally received in one day and why he had to complain. He asked if, when the Township people see something wrong, they ignore it, or wait until someone complains.

MITRICK Chairman Mitrick responded that the Board members themselves provide input ON violations; also the police are to respond. Often the best concerns do come from the residents who are living next door or are very close to a situation that is in violation. Calls received from residents are very helpful.

SHAFFER Mr. Shaffer commented on a case, which he had previously brought to the Township's attention, regarding a banner. Banners are illegal and can be seen on Mt. Zion Road. He asked why was it necessary for him to file a complaint.

MITRICK Chairman Mitrick stated that Mr. Shaffer had voiced some very legitimate concerns. It was a good jolt for the Township and would be helpful that he voiced his concern. The staff will be notified to be more aware of it.

Central School – Traffic and Additional School Taxes

MCINTOSH David McIntosh, 60 Quail Run, commented on the recent newsletter issued to the residents. He mentioned the statement that, in the year 2003, to try and improve site lines at the intersection of Deininger and Mt. Zion Road. He looked at the proposal for the Central High School to build down in Druck Valley. He realized the amount of traffic that will rise. To improve the site line to the point where the intersection ceases to be reasonably dangerous, 10 feet might have to be cut off the top of Rocky Ridge. He stated that it will be difficult. He had been disturbed to see that the intersection was not part of the Traffic Study that the Central School District submitted. That intersection is a failure and should be reviewed closely. Secondly, regarding the Central School District, he urged the Board of Supervisors to play hard ball with the School District concerning the costs. Contrary to the Superintendent's statement, Springettsbury Township is not responsible for all these kids, which statement also ignored the fact that Springettsbury Township is not all Central School District. The very fact of their arbitrary decision to move into that area and then try to foist all the traffic improvements onto the Township is unfair to the Township in general, and specifically to those who live in the Suburban School District. Mr. McIntosh asked the Board to be forceful; to force the Central School District to face up to the facts of the cost that they are incurring on the populace, and put it in their tax base where it belongs. Mr. McIntosh complimented the Board on serving the residents well. Finally, he had received a sympathetic e-mail from Germany, which he read, indicating that a moment of silence had been held there in memory of those who lost their lives in the U. S. and everything stood still in Germany.

MITRICK Chairman Mitrick thanked Mr. McIntosh for sharing the e-mail. She added that, with regard to his comments on Deininger Road, the Central School transportation issues would be discussed later near the end of the Agenda.

Sheridan Road

HOLLINGER Robert Hollinger stated that he lived on the corner of Sheridan Road where all the accidents occurred. According to the State it was on the top 10 list for reportable accidents. A representative from the State advised him, unfortunately, there had been no fatalities there, so there was no money in the budget to fix it. He had read the newsletter that in 2004 Springettsbury Township had plans to fix the state road. What concerned him was the terminology used indicated something would be done with the curve and improve the site. Mr. Hollinger stated that the site had nothing to do with the accidents occurring on that corner. He had witnessed accidents and heard tires squishing through the slime that slides out on the road from the woods on the other side. The accidents occur when it's wet. Most of the accidents are single car accidents. Speed is the number one problem, and yet the speed limit, which is 25 on that road and 20 on the corner, is not enforced. Nothing had been done to enforce the speed limit. We have to put up with cars doing 35 to 55 and sometimes even 65 miles an hour. The cars coming up the road cross the double line about 75% of the time. The line of site has nothing to do with the accidents. He was concerned that someone, because of misinformation, would take his property. He stated he purchased the property for too much money because it was everything he wanted with a stream in the back yard and a good location for 83 north and south, east and west. He wanted to stay there. He had put his heart and soul into the house. There was no way that anyone could pay him what he had put into it. He does not want any money for it; he does not want to sell. He stated that he hoped that Central School District would not cause his property to be taken. Mr. Hollinger had been advised that Central was planning to start running school busses down Sheridan Road, and he indicated that there would be no good reason for a school bus to be on that road. It is a mile long, and there are 12 houses on it. When they put the high school in down the road, it will be within walking distance, less than a mile. Mr. Hollinger brought up his concern now, which he felt might be premature, but he expressed his hope that no one comes and offers him any amount of money for his property because he wanted to remain there.

MITRICK Chairman Mitrick stated that his comments were not premature and indicated this was the best time to voice his concern.

SABATINI Mr. Sabatini stated that the work Mr. Hollinger had referenced was on the PennDot list of projects which they are funding. It was not necessarily a Township funded project.

HOLLINGER Mr. Hollinger stated that he was aware it was a State road; however, he was concerned that Springettsbury Township was talking about the site problem, which he desired to clarify because there is no site problem.

MITRICK Chairman Mitrick stated that the area was one of concern and Dr. Estep had indicated at a recent meeting that busses would not be on that road.

HOLLINGER Mr. Hollinger stated that he had discussed signs with PennDot, such as "Danger – Black Ice," "Danger – Hidden Driveways," "Danger – Curve." He had been advised by two different state employees that they cannot put signs up because that indicates a problem and would cause liability.

Boy Scouts

MITRICK Chairman Mitrick indicated that she realized a Boy Scout was in attendance. She asked him to stand and introduce himself.

SHARBAUGH Justin Sharbaugh of 1815 Deamerlyn Drive indicated he had attended the meeting in order to work on his Communications and Merit Badge.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported two updates. The East/West Interceptor Notice to Proceed had been issued and dated September 10, which placed the completion date at March 8, 2002. They met with the contractor, who had submitted half of the shop drawings and indicated he would have his work completed in November. The Raw Pump Drive contractor put in a request for a no-cost time extension based on the delivery of the equipment he had ordered. The paperwork was in process, and the Board would probably see that next month for signature.

PASCH Mr. Pasch asked Mr. Schober whether the delay was not of the contractor's doing but because of the manufacturer.

SCHOBER Mr. Schober responded that was correct.

MITRICK Chairman Mitrick brought up the matter of the Meadowlands, i.e. the stormwater route behind the property on the corner. She asked whether a solution had been decided.

SABATINI Mr. Sabatini responded that at this point they recommended that the Township go to the property line between the residential property and the property owned by the people that own Med York. Nothing had been finalized. Solicitor Yost was to prepare some legal information.

SCHOBER Mr. Schober stated that B-H had been requested to prepare a plat to provide to Solicitor Yost for his finalization.

B. Civil Engineer – First Capital Engineering

Witmer Road

LUCIANI Mr. Luciani had a few updates to his written report. He had received a submittal from the group at Orchard Hills concerning Witmer Road. He will forward a plan in his next engineer's report and discuss some issues with that intersection.

Pleasant Valley Condos

LUCIANI Mr. Luciani reported that Mr. Stern sent out a plan to PennDot to put in an advance left-turn arrow to be done by the developer as part of the Pleasant Valley Condos.

Plymouth Road

LUCIANI Mr. Luciani reported that curbing had been installed on Plymouth Road. Pre-cast concrete boxes are expected in two or three weeks.

GURRERI Mr. Gurreri commented that the curb appeared to be curved.

LUCIANI Mr. Luciani indicated that a wide radius was necessary to allow truck movement. He added that the curbing matched the geometry on the opposite side of the roadway.

Sewer Hookup

LUCIANI Mr. Luciani added that he had spoken with Mrs. London who owns the Calderazza Farm, who had reminded Mr. Luciani that Township had committed to hooking her property up to the sewer. Mr. Luciani will try to get that coordinated because when the pump station was placed in her yard, that was one of the Township's

commitments. The Township should complete that in the near future.

Williams Road

LUCIANI Mr. Luciani reported on Williams Road and the appraisal. They staked out the dimensions of the easement so that the owners could review it.

Concord Road

GURRERI Mr. Gurreri mentioned Concord Road. He had attended a York Area Metropolitan Planning technical meeting, and PennDot moved that up to 7/3/2003.

LUCIANI Mr. Luciani indicated that the original bid documents were supposed to be let January 1, 2002. The contract had not been returned from PennDot and the billable rates are being revised. There were two minor comments going back in, probably by the middle of next week. He expected that they would not have that contract until close to the end of September to meet with the PUC. It seemed reasonable that they would move it back. Mr. Luciani speculated that they would be ready before 2003.

GURRERI Mr. Gurreri commented that there were environmental problems.

LUCIANI Mr. Luciani indicated that there had been some concerns with the Caterpillar plant, but he did not know whether it would impact the road project.

GURRERI Mr. Gurreri asked about the railroad crossing.

LUCIANI Mr. Luciani stated that a new at-grade crossing was not welcome, but in this particular area it was a warranted crossing. There is no way the initial crossing could be bridged. The railroad concern is no new at-grade crossings, and they follow that with a request to look at a bridge. Obviously that is a pretty flat piece of land. Mr. Luciani indicated that they had obtained a new at-grade crossing in another township but it had been a fight. He added that he believed it is warranted in this area.

GURRERI Mr. Gurreri commented that PennDot indicated that if we got that matter straightened out they could move it up.

LUCIANI Mr. Luciani stated that he expected to have the contract back to them the middle of next week. Mike LoPano, who Mr. Luciani had spoken with today, said he felt as though it will turn around

quickly. Mr. Luciani stated he did not believe the January 1, 2002 deadline would be met.

MITRICK Chairman Mitrick stated that information had been forwarded to the Board by Mr. Luciani regarding tenants in the area south of the railroad tracks, for example, the Montgomery Wards property. She asked whether that would have any impact on what's going on with Concord Road.

STERN Mr. Stern indicated he did not think there would be any impact.

C. Landscape Architect (Springettsbury Park) – Yost-Strodski-Mears (YSM)

YOST Ann Yost provided an update on the park. She stated that the schedule was moving along with Contracts #1 and #4, the site contract and the electric contract. The site work contractor had brought in extra equipment; worked weekends, and was moving ahead because of a date of October 15 as a first deadline date associated with liquidated damages. To keep things moving smoothly the electrical contractor has to continue to coordinate, so their work is meshing with the site contractor. That is moving forward. Paperwork had been provided for Contracts #2 and #3 to the Township for execution and had been completed. Site grading is moving quickly with infrastructure and laying electric conduit. Ms. Yost reported that they had run into several unforeseen site conditions. Some could be taken care of with some minor change orders, and one with regard to the retention pond was scheduled for discussion later on the Agenda.

GURRERI Mr. Gurreri asked about the change order she mentioned. He asked whether Public Works could be utilized for some of the ground moving.

YOST Ms. Yost responded that they always look for the best solutions when different issues come up. The one change order to be discussed was a minor one. When a manhole for a sanitary line connection was excavated, it turned out that the water line adjacent to it was too close to be able to connect to it. It was a matter of making some quick adjustments in the field, and in the process some of the electrical conduit that was in place had to be taken out and put in again. She stated that there may be some opportunities for participation from Charlie Lauer's department, and they are considered in any recommendations on change orders.

GURRERI Mr. Gurreri asked whether it was a sewer line or a water line.

YOST Ms. Yost responded that new sewer line had been run into the park. She explained that the sewer line matter was something that could not be discerned from a survey. The contractor moved everything to an adjacent manhole and then made minor adjustments in the field.

GURRERI Mr. Gurreri asked whether the water company had to handle the water line.

YOST Ms. Yost responded no and added that it cleaned itself up.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of September 13, 2001.
B. Allan A. Myers, Inc. – Diversion Pumping System – Final Payment and Retainage Release - $7,000
C. East Coast Contracting – Progress Billing #18 - $35,092.57 (conditioned on Change Order #11 – 6. A. below)

GURRERI Mr. Gurreri questioned item C which listed a $35,592 plus the release of a $2,500 retainer. He mentioned that this involved the same company where there is a list of $180,000 worth of items we think weren't done correctly. He questioned why the Township should pay this $35,592.

SABATINI Mr. Sabatini responded that the Township was legally obligated to release the retainage. The building had been accepted, but there are two separate issues. One is the release of the retainage as part of the contract; the second is if the Township moves ahead with a claim then that is a separate issue.

PASCH Mr. Pasch asked about the Change Order.

SABATINI Mr. Sabatini responded that the work had been completed as per a construction directive of the Township. He deferred to Solicitor Rausch as to whether the Township would be obligated to accept the Change Order.

RAUSCH Solicitor Rausch responded that he was unfamiliar with the contract and with the particular issue.

PASCH Mr. Pasch indicated he had questioned this before. He posed a hypothetical situation where the Township thought a contractor had failed to live up to things in a contract, and there's still money due on the contract. He asked why we would be compelled to pay that money if there are disputes.

RAUSCH Solicitor Rausch responded that in a hypothetical situation, if you felt that you had a claim against someone, that whatever amount you would be due would be held until that issue was resolved.

PASCH Mr. Pasch indicated he had difficulty with the matter because he felt there would be a legal claim against them. He should not have to pay any money due.

RAUSCH Solicitor Rausch indicated that part of this would depend upon what the Change Order was and when it was made and authorized. If there was an outstanding claim, and a Change Order was authorized, it might be two different issues.

GURRERI Mr. Gurreri indicated that no claim had been made. There is a retainer of $2,500. Mr. Gurreri asked why that would be given back if the Township had a claim.

SABATINI Mr. Sabatini explained that the contract had the standard AIA arbitration requirements. If the Board decided to pursue this issue, it should be explored within the context of Solicitor Yost's opinion. Mr. Sabatini stated that he could speculate on the terms and conditions of arbitration requirements and the contract itself. He had provided information to the Board of Supervisors, which was scheduled to be discussed in the Executive Session. The Solicitor could then provide direction as to some additional legal questions to be answered.

GURRERI Mr. Gurreri indicated that the payable should be put on hold. He added that over a half million dollars had been spent on Change Orders for the new municipal building. He added that it should be placed on hold until the claim is settled.

BISHOP Mr. Bishop stated that the Board had not approved the Change Order yet; it would be paid before the Board approved it.

STERN Mr. Stern added that it would be conditioned on the Change Order.

SABATINI Mr. Sabatini indicated that the language within it is that it would be contingent upon approval of the Change Order for the account payable. Mr. Sabatini added that during the previous meeting the question had been concerning the numbers. The question presented tonight did not deal with the numbers. It would not be appropriate to continue to hold a payable without making a decision to pursue a claim. He suggested that the Township list all the claims, get them answered, and resolve the matter.

GURRERI Mr. Gurreri stated that he had a lot of questions. He believed that the contractor "snookered" the Township, and that they had admitted that. The Township was low balled on the farmhouse, and they made it up on Change Orders. Somebody from this Township told them to do that, and nothing was done about it.

SABATINI Mr. Sabatini cautioned Mr. Gurreri not to discuss the matter in a public forum as it was considered an Executive Session issue.

GURRERI Mr. Gurreri responded that it concerned public money and should be settled right here.

SABATINI Mr. Sabatini indicated that, if the Board of Supervisors wanted to lay out a game plan, it would not be appropriate to do so in a public session as it is litigation related. Mr. Sabatini stated he strongly suggested that if the Board was getting into discussions about what had been said it was not appropriate at this point. He asked the Board to advise the staff what questions to have answered in order to resolve Change Order #11. This was the second time the Board deferred action on this payable. Other issues relating to architects, engineers, builders are to be bundled together and laid out as part of our Executive Session with direction on what information you need to be comfortable in moving ahead, deferring action or taking action against one or all parties. Mr. Sabatini respectfully suggested that until the Board made a decision on litigation, discussion of the matter would be deferred in a public forum.

MITRICK Chairman Mitrick stated that Mr. Gurreri was asking to hold item C, and that will be part of the discussion in Executive Session. She asked for a consensus from the Board if to take action on C or table C and take action on A and B.

PASCH Mr. Pasch indicated his only concern was that if this had to be done, whatever the legal requirements, the Board should make a decision to proceed. He commented that a "bird in the hand is worth two in the bush", and he considered the payable a bargaining point to be used in connection with the discussions with the contractor. He did not disagree with Mr. Sabatini. If there are claims that should be filed against the contractor, those should be filed without question.

GURRERI Mr. Gurreri indicated that the Township had those claims a year ago and kept putting that off. He urged that action be taken.

BISHOP Mr. Bishop commented that, absent clear legal advice that this is something that the Township must pay, he agreed with Mr. Pasch. Mr. Bishop would rather have the cash in hand.

SABATINI Mr. Sabatini requested that during the Executive Session the Board would provide clear direction as to what questions they needed to have answered in order to clear this up or to prepare for litigation.

SCHENCK Mr. Schenck agreed and added that the payable should be held until the Board could make a determination.

MITRICK Chairman Mitrick asked whether the Board had any concerns or questions on the payable items A or B. Hearing none, she called for a motion.

MR. GURRERI MOVED TO APPROVE PAYABLES A AND B AS PREENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick proceeded to item C – East Coast Contracting – Progress Billing #18 - $35,092.57.

SABATINI Mr. Sabatini requestioned that the Board table item C.

MR. BISHOP MOVED TO TABLE ACTION ON THE PROGRESS BILLING #18 FOR EAST COAST CONTRACTOR IN ACCOUNTS PAYABLE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS & CONTRACTS

A. East Coast Contracting – Change Order #11 - $39,334.57

SABATINI Mr. Sabatini asked the Board to table item A.

MR. BISHOP MOVED TO TABLE ACTION ON CHANGE ORDER #11 FROM EAST COAST CONTRACTING PENDING CLARIFICATION FROM STAFF AS TO WHAT IS A REASONABLE THING FOR US TO BE DOING. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Construction Observation Services – YSM

SABATINI Item B is a proposal from YSM for construction observation services. The Township had received a proposal for those services rendered in connection with the construction project ongoing in the amount not to exceed $30,380. This would be billed on a time and expense basis.

SCHENCK Mr. Schenck asked what was in the original contract for building the park. He asked whether Ann Yost's involvement during the Board meeting was considered part of the original contract.

YOST Ms. Yost responded that they had been requested to attend the Supervisor's meetings and provide a report. She already had authorization on the original proposal to continue to bill just T&E (Time and Expense) for the construction observation services. However, she had asked Mr. Sabatini whether she should put together a lump sum proposal cost in order to provide the numbers in advance. She added that this would cover their time to review shop drawings, to review schedule, to review certificates of payment, and items that are central to the designer doing so. RK&K is doing work to coordinate, to advise things that need to be brought to our attention. It's different work, just as when a manhole submittal comes in, we send it to C. S. Davidson because they're the civil engineers. There are many submittals coming in to the landscape architect. It is the process of doing contract administration and contract observation.

SCHENCK Mr. Schenck stated that she had answered one of his questions. He asked Mr. Sabatini to explain the difference between when the municipal building was under construction and the involvement of the architect and the involvement towards the end of R.K. & K that was supervising the project.

SABATINI Mr. Sabatini responded that the role of YSM would be similar to the role that Murphy & Dittenhafer had played in terms of reviewing shop drawings, submittals, acting as liaison with the Board and staff. R.K.&K. is playing a similar role albeit in the front end of the project rather than at the back end where they are doing the field observation work, insuring that the contract details are addressed in a workmanlike fashion in accordance with the contract. They're out in the field. getting down on their knees and inspecting connections between pipes. The work being done by YSM is more along the lines of addressing some of the submittals and engineering work, not necessarily the field work.

YOST Ms. Yost added that on occasion design issues are raised. As an example, they had unearthed ballast that noone knew was there when they were cutting in for the football field. Immediately the question arises as to whether sports turf could be grown on that ballast or whether to change our grades and make some design changes so that the ultimate finished product is what you want it to be. An R.K.&K. representative came over to our office and reviewed the matter. We went out to the site; we made some

phone calls and came up with a direction. It was that kind of process that is involved in these steps; when you need the designer to come in and make these changes. Right now YSM is talking to RK&K in the morning and the afternoon every day. There's a lot of time involved in this. Additionally there is the time at the meetings as well.

SCHENCK Mr. Schenck commented that the only difference is that your original estimate for the design of the park just simply didn't itemize this.

YOST Ms. Yost responded that the original estimate did not itemize it but had asterisked it, which indicated it would be billed on T&E basis. T&E rate sheets had been provided for YSM, as well as the three sub-consultants to us. As the prime contractor, YSM would provide services and spend the most time on the project. The other three contractors, the architect Tom Associates, C. S. Davidson, the civil engineer, and Barton Associates the electrical contractor will still bill T&E. Their time will be limited. RK&K is involved to take care of things and they'll be involved as needed so the way it's set up now they would continue to bill per the original contract T&E. YSM offered to give you a lump sum if the Board was inclined to go that way. Otherwise, YSM will bill per the original contract.

SABATINI Mr. Sabatini stated that billing would be by Time and Expense with a not-to-exceed figure without prior authorization of BOS.

SCHENCK Mr. Schenck asked what the original contract indicated.

SABATINI Mr. Sabatini responded that the figure was $184,250 and the Addendum would be $34,380. The Board had previously authorized a change of $34,750. The total amended contract would be $249,380 shown on page 4 of the memorandum presented to the Board.

GURRERI Mr. Gurreri questioned the amount.

SABATINI Mr. Sabatini stated that the original contract amount was $184,250 dated 5/17/00. The Township made a design change authorized for a two-phase approach and in January of 2001 the Board approved an Addendum to the contract of $34,750. With this additional Addendum for the Construction Observation Services that would take the total contract amount to $249,380 for design and construction observation.

GURRERI Mr. Gurreri stated that it would be $70,000 more than the original $184,250. He asked why Public Work couldn't be used for some of the work, as they are very familiar with the park and do a lot of the same type of work. Mr. Gurreri stated he thought Public Works could be used as a "point person" because they are involved with the pipes and lines in the park.

SABATINI Mr. Sabatini responded that this was a different type of agreement. The agreement with RK&K was for construction inspection services, which involves a person out there every day inspecting, doing contract administration. It would involve more in terms of engineering rather than making sure the pipe fittings fit or insuring that grade is complied with and is a complimentary service. This type of service is beyond the capabilities of the Township staff. It is essential to be sure that the project does flow smoothly and on time.

SCHENCK Mr. Schenck commented that Ms. Yost had a contract to be here at the Board meeting and would be doing the work.

YOST Ms. Yost agreed; they are currently doing the work.

SABATINI Mr. Sabatini stated that this involved an Addendum. These observation services are estimated at a price of $30,380. The Board of Supervisors had discussions about inspection services, and the Board had been advised that post-design services were not part of the existing $184,000 plus the first Addendum. Mr. Sabatini requested that this be put in the record that it was authorized by the Board because it is in excess of the $10,000 limit given to us by the Board of Supervisors.

SCHENCK Mr. Schenck asked Ms. Yost if her involvement at this level, as the designer of the park, would give the Township any more of a warranty to the design work than not if you weren't providing this service.

YOST Ms. Yost responded that it provided the opportunity to continue to have expertise and input in the solutions that are drawn. It also provided the Township the coordination in that opinion.

SCHENCK Mr. Schenck asked if something were done and the Township runs into a problem because of design, YSM is the engineer and makes the revisions. If a revision comes along YSM is in the role of the designer and is also overseeing it. I would think, as the owner that that would be a warranty issue that the Township would have, and YSM would need to honor.

YOST Ms. Yost stated that in their company if there were a design error, the Township would not pay for a re-design. Re-design would be charged only if re-design is warranted by facts mitigating it.

GURRERI Mr. Gurreri asked why if RK&K had a blueprint to do this, why they can't go off the blueprint and do it. When they run into a problem, they have to call somebody. We have to hire them to make sure the contractor's doing it right, and then we hire YSM to make sure they're doing it right.

YOST Ms. Yost stated that was part of the process. Additionally, one of the major roles of RK&K is a full-time coordination as called for in the Separation's Act. There are four contracts involved, and keeping that coordination going is a major role that they have, and they are out on the site seeing that every day. YSM is not involved in that; rather they are involved in the design aspects.

SABATINI Mr. Sabatini stated that this was a Time and Expense matter. If there is a design issue, they're going to deal with it, but it also deals with a communications issues of presenting information to the Board and interfacing with the staff when appropriate.

GURRERI Mr. Gurreri indicated that he was cautious because the Board did not want to spend $3 million for the park. During the last meeting the Board authorized RK&K $200,000 and this meeting it's $30,000. There are Change Orders coming. Mr. Gurreri did not want to see this go like the building.

MR. BISHOP MOVED TO ACCEPT THE PROPOSAL FOR YSM FOR CONSTRUCTION OBSERVATION SERVICES IN THE AMOUNT NOT TO EXCEED $30,380. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop commented that he thought Mr. Gurreri's last point was well made. He expressed his opinion that, as a Board member who had strongly urged that a particular project be brought in at a certain dollar amount, say $3.6 million, he had a lot of questions after the fact when the initial contract comes in for just about that amount and then another contract comes in to observe that for ¼ Million more. It seems like it continues to add on. He suggested that when the Board looked at a project to be looking at the whole project whenever possible, and not how we can squeak under the budget with just pieces of it and then just keep adding other items onto the end. Mr. Bishop stated that he thought that was part of the frustration that Mr. Gurreri's expressing, and Mr. Bishop felt that

frustration as well. He stated that he did not think that that was any of our intentions when the Board went into this project.

MITRICK Chairman Mitrick agreed with Mr. Bishop, and she had strongly supported to do the park project, but the cost keeps growing. The Board had attempted to be very firm and said this is our dollar line, and the figures are beyond that.

C. Financial Advisor Proposal – Concord Public Finance

SABATINI Mr. Sabatini explained that he had provided the Board with some information about the possibility of doing a refunding of the 1997 Bond Issue. At this point the potential cost savings are about $140,000 net. He requested that the Board authorize to enter into an agreement with Concord Public Finance, an independent financial advisor for local government agencies, to prepare the refunding. Mr. Sabatini was looking ahead to the first or second meeting in October in view of the window they are looking at at cost not to exceed $15,000 plus issuance expenses.

SCHENCK Mr. Schenck commented that he had reviewed the information and that the dual channel program was pretty explanatory. He questioned the-not-to-exceed $15,000. The expenses are not very high, and Mr. Schenck understood what the cost is to do bonds. He had not seen their proposal. He asked how Mr. Sabatini anticipated the result pending their recommendation.

SABATINI Mr. Sabatini stated that there would be a base cost in order to prepare the RFP's for the bank refunding. Concurrently they will prepare documentation relating to a preliminary official statement, work with bond counsel at this point, and make that contact. When the proposals come back from the banks, they usually have a 30-day hold on those rates. They will evaluate them based upon the market and then they will make the decision or recommendation to the township as to which way to proceed. This envisions the Township going to the bond market for these costs. Certainly the bond market is much more time intensive for it.

BISHOP Mr. Bishop asked whether Mr. Sabatini had a reasonable expectation that if the bank route were taken it will be a lot less than if they do the bond route.

SABATINI Mr. Sabatini responded that he was unsure what the amount would be and added that it could be $10,000 or $7,000.

BISHOP Mr. Bishop stated that Bonds are a big involved process, but a bank loan would not be so difficult. He asked whether the Township would be committing to $15,000 regardless of what process would be chosen.

PASCH Mr. Pasch mentioned that there is an approximate net savings of $140,000. The net figure would come after the fees and any bond costs. The process will realize approximately $140,000, and there would be no question that we should do so. He indicated there should be some method to control the costs for doing the work. He asked whether Concord Public Finance had an excellent reputation to do what they say they're going to do.

SABATINI Mr. Sabatini responded that he had worked with them and done bond issues with the principle of this firm. Their firm had primarily concentrated in the Reading area. However, recently they received a contract with Manchester Township and Lancaster County to do bond issues. The company had been in business five years and served about 45 different clients/municipalities. He had checked with other clients, and they are a group that does deliver. They have a good reputation within the management community.

PASCH Mr. Pasch asked whether they would be agreeable with a two-tier contract.

SABATINI Mr. Sabatini responded that it would be set up as a not-to-exceed amount based upon the amount of time spent.

MITRICK Chairman Mitrick commented that Mr. Sabatini's memo was somewhat misleading because it stated the fee is $12,000 to $15,000 plus expenses. She added that it could come in below that.

SABATINI Mr. Sabatini responded that it could but added that it was difficult to project given the U. S. market.

BISHOP Mr. Bishop asked whether the Treasurer had provided any input into the process and whether there would be a role for him in this process.

SABATINI Mr. Sabatini responded that the Treasurer has been tasked out to provide information necessary for either a bank loan or preliminary official statement; that is, 1997 through 2000 audit reports issued by Stambaugh Ness; 1997 through 2000 through DCD annual financial reports which are issued also by Stambaugh Ness in a

different format. He will be responsible for providing information relating to the current financial status as well as the 2001 budget. We have had discussions with him on that, and he does know who the principle is that we've been dealing with and his pedigree and he will be working very closely with this. As a matter of fact, he has asked if the Township will use this firm to do some additional work that was highlighted as part of the budget report. He had been involved in the tasking part and discussions about the price as to whether it was reasonable, and his response was that it was reasonable for a financial advisor in this situation. This is a $9.7 million bond issue.

MR. GURRERI MOVED TO APPROVE THE FINANCIAL ADVISOR PROPOSAL FOR CONCORD PUBLIC FINANCE AT $15,000 PLUS EXPENSES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT:

A. Springvale Sewer Planning Module (Windsor Township) A3-67966-306-3

STERN Mr. Stern explained that item A involved a Sewer Planning Module for Springvale Road, a 26-lot subdivision in Windsor Township. Joseph Pantano is the developer, and the staff recommended approval.

MR. GURRERI MOVED TO APPROVE SPRINGVALE SEWER PLANNING MODULE 8,750 GPD. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-01-08 – Harley Davidson – Time Extension to 9/27/01

MR. GURRERI MOVED TO ACCEPT THE TIME EXTENSION FROM HARLEY DAVIDSON LAND DEVELOPMENT 01-08 TO 9/27/01. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

STERN Mr. Stern added that there would probably be an additional time extension until the middle of October. The project was not being delayed, but Harley wanted to incorporate some PennDot items in the plans and be certain that is resolved before they come to the Board with incorrect information. Mr. Luciani and Stern plan to meet with PennDot and Harley on September 14, 2001.

C. SD-01-05 – Raymond Aboud (Formerly RMA) – Time Extension to 10/30/01.

STERN Mr. Stern explained that item C was for Subdivision 01-05 Time Extension from Raymond Aboud until October 30, 2001.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM RAYMOND ABOUD, SUBDIVISION 01-05 TO OCTOBER 30, 2001. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. LD-01-07 – East York Elementary School Addition

STERN Mr. Stern explained that item D covered Land Development 01-07 – East York Elementary School. This project is for a 4,000 square foot addition for a new music classroom, new art classroom and music practice room. Twelve new parking spaces will be added. They are going to be building this over existing impervious surface, so their impervious surface would be reduced by 260 square feet. This was an important fact for several reasons. One was stormwater management; secondly they had received a variance previously for impervious surface, so rather than obtaining another variance or attempting to obtain another variance, they are removing existing impervious. Staff recommended approval with several waivers and conditions including: Waiver from submission of Preliminary Plan; Waiver from sheet size requirements; Waiver from showing all streets within 400 ft.; Conditioned on setting property corner markers. There had been discussion through the Planning Commission process about which property corner markers to set. Planning Commission recommended that key corners be set, and those would be determined by the Township engineer in the field. Conditioned on the submission of financial security in an amount to be approved by the Township engineer, and Conditioned on the addition of the engineer's seal to the plan. Mr. Stern indicated that had been added and had been part of the Planning Commission's recommendation at the time. Per the Planning Commission's request they had added some landscaping and that's to the north of the proposed addition. There are five ever green trees. The idea there was to give a little visual block to the couple of homeowners next door. There was a note added per discussion of the Planning Commission clarifying a stormwater pipe that goes through this property. The stormwater pipe is not used by this property but it does go through this property.

SLONAKER Mr. Terry Slonaker of Slonaker McCall Architects represented the plan. He stated that he had one issue for discussion. He reported that in April, 1997 the school district built a one-room classroom addition and asked for the variances. We also asked for the variances for the markers for this site, and the Board approved it at that time. We brought this project for approval, and are being asked to put the markers in again. Mr. Slonaker requested a

waiver. Property corners will be set if a boundary dispute arises. Planning Commission had recommend that they be put in so we were required to put on the drawing that corner markers will be set as directed by the Township engineers. A note had been added to the drawings if there was any dispute. Mr. Slonaker reported that there are 27 properties that border this school, and he was not sure which corner markers should be set. As far as the rest of the project is concerned we're in 100% agreement. The engineers have signed the drawings. The landscaping on the drawing had been released as requested by the Planning Commission. He requested approval of the plan.

LUCIANI Mr. Luciani commented that setting property corners is a requirement of the subdivision and land development. He felt strongly about setting property corners, since this tract is the largest in that block area, and should set the property line. Mr. Luciani indicated they had checked to see if the property line closes to make sure there's not an error and found it closes and closes very well. The survey had been done originally by Buchart-Horn when the initial school was built. There isn't real good evidence to my knowledge of any property corners. It's hard to determine where fences should go and trees should go. Someone has to take a stand and say all right, our property limits are here, and a property dispute can arise if people don't know where their property corners are. Mr. Luciani stated it was prudent in any development to do so. One of the reasons why Harley had to mark all their corners was because we're going to be moving road right of ways around. A property line is an essential part of any good plan. When the park was constructed, the Township invested a lot of money in defining that property line for the park. The Township did not waiver it for the park, for the building. Property lines are an essential part of any project, but the decision is up to the Board.

GURRERI Mr. Gurreri asked whether it would be necessary to mark all 27 properties.

LUCIANI Mr. Luciani responded that would not be necessary. Mr. Slonaker had pointed out there are quite a few property lines. The ordinance actually calls for concrete monuments to be set in key corners, and if we put five corners in there, 20 years from people could go back and re-establish that exact property line as defined by the school district without any dispute. Mr. Luciani recognized Mr. Slonaker's concern, but if the owner of Lot 158, which is a half acre, determined where his property line is, and he has a surveyor come out, the bigger tract really warrants where the property line

should be. Mr. Luciani realized there would be some additional costs, but it's money well spent. Title companies with property line disputes are very expensive to settle later in court, and for the amount of money invested Mr. Luciani thought it was well worth it.

SLONAKER Mr. Slonaker recognized Mr. Luciani's expertise but reiterated that the Board had waived the requirement before, and he requested that they do so again.

SCHENCK Mr. Schenck commented that setting property markers was an item that comes up just about on every plan.

SLONAKER recommendation was a good one, when a property dispute arises, then a boundary marker will be set. He added that there was a note on the plan.

LUCIANI Mr. Luciani mentioned that he had not realized that Public Works put the pipe, which conveys water from Sundale Drive down to Schoolhouse Lane. One of the items requested of the developer was to note that pipe that was on the plan because it was obvious there was a big drainage area going through there. Apparently many years ago the neighbors complained. The Township actually had stepped in and built the pipe on the school district property to avoid a concern with the deepness of the swale. Not only does the property line help the adjoining property owners resolve a dispute, it also helps people like Public Works and utility companies know where the evidence is of adjoining property lines.

SCHENCK Mr. Schenck posed a situation to Solicitor Rausch. If a client came to him with a property line dispute, would he have someone look at the recorded plans for both properties to look for such a note.

RAUSCH Solicitor Rausch responded that the property owner would have a survey conducted.

GURRERI Mr. Gurreri asked Mr. Luciani when someone wanted to put in a pool or a garage, would they have to get their property surveyed.

LUCIANI Mr. Luciani responded that the property owner always does the surveying when improvements are being made.

BISHOP Mr. Bishop pointed out that they would not be required to get it surveyed.

SLONAKER Mr. Slonaker stated that it wouldn't be the school district that would have a problem but rather the individual homeowner. Therefore, the school district putting the markers in would not resolve the issue.

PASCH Mr. Pasch asked how the Township would become involved in a property owner dispute, whether or not there are property there. He asked why it would be important to the Township.

RAUSCH Solicitor Rausch responded that the Township would not get involved.

LUCIANI Mr. Luciani added that because the Township setbacks are all based on property lines.

PASCH Mr. Pasch understood Mr. Luciani's point, but stated that the homes in question had been there and there are no empty lots. There's nothing to be done there except if somebody wanted to build an addition or put something else on the property. The property owner has a survey with their deed along with something that shows what their lot is supposed to be. If that were reasonably within the setbacks, the Township would not get involved.

SLONAKER Mr. Slonaker stated he was asking for this waiver on behalf of the school board. The school board did not feel it was a reasonable request. He mentioned that Helen Freireich had accompanied him to the meeting as a school board representative. The school board feels this is an unnecessary expense to incur on this project.

RAUSCH Solicitor Rausch commented that if the Board decided to proceed with the note on the plan, he would suggest to have them clarify it as to if a problem developed, what exactly would happen, i.e., would five markers be enough or would all 27 be required.

BISHOP Mr. Bishop agreed, but also posed a question if that were the decision - what would constitute a dispute.

SLONAKER Mr. Slonaker responded that he thought it would take care of itself if there's a dispute. The dispute would be either between two neighbors, or it's going to be between the school district and a homeowner; therefore, if there is a dispute between the homeowner and the school district, the homeowner is going to go get their engineer and they're going to place their monuments where they feel they should be, and then the school district will get their engineer to do the same thing. The engineers must begin at a point of reference.

MR. BISHOP MOVED TO APPROVE LAND DEVELOPMENT 01-07 EAST YORK ELEMENTARY SCHOOL WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN;**
- **WAIVER FROM SHEET SIZE REQUIREMENT;**
- **WAIVER FROM SHOWING ALL STREETS WITHIN 400 FT.**
- **CONDITIONED UPON SETTING PROPERTY CORNER MARKERS, LOCATION TO BE APPROVED BY THE TOWNSHIP ENGINEER;**
- **CONDITIONED UPON SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER.**

MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. PASCH VOTED NO.

8. COMMUNICATION FROM SUPERVISORS:

SCHENCK Mr. Schenck reported that he had received a copy of an e-mail regarding noise at York Container. Mr. Schenck stated that he was familiar with the type of equipment there. One day about a week ago he personally heard it, and it had been really loud.

STERN Mr. Stern responded that there was a noise, and the Township had talked to them about it. They are going up on the roof tomorrow weather permitting and check it.

GURRERI Mr. Gurreri reported that someone asked him why the Township doesn't have an American flag flying. There is one in front of the building, but it can't be seen from the road.

SABATINI Mr. Sabatini commented that there was one up on the hillside at Public Works.

GURRERI Mr. Gurreri mentioned that the County Convention will be held November 8th, which would normally be the Board of Supervisors regular meeting night. He asked whether there would be a change in the meeting date to attend the County Convention. It begins at 4:30 p.m. and dinner is at 6:30 p.m.

MITRICK Chairman Mitrick suggested that the meeting date be changed.

Consensus of the Board was to move the November Board of Supervisors Meeting to Wednesday, November 14th. The Police Pension Board would be held prior to the Board meeting at 7 p.m.

MITRICK Chairman Mitrick asked whether any Budget session dates had been selected.

SABATINI Mr. Sabatini responded that some recommended dates would be provided. He had reviewed the dates with the Finance Director for the week of November 12th. That will be adjusted.

GURRERI Mr. Gurreri reported that the Board had been invited to a breakfast for individuals who are working with Central York Youth in positive ways. This would be September 29 at 8:30 – 9:30 at Manchester Township Building.

GURRERI Mr. Gurreri mentioned the Chamber of Commerce had a few ribbon cuttings for new businesses in the Township. It would be good to have the Township represented. November 8th, and September 20th.

GURRERI Mr. Gurreri had attended a meeting at Range End County Club in Dillsburg as a representative of the Local Government Advisory Committee, Full Committee Meeting. The speaker was Steven Dull, who spoke on the possible new districts-- Springettsbury Township, Manchester, Wrightsville, Hellam Township, Hellam Borough, Mt. Wolf, York Haven, and Conewago.

GURRERI Mr. Gurreri reviewed the Township News from Merion Township, Montgomery County. They are doing similar things in their park like Springettsbury does, but they are charging $7.00 each.

GURRERI Mr. Gurreri reported that the County Emergency Services will be holding election of officers on Thursday, October 25 at 1:30 p.m. The meeting session will be held at 7 p.m. at the Annex Building, 19 Pleasant Acres Road.

GURRERI Mr. Gurreri stated that he had received several calls about roadwork being done on Market Street from Edgewood Road to Locust Grove Road. They are concerned about putting a medial strip in. Mr. Gurreri spoke with one businessman who indicated that someone from PennDot told him they were going to put one in. Mr. Gurreri spoke with Terry Adams of PennDot who stated he didn't think that they were going to put one in.

SABATINI Mr. Sabatini indicated that comment had been in one of their plans as part of the TIP process. At the last meeting they notified the Township that they were going to be stepping back four years. They were moving very quickly over the summer months, and they had a lot of engineering consultants come out. That was part of the

discussion when they had to revise the TIP that got bounced back a few years.

GURRERI Mr. Gurreri asked Mr. Sabatini if he knew whether a medial strip was planned or not.

SABATINI Mr. Sabatini responded that it had not been planned but that was an option which they threw out.

GURRERI Mr. Gurreri asked whether the other Board members had been receiving approved copies of the Minutes.

BOWDERS Ms. Bowders responded that she would follow up and provide previous Minutes.

BISHOP Mr. Bishop commented that he had asked Mr. Sabatini to draft an Ordinance/Resolution to ratify Jack Hadge as Treasurer. Solicitor Yost had encouraged them that, while it was not absolutely necessary, it was probably a wise thing to have a Resolution on the books.

PASCH Mr. Pasch commented that it would just be a confirmation of what had been done. He asked if it was a requirement.

BISHOP Mr. Bishop responded that it was not a requirement, but not a bad thing to do. It would be stated in the Minutes, but only in the Minutes. If a Resolution were passed, it would be more official and easier to find.

SABATINI Mr. Sabatini commented that the only difference with this action is that he had been Treasurer himself, and he had been appointed at the January Board Meeting for a term through the end of 2001. He stated that motions need motions to overturn and resolutions need resolutions; ordinances need ordinances. If the Board chose to modify that Resolution by appointing Mr. Hadge as the Treasurer, then the appropriate vehicle would be another Resolution to repeal that section of the existing Resolution. He encouraged the Board to act on a Resolution.

PASCH Mr. Pasch stated that this action would automatically repeal the previous Resolution.

MITRICK Chairman Mitrick asked Dori Bowders for a Resolution number.

BOWDERS Ms. Bowders responded that the number would be Resolution 01-48.

MR. PASCH MOVED THAT RESOLUTION NUMBER 01-48 APPOINTING JACK HADGE AS THE TOWNSHIP TREASURER BE APPROVED EFFECTIVE THE 23rd DAY OF AUGUST, 2001. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop commented on the complaints that Mr. Shaffer, who had appeared before the Board earlier. He agreed with Mr. Shaffer with respect to the zoning enforcement in the township. For many different reasons, the zoning ordinances are not being enforced in a meaningful way. He stated it was something that needed to be fixed.

SABATINI Mr. Sabatini did not disagree, but added that it is a two-part process of observation by both Township employees, as well as the residents.

BISHOP Mr. Bishop commented that he agreed with Mr. Shaffer 100% when he indicated that even if he did advise the Township about complaints, nothing happens.

MITRICK Chairman Mitrick stated that in the past they had consistently encouraged residents to let the Township know if they see a violation as it is a helping force.

SABATINI Mr. Sabatini commented on the policy and the process in which the Township dealt with complaints.

PASCH Mr. Pasch asked how many complaints the Township received.

STERN Mr. Stern responded that during the summer he received about five complaints each day. He added that the banner issue was being dealt with and the people involved had 30 days in which to comply.

MITRICK Chairman Mitrick stated that she felt the enforcement process was very cumbersome.

PASCH Mr. Pasch asked whether the regulation comes from some other body than the Township.

STERN Mr. Stern commented that it comes from the Municipal Planning Code.

PASCH Mr. Pasch commented that there would be nothing the Township could do to change that.

BISHOP Mr. Bishop suggested that the 30 days could be started earlier.

STERN Mr. Stern indicated that the banner issue had come up on many occasions. The first step was a letter to the resident.

MITRICK Chairman Mitrick stated that she felt Mr. Stern's office had responded to any of the complaints that she had received and given to Mr. Stern.

GURRERI Mr. Gurreri asked when the Township would go after the $180,000 and when the time would run out. The Board would be going for some of the infractions on the buildings and Mr. Stern should have a list of things.

STERN Mr. Stern responded that he had provided a list of items he felt could be claims.

MITRICK Chairman Mitrick indicated that would be discussed in Executive Session.

GURRERI Mr. Gurreri wondered why the sidewalk issue out front was not on Mr. Stern's list.

STERN Mr. Stern responded that the list he had provided was a list of items that he believed could be claims. There were no construction quality issues on that list. He did not know whether the sidewalk issue qualified. He thought if the Board was going down the road of determining quality issues with contractors, someone else with experience with quality should be involved.

GURRERI Mr. Gurreri stated he wanted the sidewalk issue on the list. He had not had the opportunity to ask the engineer, but the sidewalk out front was uneven, and when it freezes it really will get uneven. Mr. Gurreri did not think it had been prepared correctly for that to happen. He asked Mr. Luciani if he had any comments.

LUCIANI Mr. Luciani responded that he was not sure if Mr. Gurreri meant the differentiation of the sidewalk.

GURRERI Mr. Gurreri explained that all the blocks, some are down, some are up, not very much but a little bit. He indicated that as soon as it freezes the blocks jump all over and he felt it would be a hazard.

LUCIANI Mr. Luciani stated that he had not recalled any differential. He did caution that there had been 6" stone specified underneath the

sidewalks, and if that were done the water shouldn't be freezing the slabs. It should be underneath the stone. It could be that they walked over the stone and tracked a lot of mud through it, and the water is laying underneath the sidewalks causing the differentiation. It might be a good idea to take a look at the sub-base to see if it was put in per the specifications.

GURRERI Mr. Gurreri asked whether it had cost the Township anything to replace the two slabs.

STERN Mr. Stern responded that it had not. The two slabs had been replaced because they were cracked. I wouldn't say they were construction cracks. You can have cracks anytime there's concrete, but those two in particular, the contractor did replace.

GURRERI Mr. Gurreri indicated that someone needed to be held responsible. The slabs they put in are different colors, and the bigger one is lower than others.

LUCIANI Mr. Luciani stated that he and his family had poured acres of concrete. He provided some background information regarding cement work and indicated that the frost may have caused some of the lifting, but if there was clean stone placed underneath the concrete, the frost should not affect it. It could be more of a sub-base problem.

MITRICK Chairman Mitrick asked about the 2001 On-Lot System investigation. She asked when a progress report would be forthcoming.

SABATINI Mr. Sabatini responded that a report would be issued in the near future.

MITRICK Chairman Mitrick commented on the Park Master Plan. At some point months ago, there had been an overlay that showed the southeast corner as a soccer field. Now that the township owns that property, it would be wise and prudent for the residents to see what the Township might possibly do with that property.

MITRICK Chairman Mitrick commented on a matter that Dr. Estep mentioned that in Springettsbury Township to her knowledge there had only been one developer who had notified the school district/board of an upcoming residential development and the possible impact on the school district. She indicated that Tim Pasch had notified the Central District and she had appreciated that very much. Chairman

Mitrick asked whether that was a requirement, or did Tim Pasch do that out of courtesy.

STERN Mr. Stern responded that it is a requirement in the Subdivision Land Development Ordinance. There is a section on Public Facilities and Public Services with a narrative about communications. He agreed that on many occasions they will contact the school district verbally so that they can keep up their enrollment projections.

MITRICK Chairman Mitrick stated that however the line of communication is done, she was grateful that Tim Pasch had contacted Dr. Estep, and if this was done verbally, she felt that something in writing would be preferred, and advised that this be done in the future.

9. SOLICITOR'S REPORT:

RAUSCH Solicitor Rausch indicated he had nothing to add to Solicitor Yost's written report. He had two pending litigation matters for discussion during the Executive Session.

10. MANAGER'S REPORT:

SABATINI Mr. Sabatini asked for some clarification from the Board concerning when the Township had the new municipal building built, they had Mr. Stern as the Managing Agent on behalf of the Board to oversee the project. The Board gave Mr. Stern a directive on dealing with Change Orders, and the smaller ones that come up during the period between Board meetings, which would require rapid response to minimize additional costs for the Township. It had been recognized we do not have any consensus from the Board regarding authority to make a Change Order authorization prior to the Board meeting. The staff is very aware of the Board's concerns. He commented on the situation discussed previously during the meeting relating to the replacement of the manhole. Mr. Sabatini had authorized the contractor to move the manhole in order to not threaten a major water pipe issue. He asked the Board to consider granting a similar level of authority to staff to deal with the on-site issues and bring them to the Board of Supervisors for concurrence.

PASCH Mr. Pasch asked whether Mr. Sabatini was thinking about a carte blanche amount for consideration or just the authority or was he thinking of something in the neighborhood of a dollar figure such as $1,000.

YOST Ann Yost interjected that the manhole situation amounted to $1,510.

PASCH Mr. Pasch recommended there should be a cut off point because construction should not be held up.

SABATINI Mr. Sabatini indicated that was what he sought, direction from the Board. One suggestion was that it would be our current spending limit at $10,000 where Township staff could direct a Change Order and subsequently seek concurrence by the Board. In large situations where there is a critical issue but we recognize it would be very expensive but time sensitive, at that point we would poll the Board to get a concurrence.

GURRERI Mr. Gurreri stated he wanted to keep a real tight handle on the park. He wouldn't want the expense to get away like the building. Mr. Gurreri was open to a telephone call at any time.

MITRICK Chairman Mitrick asked him whether he meant for any Change Order.

GURRERI Mr. Gurreri responded that it would apply to anything above a certain amount.

SABATINI Mr. Sabatini asked the Board for a figure that they find comfortable.

PASCH Mr. Pasch indicated anything up to $5,000 would be okay but the Board needed to receive a report when changes are made.

MITRICK Chairman Mitrick agreed with the $5,000 figure.

SABATINI Mr. Sabatini indicated anything that would go beyond the $5,000 and is time sensitive, the Board would be polled for a concensus.

SCHENCK Mr. Schenck agreed with the $5,000 figure; however, he indicated that a dollar amount could sometimes mean trouble. Some change orders could be classified as "no brainers."

Consensus was to authorize $5,000 with timely reporting of Change Orders.

11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

SABATINI Mr. Sabatini reported that Resolution No. 01-46 would authorize GPU to energize and maintain street lights, lamps and photocells for the Pleasantrees Subdivision.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 01-46 AUTHORIZING GPU TO ENERGIZE SEVEN STREET LIGHTS IN PLEASANTREES SUBDIVISION. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 01-47 – GPU Street Light Resolution for Greystone Subdivision

SABATINI Mr. Sabatini stated the Resolution No. 01-47 was a similar Resolution for eight street lights for Greystone Subdivision Phase I.

MR. PASCH MOVED TO APPROVE RESOLUTION 01-47 AUTHORIZING GPU ENERGY TO ENERGIZE AND MAINTAIN EIGHT STREET LIGHTS IN GREYSTONE SUBDIVISION PHASE I. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Ordinance No. 01-14 – Establishing Speed Limits on Certain Streets within Springettsbury Township

SABATINI Mr. Sabatini stated that item C was an Ordinance for Adoption to establish speed limits on certain streets within Springettsbury Township, specifically in Springetts Oaks subdivision along Pleasant Valley Road. This Ordinance had been advertised and was ready for adoption. If adopted, the signs would be erected next week.

MR. GURRERI MOVED TO ADOPT ORDINANCE NO. 01-14 IN ORDER TO ESTABLISH SPEED LIMITS IN SPRINGETTS OAKS SUBDIVISION AT PLEASANT VALLEY ROAD. MR. BISHOP WAS SECOND.

PASCH Mr. Pasch asked whether the adoption of this Ordinance automatically approved the posting.

SABATINI Mr. Sabatini indicated that it would.

MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick commented on the Pleasant Valley Road project in that for a project that seemed to cause so much controversy from neighbors immediate to the project, she was now hearing positive comments as to how cooperative our Police Department had been with their study, and how cooperative and responsive Mr. Kinsley had been to adjusting landscaping plans. The Township and the developer had worked to the best of abilities to accommodate the

neighboring residents. Chairman Mitrick thanked the Police Department for responding quickly.

12. ACTION ON MINUTES:

A. Board of Supervisors Public Hearing – August 23, 2001

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING AUGUST 23, 2001 AS DRAFTED. MR. PASCH WAS SECOND. MOTION CARRIED. CHAIRMAN MITRICK ABSTAINED AS SHE HAD NOT BEEN IN ATTENDANCE.

B. Board of Supervisors Regular Meeting – August 23, 2001.

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING AUGUST 23, 2001 AS AMENDED. MR. BISHOP WAS SECOND. MOTION CARRIED. CHAIRMAN MITRICK ABSTAINED AS SHE WAS NOT IN ATTENDANCE.

13. OLD BUSINESS:

SABATINI Mr. Sabatini advised his comments to the Board's request with regard to the Revised Garbage Collection and Recycling Contract. Mr. Bishop had questioned him as to whether or not the additional collection relating to tree branches should be included in the base bid or whether it should be a separate bid item. He asked for the Board's thinking.

BISHOP Mr. Bishop stated that his point in bringing that up was that it did not seem to make any difference if it were awarded. He asked why have an alternate if there was no intention of exercising that alternate.

SABATINI Mr. Sabatini commented that his only speculation was that when the contract was prepared it was an intention to separately identify those costs associated with that as compared to normal refuse pickup.

BISHOP Mr. Bishop stated that the only reason to differentiate the cost in his mind would be to get into a position where someday the pickup would be stopped.

Consensus of the Board was agreement with including the tree branch collection in the base bid.

SCHENCK Mr. Schenck stated that the spring clean up would be bid as an alternate and then another alternate for spring and fall. Currently there is just a spring clean up. He asked whether a garbage contract would be awarded without at least a spring clean up and

stated that the answer would be no. He suggested to include the spring clean up and make the alternate spring and fall.

PASCH Mr. Pasch expressed his only concern was that there was no "on demand" pickup.

Consensus of the Board was to include the spring clean up in the base bid and make the alternate a spring and fall cleanup.

SABATINI Mr. Sabatini reported that Chairman Mitrick had send an e-mail to him questioning whether or not we should put a restriction on garbage pickup along certain township roads within rush hour, which would generally be defined between 7 a.m. to 8:30 or 9:00 a.m. This would specifically include Mt. Zion Road, Haines Road with others. He asked whether the Board would seek to put that within the contract.

PASCH Mr. Pasch responded that sometimes on Mt. Zion the pickup is being conducted in the late afternoon during rush hour. A line up occurs and people pull around the trash truck. He felt it would be a good practice from a safety standpoint. He did not think it would create a problem for the hauler, as they just change their route.

MITRICK Chairman Mitrick stated that it was consistent with the concern of traffic. This might be one way of gaining some control during rush hour.

BISHOP Mr. Bishop was in agreement.

SABATINI Mr. Sabatini reported a news article that he had read about Fairview Township's new garbage contract. One of the discussions was bulk item pickup was "on demand." He pointed out that Fairview Township was looking at one bulk item per week on demand. The hauler had pointed out that at present the bulk item pickup was huge. Part of that comes from a belief that product from people's aunt's and uncle's houses outside of the township is being brought into the township and put out as a bulk item. The thought process behind the on-demand collection of one item per week was that residents would not be taking items from out of the township and putting it out one at a time.

GURRERI Mr. Gurreri commented that Spring Garden Township just had their big item pickup last week. He commented that if you have it every other week, then every other week you have junk out. He'd rather see it once or twice a year.

SABATINI Mr. Sabatini indicated the only difference would be with the on demand current bulk item pickup, there is a cost for what you call the "surge." They have to bring out a lot of extra trucks and a lot of extra manpower. There is a surcharge for that.

PASCH Mr. Pasch asked whether he was indicating that the waste haulers say it's cheaper to do it on demand.

SABATINI Mr. Sabatini responded that was correct and added that this was consistent from more than one hauler.

PASCH Mr. Pasch indicated he had difficulty conceiving that because if somebody puts a refrigerator out, they still have to put a separate truck on. They can't put it in the ordinary garbage truck.

SABATINI Mr. Sabatini responded that it was one thing to throw out an old end table, but it's different if you are getting rid of white or metal goods. The only thing they do differently is schedule a specific day by phone. Mr. Sabatini suggested to the Board that the next time the contract is written to strongly explore it and see how some of the other muncipalities handle the issue. He had spoken with three different waste haulers. It is working because they are not dealing with the surge of material and the costs associated with additional manpower. He added that perhaps the best thing to do would be to sit on that idea because the time is not necessarily right for us.

MITRICK Chairman Mitrick stated one thing she did not like. Residents had complained about trash sitting out along the roadway. Someone might clean out their garage or their basement on Saturday and they've got a scheduled pickup on Wednesday. Saturday that refrigerator will go out to the street.

Consensus of the Board was concurrence to proceed with the contract.

GURRERI Mr. Gurreri mentioned that the Appreciation Dinner had been held in October of last year.

14. NEW BUSINESS:

MITRICK Chairman Mitrick requested that item C. be moved to the top of the list of Agenda items.

C. Discussion on Springettsbury Township Park Retention Basin

SABATINI Mr. Sabatini explained that it had been discovered that there would be sink holes in the retention pond. One of the concerns was the fact that any water in the retention pond, along with the sink holes, would cause a consistent problem with large holes appearing sucking all the water out on a regular basis. He asked the Board how interested they are and to what expense level they want to go to insure to have a wet pond versus a dry pond there. This goes into a Change Order.

GURRERI Mr. Gurreri asked which would be cheaper – a wet or a dry pond.

BISHOP Mr. Bishop responded that a dry pond would be cheaper.

YOST Ann Yost stated that, at this point, it looked as though the dry would be cheaper. When the pond had been excavated and we got to the base, although there was clay in the soil that we tested prior to going out to construction, there wasn't enough clay there, and then we hit pinacles of rock, which could lead to sink holes so there are three solutions:

1) Bring in three feet of clay imported from the closest source and line it with a natural clay material; use a rubber liner which is expensive in the $50 + range.

2) A second alternative YSM tried to engineer quickly because it appeared to be the preferred alternative from a cost standpoint was changing the wet pond to a dry pond. There will be a few extras associated with that, the full extent of which is not yet known. There was one small item, to raise one pipe so another pipe can be raised and make everything work engineering wise for the flow of the stormwater.

3) The other is filling the already-now excavated basin to a level where it functions engineering wise for a stormwater basin as a detention basin. That cost is something YSM needs to review and will depend on whether there is soil available on site.

STERN Mr. Stern added that when St. Onge recently built their new building, they had the same problem with a sink hole. They did bring clay in and rolled it in; that process failed. They are now looking at a liner, and seem confident that the liner will succeed. There is a maximum liner life of about 15 years if it is installed perfectly. If there are any holes it would have to be replaced. Even though he had supported the retention pond, given what St. Onge had gone through, Mr. Stern would recommend that this be changed to a dry pond.

GURRERI Mr. Gurreri asked what would have to be done to change it to a dry pond.

YOST Ann Yost explained that it had to be re-engineered to make sure the flows from the three culverts that empty into the pond can then have the sloped exit to do that. The pond was already excavated to its design depth, and we actually hit the rock when we got to the bottom. Unfortunately, it wasn't hit a little higher in the process.

GURRERI Mr. Gurreri asked how much money would be saved.

YOST Ann Yost responded that some money had been saved, but it will not offset as there will be an extra. Money was saved because we won't have an aerator; that's going to be about $3500 saved there. However, we already know it will be a minor Change Order. We had to encase the pipes in concrete, and that's $1,675 extra to do that. The only outstanding issue then is the soil. YSM will work with the contractor to see how to mitigate that. The last issue will be bringing in the soil, compacting it, going through that process, which will be an extra the extent of which is not known at this point.

STERN Mr. Stern added, even though it will be an extra to make a dry pond, if you want to do a wet pond that will be a greater extra.

SABATINI Mr. Sabatini commented that the correction work needed to be done at this point. In a few years the work still would have to be done.

YOST Ann Yost reported that this work is in the same place that it had been previously; now it's to be designed for the improvements that are proposed. They did a very good job with the excavation; they are sculpting the land quite nicely, but YSM would recommend that you go with the detention just because of the costs associated.

SCHENCK Mr. Schenck asked whether this could be designed in such a way that it could be done with some easily manipulated piping by changed from a retention to a detention or vice versa. He commented that they would be putting dirt back in.

YOST Ann Yost responded that was correct and moves into the issue which was really a design issue. We wanted the pond to be deep enough so that it had enough water because of the West Nile issues. YSM worked to a depth that we thought made sense. To go ahead and lower that depth would cause the water to be warmer;

with less circulation and less going on there. She indicated she did not know whether the stand pipe would work any differently than the outlet structure that is proposed now.

MEARS Andy Mears responded that he did not think it would.

SCHENCK Mr. Schenck stated he just wanted to ask, as farmers do it frequently.

PASCH Mr. Pasch asked for clarification that she was indicating the likelihood of a sinkhole developing is greater with a wet pond than a dry pond.

YOST Ann Yost responded that was correct because the pinacles and the moisture is at the base of the excavation. We've excavated out about eight feet and will have to fill up four feet to make it work. The area had been capped where there are pinacles of rock coming up, along with the moisture showing up around the rock with the four foot of soil. The downside is that somebody will have to be paid to bring the soil back in, compact it and do all that work, but in the design process a boring was taken here. A test pit had been done; however we didn't hit rock. It's a pinacle.

SABATINI Mr. Sabatini stated it was his recommendation that the park would not have a wet pond because of the long-term maintenance. He requested the Board's direction as to which to pursue.

Consensus of the Board was to pursue the dry pond solution.

YOST Ann Yost provided a chart of color selections and reviewed them with the Board. She recommended for the building three courses of the split faced block, then a smooth faced transition color and the remainder as another color of split faced block. What the architect recommended is a darker color on the bottom, and smooth face transition accent strip and then a lighter color.

MEARS Andy Mears commented that what they had out here was individually placed blocks. What we have planned for the park area is stamped concrete.

MITRICK Chairman Mitrick commented that she was familiar with stamped concrete. She asked whether there was a glazing process included.

YOST Ann Yost responded that there are several processed used. Powder is placed on it and the color is mottled slightly. These stamps are not just a flush monolithic stamp. There is a little modulation to

them, but nothing that would create a slippery surface that would be a problem.

MITRICK Chairman Mitrick indicated that her question related more to the fact that they had been told that after the second year in order to really preserve the stamped concrete it has to be re-glazed. She asked Ms. Yost to look into that.

YOST Ms. Yost responded that she would do so.

MITRICK Chairman Mitrick asked whether the green chosen would maintain its color.

YOST Ms. Yost responded that she had not had a lot of experience with it. She would assume that it would as it would be a pre-painted metal roof.

PASCH Mr. Pasch asked whether there would be any warranties associated with the roof.

YOST Ms. Yost responded that this was a roof that you would not have to paint.

STERN Mr. Stern commented that one reason why green would be a good choice is that green is the least fading color.

Consensus was approval to proceed with the color selection provided by Ann Yost.

B. Discussion on Capital Purchase – Police Radios

SCHENCK Mr. Schenck stated that the Police Chief's memo did not indicate any urgency as far as savings. Mr. Sabatini's memo indicated a rebate. Mr. Schenck asked what the rebate would be, and who offered it. He also asked what would be done with the old equipment that would be beneficial.

ESHBACH Chief Eshbach responded that there were two different options involved. Motorola, the radio that we currently use, still has radios in stock and a rebate for those. All of these purchases would be made under the state contract. They will cost us $105.00 more than the new technology available. They have a rebate on the old ones right now to promote people to buy them and get them out of their stock. If the decision is made to purchase the newer technology radios, we will receive $6,600 in trades for the current radios. The older style radios actually cost more than the newer

style ones. There are eight of those radios currently in use, and the department would like to have a radio for each officer.

SCHENCK Mr. Schenck understood that the old radios would be traded and a rebate received, but Chief Eshbach's recommendation was for all new radios with the trade of the old ones.

ESHBACH Chief Eshbach responded that was correct.

SABATINI Mr. Sabatini added that there had been two incidents where a significant number of officers had to be called in and radios were needed. Normally this would be part of the budget process, but there is an opportunity for some savings available at this time.

SCHENCK Mr. Schenck asked whether the County was going to go to an 800 megahertz system.

ESHBACH Chief Eshbach responded that even if the County did change to a different system, the new radios can be adapted with a different chip. .

SCHENCK Mr. Schenck asked what type of radio would be purchased.

ESHBACH Chief Eshbach responded that it was a new version Motorola portable 30% smaller. On the state contract it is $100 cheaper than the older version. After the 21st of September the radio which carries the rebate promotion goes back to its original price of $800.

SCHENCK Mr. Schenck asked whether separate radios could communicate with Public Works and Fire Police.

ESHBACH Chief Eshbach stated that one radio would perform all the necessary communications. The only thing that this radio will not do is talk to the EMA crews.

PASCH Mr. Pasch asked whether the old radios and the new radios would communicate with each other. He also wanted to know why they were giving you the $6,100 trade in when they are phasing out of the older radio.

ESHBACH Chief Eshbach stated that someone else might want used radios to bring their complement up.

PASCH Mr. Pasch observed that they're allowing more on a trade for each radio than the cost of the new radios.

ESHBACH Chief Eshbach added that the trades include the chargers and all the equipment associated with it.

PASCH Mr. Pasch stated he thought the fire police were badly in need of radios.

ESHBACH Chief Eshbach responded that he was not familiar with the fire police needing radios and indicated they just got radios within the last year.

PASCH Mr. Pasch said the impression he got was that none of their radios work.

SABATINI Mr. Sabatini reported that he had a discussion with Don Eckert and the problem was solved with new batteries.

MITRICK Chairman Mitrick asked whether the Chief could see any reason to keep the old radios.

ESHBACH Chief Eshbach responded that he thought if the newer type radios were purchased it would be in our best financial interest to take the money in trade in. Everything else is state contract.

MR. SCHENCK MOVED TO AUTHORIZE THE PURCHASE OF 30 NEW RADIOS AND ASSORTED ACCESSORIES PER POLICE CHIEF'S MEMO OF SEPTEMBER 6, TOTAL AMOUNT OF $20,186 INCLUDING TRADE IN OF THE OLD EQUIPMENT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick commented that she had been in the police station on Tuesday, September 11th, when the Chief received a call to go into action. There were about eight officers in the training room. When the Chief got the call and indicated it was time to go to work, she was very impressed with the way the gentlemen in that room just all stood up and obviously knew just what they had to do. She complimented the Police Chief because they obviously respect his word.

ESHBACH Chief Eshbach thanked Chairman Mitrick for her comment.

GURRERI Mr. Gurreri asked whether Ann Yost and Andy Mears had been paid to sit in the Board meeting.

SABATINI Mr. Sabatini stated that how that was going to be dealt with will be re-done.

GURRERI Mr. Gurreri suggested to put the paid consultants on the Agenda first.

M**ITRICK** Chairman Mitrick indicated she had thought of that also while they were sitting here.

BISHOP Mr. Bishop commented that the Agenda had been reorganized by putting the Subdivisions earlier to save money for developers.

SCHENCK Mr. Schenck added that it had been done as a courtesy.

SABATINI Mr. Sabatini suggested that he could provide a place for Consultant Reports.

A. Discussion on Transportation Improvement Proposal – Central York School District.

STERN Mr. Stern reported that he met with the members of the Central York School Board and a few members of Manchester Township. The object was to bring the three entities together as one support for one single proposal to PennDot for the transportation portion. They had provided a drawing showing the 10 projects for Springettsbury Township, and Manchester Township, which Manchester Township voted to support.

SABATINI Mr. Sabatini commented that these projects are absolutely essential for opening the school in 2004. It is not all-encompassing of all the projects that would be ultimately bonded for or required as part of the project. These are the key projects 100% necessary to do immediately.

STERN Mr. Stern indicated the two projects in Springettsbury Township involved Mt. Zion Road and North Sherman Street, and Mundis Mill and North Sherman Street. The costs are $200,000 for Sherman and Mundis Mills and $1.73 million for Mt. Zion and Sherman. At this point there would be a zero direct dollar input from Springettsbury Township. It is assumed there would be $1.3 million coming from the TIP program, and $435,000 from Central York School District. For the signalization of Mundis Mill and Sherman Street, the reason was for their school. Improvements within the Springettsbury Township would include the school driveway on Mundis Mill Road at $255,000.

MITRICK Chairman Mitrick asked about the status of the warning signal for Druck Valley Road and Mt. Zion Road. Mr. Stern indicated that the discussion leaned toward putting in a mast arm overhead with

flashing lights rather than a warning signal, although it would not necessarily have to be considered part of this. This is just the PennDot component of things that have to be done.

PASCH Mr. Pasch asked whether that would solve the problem.

STERN Mr. Stern responded that it would not solve the problem but hopefully it will make it less hazardous.

PASCH Mr. Pasch commented that there is a lot less hazard with caution there than somebody having to stop at a light. If a motorist comes down Mt. Zion going south, they are traveling at 50-60 mph down Mt. Zion now. Mr. Pasch did not think that the signalization will help at all there.

STERN Mr. Stern responded that whether or not that would be added, the traffic signals were removed because of the safety issue.

SCHENCK Mr. Schenck stated that he felt the issue there isn't speed and safety. It's traffic. The reason the light is warranted is because at certain times motorists can't get out.

ESHBACH Police Chief Eshbach stated that the most recent accident there was with a lady who had stopped and just pulled out in front of somebody.

PASCH Mr. Pasch commented that it is a safety problem as far as he was concerned because the motorists can not get out, and they get impatient.

ESHBACH Chief Eshbach stated that one thing that would help if this is signalized is that it will cause a break in traffic.

STERN York County Planning started a master plan for the park, which will include Deininger Road; Northbound Route 24 isn't necessarily complete. Mr. Stern commented that Manchester Township will make improvements to the Emig Road underpass. The School District spent $115,000 for the study portion. They are not looking at actually replacing the bridge. Manchester believed the best they could get are lights on each side of the underpass.

MITRICK Chairman Mitrick added that there will be a control on the west side so that traffic will not back up onto George Street.

STERN Mr. Stern responded that it would be synchronized with lights at George Street.

STERN Mr. Stern stated that, if the Board supported this plan, a letter had been drafted for your support. In Manchester Township's case it also asks for $698,000 as their guarantee. If you support this it will be sent to PennDot followed by a meeting similar to what had been held with PennDot officials and agree on this. Once they agree then the project will move into the scoping process as to who is going to do the design, and how the bidding process will work. He asked that the Board either support the plan or advise what needs to change.

BISHOP Mr. Bishop asked whether it was correct that if this were approved now we're sort of leaving PennDot off the hook for anything more.

SABATINI Mr. Sabatini responded that he wouldn't say that.

BISHOP Mr. Bishop added that Central York School District would be taken out of the process of advocating more than this.

STERN Mr. Stern stated that don't even know if we'll get this from PennDot. They may have to pay for it.

BISHOP Mr. Bishop stated that it is Springettsbury's leverage too. If Mt. Zion Road is left completely out of this other than Sherman Street, Springettsbury would then be giving that up by not insisting on it at this point.

MITRICK Chairman Mitrick commented that, of the two projects in Springettsbury, PennDot basically had already made their commitment in the TIP program for Mt. Zion Road and Sherman St.

STERN Mr. Stern stated that they may have made a commitment in TIP, but they ask the Township and the two have to agree.

GURRERI Mr. Gurreri indicated that every time we go to a meeting with PennDot they change this. They move it around to get money, and in order to get money they have to do a project over here.

STERN Mr. Stern stated that if other projects were added it would give us leverage.

BISHOP Mr. Bishop commented that it is not our project so PennDot's not going to force us to do anything.

GURRERI Mr. Gurreri asked what it was going to cost Springettsbury.

STERN Mr. Stern responded that the direct money for this plan is $0. There is indirect money being given them such as $1.3 million from the TIP program that we're using for this. We had discussed the Market Street repairs, which will be pushed back four years.

PASCH Mr. Pasch stated that what Mr. Stern was indicating is that Springettsbury would give up a potential $1.3 million for those two projects.

BISHOP Mr. Bishop commented that we would be allowing Central School to prioritize our road plan.

MITRICK Chairman Mitrick stated that Sherman and Mt.Zion had been in the top four year plan in any case

BISHOP Mr. Bishop responded that it, too, was sliding.

SABATINI Mr. Sabatini reported that the changes occurred after Central York had submitted their plan. When Springettsbury received the notification about the TIP program, that intersection was scheduled for 2002 construction. At one time PennDot actually thought that was a priority and some of that slippage is due to the fact that they found the pocket to reach into. Maybe this is a way for this project to move forward in a much more timely manner than PennDot had any intentions. He suggested to look at it as long as money isn't coming out of our pocket and it's to be done in this time frame, whether PennDot does it or the school district does it, the important thing is that it is actually being done.

MITRICK Chairman Mitrick commented that Felicia Dell did say that one of the frustrations with the TIP program is that somebody out there decides what the projects and the priorities are in the different communities. She is really making an effort to give more input regarding the priorities that are really felt here at home. That was a true example of when Market Street was pushed up and Sherman and Mr. Zion were taken out because they changed the priority. Then during the meeting they realized that it was a priority, which was something we've been talking about for years.

STERN Mr. Stern observed that what he had seen them doing was what Springettsbury originally suggested.

ESHBACH Chief Eshbach provided suggestions as to Glen Hollow Road. He indicated there is a blind spot there. If Mundis Mill Road could

be brought up to Glen Hollow Road, that might somewhat address the issue of site distance.

BISHOP Mr. Bishop asked whether Chief Eshbach felt the design was sufficient to address his concerns.

ESHBACH Chief Eshbach responded that it would if the roadway were straightened.

SABATINI Mr. Sabatini indicated that was one of the issues they want to talk to us about.

STERN Mr. Stern stated that someone in one of the meetings suggested Sheridan Road could be changed to a one-way road.

ESHBACH Chief Eshbach responded that was an option. Other than people sliding into each other, the typical accident there is people hitting each other coming around the corner. It is difficult to get two cars past each other on that road on that corner on a dry day at 15 miles an hour.

MITRICK Chairman Mitrick commented that she had suggested that they investigate the opportunity to have a one-way road for a.m. traffic and one way for the p.m. traffic. That method had been used in Chicago and it worked. One thing their engineer did say was that in some situations there was a need to think outside the box.

MITRICK Chairman Mitrick referred to a sample letter that had been provided by the engineer. What they need is not confirmation or commitment to the improvements, but something to get off of first base; a concurrence. She stated that if the Board was somewhat interested in this letter perhaps Mr.Sabatini could take our suggestions and e-mail a revision. What they need quickly is to know whether we support 9 and 10 so that they can go ahead with their project. There were other things discussed at the meeting, and the Chief mentioned the center rumble strips along with some other improvements. If Sheridan Road were left out without any improvements, it might be beneficial to straighten it out.

GURRERI Mr. Gurreri agreed with Chairman Mitrick that Sheridan Road has bad curves.

BISHOP Mr. Bishop stated that he had a real problem with the Board being rushed to agree with something here. Every two weeks the Board received a different proposal, different traffic study and different idea, and now we get this a few days ago, and the Board is

supposed to concur with that and sign off this absolutely insulting ridiculous letter. Mr. Bishop expressed annoyance with the process, because this Board has not had legitimate opportunity to review any of the information.

MITRICK Chairman Mitrick responded that she would not suggest that the Board go ahead with the letter. She did state however, that when they did the $900,000 Springettsbury project, they did what she believed the Board asked them to do, i.e. study what they saw as ridiculous intersections as far as impact, but the request came from the Township, and it was through that they came up with the $900,000 for Springettsbury Township. It had been indicated that they studied more intersections for this project than they have in any other project. A realistic figure and a realistic intersection in their minds are 9 and 10 in Springettsbury Township.

BISHOP Mr. Bishop responded that what concerned him was how we get to a point where we know what the realistic intersections are, and we have an opportunity to do that.

SABATINI Mr. Sabatini stated that the issues could be separated just a little bit. By the Board not addressing the issue of Druck Valley Road at this point does not take it off the table; or Pleasant Valley Road and Mt. Zion doesn't take it off the table. It puts it into the development process. What the school board has to deal with is the issue that PennDot could identify very specifically that they will never build a single thing unless they deal with these "X" number of issues. Those are PennDot's issues and things that the school will need an HOP to build. They do have that level of leverage. The township, on the other hand, has leverage as part of the Land Development Process to address other concerns, in addition to those two intersections, specifically dealing with a signal, if the Board so chooses, at Sheridan and Mundis Mill or Sheridan at the curve.

BISHOP Mr. Bishop agreed with the concept 100% except for the fact that all of our concerns are state roads. When we get into the Land Development Process we spend Springettsbury Township money to fix state roads or are we going to force them to spend Central School District money to fix state roads.

SABATINI Mr. Sabatini commented that he had strongly urged Dr. Estep and members of the school board that the more that they undertake at zero cost to the Township, the better off that they are going to be. Once they start getting into discussion of cost sharing they start losing Springettsbury. The intent is still that the Township is going

to be pushing for a zero contribution. The only place that I could even fathom any type of municipal contribution is intersection projects where we might make certain contributions toward Pleasant Valley Road and Mt. Zion.

GURRERI Mr. Gurreri thought that 9 and 10 are what should be done, but he added that Sheridan Road needed to be straightened out.

ESHBACH Chief Eshbach echoed Mr. Gurreri's comments as an option. He added that it had been a cow path paved over and now there are thousands of cars traveling on it. There's not a quick fix to it. Everything that had been discussed are options.

SABATINI Mr. Sabatini stated that the other thing that the school district had indicated was that their original game plan was to signalize Druck Valley Road at a cost of approximately $150,000. There were discussions with the Board and the Board was concerned about putting in a traffic signal there, and recommended flashing warning lights there. They have said that they are more than willing to re-program that money to other projects that the Township would want above and beyond what they originally thought about contributing. $120,000 was just an option put the two signals there at that curve. He did not think the school district would care one way or another whether or it would be put there or somewhere else. They are willing to re-program that money to different projects.

GURRERI Mr. Gurreri stated that something still needed to be done to the intersection at Sherman Street and Sheridan Road. It is a terrible intersection and should be signalized.

STERN Mr. Stern responded that there are 13 intersections that PennDot picked to study. These 10 were chosen as those that needed to be done prior to the school being built.

RAUSCH Solicitor Rausch asked whether these issues would arise again during the Land Development Process. Springettsbury would not be giving up Sheridan Road or anything else by proceeding with this.

STERN Mr. Stern responded that was correct—we are not giving anything up. We've already agreed to take the money that they were going to spend at Druck Valley Road and put it anywhere we want it.

RAUSCH Solicitor Rausch stated that if you want to proceed, get rid of the first two paragraphs of the letter. He verbalized a rough draft of the last paragraph. "Please be advised that the Springettsbury

Township Board of Supervisors supports the transportation improvements as identified on the attached sheet ordered by the Central School District. Finally the Board believes it is extremely important for the safety of both students and Township residents to know the improvements as well as other transportation improvements not identified on the attached sheets. Request that PennDot provide all the program funds in order to do this work." Solicitor Rausch indicated that all the Board would be saying is yes, it needed to be done, but that's not all that's required to be done. There may be other things that are required to be done, and we're reserving the right to have those addressed.

SABATINI Mr. Sabatini stated that he did not think that a concurrence could be decided as to what should be done with Sheridan Road any time soon. It will have a very big impact on the residents, whether it is one way or widened or signalized.

BISHOP Mr. Bishop commented that if one of the questions is that Sheridan Road is an issue that must be resolved before the school can open, isn't that sort of what this Board was being asked.

RAUSCH Solicitor Rausch asked whether this could be controlled with the Land Development Process.

STERN Mr. Stern commented that he did not believe the Township could require off-site improvements.

MITRICK Chairman Mitrick indicated that the problem of Sheridan exists now, and it had been declared that it exists.

SABATINI Mr. Sabatini stated that this is what PennDot believes is the absolute minimum in order to move the PennDot portion of the process forward.

BISHOP Mr. Bishop indicated that he did not see how that school could be opened without addressing Sheridan.

GURRERI Mr. Gurreri asked whether Sheridan Road had been studied.

STERN Mr. Stern responded that they had studied Sheridan.

GURRERI Mr. Gurreri asked whether they had studied just the intersection.

STERN Mr. Stern responded that they studied most of the intersection.

GURRERI Mr. Gurreri commented that the letter says here we believe it is extremely important for the safety of both students and residents for Sheridan Road to be straightened.

MITRICK Chairman Mitrick indicated she did not think this Board could determine what the improvement needs to be. She added that this is in response to items 9 and 10. I think we can make a generic statement.

RAUSCH Solicitor Rausch commented that it is good as far as it goes, but in your opinion, it doesn't go far enough. The point you want to get across is that this Board does not disagree that 9 and 10 need to be done. You agree with that. Then maybe PennDot would come back and say what exactly do you mean? Then maybe you can identify your areas of concern on Sheridan Road. We're not even sure exactly what they're going to do with 9.

ESHBACH Chief Eshbach stated that he would put something in like, "at a minimum we agree to this, but we have serious concerns about Sheridan Road." Somebody else out there might have a real good solution, but we are just not thinking of it. If we say yes this is what we want done, and they are going to say yes or no. PennDot may say yes or no.

SCHENCK Mr. Schenck stated he was thinking Manchester's got that little jog on Locust Lane.

MITRICK Chairman Mitrick asked what the feeling of the Board would be. She asked Solicitor Rausch with Mr. Sabatini to draft a letter in response to include the concurrence of the Board with mention of Sheridan Road.

BISHOP Mr. Bishop stated to make it clear Springettsbury is not giving up its right to insist on anything else.

PASCH Mr. Pasch agreed and added that this addresses the two intersections and that's all.

MITRICK Chairman Mitrick commented that Mr. Sabatini had requested to establish a date for the Board to meet with him for a brainstorming session.

Consensus of the Board was to meet on Tuesday, September 18th at 7 p.m.

15. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting September 14th at 12:30 a.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **AUGUST 23, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, August 23, 2001 at 7:30 p.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Bill Schenck, Vice Chairman
Don Bishop
Nick Gurreri
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Lori Mitrick

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Buchart-Horn, Inc.
John Luciani, First Capital Engineering
Mike Myers, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
David Wendel, Director of Parks and Recreation
Betty Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

SCHENCK Vice Chairman Bill Schenck called the meeting to order at 7:30 p.m.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

SCHENCK Mr. Schenck announced that Mrs. Mitrick would not be in attendance. An Executive Session was scheduled for immediately following the meeting regarding personnel and legal matters. He announced that Item 13A would be moved to just prior to Engineering Reports.

2. COMMUNICATIONS FROM CITIZENS:

A. Presentation of Artwork

WENDEL Springettsbury Township Parks and Recreation Director David Wendel advised that some of the children who had participated in the Township Summer Parks Program were present to be recognized for their outstanding art work and to present that art work to the Supervisors in appreciation for their continued investment in the Springettsbury Parks Program. The program had actually concluded on August 10th. The artwork had been created during one of the many parks programs conducted during the summer, the Fine Arts Program. Mr. Wendel introduced Renada Engelhardt, the art instructor.

ENGELHARDT Ms. Engelhardt stated that during the Summer Fine Arts program she had the opportunity to work with some very talented children. She recognized the following children: Jen Horn, Chelsea Traber, Nichole Dellinger, Tara Jones, Nathanial Cosco, Devon Children who presented their art work to the Supervisors.

WENDEL Mr. Wendel thanked the parents for coming and recognizing the children.

SCHENCK Mr. Schenck thanked everyone for their presentations.

Traffic Calming

GUNNING Paul Gunning of 2205 East Philadelphia Street brought a petition as a follow up of the Township's meeting about traffic calming in the area. The petition was from people in the neighborhood that runs from Royal Street off Market and heading west becomes Philadelphia Street. The street curves around up to Vernon Street and then heads north on Vernon Street to Dixie Drive and loops backwards from Wallace Street to Dixie Drive. You are making almost a U ending up at McDonald's. The first order of business for discussion is that area in East Philadelphia, which is designated at 35 miles per hour. That has always been a residential area since houses were built there. That seems to be very inconsistent with what is solely a residential area including Vernon Street. Mr. Gunning asked the Township to review the matter.

The second area Mr. Gunning was concerned about focused on traffic calming. He spoke of motorists who cut through neighborhoods to pick up Route 30 on streets like Philadelphia, Vernon which become secondary routes for heavy traffic. He noted that traffic seems to be picking up in those neighborhoods.

SABATINI Mr. Sabatini asked Dave Eshbach, Police Chief, to address the 35 mile per hour speed limit. Pennsylvania Law indicates that residential streets that are unposted are listed as 35 miles an hour.

ESHBACH Chief Eshbach responded that Mr. Sabatini's comment was correct. The definition for what that area is and what the streets would need is set by PennDot and the law established by the legislature, which established that as 35 miles an hour speed limit. It was probably posted that way ever since those homes were built. Chief Eshbach added that if the street is not posted it is 35 miles an hour. Different roads within the Township are posted 25 and others are not.

GUNNING Mr. Gunning noted that Philadelphia Street, a State Route 462, is posted at 25. He added that those streets he had mentioned are residential. He asked whether the Township could investigate the matter.

SABATINI Mr. Sabatini responded that a request could be made of Tom Austin as part of the Traffic Calming Project, to review those speed limits. If it is appropriate for the Township to make the changes, the Board could make those decisions, but it would not be appropriate until all the traffic studies are done to see how a change in the speed limit would have an impact on any of the measures for consideration in the near future.

GUNNING Mr. Gunning commented that he would appreciate any consideration.

PASCH Mr. Pasch stated for clarification that the Supervisors do not have the authority unilaterally to make streets 25 miles an hour.

ESHBACH Chief Eshbach added that there are some instances where the Supervisors may and some instances where they may not. It would have to be designated as an E road.

SCHENCK Mr. Schenck stated that a review would be made. He added that concerning the overall study, they would be looking at the overall effects of traffic. Some of the requests are a bit of a budget issue, so there could not be a firm answer right now, but he felt it was a reasonable request.

GUNNING Mr. Gunning indicated that the neighbors would like to have someone participate in the citizen portion of the study.

GURRERI Mr. Gurreri asked Mr. Gunning if he had signed up for the committee.

GUNNING Mr. Gunning indicated he had done so.

GURRERI Mr. Gurreri asked whether Philadelphia Street was part of that study.

BISHOP Mr. Bishop stated that it had been expanded at that meeting based on their comments.

GURRERI Mr. Gurreri asked Chief Eshbach whether he would check on the speed limit.

ESHBACH Chief Eshbach responded that they would check into the status of the road.

Traffic and No Parking Issues

KAHLBAUGH Ann Kahlbaugh, 1700 Deamerlyn Drive, Springetts Oaks had two concerns: (1) She wondered what the Board could do as far as getting in process a request to put no parking signs on either side of Pleasant Valley Road where the new townhouses were just constructed. She stated that when the construction trucks were parked on either side of that road, it did get very tight, and also it obscured them coming in and out of that driveway. (2) She also wondered why in the development where she lives and on Pleasant Valley Road there is no speed limit at all posted. It is a Township road. She requested a 25-mile speed limit on that road.

ESHBACH Police Chief Eshbach indicated that paperwork had been sent to his office earlier during the week to have that posted and adopted as a 25 mile an hour road. The matter then is placed on the Agenda for Board action, and once they have acted upon it, posting can be done.

SABATINI Mr. Sabatini indicated that it would be on the September 12th meeting.

BISHOP Mr. Bishop asked where exactly the location is.

ESHBACH Chief Eshbach explained it was basically Deamerlyn Drive, Springetts Drive and any of the roads coming into that development. He explained that there was a portion which had to go through York County Planning Commission to have a T&E study done on East Pleasant Valley between Williams Road and Deamerlyn because that would not qualify for a 25 mile an hour speed limit.

KAHLBAUGH Ms. Kahlbaugh asked for clarification as to whether they meant Pleasant Valley coming through the Miller's property before the townhouse.

ESHBACH Chief Eshbach responded that it covered Pleasant Valley Road between Williams Road and Deamerlyn Drive. That will be posted as 35.

KAHLBAUGH Ms. Kahlbaugh indicated her concern. There are a lot of heavy speeders that go past there. She asked what type of device could put in there to slow them down. I did notice something in York City, they did put speed humps all the way through Pennsylvania Avenue.

SCHENCK Mr. Schenck commented that Springettsbury is just now starting that whole process. There are devices that could be put on the roadway to make noise in the car or alert motorists to a change.

ESHBACH Chief Eshbach indicated that if that does not qualify as an E-road, the Board could make that decision. The speed limit right now is 55 miles an hour because it is a rural area; there are no homes on either side of the street. It's not posted that way, so therefore it can't be enforced. If you say to me, what's the speed limit on that section, it's 55 miles an hour.

SCHENCK Mr. Schenck asked Chief Eshbach what the time line would be until it could be posted.

ESHBACH Chief Eshbach indicated as soon as the Board acted upon it, it could be put into place relatively quickly.

SABATINI Mr. Sabatini indicated that he has the signs ordered in anticipation of the Board of Supervisors meeting on September 13th.

SCHENCK Mr. Schenck responded to her comment on parking. That section of Pleasant Valley Road had been posted with No Parking signs on one side of the street. Your concern may be a short-term problem due to activity in the park. We may want to look at a short-term solution and wait and see if we really want to permanently post it.

KAHLBAUGH Ms. Kahlbaugh indicated it should be long term.

SCHENCK Mr. Schenck stated that unless there is a very large problem, No Parking signs would not be an option. It still takes legislation.

KAHLBAUGH Ms. Kahlbaugh responded that there are 240 possible cars, and I understand from Mr. Kinsley there is lots of sufficient parking inside the townhouse arena, but they have guests.

SCHENCK Mr. Schenck stated that the Township could react fairly quickly and within six to eight weeks the laws can be enacted.

PASCH Mr. Pasch indicated that considering the construction and trucks on both sides of the road, there would be a very tough narrow passage. He asked Chief Eshbach what could be done on a temporary basis.

ESHBACH Chief Eshbach responded that anything can be posted temporarily when there is a need for the safety of the community.

KINSLEY Mr. Kinsley stated that he had spoken with Mrs. Kahlbaugh and he felt that it should be, especially on the side where the townhouses/condos are to have no parking because there would be a fair amount of traffic coming in and out of that intersection. Considering the way that road curves and with a 55-mile speed limit, motorists are traveling there pretty fast. Mr. Kinsley stated that their truck parking would become less and less because of the nature of the project. He could post it, but he would rather see the Township post it now before motorists begin to park there.

SABATINI Mr. Sabatini discussed the situation where vehicles would be parked on both sides of the road. The Township had taken action to ask them to move machinery out. Most of the problem surfaced during the time they were on the front entranceway when they were doing the slip forms for the curbs.

KAHLBAUGH Mrs. Kahlbaugh agreed that the workers had moved into the townhouse areas to work.

BISHOP Mr. Bishop asked Chief Eshbach whether there would be any downside to posting one side.

ESHBACH Chief Eshbach responded that he did not think so. The process would still have to be done with the Planning Commission to have it approved and posted, but it could be posted temporarily. Chief Eshbach asked for the wishes of the Board.

SCHENCK Mr. Schenck asked him to make the request, which he felt was appropriate.

GURRERI Mr. Gurreri added that the Chief should review the matter, and if he had a differing opinion to let them know.

Pleasant Valley Condos

KINSLEY Mr. Kinsley indicated that he was present at the suggestion of Mr. Stern. Today one of the residents called Mr. Kinsley with concern about the landscaping plan. He reviewed the plan. Some of it probably should have been designed a little differently to give the effect and screening that the neighbors wanted. It all looks good on paper but it is not effective when you see it. He explained one of the areas where the plan shows street trees along in back of the curb, and GPU put an overhead line in. Now we have three trees under a power line. I would like to be able to move them back 14 or 15 feet but the plan is recorded. In the area where the right of way is being abandoned that goes into the land that being donated to the park where that buffer was, the plan shows a whole group of white pine trees being planted there in one area, and the whole thing should be shifted to the northwest because it isn't in the line of sight from some of the houses. It should be moved. If that were done, he would plant some deciduous trees so that it is more like a park setting along the path that goes to the passive park area. Up along the property line between Millers and the Kinsley property, there is an old hedgerow there that Miller did not want removed. It is going to die eventually. He would like to place more trees there and move or stagger them so that when those trees go there is a good tree planting there. We built those landscape berms and on the plan in actuality the trees are down at the bottom of the berm and in the swale, and they should be moved out of the swale and up on the berm. He asked if they could use their good judgment. More trees will be planted and they will be mixed up a little bit to make it look more natural. He stated he could provide as-built drawing when finished. A lot of the tree stock is already on the job, and he needed to get it in the ground. He stated that a better job can be done if they are allowed to deviate from the drawing.

PASCH Mr. Pasch stated he would like to see some type of communication with Mr. Stern indicating what had been done. If Mr. Stern approved it, he reports to the Board, and the Board will accept it.

STERN Mr. Stern stated that he had met with Mr. Kinsley and a property owner. He felt it was absolutely correct that the trees should be moved. Mr. Stern had suggested he attend the meeting because Subdivision Ordinance indicates nothing should be changed without Board approval. Mr. Stern asked that the Board allow the flexibility to work together, along with some of the residents who have expressed an interest, and find a way to make the trees work to meet their needs. We have a lot of trees here and you can do a

lot of good with them, but when you put these trees where it says on the plans they're not where they really should be.

YOST Solicitor Yost indicated that, for Mr. Kinsley's protection, once they are in, and if it is satisfactory, he needs the imprint of this Board approving those changes.

PASCH Mr. Pasch commented that Mr. Kinsley indicated he would give us an as-built drawing. The Board can approve the as-built drawing. Mr. Pasch added that he wanted to have Mr. Stern involved in the whole process.

KINSLEY Mr. Kinsley indicated he would provide everything that's necessary.

Consensus of the Board was approval of the changes as long as they receive an as-built drawing when the landscaping is completed.

Road Improvements/Central High School

POTTER Mr. Tom Potter of 3656 Cimmeron Road, York commented on the Central High School plan in reference to some road improvements. He understood the Board of Supervisors decided that it was not in the best interests of the Township to spend $46,000 to approve changes to four intersections and that the Board thought that was the High School's problem, not the Township's problem. He asked if his information was correct.

SCHENCK Mr. Schenck responded that the only part stated that was incorrect was the fact that the Board decided. The Board had lots of discussion, but no decisions were made.

BISHOP Mr. Bishop stated that it was absolutely incorrect. Nothing had been decided about anything concerning the Central School District.

POTTER Mr. Potter indicated that his concern was not about the school, but rather the four roads that need improvement. He stated that a study had been done by the school, which cost $80,000. Those four intersections: Mt. Zion and Sherman Street, Sherman Street and Mundis Mill Road, Mt. Zion and Druck Valley Road, Mundis Mill Road and Sheridan Road are in need of repair already. What the School District asked was that the Township contribute $46,000, and the School District is putting in close to $1 million to make those improvements. He added that he had moved into the Township for one reason that was Central York School District. He had reviewed the tax rate and school districts in York County.

He also indicated he wanted the best value in a home. He attended the meeting just to learn whether or not the Township intended to make a decision to help the school district. He asked what the Board planned regarding the road improvements.

SCHENCK Mr. Schenck responded that no decision had been made. It was actually the first meeting held, of what the school's intentions are and what the needs are. There is a lot of work to be done yet, and one of the first concerns is the state roads, which he mentioned. They're not Township roads. Another concern is that two of the Board members live in the York Suburban school district, and two live in Central. In fairness, consideration for investments should be made in the other school districts as well. In addition, meetings need to be held with Manchester Township to determine what their intentions are. Mr. Schenck stated that it was too early to draw any conclusions.

BISHOP Mr. Bishop indicated that the $46,000 number was not any kind of a final proposal from Central School District. Only two weeks before that the Board received a written report from Central School District's engineer. This was a very thick written traffic study, and that report was submitted by Central School District and indicated that our fair share of the road improvements that were required to put that high school there was approximately $830,000. If they are coming to the Board one-week with $830,000 and then two weeks later with $46,000 this Board is not sure where they are. This will be a very long process.

POTTER Mr. Potter felt that was a problem in that it was a very long process.

BISHOP Mr. Bishop commented that taking a long time can be of benefit because the Board does get these things sorted out and more often than not do it right rather than wrong. There is a lot of work to be done by the Township as well as the School District.

POTTER Mr. Potter asked whether there was a timetable.

BISHOP Mr. Bishop responded that the Board would like to be in the school in September of 2004.

POTTER Mr. Potter asked whether there was a timetable of this board to address the problems.

BISHOP Mr. Bishop responded that the School Board has not received any official requests yet.

GURRERI Mr. Gurreri commented that PennDot is involved too, and nothing can be done without them. They have to move the ball first.

POTTER Mr. Potter stated that if the traffic study is correct, there is already a problem, which had been in existence for a while. He asked whether those four intersections are already on the table for discussion.

GURRERI Mr. Gurreri responded that they are.

SABATINI Mr. Sabatini stated that Sherman Street and Mt. Zion is an area, which had been identified several years ago by the Board of Supervisors as a critical intersection. The Township made a very substantial push along with assistance from the Planning Commission and Representative Saylor to get that re-assigned for change. Other areas have to be dealt with that are not as critical, but they have been identified for years. It is just a matter of where to put the resources.

POTTER Mr. Potter observed that several new housing developments had been constructed. That would bring more children into the school, which must be educated in the best possible place. Central has a good reputation, as does Suburban and Dallastown. He asked the Board to make an effort to work with the school as closely as possible and place the project on a direct route.

13A. Transfer of PA Liquor License No. R-17233 to Keystone Apple, Inc. – Applebees' Neighborhood Grill & Bar – Resolution No. 01-45.

SCHENCK Mr. Schenck indicated that a Public Hearing had been held prior to the Regular Meeting regarding a request for a liquor license transfer. This had been presented in a form of a Resolution for the Board's action.

MR. BISHOP MOVED TO APPROVE RESOLUTION 01-45 APPROVING A INTER-MUNICIPAL LIQUOR LICENSE TRANSFER TO KEYSTONE APPLE, INC. MR. GURRERI WAS SECOND.

PASCH Mr. Pasch commented that, in the Public Hearing it had been stated that the applicant has three or four other establishments in which they have liquor licenses, and they have never had a citation for any liquor problems. They serve 87% food and 13% liquor, and they have an established policy in terms of serving of liquor.

MOTION UNANIMOUSLY CARRIED.

YOST Solicitor Yost stated that they would receive a certified copy of the Resolution.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober provided two updates. Regarding the East/West Interceptor, the bonds and insurances had been received from Gregory Contractors. They had been forwarded to Solicitor Yost, who reviewed and approved them; the Notice of Award and Notice to Proceed will be processed. Everything seemed to be moving along as expected.

Mr. Schober reported on the Meadowlands Pump Station Force Main. Construction cost estimates have been completed for a number of alternatives and forwarded to the Township Manager.

SCHENCK Mr. Schenck asked whether Gregory can handle the schedule and workload.

SCHOBER Mr. Schober responded that they were happy to get the award. The next step after Notice of Award will be to submit a schedule for review. No problems are expected, and Gregory is already working with the manhole manufacturers.

B. Civil Engineer – First Capital Engineering

Central High School

LUCIANI Mr. Luciani provided a few updates from his written report. Regarding Central High School he received traffic comments via e-mail from Stu Olewiler of Manchester Township. He could e-mail them to the members of the Board and the Township for a record copy.

LUCIANI Mr. Luciani stated that the construction stake out is completed. Charlie Lauer had ordered the inlets from Monarch Precast. It will take a few weeks to get them fabricated. Shortly after that they will put the inlets in, run the curb through and do the paving improvements out there.

Traffic Calming

LUCIANI Mr. Luciani stated that the next meeting for Traffic Calming was scheduled for 7 o'clock on August 30th. He indicated he would speak with Tom Austin and verify that the Philadelphia Street area had been included in the scope and things of that nature. He added

that they are working with the Police Department to get some of the crash data.

Williams Road

LUCIANI Mr. Luciani stated he submitted a copy of the appraisal for Williams Road. Mr. Sabatini planned to negotiate with Mr. Miller.

Harley Davidson

LUCIANI Mr. Luciani reported that the Planning Commission recommended approval of Project Keystone. Mr. Stern and he met with Harley Monday. They are moving their meetings to every other Monday, and the next step is to come to the Board some time in September to get final approval. It will take a lot of coordination from PennDot to get everything done appropriately.

GURRERI Mr. Gurreri had seen a newspaper article stating that one of the owners of property along Eden Road was complaining about the situation.

SABATINI Mr. Sabatini read a correction from the York Dispatch indicating that the property owner did not say he would lose millions if the changes are made.

Applebee's Liquor License Transfer

LUCIANI Mr. Luciani noticed that the transfer of the Applebee's liquor license had been approved. They are getting ready to submit a Land Development Plan. The location of the restaurant is in the York Mall where the old Montgomery Ward repair facility was.

Heritage Hills

GURRERI Mr. Gurreri asked about the left-turn signs at Heritage Hills. Motorists are still making that left hand turn.

C. Springettsbury Park – YSM

MEARS Andy Mears from YSM provided an update on the park renovation project. He stated that the demolition by Township crews had been completed. Keystruct, the contractors, are doing their own demolition work. They met with them several times over the past week or so to identify the trees that would need to be removed. There are several questionable trees that we are doing everything we can do to preserve. They have been tagged, and most of the ones to be removed have been removed. They've begun stripping of the topsoil in the ball fields and that's all stockpiled there. Work on the sediment basin is pretty critical. There are a few shop

drawings that need to be approved to get some items to them, and that should be completed shortly.

GURRERI Mr. Gurreri asked how many trees they had taken down.

MEARS Mr. Mears responded that the survey did not identify every specific tree, so I do not know a count offhand.

PASCH Mr. Pasch asked about the topsoil removal from the ball fields. He stated that there had been a lot of old bricks that had been protruding up through the soil.

MEARS Mr. Mears responded that there was some debris found in the area of the old school. Most of the topsoil came out of the sediment basin. R.K.&K. was present to observe some of that already.

BISHOP Mr. Bishop indicated that the area Mr. Pasch was referring to was the ballfields at the top of the hill.

PASCH Mr. Pasch indicated it was a hazard because the bricks kept moving up through the soil, and he would not want that to be placed on the new ballfields.

MEARS Mr. Mears stated that they had not worked on the upper fields yet. They are working mainly in the lower area to try and meet the seeding schedule.

SCHENCK Mr. Schenck referred to the trees and asked whether there was any provision made to fence or protect those that will be saved.

MEARS Mr. Mears responded that it had been specified that there should be orange fence circling all the trees to be preserved out to the drip line, which is basically at the edge of the canopy. In some cases where there is grouping of trees, they allowed them to do larger areas.

GURRERI Mr. Gurreri noted that with regard to the fence he saw a Change Order. He asked Mr. Mears when he normally does a park, would he not put up a metal fence instead of a plastic one.

MEARS Mr. Mears responded that it would depend what the issues are and what type of security is needed. Once the grass is stripped and it is truly a construction site there will not be as much activity cutting through there. They had spoken with a few children who had cut through. He felt the orange fence was adequate for now.

SABATINI Mr. Sabatini commented that a number of problems had surfaced, and Mr. Stern and the Police Chief had informed him. Trespassers do not have the ability to climb over the fence but they cut through the fence with a knife. The contractor is spending a significant amount of time repairing that almost daily, thus the purpose of the Change Order. There is a concern that, once we start bringing in materials, the Township may not adequately insure that people will not cross into the work area.

GURRERI Mr. Gurreri asked whether this is the type of fencing usually used.

MEARS Mr. Mears responded that was correct. It depends on the location and the density of the area. The playground area was one of the areas that was vandalized.

GURRERI Mr. Gurreri asked whether a metal fence all the way around would be necessary.

SABATINI Mr. Sabatini provided the recommendation, which was a 6 foot chain link fence, 1300 feet long, which is the length of the existing snow fencing. He was not recommending that it be put around the entire site.

GURRERI Mr. Gurreri asked where the fencing was to be placed.

SABATINI Mr. Sabatini indicated it would begin in the area paralleling the parking lot, the Creative Playground and end by the adjacent property.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of August 23, 2001
B. Philips Brothers Electrical – Diversion Pumping System – Pay Estimate No. 12 - $23,474.19
C. Grassie and Sons, Inc. – Mt. Zion/Overview Replacement Sewer – Pay Estimate No. 3 - $4,148.90

GURRERI Mr. Gurreri questioned an item on page 1 for Contract Services $2,000.

SABATINI Mr. Sabatini responded that it was for Public Planning. The Board approved a contract last year for Public Planning to do some work on specific property management. They had submitted an invoice. We have the check on hold until we have additional documentation

as to the completed work and will not release it until we are satisfied.

BISHOP Mr. Bishop asked whether this related to the zoning and enforcement.

SABATINI Mr. Sabatini responded that it related to property maintenance and enforcement. They have done the work, but have not submitted sufficient documentation.

BISHOP Mr. Bishop asked about the item on page 6 for $250 for Rotary Club.

SABATINI Mr. Sabatini responded that the check is on hold.

SCHENCK Mr. Schenck commented that the Board voiced a strong position on that issue, and it was his thinking that the issue had been decided.

BOWDERS Dori Bowders indicated that the check was actually voided.

BISHOP Mr. Bishop asked what mechanism is in place to make sure it does not keep getting placed on the payables. He thought that the Board had made it very clear, and the item still appeared after the Board's discussion.

PASCH Mr. Pasch had the same question, i.e., how did it get this far. There was a very definite concern of the Board that it not happen.

BISHOP Mr. Bishop added that the check had come to him with one signature on it, and he had voided the check.

BISHOP Mr. Bishop questioned that the Township now appears to have corporate credit cards with Mellon. He asked what policies and procedures are in place to make sure that these credit cards are used appropriately. He also asked whether there are proper reporting procedures so that we know how they are being used. To my knowledge no employees of the Township had corporate credit cards with Springettsbury Township's name on them before.

SABATINI Mr. Sabatini responded that procedures are in place. All invoices must be returned to the Finance Office. It's checked and verified. Generally these are used for situations for travel and conferences. Every invoice is verified by the Finance Director and is paid from there.

BISHOP Mr. Bishop stated that he observed over $1,000 in materials, which didn't sound like travel, and $1,000 in repair and maintenance, which didn't sound like travel and more than $1,000 at Don's Kawasaki to repair the ATV.

SABATINI Mr. Sabatini responded that he would verify that.

BISHOP Mr. Bishop continued that he felt the Township needed to be extremely careful. He did not know what the legalities would be of this, but it made him very uncomfortable. He added that he would not have any problem with making it convenient for people who travel, but it seemed to be a significant change about which he learned after a check was written and the Board never knew about any of this.

PASCH Mr. Pasch commented on an article he read in The Wall Street Journal, which indicated the Federal government has more credit cards than employees. He wouldn't want to see Springettsbury Township go on a slope like that.

BISHOP Mr. Bishop asked who has Township credit cards.

BOWDERS Ms. Bowders responded there were three; the fire chief, police chief and township manager.

PASCH Mr. Pasch stated that there should be credit limits on those cards too.

SABATINI Mr. Sabatini responded that the credit limit is $2,000. He added that he would address the matter in a more formalized manner.

GURRERI Mr. Gurreri asked for an explanation concerning the credit of $275 for curbs and $320 for labor from Williams Services. This work should have been done within the contract. They put the air conditioners on the old stands, and they were supposed to replace the stands. On the next page they charged us $5,100 to put the stands up.

STERN Mr. Stern responded that what they intended to do was inadequate. The supports on the roof were original to the building, but the specs in the contract were to do some minor repair work to the existing supports. The work was done over the old Boardroom, and they placed a 20-Ton unit there replacing a 10-Ton unit. The contractor, Williams indicated there was no point in doing what was in the spec. They credited that back the wrong method, and then did a Change Order request to do it the right way.

GURRERI Mr. Gurreri asked who would be responsible for that.

STERN Mr. Stern responded that his opinion would be the engineer and the architect. .

GURRERI Mr. Gurreri asked whether the architect should be held responsible.

STERN Mr. Stern responded that was correct.

GURRERI Mr. Gurreri commented that he saw a lot of things like this.

STERN Mr. Stern stated that the Township is responsible for getting the work done and paying for it, but then there are items that the Board may want to question.

GURRERI Mr. Gurreri asked about the construction extensions to the rear of the lockers in order to accommodate hangers.

STERN Mr. Stern indicated that too was an architectural error. The lockers are 24 X 30. Somewhere the new ones that were spec'd were 15 X15. They were supposed to have a rod in them, but you cannot put a hangar in a 15" deep locker.

GURRERI Mr. Gurreri asked whether that was the architect's problem.

STERN Mr. Stern responded that it is the Township's problem; the Township paid for it.

GURRERI Mr. Gurreri stated the Township needed to go back to the architect because of all the items like this one. We seem to be reluctant to do that, but it needs to be done. A letter had been sent to the Chairman of the Board from the architect saying how happy he is that we are happy with what he had done. The Township is not happy with what was done, and Mr. Gurreri stated he did not understand how that happened. The architect is not getting the message.

GURRERI Mr. Gurreri stated that another item was the cement out front. A letter had been sent to the contractor asking for repair. The contractor indicated it was because of the cold winter and because of the ice melt put on it. They just didn't prepare the surface right. If they are going to just take out a couple of blocks, the Township needs to insist that they do the whole section that was lifting up. When you put a few different blocks in there they will be different

colors. They should do the whole area and the Township should insist on it.

STERN Mr. Stern stated that he agreed with the architect that it was prepared properly. Within two months or less of the cement being poured the Township did use ice melt on it and very shortly after that the problems occurred. There are areas that cracked that were not installed properly.

GURRERI Mr. Gurreri stated that he did not think the engineer would go against the architect as they work together. I cannot believe that we believe that salt would do that. It will not and particularly not the first time around. Mr. Gurreri stated he was not an expert, but he knew a little about cement work. The contractor did not prepare it correctly. No one wants to take the responsibility and Springettsbury Township citizens should not have to pay for this. There are so many Change Orders, and they are never stopped. The Township never says it is not going to do this or stop it but continues to go forward. Mr. Gurreri indicated he was fearful that the park will move in the same direction of Change Order after Change Order, and he does not want to see that happen. If the Township stops it in the beginning the contractor will be more reluctant to come forward with one, not unless they really need it.

SCHENCK Mr. Schenck asked about item B regarding the Diversion Pumping System, Philips Brothers Electrical. It seemed late and he wondered whether this was a late item or a wrap up or final payment.

MYERS Mr. Myers responded that this was a final payment, which had been held until the final communications were completed.

MR. GURRERI MOVED TO APPROVE ITEMS A THROUGH C AS PRESENTED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS:

A. Rummel, Klepper & Kahl, LLP – Construction Management and Resident Inspection Proposal – Springettsbury Township Park Renovation Project - $228,522.

SABATINI Mr. Sabatini commented that, as part of the discussions last year with the Board and YSM regarding the scope of services, one of the major discussion points was to avoid the issue that we've had with the Township building and to have a resident inspector on site

during the entire course of the project. A proposal had been requested from R.K.&K.to do resident inspection services during the park project. Mr. Sabatini elaborated on the specifics in the contract.

SCHENCK Mr. Schenck asked what the 10% fee covered.

MYERS Mr. Myers responded that was the profit.

SCHENCK Mr. Schenck asked what their overhead figure included.

MYERS Mr. Myers responded that a portion was for home office and a portion for fieldwork. He added that their overhead is actually lower than most of our competition.

SCHENCK Mr. Schenck asked what the $3700. Included.

JOHANSEN Mr. Johansen indicated it was anticipated overtime; just the premium portion.

MYERS Mr. Myers stated that Dave Johansen would be the Project Manager. He had previously worked on the municipal building and on the pump station as well.

SABATINI Mr. Sabatini indicated the direct cost would be $206,542.05.

GURRERI Mr. Gurreri felt that since public money was being spent two other prices should be sought.

SABATINI Mr. Sabatini responded that, because the Township had utilized the services of R.K.&K. for project management and resident inspection services on two occasions and had been very happy with those inspections; and because the Township does not have any experience in contracting with other firms who have done contract inspection, we have a high comfort level here. In this situation we believe that comfort level is pretty significant. We also don't think the prices will vary to any great degree.

GURRERI Mr. Gurreri responded that there would be no way to know if other prices are not sought.

PASCH Mr. Pasch indicated he did not disagree, but the Township was already in the midst of construction. If you go through the whole process you'll have a couple of months that you're not going to have it, and if you take a look at the hourly rate for the inspector, which comes to $46.50 which is comparable and not unreasonable.

Mr. Pasch indicated he still questioned the estimate of time involved.

MYERS Mr. Myers stated that they would only be paid for the time they actually work, not a lump sum fee.

BISHOP Mr. Bishop asked how the relative merits of 100% inspection compared to 60%. He wondered whether someone was needed to hold the contractor's hand every step of the way.

MYERS Mr. Myers responded that they had an inspector 100% full time at the pump station and interceptor as well. With the exception of the Change Order related to the lead in the soil, we did not have any Change Orders.

BISHOP Mr. Bishop questioned what might be reasonable to expect if there were less than 100% inspection.

MYERS Mr. Myers responded that he would not recommend any less than 100% inspection. The times when you have problems happen when the inspector is not there. We might say we would be there four hours a day, but we might miss the most important four hours of the day.

GURERRI Mr. Gurreri stated that if $206,542.05 is the top number, it could come down.

JOHANSEN Mr. Johansen stated that the figure is an estimated number based on duration of the contract (455 days). If they are not needed they will not be there.

SCHENCK Mr. Schenck observed that the contract duration allowed for a lot of time when not much happens towards the end. He asked how that would be managed, and who would decide when you should be there.

MYERS Mr. Myers responded that there would probably be a combination of R.K.&K. coming to the Township and vice versa to say they wouldn't be needed.

SABATINI Mr. Sabatini commented that this was a project where staff would be in the field fairly often. He felt the Township would have a fairly good idea as the project moves forward as to what the inspection necessities would be. He stated he felt it was appropriate to have a full inspection service.

PASCH Mr. Pasch commented that there would be routine project meetings and Mr. Sabatini and/or Mr. Stern should attend that meeting. In that way they will be aware of the progress and management would be involved.

GURRERI Mr. Gurreri commented that Public Works should attend as well, as they know the park inside and out.

STERN Mr. Stern commented that meetings had been held every other week before starting the project. He attended, Mr. Lauer and a representative from YSM and R.K.&K.

BISHOP Mr. Bishop stated that he found a problem with the form that the request came to them to approve as an absolute worst case scenario. It did not appear to suggest that that was what would happen.

MYERS Mr. Myers commented that they would only be there when the contractor is performing his work.

BISHOP Mr. Bishop understood Mr. Myers' statements and commented that he would much rather approve what Mr. Myers was saying than to approve the $206,542.05 as stated in the proposal.

MYERS Mr. Myers suggested the Board could approve their hourly rate and overhead.

PASCH Mr. Pasch commented that there should be an upset limit or a not-to-exceed limit.

MYERS Mr. Myers added that another scenario of unforeseen events could take place and the contract might go to 500 days.

MR. GURRERI MOVED TO APPROVE CONSTRUCTION CONSULTANT SERVICES FOR SPRINGETTSBURY TOWNSHIP FOR THE SPRINGETTSBURY TOWNSHIP PARK AT THE HOURLY RATE AND OVERHEAD AND FEE COSTS AND DIRECT COST AS IDENTIFIED IN THE PROPOSAL DATED JULY 30, 2001 AT A FIGURE NOT TO EXCEED $206,542.05. MR. PASCH WAS SECOND.

PASCH Mr. Pasch stated that management has to be deeply involved to satisfy the questions that he and Mr. Bishop had. He questioned how this would be controlled and added that there's no sense having an inspector there if there is nothing to inspect.

GURRERI Mr. Gurreri stated that R.K.&K. wouldn't do that anyhow.

PASCH Mr. Pasch agreed that R.K.&K. had done a great job for us on these other two projects, but really urged that there needed to be management involvement.

MOTION UNANIMOUSLY CARRIED.

B. Williams Service – Township Building – Change Order #7 - $3,035

SCHENCK Mr. Schenck indicated that earlier during the meeting Mr. Stern and Mr. Gurreri discussed the issue of HVAC equipment support in the Police Department building.

BISHOP Mr. Bishop recalled the earlier discussion and Mr. Gurreri saying something ought to be done about this and Mr. Stern's comment that it was not his place to do that.

STERN Mr. Stern responded that he needed someone to tell him what the Board wants.

BISHOP Mr. Bishop stated that the Board needed to clarify that fact.

PASCH Mr. Pasch commented that the Board had this discussion regarding the architect responsibility.

SABATINI Mr. Sabatini stated that he was not aware of any outstanding Change Orders, and that East Coast Contracting had been holding onto these. Now is the appropriate time for the Board to direct staff to bring to them a list of the issues that they think are architect/engineer related with fault caused by them, bringing the list to the Board and then the Board can make a valued judgment as to what direction it wants to go. The parameters would be (1) it's not our fault or (2) there's not a change that we had proposed and (3) this is truly the fault of the architect or the engineer or any of the other design principals. There has been a lot of discussion around this issue, and the staff could now bring that to you for your judgment and direction.

GURRERI Mr. Gurreri commented that he had waited for six months for the list.

BISHOP Mr. Bishop expressed his disappointment that the Board needed to direct the management of this Township in this regard.

MR. BISHOP MOVED THAT THE BOARD DIRECT THE STAFF TO PREPARE A REPORT FOR US OF ANY INACEQUACIES THAT THEY ARE AWARE OF

IN ANY OF THE CONSTRUCTION OF THIS BUILDING AND RENOVATION OF THE POLICE BUILDING NEXT TO US THAT MAY HAVE BEEN CAUSED BY POOR DESIGN OR CONFUSION CREATED BY THE ARCHITECTS AND ENGINEERS, AND TO BRING US THAT REPORT AT OUR NEXT REGULARLY SCHEDULED PUBLIC MEETING, ALONG WITH RECOMMENDATIONS ABOUT HOW WE SHOULD PROCEED TO PROTECT THE TOWNSHIP TAXPAYERS EXPENDITURES FOR THE INVESTMENTS THAT WE MADE IN THESE TWO BUILDINGS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck asked whether RK&K still helping you with this project.

STERN Mr. Stern indicated they are not involved at this point.

SCHENCK Mr. Schenck stated that the net is $3,035 as a result of the credit you mentioned, but the Change Order for the support of $6,000 for 8 hours work, one day's work on the roof, lifting up the air handler, cutting some pipes away, putting some new pipes under it amounted to $6,000 for one day's work. They credit us for $320.00 for 8 hours worth of work on the credit side. Mr. Schenck asked whether anyone was reviewing this type of thing to determine whether it was reasonable and sensible.

STERN Mr. Stern indicated he had addressed the matter.

MR. PASCH MOVED TO APPROVE WILLIAMS SERVICE CHANGE ORDER #7 IN THE AMOUNT OF $3,035. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

C. East Coast Contracting – Township Building – Change Order #11 - $39,334.57

STERN Mr. Stern stated that item C. could be removed due to item B approval. During the work on the roof, an approved Township roofer needed to be secured to do the work.

GURRERI Mr. Gurreri asked whether there was a warranty on the roof.

STERN Mr. Stern responded that there was a warranty, and that was the reason to have roofer approved by the Township.

GURRERI Mr. Gurreri asked whether it was the same roofer as put the roof on originally.

STERN Mr. Stern responded that he thought it was.

BISHOP Mr. Bishop asked whether Mr. Stern was stating that the Change Order for East Coast is in error.

STERN Mr. Stern responded that it is at this point, because the previous Change Order was approved.

BISHOP Mr. Bishop commented that the architect signed both of them and sent both of them to us.

STERN Mr. Stern responded that was correct.

BISHOP Mr. Bishop asked whether that fact gave anyone else pause.

PASCH Mr. Pasch commented that the question Nick asked was a very good one.

BISHOP Mr. Bishop asked whether there was any reason to believe that anyone is actually keeping track of these; that we're not just approving Change Orders the same Change Order for multiple subcontractors.

STERN Mr. Stern responded that there are two answers. These Change Orders you are not paying right now; second part is credits that you received a minute ago from Williams, were the result of ongoing review of Change Orders, and they were in fact, approved twice and paid twice; however they were credited back to us. There are some 125 Change Orders and some had been duplicated.

GURRERI Mr. Gurreri observed that they gave us a return of $500 and then billed $6,000 to do the job, so there was not much of a return.

SCHENCK Mr. Schenck stated that Change Order #11 is not accurate. He asked whether it would be in the Board's ability to sit here at the table and change that amount.

STERN Mr. Stern responded that, in his opinion, yes because you are denying that line item.

SABATINI Mr. Sabatini stated that the revised figure comes out to $33,518.57.

MR. BISHOP MOVED TO TABLE ACTION ON CHANGE ORDER #11 FOR EAST COAST CONTRACTING PENDING CLARIFICATION FROM STAFF AS TO WHAT IS A REASONABLE THING FOR US TO BE DOING. MR.

GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Orchem Pumps, Inc. – Odor Control Equipment Bid - $47,000

MR. BISHOP MOVED TO ACCEPT ODOR CONTROL EQUIPMENT BID IN THE AMOUNT OF $47,000 FROM ORCHEM PUMPS, INC. MR. GURRERI WAS SECOND.

PASCH Mr. Pasch asked what type of probability the Township has that the odors are going to be eliminated and whether there is any type of report available.

SABATINI Mr. Sabatini responded that the odor will never be truly eliminated. This particular process is an aerosol neutralizing chemical that is sprayed in two areas. One area is the composting pad and the other is located above the digesters. It will not eliminate all complaints, but is very effective in terms of minimizing the odors.

PASCH Mr. Pasch asked whether the cost is for equipment only and what numbers are projected for operational costs. He asked what the life expectancy would be on the equipment.

SABATINI Mr. Sabatini responded that the operational costs are between $25,000 and $30,000 per year. He added that the equipment is small pumps and plastic tubing with aerosol disbursement nozzles at the end. The pumps carry a five year guarantee.

PASCH Mr. Pasch commented that the biggest expense is not in the equipment but rather in the ongoing supplies.

MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISION AND LAND DEVELOPMENT:

A. LD-01-07 – East York Elementary – Time Extension to 9/27/01

MR. BISHOP MOVED TO ACCEPT THE REQUEST FOR A TIME EXTENSION FOR EAST YORK ELEMENTARY SCHOOL, LAND DEVELOPMENT 01-07 UNTIL 9/27/01. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-01-05 – Budget Host Inn – Time Extension to 9/28/01

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR BUDGET HOST INN LAND DEVELOPMENT 01-05 UNTIL 9/28/01. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. LD-01-06 – York Container – Time Extension to 9/27/01

MR. GURRERI MOVED TO GRANT TIME EXTENSION LD-01-06 YORK CONTAINER TO 9/27/01. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Taylor Estates Phase II (Windsor Township) Sewer Planning Module A3-67966-323-3 (700 GPD)

STERN Mr. Stern indicated that staff recommended approval for item D. This covers two additional EDU's for a project encompassing 84 lots.

MR. BISHOP MOVED FOR APPROVAL OF SEWER PLANNING MODULE TAYLOR ESTATES PHASE II IN WINDSOR TOWNSHIP, 700 GPD. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO FAMILY MEMBER INVOLVEMENT.

E. LD-00-17 – St. Joseph Church & School – Action

STERN Mr. Stern indicated that item E referred to two additions for St. Joseph Elementary School. One is for a school extension of 16,000+ square feet; the other is a social hall on the Kingston Road side of the school, which would be approximately 14,700 square feet. The plan was recommended for approval in January of 2001 by the Springettsbury Township Planning Commission with 10 waivers and conditions. Those items have been met.

MORTORFF Mr. Lehman Mortorff represented the plan along with Bill Fullerton, Chairman of the Building Committee. Mr. Mortorff provided some background information regarding his previous visit to the Board. The plan had been divided into two phases because of the situation with the Planning Modules. The first portion of the project had to do with the installation of the access drive around the church, the relocation of the swale, and the screening along the property line. Those portions have been done, and Phase II covered the construction of the two buildings. The conditions have been met and the Planning Modules were approved. Cost estimate for bonding had been submitted to the Township Engineer.

SCHENCK Mr. Schenck recalled that there had been discussion about doing additional screening for the residences as opposed to out front on the street.

MORTORFF Mr. Mortorff responded that the screening had been extended.

LUCIANI Mr. Luciani commented that the bonding estimate had been received. His only concern related to the trees at the embankment. He was uncertain as to whether they would survive with a cut there.

SCHENCK Mr. Schenck asked whether the trees had been indicated on the new plan.

MORTORFF Mr. Mortorff provided backup information indicating that all the trees had been incorporated.

SCHENCK Mr. Schenck asked whether they are trees as opposed to shrubs.

MORTORFF Mr. Mortorff pointed out the trees.

FULLERTON Mr. Fullerton also showed the plan for shrubs.

BISHOP Mr. Bishop commented that during the previous approval process, he had expressed some concern about the creek where it hits Cortleigh Drive and that for a long time there had been a rather steep drop off and sort of a guide rail approximately three feet back from where there is an 18" drop. It's not a real good situation. During the time that it had been previously discussed, he had brought up the concern, and he had been assured that all of the issues with the creek would be addressed in this plan. He asked how it had been addressed at Cortleigh.

FULLERTON Mr. Fullerton responded that he did not think anything had been done.

BISHOP Mr. Bishop stated that he felt the area was a significant safety hazard at Cortleigh, but there's a real problem, a sidewalk at a steep angle (four or five feet) and an area that really needs some attention.

FULLERTON Mr. Fullerton indicated he would review it.

LUCIANI Mr. Luciani added that he would work with the engineer and include that in the bonding estimate to provide a type of guide or improved barrier.

MORTORFF Mr. Mortorff indicated he did not think the church would have any problem with addressing the situation.

MR. BISHOP MOVED TO APPROVE ST. JOSEPH LAND DEVELOPMENT 00-17 CONDITIONED UPON:

- **WORKING WITH THE TOWNSHIP ENGINEER TO SOLVE THE SAFETY HAZARD AT THE NORTH WEST CORNER OF THE PROPERTY**
- **WAIVER FROM REQUIREMENTS TO SUBMIT A PRELIMINARY PLAN**
- **WAIVER FROM THE 4% SLOPE REQUIREMENTS IN THE DRAINAGE AREA;**
- **WAIVER FROM REQUIREMENT TO SUBMIT A SEWER AND WATER FEASIBILITY STUDY;**
- **MODIFICATION FOR THE STREETSCAPE BUFFER REQUIREMENT ALONG KINGSTON ROAD;**
- **CONDITIONED UPON SUBMISSION OF FINAL FINANCIAL SECURITY IN AN AMOUNT TO BE DETERMINED BY THE TOWNSHIP ENGINEER AND INCLUDING BONDING FOR THE LEFT TURN LANE STRIPING ALONG KINGSTON ROAD. MR. GUERRERI WAS SECOND.**

BISHOP Mr. Bishop stated that his wife, up until a month ago, was the President of the St. Joseph's School Board, and added that he does not consider his actions to be a conflict of interest.

MOTION UNANIMOUSLY CARRIED.

FULLERTON Mr. Fullerton thanked the Board for their action. He then introduced the new pastor, Father Lewis and Sister Burita, Principle of the school.

7. COMMUNICATION FROM SUPERVISORS:

GURRERI Mr. Gurreri congratulated Andrew Stern on the announcement of his engagement to Karen Stoten in the newspaper.

SCHENCK Mr. Schenck reported that a letter had been received from R.K.&K. requesting to be released from giving a report as they have no activity within the Township.

SABATINI Mr. Sabatini stated that any meeting attendance would be covered under the services provided by YSM.

Communications Issue – Manchester Township

SCHENCK Mr. Schenck brought forward a communications issue where Manchester Township and Central School District is concerned.

Mr. Sabatini had provided information indicating that there had been communications between himself and Dave Raver. A letter had been received in April requesting that the Township communicate, and they named a member of their Board to head that up. Following the work session last week, an embarrassing situation developed. Some of the Board members were in the parking lot, and Dr. Estep and a school board member returned after their meeting with Manchester waiving a letter saying what are you talking about, you're waiting on Manchester to talk because here they sent you a letter back in April. They're waiting to hear from you. At the meeting with Central we specifically told them we were waiting to hear from Manchester.

SABATINI Mr. Sabatini stated that discussions had been held at staff level. Until two weeks ago when the Board met with Central York School District, the Township had not felt that there was a point where additional elected officials needed to be brought in; the Manager had been in communication on a consistent basis.

SCHENCK Mr. Schenck stated that perhaps the confusion lies in at what level were those communications. Perhaps what Central heard was there's no communication at the Board level; maybe they didn't hear that there had been communication at the Manager's letter. Mr. Schenck stated that the issue needed to be cleared up.

SABATINI Mr. Sabatini responded that he had been in contact with Mr. Olewiler and Mr. Luciani did reference e-mail correspondence with him. He also had been in touch regularly with Mr. Raver. Central had been in touch with Mr. Raver and, everything that anyone has ever discussed about this entire project has always been in the newspaper. There's nothing that the Springettsbury knows that they don't or they know that we don't know.

SCHENCK Mr. Schenck asked whether one of the Board members should call Dr. Estep.

GURRERI Mr. Gurreri said Springettsbury needed to have a meeting with Manchester, which we're planning on doing but just haven't done it.

SABATINI Mr. Sabatini stated there was a meeting scheduled with Dr. Estep on Tuesday.

BISHOP Mr. Bishop agreed with the communications step but did not agree with the second part where Mr. Gurreri suggested a meeting with

Manchester Township. Mr. Bishop was not sure that was appropriate at this time.

SCHENCK Mr. Schenck asked Mr. Sabatini to let Dr. Estep know that the issue was brought up and discussed. He suggested Mr. Sabatini inquire as to what level the communications were that they referring to. Springettsbury is ready to go. The concern is that we're stonewalling or holding back or resisting, and that was not the case.

GURRERI Mr. Gurreri commented that the way the letter is written, Springettsbury needed to communicate with Lisa Wengert.

SABATINI Mr. Sabatini stated that he communicates with Managers.

PASCH Mr. Pasch commented that, if at the meeting Springettsbury indicated that this Township is waiting for Manchester Township, that would be coping a plea. Mr. Pasch did not think that was proper, but if what Springettsbury is indicating is how it is structuring this project, that would be fine and that should be communicated.

GURRERI Mr. Gurreri observed that several meetings have been held with Central School. Mr. Sabatini and Mr. Gurreri had been in attendance. This was the third meeting Mr. Gurreri attended.

SABATINI Mr. Sabatini indicated that we're still struggling with our needs and what we need to do.

BISHOP Mr. Bishop commented that a fundamental issue is what Springettsbury Township needed to do would be contingent upon what Manchester does, and that's another problem.

Left Turn Arrow

GURRERI Mr. Gurreri asked Chief Eshbach about Eastern Boulevard at Kingston where AAA used to be, heading south. He stated that the left turn arrow is very slow. He asked whether something might be wrong with the mechanism.

ESHBACH Chief Eshbach responded that he did not know of any problem.

GURRERI State Representative Stan Saylor asked me to ask the Board for their thoughts with regard to a signal light at Chambers Road and how it might affect our Township. That's on the 12 Year Plan, and they're widening that road to six lanes. The signal would be

between 850 feet from the other intersection. There are other things they could do there. He thinks it should not be done.

SCHENCK Mr. Schenck stated he felt it was crazy.

GURRERI Mr. Gurreri reported that the Full Committee of the Local Government Advisory Board will hold its Dinner Meeting for York County Planning will be held at 6:30 p.m. on September 5 at Range End Golf Country Club in Dillsburg. Discussion will be on the redistricting.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost indicated he had nothing to report with an exception for discussion during the Executive Session.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini reported that a presentation was made to the Coordinating Committee of the York Area Municipal Planning Organization, and with the support of Felicia Del from York County Planning and Representative Saylor the Township was able to very strongly advocate to maintain the Mt. Zion/Sherman Street intersection improvements at its existing place in the TIP Program. As mentioned earlier PennDot had proposed to move that backwards in order to free up funding for Dead Man's Curve project. The County Planning Commission recommended to bump two bridge project that were not as critical back so that we can maintain this project. He thanked Felicia Del and Representative Saylor for their strong support.

SABATINI Mr. Sabatini responded to the Board's request that he figure out the cost for the windows to minimize the noise. The estimate from the architect is $5,000.

SABATINI Mr. Sabatini apologized to Mr. Gurreri inasmuch as his packet of information had been left in a mailbox and picked up by the post office the next day. Changes in the arrangements for delivery will be made.

SABATINI Mr. Sabatini indicated there is a request for a Change Order in the amount of $4,725 for the metal fence around the park. He requested Board approval.

SCHENCK Mr. Schenck indicated that the area is located in the vicinity of the Creative Playground.

SABATINI Mr. Sabatini responded that it was the 1300 feet which goes past the Creative Playground.

SCHENCK Mr. Schenck commented that if this is for public safety he would not be opposed. If it is to deal with delinquent behavior, it makes me question what is the right thing to do.

STERN Mr. Stern stated that the problem with the orange plastic fence right now is that every morning the fence has to be repaired.

SCHENCK Mr. Schenck asked whether Chief Eshbach knew about this.

ESHBACH Chief Eshbach responded that they know of it and the officers had been instructed if they catch anybody on the property to cite them immediately. The neighbors have been instructed if they see people there coming and going to call 911 right away. We have not actively set people back in the park.

PASCH Mr. Pasch stated his concern of safety for people going through there.

YOST Solicitor Yost suggested some No Trespassing signs.

SABATINI Mr. Sabatini responded that he had ordered them.

SCHENCK Mr. Schenck commented that as a minimum 1300 ft. of fence should be erected.

SABATINI Mr. Sabatini indicated this would be rental fencing.

MR. PASCH MOVED TO PUT UP 1300 FT.OF RENTAL CHAIN LINK FENCING ALONG THE POLICE STATION AND THIS SIDE OF THE PARK. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SABATINI Mr. Sabatini reported that the Township received a petition from the residents at Fayfield regarding their request for a sound barrier along I83.

SABATINI Mr. Sabatini reported that the Township had received the report from the Park & Rec Department and did actually have a slightly higher park registration figure than last year. Mr. Sabatini stated that Dave Wendel had put together some nice programs and helped to stabilize attendance.

<u>Township Response</u>

SABATINI Mr. Sabatini reported that at the end of the month of July and early August the Township experienced a number of fairly critical incidents. With regard to the drowning of a young boy from York City, the Township provided significant response to try to rescue and recover him. People were there from our Sewer Department which brought out equipment to inspect underground pipes in hopes that the boy had been wedged under there. Police, Fire, Volunteers, Public Works personnel were there in an effort to rescue the boy. We had the greatest response out of any agency, which caught a lot of people's attention. There was a significant amount of inter-departmental cooperation and very focused effort by everyone, not just emergency service people, but others as well.

SABATINI Mr. Sabatini reported a situation where brochures were passed out in the Fayfield area. There was a quick and timely response in getting the information out by the Township administrative staff in addressing the issue of National Alliance putting this information out.

SABATINI Mr. Sabatini commented on the unfortunate situation where an individual passed away while participating in the Park & Rec program. We had a very strong response from our Park and Rec people, administration, the police, fire and EMS when the incident occurred. Once again, there was a lot of cooperation from different departments.

SABATINI Mr. Sabatini reported a barricade situation several weeks ago around the corner from Messrs. Bishop and Gurreri where a gentleman had fired some shots and barricaded himself. Again there was a lot of inter-department response by fire, EMS, volunteers, and paid personnel responding and working very well together. According to one officer on the scene he said that Springettsbury's was probably the best that everyone had ever worked and played with together. All the departments in all these situations are to be commended. The right thing was done in a timely manner. A lot of people worked unbearable hours with high temperatures weather wise. Mr. Sabatini commended every single department of the Township who really worked hard together.

PASCH Mr. Pasch asked about the young man who died in the park program and whether there would be any exposure there.

SABATINI Mr. Sabatini responded that an overview of what happened had been discussed with the Park Director along with how to be sure that it does not slip through the cracks. Registration information

that had been submitted, but did not mention the boy's pre-existing condition.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Resolution 01-44 – Establishing an Amount of Five Thousand Dollars ($5,000) for Assets to be Considered for Capitalization

PASCH Mr. Pasch indicated item A was an action that the Board should take. It's a lot of work for the financial people and is unnecessary.

SCHENCK Mr. Schenck agreed and added that Jack Hadge had done a great job of highlighting things that were important. He added that there are still other items that need to be controlled as well.

BISHOP Mr. Bishop asked what kind of controls he was considering.

SCHENCK Mr. Schenck responded that it would be very simple. He asked whether the Township really knows what it has, and are serial numbers recorded.

PASCH Mr. Pasch indicated there should be inventory control along with capitalized items with a depreciation schedule.

SABATINI Mr. Sabatini was sure that there was no universal inventory. He stated that the different departments do maintain an inventory of items. He indicated he would follow up.

MR. PASCH MOVED TO APPROVE RESOLUTION 01-44 – RESOLUTION ESTABLISHING A MINIMUM CAPITALIZATION AMOUNT OF $5,000 FOR TOWNSHIP ASSETS, AND THAT AN INVENTORY BE ESTABLISHED OF ALL EQUIPMENT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Special Meeting – July 12, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE JULY 12, 2001 BOARD OF SUPERVISORS SPECIAL MEETING AS AMENDED. MR. PASCH WAS SECOND. MOTION CARRIED. MR. BISHOP ABSTAINED AS HE WAS NOT IN ATTENDANCE.

B. Board of Supervisors Public Hearing – July 12, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE JULY 12, 2001 BOARD OF SUPERVISORS PUBLIC HEARING AS PRESENTED. MR. PASCH WAS SECOND. MOTION CARRIED. MR. BISHOP ABSTAINED AS HE WAS NOT IN ATTENDANCE.

C. Board of Supervisors Regular Meeting – July 26, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE JULY 28, 2001 BOARD OF SUPERVISORS MEETING AS AMENDED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

There was no Old Business for discussion.

13. NEW BUSINESS:

A. Transfer of PA Liquor License No. R-17233 to Keystone Apple, Inc. – Applebee's Neighborhood Grill & Bar – Resolution No. 01-45

SCHENCK Mr. Schenck indicated that item A had been acted upon earlier during the meeting.

B. Approval of Garbage Contract Format

SABATINI Mr. Sabatini reported that he had prepared a revision to the garbage contract specifically the primary changes are:

- The addition of some additional bid options for bulk item cleanup,
- Four options that the contractors will be required to bid on.
- Spring cleanup and an On demand system. There were two different pickups.
- Spring and Fall cleanup.
- Spring, Fall and on demand.
- Added a contract extension clause.
- Improved the language dealing with insurance and indemnification.
- Simplified the bidding documents to make it more consistent for the bidders.
- Eliminated bid item #6, which would be our waste disposal.

Mr. Sabatini indicated the contract would be advertised early next week with a mandatory pre-bid meeting on September 7. Notices will be issued to all of the major waste haulers in the area. It will

be advertised on the web site as well. Bid opening is scheduled for a Friday prior to the last meeting in September, which is the 21st and recommendations made to the Board early the following week as part of the Manager's Report.

PASCH Mr. Pasch voiced a concern that a large item collection on demand was being offered. He did not see any place where residents would be charged for that. He did not think the large item collection should be offered any time anyone wanted something moved or dumped without paying for it.

SABATINI Mr. Sabatini indicated that the contractors are accepting that because it puts less of a strain on the system when they have to do the large item pickup. It is easier for them to pick up one item on demand than waiting and having a huge amount of stuff at a spring clean up. It is an option.

GURRERI Mr. Gurreri had not had an opportunity to read the contract. He didn't think it was a good idea to have the on demand pickup and added that once it starts you'll never be able to stop it.

SABATINI Mr. Sabatini indicated that it is a bid item, which according to the contractors, they feel pretty comfortable with this system. I'd like to at least have it available for the Board to examine.

BISHOP Mr. Bishop stated that he had a problem with the concept asking for as many different bid options as we want. It appeared to him that the bidders have to jump through hoops. He wondered how they will be evaluated. Mr. Bishop stated that the Township should have one objective in mind and that is to save as much money for the residents as possible can while doing a good job at this.

GURRERI Mr. Gurreri indicated we don't need on demand pickup.

SABATINI Mr. Sabatini stated he would have no problem with eliminating the on demand pickup.

SABATINI Mr. Sabatini indicated that the Recycling Committee voiced a concern about being able to dispose of branches on a regular basis. Some municipalities have a monthly branch collection and they are thrown in a shredder. Springettsbury does not do that. We stock pile it and then use the county's tub grinder to grind everything. One of the suggestions made by the Recycling Committee was that a once a month disposal of branches be offered and have the

contractor provide a 30-yard dumpster April through October. The problem with that is what will be done with it.

PASCH Mr. Pasch's impression from the previous contract was as long as they were within a 3 feet by 3 feet we could put any amount of brush or yard waste in the collection. Here it's specified as one.

BISHOP Mr. Bishop stated for clarification to the Township Manager that the Springettsbury Township Recycling Committee, while it is a very valuable resource, is not really where information about how this contract is going to be structured should be coming from. It should be coming from this Board, elected to make the decisions. The Recycling Committee is appointed for whatever reason we appoint them to do whatever it is they do, but they should not be the starting point for deciding what our garbage contract is going to be.

SABATINI Mr. Sabatini indicated they had not been involved in that way.

BISHOP Mr. Bishop stated that his point was that this Board had not been the starting point for the discussion of what this contract was going to be. He had begun raising this issue last spring that the need existed to figure out what to do with respect to a garbage contract. It wasn't until the middle to the end of the summer that any of the Board members saw any of this. It was not until within a week of when we are being requested to let this contract out that this Board has had it on our Agenda to discuss. Mr. Bishop stated that the process is wrong. The Board needed to be involved in these things because this is exactly the kind of policy we need to be making, and that those decisions shouldn't be made by your office and some advisory committee without this Board's input, because as you are discovering we have opinions which will not be denied.

SCHENCK Mr. Schenck asked whether the large item pickup recently included tires.

YOST Solicitor Yost commented that Solid Waste Authority likes tires without rims. He suggested Mr. Sabatini call Solid Waste Disposal to clarify that.

SCHENCK Mr. Schenck mentioned the hours of pickup and recalled consistent complaints. He thought there was a penalty clause, and if they don't collect within that time, they don't collect the $25.00 fee.

SABATINI Mr. Sabatini responded that the suggested starting time was 7 a.m. He indicated to not suggest an ending time. He asked whether the

Board would like to review the changes before it is advertised. The contract expires the end of the year, 12/31/01.

PASCH Mr. Pasch suggested to delay it two weeks and highlight the changes.

Springettsbury Township Treasurer

BISHOP Mr. Bishop commented that Springettsbury Township had always had the Finance Director appointed as the Treasurer of the Township, at least up until the point when it wasn't feasible because of the people in the job. Jack Hadge had been here now for a year and Mr. Bishop considered it a very good practice to have a Treasurer separate from the Township Manager. I think now is as good a time as any to appoint Jack Hadge as Treasurer.

SABATINI Mr. Sabatini stated that Jack Hadge is very qualified. He added that Jack is very satisfied with the direction the Township is going and his work. The ordinance has a reporting relationship where the Manager reports to the Board, the staff reports to the Manager. Not having been though this situation, Mr. Sabatini asked whether there was any impact having a staff member reporting to the Board of Supervisors because this is a statutorily created position under the Second Class Township Code. That person reports directly to the Board of Supervisors no different than Mr. Yost or Mr. Luciani. He questioned whether there has been any issue or concern about having a blended system where a staff person does report to the Board of Supervisors.

BISHOP Mr. Bishop stated that he viewed this as a dual role where there's the Finance Director and there's somebody wearing the hat of Treasurer. As Finance Director it appears that Jack would report to the Manager, but as Treasurer he would report to the Board.

PASCH Mr. Pasch commented that when the Treasurer functions in discussions about the assets of the Township, which should be a function, which reports to the Board. The majority of the work Mr. Hadge does he would not want him reporting to him.

SABATINI Mr. Sabatini's concern is that it puts it in conflict with the Ordinance which states that all employees report to the Manager, but this will carve out an exception.

YOST Solicitor Yost stated he would not be an employee as Treasurer but an official of the Township. As Finance Director he's an employee.

SCHENCK Mr. Schenck stated he was not uncomfortable with the matter. He wanted to understand where Mr. Sabatini's concerns are coming from. He asked whether he would think Mr. Hadge would become an unmanaged employee.

BISHOP Mr. Bishop stated his personal opinion, that Mr. Sabatini should not look at this as some sort of slippery slope. From his point of view when you're talking about the finances of a Township this size, it's only prudent from where he sits to have some checks and balances.

MR. GURRERI MOVED TO APPOINT JACK HADGE AS TREASURER OF SPRINGETTSBURY TOWNSHIP. MR. BISHOP WAS SECOND.

SCHENCK Mr. Schenck asked Mr. Sabatini if he fully understood that our expectation is that it is a two-hat situation; he's still Finance Director who reports to you, but has the additional responsibility of Treasurer. There is a clear line.

BISHOP Mr. Bishop added that there is no remuneration for Treasurer.

PASCH Mr. Pasch indicated that Mr. Hadge needed to be informed of the two-hat scenario. As Treasurer he reports to the Board, but as Finance Director he reports to the Manager.

MOTION UNANIMOUSLY CARRIED.

14. ADJOURNMENT:

MR. PASCH MOVED TO ADJOURN THE MEETING. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck adjourned the meeting at 11:10 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

ja

SPRINGETTSBURY TOWNSHIP **AUGUST 23, 2001**
PUBLIC HEARING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing at 7 p.m. at the Township Office at 1501 Mt. Zion Road, York, PA for the purpose of Transferring Pennsylvania Liquor License No. R-17233 to Keystone Apple, Inc. – Applebee's Neighborhood Grill & Bar.

MEMBERS IN ATTENDANCE: Bill Schenck, Acting Chairman
Don Bishop
Nick Gurreri
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Lori Mitrick, Chairman

ALSO IN ATTENDANCE: Don Yost, Solicitor
Robert Sabatini, Township Manager
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

SCHENCK Acting Chairman Bill Schenck called the meeting to Order and welcomed those in attendance. He explained the purpose of the meeting was to discuss the a request for transfer Pennsylvania Liquor License from a neighboring municipality to Springettsbury Township.

YOST Solicitor Don Yost stated that the applicant would make a brief presentation. Springettsbury Township's interest was to see that the operator of the license knows how to handle it properly and would be an asset to the Township

2. PRESENTATION:

LENINGTON Mr. Earl Lenington, Director of Operations for Keystone Apple and Attorney Mark Flaherty represented Keystone Apple.

FLAHERTY Attorney Flaherty explained that Keystone Apple is the franchisee of Applebee's International. They operate Applebee's restaurants and the transfer requested would bring a license from Spring Garden Township to their site in the York Mall to operate an Applebee's restaurant. They requested that the Township would pass a Resolution to allow this to happen, after which they would proceed with their request to Pennsylvania Liquor Control Board.

He provided photos of a typical Applebee's restaurant along with copies of menus, which he presented to the Board.

LENINGTON Mr. Lenington explained that the location would be free standing in the former auto repair location of Montgomery Wards on Northern Way.

PASCH Mr. Pasch asked whether the building would be torn down and a new building constructed.

LENINGTON Mr. Lenington responded that the old building would be demolished. He stated that the hours of operation would be from 11 a.m. to 12 Midnight during weekdays and until 1 a.m. on Friday and Saturday evenings. There is a food and beverage mix of 87% food and 13% alcohol.

PASCH Mr. Pasch asked whether the figures were from national statistics.

LENINGTON Mr. Lenington responded that was the food chain's average of four restaurants which he considered to be standard. The first Applebee's was opened in May of 1994 and they had never been cited by the LCB. There would be no packaged beer to go. Live entertainment is not offered. A typical Applebee's restaurant employs 75 to 95 associates including managers.

BISHOP Mr. Bishop asked how many franchises Mr. Lenington operates.

LENINGTON Mr. Lenington responded that he operates four.

YOST Solicitor Yost asked for their position on Business Privilege Tax payment.

LENINGTON Mr. Lenington responded he had no opinion on the matter.

BISHOP Mr. Bishop asked whether the liquor license was being moved from what is considered in the Commonwealth to be a First Class township to a Second Class township.

FLAHARTY Attorney Flaharty responded that he would not call Springettsbury a Second Class township. The way the new statute works basically allows for transfers across municipal lines.

SCHENCK Mr. Schenck asked what would happen if Applebee's decided they are not interested in this license.

FLAHARTY Attorney Flaharty responded that there were a few things with which the Statute deals. When a license is moved into a new municipality, it is mandated to remain there for five years. The lease being executed for the particular property in question is a 15-year lease. As a rule, if the license is moved in, after that initial 5-year period it could possibly move back out and go to another municipality.

SCHENCK Mr. Schenck posed a scenario that if this were three years from now, and Applebee's decided to cash in and the license had value for some other type of activity that the Board wouldn't look so favorably upon, would the Board have any standing.

FLAHARTY Attorney Flaharty indicated that the Township would have the right to participate in any Liquor Control Board hearing. The Liquor Control Board generally will list the municipality and will permit testimony. The technical question is in the event the Board ruled against Springettsbury Township's position, under the new legislation, for example, after this hearing you would have standing as a party in the Liquor Board hearing. If it were moved from one Applebee site to another within Springettsbury, you may not have standing as a party, but you would have the opportunity to testify in that hearing.

YOST Solicitor Yost commented that it would just stand like any other license here in the Township. If it gives us problems, certainly that gives us the right to appear before the Liquor Control Board and to let our views be known. Because it's a transfer it does not create any additional rights or liabilities.

SCHENCK Mr. Schenck commented that the Board is not considered expert and may not know necessarily what to ask in the big picture. This is just the first step. You still have to go through the full process with the Liquor Control process.

FLAHARTY Attorney Flaharty commented that Keystone Apple's principals had been approved elsewhere. Assuming the Board granted the Resolution, they would then file an application with the Liquor Board, and post it, which would give residents within 500 feet a right to protest, along with church schools, charitable institutions. The Board always has a right to refuse a license transfer if they find it's detrimental to the health, welfare, peace and morals of the community within 500 feet. There is a whole process to go through.

PASCH Mr. Pasch commented that he felt an important point was hat the statistics show they sell 87% food and 13% liquor. He was pleased to learn that a policy was in place regarding the serving of liquor along with the fact that they had never been cited.

SABATINI Mr. Sabatini commented that he had gone to Applebee's on Fridays on many occasions. He had never observed anyone intoxicated. He had never observed any package sales either.

SCHENCK Acting Chairman Schenck stated that the Board had an option to move this item up in the Agenda. He asked whether anyone was opposed to doing so. Hearing none, he stated his intent to place the matter immediately prior to Engineering Reports.

Consensus of the Board was to move the item into the Agenda immediately prior to Engineering Reports.

3. ADJOURNMENT:

SCHENCK Acting Chairman Schenck adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **AUGUST 14, 2001**
BOARD OF SUPERVISORS AND CENTRAL YORK SCHOOL DISTRICT **APPROVED**
SPECIAL MEETING

The Board of Supervisors of Springettsbury Township held a Special Meeting at 5:30 p.m. at the Township Office at 1501 Mt. Zion Road on Tuesday, August 14, 2001. The purpose of the Special Meeting in conjunction with Central York School District was to discuss the proposed high school at the Mundis Mill Road site location.

SPRINGETTSBURY TOWNSHIP

SUPERVISORS IN ATTENDANCE:	Lori Mitrick, Chairman Don Bishop Bill Schenck Nick Gurreri
NOT IN ATTENDANCE:	Ken Pasch
ALSO IN ATTENDANCE:	John Luciani, Civil Engineer Andrew Stern, Economic Development Director Jean Abreght, Stenographer

PLANNING COMMISSION

MEMBERS IN ATTENDANCE:	Alan Maciejewski, Chairman Mark Robertson Larry Stets
MEMBERS NOT IN ATTENDANCE:	Larry Gibbs Randy Meyerhoff

CENTRAL YORK SCHOOL

MEMBERS IN ATTENDANCE:	Dr. Linda Estep, Superintendent Gretchen McFarland, Assistant Superintendent Steven Kehler, Board Member Carol Zeiders, Board Member Eric Wolfgang, Board Member Linda Sloan, Board Member
ALSO IN ATTENDANCE:	Eileen M. Pauletta, P.E., Pennoni Associates, Inc. Brian M. Harman, P.E. Pennoni Associates, Inc. Dave Schrader, Kimball Associates Josh George, C. S. Davidson

CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 5:35 p.m. She explained the purpose and the order of the meeting. She added that the meeting would not be a decision-making forum, merely an informational forum in order to provide the Springettsbury Township representatives updated information about the land development.

MITRICK Chairman Mitrick announced that at the conclusion of the Central School presentation, the Springettsbury Township Board of Supervisors would address two separate items of Township business relating to Harley-Davidson and Resolution 01-43.

STERN Mr. Stern provided preliminary information about the presentation. He explained that a brief overview would be presented along with discussion regarding emergency access to the property.

GEORGE Mr. Josh George of C. S. Davidson provided the first item for discussion as a Brief Overview of the project. Mr. George provided updated information about the site plan design and layout of the school. He focused on access drives. The school will serve approximately 1600 students over 215,000 square feet. The swimming pool will be located on the west side of the building. All the ball fields and sports complex will be located on the west side of the site. Soccer and baseball practice fields will be located to the north of the stadium. Tennis courts will be to the southwest.

Traffic Safety – The main access drive will be directly opposite Greenbridge Lane. A proposed driveway is shown off Mundis Mill Road and will be a high volume PennDot driveway. The secondary access point will be to the west on Mundis Mill Road, which will be used for stadium events and more for emergencies. Looking at a third access drive would be heading east of the site off of circular parking area to Sherman St., - its purpose strictly for emergencies. This would be a gravel access drive. That goes through Springettsbury Township property, and the school is trying to work with township staff and the Board to make that happen. The access drive on to N. Sherman would be north of the bridge across from the sewer plant. There is a site distance problem there but they plan to work with PennDot and have that set up for emergency access for fire police and /or fire for traffic control.

As far as the site is concerned, the existing farm buildings will remain along with a large area to the north for stormwater management. Preview of the site. The building is 214,570 sq. ft. Actual will be 348,000 sq. ft - a two story building.

ESTEP Dr. Estep commented that the pool is in the drawing at this time. The Board had not yet made a decision as to whether it will stay.

SCHENCK Mr. Schenck asked where the emergency access was in relation to private property.

GEORGE Mr. George responded that the property line actually runs between Springettsbury Township and Long's property along the creek.

MITRICK Chairman Mitrick asked whether the emergency access would only be used for emergencies.

GEORGE Mr. George responded that the secondary access would.

STERN Mr. Stern commented that an agreement would be drawn with rules for emergencies only use if someone would be there to direct traffic.

Pennoni Associates

PAULETTA Eileen Pauletta of Pennoni Associates reviewed the Traffic Impact Study Results. Some of the major points she, along with her associate Brian Harman, discussed were:

An overview of what went into the Traffic Impact Study along with the following intersections:

PennDot requested a study of Springettsbury at ten areas, which included Mt. Zion/Sherman; Sherman/Mundis Mill and Mundis Mill/Sheridan. Other areas were studied in addition such as Mt. Zion/Pleasant Valley, Mt. Zion/Druck Valley, Sherman/Hammond, Sherman/Church, Sherman/Rte 30, Mundis Mill/South Hill and Sherman/Glen Hollow.

Ms. Pauletta explained that a number of state highways were studied. Trips were developed via a survey performed of existing students/faculty, working in conjunction with Transportation Director, reviewing growth patterns and holding discussions with John Luciani, Springettsbury Township's Engineer.

Walking/Driving/Busing students were studied assuming 1,600 students would be attending by 2004. The bus complement increased by 18, and no walking students were anticipated.

BISHOP Mr. Bishop questioned the fact that there would be no walking students.

PAULETTA Ms. Pauletta stated that busing will be provided for them.

ESTEP Dr. Estep added that the fact that there will be no walking students is assumed; it could not be guaranteed.

STETS Mr. Stets asked whether there would be sidewalks along the main road.

ROBERTSON Mr. Robertson asked about people walking in the neighborhood indicating that there will be pedestrian traffic.

PAULETTA Ms. Pauletta responded that walking had not been included as part of the scope of this study.

MACIEJEWSKI Mr. Maciejewski commented that there may have to be arrangements made for sidewalks.

STERN Mr. Stern stated that, as part of a staff meeting, the fact was discussed that they would rather not anticipate walking students at this point.

GEORGE Mr. George stated that the new enrollment showed 1,646 so the building would be built to accommodate those students.

BISHOP Mr. Bishop asked how often the enrollment figures changed.

ESTEP Dr. Estep commented that it was 10 years out i.e., a crystal ball.

PAULETTA Ms. Pauletta indicated that they were able to spot locate the best location for the driveways with PennDot requirement for access; the majority of use will be for young drivers. Driveway options were included for a main driveway signalized; second driveway on Mundis Mill only for emergency and special events, and the third driveway at N. Sherman St. closed only for emergencies as authorized by Fire Chief.

She explained that they had been asked to look at special events, and the second driveway on Mundis Mill Road would be used for such events. They recommended that the signals proposed be inter-connected. There are a number of intersections in the area proposed to be signalized.

BISHOP Mr. Bishop asked for specific information regarding what signals were being proposed. He stated that there were a number of intersections in the area proposed to be signalized in connection with signals along Mundis Mill and Sherman in the area of the school to facilitate traffic. However, no signals are coming.

PAULETTA Ms. Pauletta responded that in 2001, this is a snapshot of the intersections being discussed tonight. She reviewed a number of the intersections already in need of signals without a school.

SCHENCK Mr. Schenck commented on the Mt. Zion/Druck Valley Road area. Signals and other changes may be warranted but the road conditions will not permit a signal there.

PAULETTA Ms. Pauletta responded that those issues had been discussed. She indicated as well a number of other intersections in need of signalization. Four intersections for discussion were Sherman/Mundis Mill; Sherman/Mt. Zion; Mundis Mill/Sheridan and Mt. Zion/Druck Valley.

Consensus on what improvements need to occur had not been reached.

GURRERI Mr. Gurreri asked about the handling of 1600 students at lunchtime heading to the mall.

PAULETTA Ms. Pauletta responded that with the short amount of time that the students would have at lunchtime the students would not leave the campus.

ESTEP Dr. Estep added that the school was considering a closed lunch for everyone.

PAULETTA Ms. Pauletta indicated that a traffic study had been submitted to PennDot. They are in the process of reviewing it. One of the items they are looking for from the school district is how Springettsbury Township feels about the Traffic Impact Study, comments from the Township; does the Township agree with the improvements. She asked for some comments from the Township about those items. This is our proposal on what the school district would suggest. She added that it was open for discussion. Improving roadways and installing signals will impact traffic on other roads in the corridor as well.

MACIEJEWSKI Mr. Maciejewski stated that he was very much interested in how this all related to the other end of the traffic study. If things do not go well in Manchester Township there will be a re-direct of traffic through residential neighborhoods. He would be interested to discuss the traffic study from both ends.

PAULETTA Ms. Pauletta indicated that they would be making the same presentation to Manchester Township's Board later this evening (this date). They previously had met with their staff as well. With regard to Woodland View, that roadway is being utilized currently, which is proposed to continue in the future. There is a need to sit down and get a feel for what the Manchester Township staff and

Springettsbury Township's staff feels about improvements. Their Township staff was comfortable with what had been proposed to date. The next meeting will provide a better understanding.

MITRICK Chairman Mitrick stated that it seems that Springettsbury is one piece of the puzzle. Comments at this point would be strongly influenced by other Townships. She asked whether any plans had been made in the near future to bring both townships together.

PAULETTA Ms. Pauletta responded that they had attempted to do that. However, Manchester had not been willing to do so at this point.

MACIEJEWSKI Mr. Maciejewski asked on what they based their decision.

ESTEP Dr. Estep responded that she did not think they were not willing; they simply had not made a commitment yet. There are several players. This is just information sharing. PennDot is a key player. They have not heard from either Springettsbury's or Manchester Township's engineers. That official response is required in order to move forward. An understanding of both Supervisor Boards was needed, as well as the school board, which had not yet approved the plan; it is simply for discussion purposes only and open for discussion.

GURRERI Mr. Gurreri stated that his concerns are traffic and cost. People have contacted him, who do not want to see a big bill.

ROBERTSON Mr. Robertson asked whether they had reviewed the realignment of the other road aligning Mundis Mill directly with the intersection Mt. Zion.

PAULETTA Ms. Pauletta responded that she and Brian Harman had done so. She added that one of the things that needed to occur would be a meeting with Springettsbury, Penn Dot and the School District to discuss that project specifically. She stated that from meetings with PennDot revealing what they propose to do with that intersection, our traffic impact study and traffic counts are showing different movement on Mt. Zion to Mundis Mill.

PAULETTA Ms. Pauletta provided some of the information that had been discussed about costs for the four intersections:

Mt. Zion/Sherman -	$1,735,00 est. constructing costs (including money for right-of-way, environmental impact assessment, utility relocation)
PennDot -	$1,300,000 (includes intersection of Mt. Zion and Deininger Road)

School contribution - $435,000 towards improvements

BISHOP Mr. Bishop questioned how the timing would work, having made the assumption that PennDot had budgeted money.

PAULETTA Ms. Pauletta responded that that was an issue that she had hoped to discuss. She added that one of the ways to help speed up that process would be for the Township or school board or developer to do engineering plans and pass those plans on to PennDot for forwarding instruction. PennDot's bidding process is a time process, and steps they have to go through can be drawn out. There are ways to shorten the time period.

BISHOP Mr. Bishop asked whether it would be feasible to build and open a school without PennDot's portion being completed.

PAULETTA Ms. Pauletta responded that they are dependent on having these things done. She indicated that a Highway Occupancy Permit would not be issued without something being done at Sherman Street and Mundis Mill Road.

BISHOP Mr. Bishop commented that even if an HOP were secured and the work at Mt. Zion and Sherman Street is on PennDot's books but not completed, is it possible to have a school there without that work being done.

PAULETTA Ms. Pauletta responded it would not be feasible.

ESTEP Dr. Estep stated that the school is actively working with advocate groups. There are occasions where a school or something of that nature is built where they would look more favorably. PennDot feedback is critical.

MACIEJEWSKI Mr. Maciejewski asked at what point does PennDot okay consideration of the plan.

PAULETTA Ms. Pauletta indicated it should happen soon.

MALE SCHOOL BOARD MEMBER: The gentleman stated that one of the key issues is that the school show it has worked with both Townships, and came up with a comprehensive plan to present to them. If the three entities continue to work independently of each other, it will slow the process.

MCFARLAND Ms. McFarland stated that the school likes to think that it is working as a team to go forward to PennDot and say, our team is Springettsbury Township, Manchester Township and the School District, and the three entities want "this" to happen.

GURRERI Mr. Gurreri commented that he had met with Stan Saylor recently, and they reluctantly moved the plan back with an indication that did not mean it would be done.

MACIEJEWSKI Mr. Maciejewski asked whether the school district would be asking for a commitment of funding from Springettsbury Township.

PAULETTA Ms. Pauletta responded that there would be a commitment for Mt. Zion /Sherman.

MACIEJEWSKI Mr. Maciejewski reiterated that what he was hearing was that if all the entities backed the plan, and there is no money backing the plan, then the plan is just a plan that has no substance. He made his point that in this planning process, we need to look at dollars realistically up front. From the Township's standpoint, we are looking at what will be put into it, as well as what Manchester's input would be at this time. The Supervisors need to look at the taxpayer base to support this.

ESTEP Dr. Estep responded that the figures had been reviewed. The school felt they should look at the four intersections first and find resolution first. Moneys had been allocated.

MACIEJEWSKI Mr. Maciejewski indicated that even though PennDot had money allocated, it may not be seen in action for years later.

ROBERTSON Mr. Robertson indicated that with the three entities working together, significantly large businesses would be impacted by the current traffic situation. Businesses would be able to provide pressure on the politicians.

MACIEJEWSKI Mr. Maciejewski added that the whole business corridor would be impacted.

STERN Mr. Stern asked for questions.

MITRICK Chairman Mitrick asked about Mt. Zion/Sherman, which had been bumped into the 12-Year Plan. She had spoken with Felicia Del after that meeting, who, along with the York County Planning Commission felt this was intersection of great concern.

ROBERTSON Mr. Robertson added that the York County Planning Commission would be another entity that could apply pressure.

GURRERI Stan Saylor worked very hard to get that intersection on the 12-Year Plan.

PAULETTA Ms. Pauletta indicated that the intersection of Sherman and Mundis Mill is the location that was being proposed that the school district accept the responsibility to signalize, in order to help speed along that process. From a safety perspective, it needed to be signalized. The estimated cost for that signalization work is $200,000. The southbound Sherman Street right-turn lane would be constructed at that time.

Mundis Mill and Sheridan Road is a location where we are going to recommend that the Township contribute money toward the signal. The estimated total construction costs are $215,000. They recommended that the school district pick up $169,000 and the Township contribute $46,000. One of the things that may have to occur where they would be looking for the Township to facilitate is a possible right-of-way taking of the property adjacent to the school district.

SCHENCK Mr. Schenck asked Ms. Pauletta what her thoughts were about the roadway that meets the intersection at Sheridan.

PAULETTA Ms. Pauletta indicated that the roadway had been included as one of her original questions, i.e., would the Township really want to signalize that roadway and encourage motorists to use the corridor. She stated that PennDot already planned to minimize the curves.

SCHENCK Mr. Schenck commented that he felt it would be a huge mistake to encourage traffic on that road.

MITRICK Chairman Mitrick stated that the Board would have to discuss the matter. One of the main reasons for this meeting was for the Board to hear this. She stated that the Board had been discussing traffic in other areas in the Township too, and to make one improvement in a given area very often complicates others.

PAULETTA Ms. Pauletta added that if a road is widened, higher speeds and more usage would be encouraged. She encouraged the Township Supervisors and the Planning Commission to seriously consider whether this would be a location to signalize. It meets a warrant for a signal now. Traffic volumes indicate that a signal should be installed. However, there are valid traffic issues. She cautioned

that the road would not be the best road to encourage traffic on and Sherman Street at Church Street would not be able to be improved as there are grades on one side and properties on the right hand side. To make any improvements at that intersection would involve a great deal of money, along with the environmental issues. Just because the traffic impact study indicates a signal is warranted, doesn't necessarily mean that a signal is always installed.

ROBERTSON Mr. Robertson commented that if traffic is backed up on Mt. Zion, motorists will go through the developments.

MITRICK Chairman Mitrick indicated that was a major issue the Supervisors have to review carefully, i.e., making traffic safer and moving more quickly on the major roadways, as well as the consideration of what will take place in the neighborhoods.

BISHOP Mr. Bishop indicated that, even though it had been stated that this intersection would be improved at no cost to the Township, he felt that there would be no situation where any of this would happen with no cost to the Township. He stated that this would be a very expensive proposition for Springettsbury Township, and already had been in terms of the amount of time that had been spent. He added that PennDot only has a certain amount that would go anywhere, and there are lots of very dangerous intersections. When any developer comes to the Township indicating they are going to do 'this at this location', that forces the Township to move dollars to that location at the expense of some other location. Mr. Bishop stated that was a very real cost that from where he sits he needed to be very aware.

PAULETTA Ms. Pauletta agreed with Mr. Bishop's point. She added that the locations under discussion are those, which need something done whether or not the school, goes in. She viewed that as a benefit to the Township that the school district is willing to step up to the plate and help.

GURRERI Mr. Gurreri stated that the Board needed to get a handle on what it's going to cost. He mentioned that the figure of $46,000 had been mentioned, but in one of the studies, it asked for $1 million. It would be helpful to have an idea of the cost before any commitments could be made. He reiterated that the Township was very concerned about the budget.

ESTEP Dr. Estep responded that the larger study was an overall study indicating the $1 million. She stated the school wanted to get a

dialog going to narrow it down, and she indicated that everyone needed to reserve judgment. Dr. Estep added that the school district was also concerned about money as well.

MITRICK Chairman Mitrick asked for any further comments from Township representatives. Hearing none, she asked for comments from the public. .

EYSTER Mr. Tom Eyster of 2298 Spangler Circle asked whether PennDot had actually recommended a signal at Mt. Zion and Druck Valley. He stated that he used that route in the winter, and the first freezing rain hits that, and it freezes up and everything comes to a standstill. Now consideration was being given to busses with children are being taken up over that hill.

PAULETTA Ms. Pauletta responded that the matter had been discussed with Township staff, and they had been asked to review it.

EYSTER Mr. Eyster commented that he hoped those who were involved were familiar with that in winter driving conditions.

GURRERI Mr. Gurreri reassured Mr. Eyster that the Supervisors had discussed the matter, and that was one of our concerns.

SCHENCK Mr. Schenck wondered whether money would be put into that intersection.

PAULETTA Ms. Pauletta responded that money had been moved from the Pleasant Valley Road intersection to this location because it was considered something that the Township was interested in doing.

STERN Mr. Stern stated that several years ago before the school district project came along, the Township and PennDot met about what to do to the Route 24 corridor. Most of the discussion related to Mt. Zion and Sherman, but also Druck Valley and Deininger. The subject was discussed again with the school board as to identifying the best place to do something from Druck Valley down to Pleasant Valley Road. Mr. Stern indicated that nothing had been finalized, but it had been reviewed and determined that something needed to be done.

SCHENCK Mr. Schenck asked what would happen to the money earmarked by the school district for that intersection if the plan changed.

PAULETTA Ms. Pauletta indicated it could be placed back into Pleasant Valley because that's where it had been placed originally.

STERN Mr. Stern commented that nothing that had been presented was written in stone. He added that this is a work in progress.

PAULETTA Ms. Pauletta added that the school district wanted to get Springettsbury's feedback.

BISHOP Mr. Bishop commented that Mr. Gurreri mentioned the $1 million, and within the school district's traffic study, Springettsbury Township's portion is mentioned at $850,000.

PAULETTA Ms. Paulette responded that those figures were determined in the original document covering all 18 intersections.

BISHOP Mr. Bishop stated that those documents were all they had received and all that they have to indicate costs.

MALE SCHOOL BOARD MEMBER: The gentleman commented that those were intersections that you asked us to study, which the school wasn't really impacting. If the Township paid its fair share that is the cost based on the way traffic is counted that it should pay. That's not what the school district is asking the Township to do.

MACIEJEWSKI Mr. Maciejewski commented about the term "fair share." He requested that the phrase "fair share" not be used again. He stated that what the Township is trying to do is work with the state to get funding, but it's not a fair share for Springettsbury Township.

MALE SCHOOL BOARD MEMBER The gentleman stated that some of those intersections need that money put there now. Who pays for it is not what he would determine, and a lot of those would not be impacted by the school.

MACIEJEWSKI Mr. Maciejewski indicated that the Township would not have a fair share on state roads.

MALE SCHOOL BOARD MEMBER The gentleman stated that he wanted everyone to understand that he did not want the school district to be taking the hit for things that already exist and ask that everyone be fair.

GURRERI Mr. Gurreri indicated agreement, but added that it would impact the Township no matter what.

MALE SCHOOL

BOARD MEMBER The gentleman indicated that the school district was willing to pay that, and that's what they were showing on the documents. He stated that everybody wanted to keep referring back to previous documents. They are asking for $46,000.

GURRERI Mr. Gurreri mentioned that until a few days ago, that was all the Township had received.

MITRICK Chairman Mitrick indicated that was one of the purposes of this meeting, i.e. to answer some of the questions.

MCFARLAND Ms. McFarland added that the objective was to narrow down what the important intersections are and to come together and understand that and go from there as opposed to the volume of these intersections. I think when they met with PennDot that PennDot was actually surprised that we had 18 intersections.

ESTEP Dr. Estep commented that this was the second largest traffic study they have ever seen, and they were shocked that they had been asked to study that many intersections.

MCFARLAND Ms. McFarland stated that they had done it because they wanted to be cooperative.

ESTEP Dr. Estep added that the school district wanted to be good neighbors to both townships and had stepped up to the plate to do so.

BISHOP Mr. Bishop stated that this is a huge, huge project, which will have a very large impact on our Township. It's affect could not be minimized.

ESTEP Dr. Estep stated that, having sat in on the Transportation Coalition meeting, it was true that the school must react to the development in the Township. The students are in these housing developments, and the school must educate them. The school does not go out and recruit students and then build buildings; they are building this school because they don't have any more room.

BISHOP Mr. Bishop responded that it was absolutely true that the school district must react to the students, but it also has a great deal of flexibility in how it reacts to population that is required to educate Putting them all in one location in Springettsbury Township certainly is not the only possible reaction. He added that was something that he was keenly aware of, and just because the school

has its mandate doesn't mean that the Township doesn't have its own mandate.

MITRICK Chairman Mitrick stated that she wanted to clear the table on one issue and that was the term, "fair share". She indicated she understood from talking with Bob Sabatini, Township Manager, and to Dr. Estep that that term will no longer be used because it implies something that is not intentional. She stated that the Township would move forward with the understanding that this is hoped to be a joint venture and take the "fair share" term out of it. Chairman Mitrick also asked Dr. Estep, during the time when they met with Manchester Township, that they go through the same type of forum as they had with Springettsbury. She added that it was absolutely necessary that the joint municipalities meet regarding this project before any firm answers can be given because one answer impacts another. She asked that the school district get back to Springettsbury Township as soon as possible.

ADJOURNMENT:

MITRICK Chairman Mitrick thanked everyone for coming. She adjourned the Central School Board portion of the meeting at 7 p.m. and declared a five-minute recess.

HARLEY-DAVIDSON:

Following a brief recess, the Springettsbury Township Board of Supervisors and the Planning Commission reconvened at 7:05 p.m.to discuss the Harley-Davidson Keystone Project and to act upon Resolution 01-43.

STERN Mr. Stern commented that the Township had been working with Harley Davidson for several months. John Luciani had become involved, and TRG as Harley-Davidson's traffic engineer. He explained that the discussion had been attached to the Agenda for tonight because the Harley Project appeared on the Agenda for the York County Transportation Coalition's meeting on Thursday. Mr. Stern felt it was appropriate for Springettsbury Township officials to view the project issues to be discussed.

Mr. Stern provided a site plan and discussed the roadways. He stated that the proposed facility would cover 350,000 square feet, which would operate independently from the facility.

The site plan identified the existing township roads in green; the proposed new township roads in yellow; blue identified the proposed internal Harley roads with not much to do with township

roads; and pink identified improvements to state roads. Mr. Stern commented that there would be more township roadwork done than state roadway work.

Mr. Stern noted that it had been proposed to make relocations, additions and changes to Eden Road. Harley suggested to re-name a new part of Eden Road Harley-Davidson Drive and keep the old part as Eden Road to provide some clarification. PennDot was very clear in its direction concerning Eden Road.

Mr. Stern stated that one of the major changes in the proposal was to move the present intersection at Harley-Davidson to the east. This move had been proposed 20 years ago and had been called the North Spur project by PennDot. The idea for this was that cueing for Mundis Mill Road and Eden Road is not sufficient. By moving the intersection back and cueing both directions, there would be better site distance. The second item encompassing that move was that there would be no left turns made to the east. Traffic from Harley would be right-turn only.

SCHENCK Mr. Schenck expressed concern about 84 Lumber, Giambalvo and some of the other businesses, which would be affected.

STERN Mr. Stern responded that he had met with each of the businesses. 84 Lumber was the most agreeable and indicated that 70% of their business was contractor delivery, and that they would go along with anything necessary. He had also met with Giambalvo and Carpet Mart.

SCHENCK Mr. Schenck indicated that it would not surprise him if Harley people would squeeze two lanes coming out at the light.

STERN Mr. Stern responded that the subject had been discussed. He added that the traffic engineers are using a textbook model.

MACIEJEWSKI Mr. Maciejewski commented that the traffic already backs up westbound on 30.

STERN Mr. Stern stated that the goal was to time the shifts to allow cars from the parking lots to egress during shift changes to go to separate directions.

MACIEJEWSKI Mr. Maciejewski asked what the reason was for relocating Eden Road.

STERN Mr. Stern responded that they had reviewed pedestrian walkways and the expense; also the parking lot is located in a flood plane. He added that a $1.25 million grant for Eden Road had been approved for that roadway.

GURRERI Mr. Gurreri commented that he felt it was a nice plan, but he wouldn't want to forget the other businesses.

STERN Mr. Stern responded that everything possible has been done to keep them in mind. PennDot made it clear they will not go out of their way and were unwilling to discuss it further.

GURRERI Mr. Gurreri mentioned it was like putting people out of a job.

STERN Mr. Stern indicated he was not willing to lose Harley-Davidson to having a fight with PennDot.

GURRERI Mr. Gurreri indicated there were other ways to work things out.

LUCIANI Mr. Luciani stated that PennDot would not jeopardize public safety.

STERN Mr. Stern stated that moving Eden Road and blocking no left turn lanes would impact Giambalvo, who as a property owner expressed that his property would decrease in value. PennDot agreed that Giambalvo should be compensated for that loss. Giambalvo wants to move to Industrial Highway. He thinks the Township should buy the property.

STERN Mr. Stern stated that this would not be difficult for AWI or Cole as they are going to pick up a new intersection. He added that the other portion of this would be the connection to Interstate 83, where it fits perfectly to do that. Harley may do more expansion in the future.

ROBERTSON Mr. Robertson commented that would clear up a lot of that difficulty.

STERN Mr. Stern added that most of the right-of-way was already there.

MITRICK Chairman Mitrick asked whether the project was moving ahead on the timetable.

STERN Mr. Stern responded that the timetable was a factor, but Harley must make some huge commitments.

MITRICK Chairman Mitrick asked what percentage of the traffic would head east.

STERN Mr. Stern responded that 20% would go north and east; 80% goes west.

MITRICK Chairman Mitrick re-stated then that 20% would go up into the neighborhoods.

STERN Mr. Stern asked the Board whether they agreed with not taking out the curves on Eden Road.

Consensus was to not take out the curves.

RESOLUTION 01-43 – Resolution of Springettsbury Township Authorizing the Submittal of an FY2001 Grant Application to the U. S. Environmental Protection Agency.

DON BISHOP MOVED TO APPROVE RESOLUTION 01-43. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

ADJOURNMENT

MITRICK Chairman Mitrick adjourned the meeting at 7:35 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

JA

SPRINGETTSBURY TOWNSHIP **JULY 26, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, July 26, 2001 at 7:30 p.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Don Bishop
Nick Gurreri
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Buchart-Horn, Inc.
John Luciani, First Capital Engineering
Al Fontanilla, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Scott Laird, Police Sgt., Police Department
Michael Hickman, Fire Chief
Jim Crooks, Superintendent, Wastewater Treatment Plant
Jack Hadge, Director of Finance
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 7:35 p.m. She announced that before the meeting at 6 p.m. a GroundBreaking Ceremony had been held for the renovations of the Springettsbury Park. Completion of the park is scheduled for September, 2002.

Chairman Mitrick announced that there had been a brief Executive Session earlier during the evening regarding legal matters.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

2. COMMUNICATIONS FROM CITIZENS

WILT Mrs. Joanne Wilt of 3631 Kingston Road spoke regarding the Hunters Crossing development. She stated that her disagreement with the extensions given to Pasch and felt that she was not being treated fairly in the Township. She felt that the Township was interested in two things, raising taxes and collecting them. She

stated that it was time that the people had a say and were given consideration. She felt that the continual delay and offering more time for the project was showing undue consideration for Mr. Pasch.

MITRICK Chairman Mitrick thanked Ms. Wilt for coming and speaking to the Board. She stated that the procedures being followed for the Hunters Crossing development are within the legal bounds of the Board and Township, which must follow the law.

WAGNER Mike Wagner, Paradise Road, stated he had lived on Paradise Road for 11 years. He noted that in the past few weeks there had been a lot of press and ink about the future of traffic on Mundis Mill Road. Paradise Road is a very busy road at 7 a.m., Noon, 4 p.m. and 11 p.m. His front porch is 20 feet off Paradise Road. There are 18 homes on Paradise; 19 on Mundis Mill Road. Harley expansion is a terrific thing for the Township; however, there are concerns about the traffic not only on Mundis Mill Road, but also on Paradise Road.

MITRICK Chairman Mitrick responded that, as the Harley Davidson development proceeded, the Township would address the traffic situation.

SABATINI Mr. Sabatini added that some resident meetings would be held to discuss that issue.

GURRERI Mr. Gurreri commented that he had been on the board three and a half years, and the taxes had actually been lowered. The Supervisors have nothing to do with the school taxes.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart-Horn, Inc.

SCHOBER Mr. Schober commented that regarding the East/West Interceptor problems that had been experienced with the bid; further discussion was scheduled later on the agenda. Also the tapping fee renewal for 2001 was shown later on the agenda for discussion.

BISHOP Mr. Bishop asked when the East/West Interceptor issue would be addressed.

<u>PACT Construction</u>

SABATINI Mr. Sabatini responded that there had been a settlement agreement with PACT Construction, and the Township had released them

after payment of damages to the Township. The price from Gregory Construction was $1.674 million, slightly above the estimates.

BISHOP Mr. Bishop commented that there had been two bids and now there was only one remaining.

SCHOBER Mr. Schober responded that their experience had been that when re-bids are done, generally the second time around the bids come in higher. Given the fact that the Gregory was relatively close to where the project should be, his recommendation would be to award to Gregory.

MITRICK Chairman Mitrick asked whether any decision had been made.

SABATINI Mr. Sabatini responded that he would need a motion from the Board authorizing the award of the bid to Gregory Contractors in the amount of $1.674 million.

BISHOP Mr. Bishop asked Solicitor Yost whether there is any problem with the procedure.

YOST Solicitor Yost responded he did not have a problem with it. Award the bid to the second lowest bidder specifically authorized in the statute or re-bid the project.

PASCH Mr. Pasch commented that it was important to recognize that the released bidder's bid would have been pretty close to the engineer's estimate.

MR. BISHOP MOVED THAT SPRINGETTSBURY TOWNSHIP AWARD THE CONTRACT FOR THE EAST/WEST INTERCEPTOR REPLACEMENT PHASE II TO THE SECOND LOWEST BIDDER, GREGORY CONTRACTORS, IN THE AMOUNT OF $1,674,361.00. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHOBER Mr. Schober stated he would start the paperwork.

SABATINI Mr. Sabatini commented that, if the Township were to re-bid the project, the company PACT Construction, would not be permitted under law to participate in any of the bid process nor TO re-submit a bid.

SCHENCK Mr. Schenck stated that they also could not be a sub-contractor to Gregory.

SABATINI Mr. Sabatini clarified they could have no association whatsoever in the contract.

GURRERI Mr. Gurreri commented that Gregory's bid would probably be higher because there was no one else bidding.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani mentioned he had discussed with Mr. Sabatini two items for Executive Session, i.e. page three, #2.1 for discussion due to current litigation; second issue involved a right-of-way take of some township road improvements that also would be discussed.

Heritage Hills

GURRERI Mr. Gurreri commented that the Heritage Hills No Left Turn sign had been erected.

STERN Mr. Stern added that Heritage Hills put three signs up.

GURRERI Mr. Gurreri asked why the sign was not placed in the pork chop.

LUCIANI Mr. Luciani responded that he did not have any idea why it had been erected in its location.

STERN Mr. Stern responded that no matter where they had placed it, it would have been hard to see. He commented on the locations of all the signs.

GURRERI Mr. Gurreri indicated he was glad the signs are up.

Executive Session

MITRICK Chairman Mitrick announced that there would be an Executive Session immediately following the Regular Meeting regarding legal matters.

C. Design Engineer – Rummel, Klepper & Kahl

FONTANILLA Mr. Al Fontanilla reported that Mr. Myers was out of town. He reported that the PLC graphics and the communication between the Springettsbury's Wastewater Treatment Plant and the Diversion Pump Station was completely functioning.

MITRICK Chairman Mitrick stated that Mr. Myers had submitted a list of names and possible dates for the ground breaking of the plant. She asked Mr. Sabatini if anything had been done about that.

SABATINI Mr. Sabatini responded that for the Open House they would probably schedule it towards the end of the month. A full list of participants was available. A meeting had been scheduled with the Army Corps of Engineers for their final inspection and release any of the retainage that the Corps is holding on the project.

FONTANILLA Mr. Fontanilla stated that meeting was scheduled for August 7, 2001.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of July 26, 2001.
B. Allan A. Myers – Diversion Pumping System – Pay Estimate No. 12 - $59,041.49.
C. Rummel, Klepper & Kahl, LLP – Diversion Pumping System and Parallel Interceptor – Progress Billing No. 31 - $7,337.10.
D. Grassie & Sons, Inc. – Mt. Zion/Overview Replacement Sewer – Pay Estimate No. 2 - $45,926.
E. Springfield Contractors, Inc. – Parallel Interceptor – Final Payment and Retainage Release - $7,165.57.
F. East Coast Contracting – Progress Payment No. 16 - $10,000
G. East Coast Contracting – Progress Payment No. 17 - $12,274.16.
H. Shannon Smith Electrical – Progress Payment No. 8 - $8,600.35
I. Shannon Smith Electrical – Progress Payment No. 9 - $4,393.
J. Frey Lutz Plumbing – Progress Payment No. 15 - $1,564.95
K. Johnston Construction Company – Parallel Interceptor – Final Payment and Retaining Release - $2,802.20.

GURRERI Mr. Gurreri asked about status of the list of items that still needed to be completed by the contractors.

STERN Mr. Stern responded that the majority of the items had been completed. Some of the remaining items are warranty items, and $10,000 had been held for those items.

GURRERI Mr. Gurreri asked about the sidewalk situation out front. When it freezes the sidewalk moves, and it needs to be replaced.

STERN Mr. Stern responded that the sidewalk was a warranty item and added that there is $4,500 being withheld from East Coast for remaining warranty work. Mr. Stern reminded the Board that during last month's Board meeting he had reported that he held back $10,000 although the architect certified the entire amount. It was their opinion that he did not have the right to do that.

PASCH Mr. Pasch added that, unless there is something we can prove is fault on those warranty items, we do not have the right to withhold it until something goes wrong and it can be proven faulty.

STERN Mr. Stern stated that if, at that point they would not fix it, there is a one-year warranty from the date of extension. Within that year if there is anything wrong they have to replace it.

GURRERI Mr. Gurreri indicated that there was $220,000 in concrete work, and it was shoddy workmanship. He asked when the year would be concluded.

STERN Mr. Stern responded it would be a year from October 27, 2000.

PASCH Mr. Pasch commented that it was important to know the exact warranty expiration date and that we go back against them for anything that develops or shows up before that warranty expires.

MITRICK Chairman Mitrick asked Mr. Stern to be the one to stay on top of that.

STERN Mr. Stern indicated he would, for the most part; however, different directors are aware of problems in their areas.

MR. GURRERI MOVED TO APPROVE ITEMS A THROUGH K AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS:

There were no items for action.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. SD-99-01 – Hunters Crossing – Time Extension to August 23, 2001

STERN Mr. Stern indicated that the developer had granted a Time Extension until August 23, 2001.

MR. GURRERI MOVED TO ACCEPT THE TIME EXTENSION FOR HUNTERS CROSSING TO AUGUST 23, 2001. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO FAMILY INVOLVEMENT.

B. Sewer Facilities Planning Module – DSBP (York Township) - #A3-67971-515-3-2,800 GPD

STERN Mr. Stern commented on item B, a 5.3 acre subdivision for three commercial lots on South Queen Street at Farm Lane. Staff recommended approval.

MR. BISHOP MOVED TO APPROVE THE PLANNING MODULE FOR DSBP ASSOCIATES IN YORK TOWNSHIP, 2800 GPD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. SD-01-06 – DIA Hellam – Action

STERN Mr. Stern commented on item C, for a property partially in Springettsbury Township, partially in Hellam Township along East Market Street east of Stonewood Road. A new parcel in Hellam Township is being created for commercial development. The residual lot is in Springettsbury Township, which required Springettsbury Township's Planning Commission and Board of Supervisors to review and act on it. Approval was recommended. Mr. Jeff Spangler of James R. Holley Associates represented the plan.

SCHENCK Mr. Schenck asked for clarification that all that would transpire would be a the establishment of a new property line.

SPANGLER Mr. Spangler indicated that the lot would be developed into a Waypoint Bank in Hellam Township.

STERN Mr. Stern added that the new lot would be in Hellam; the residual lot partially would remain in Hellam and partially in Springettsbury. There are no impacts upon Springettsbury ordinances.

MR. GURRERI MOVED FOR APPROVAL OF SD-01-06 DIA HELLAM WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN.**
- **WAIVER FROM LANDSCAPING AND BUFFERING REQUIREMENTS**
- **WAIVER FROM STREETLIGHT REQUIREMENTS**
- **MODIFICATION FROM CURB AND SIDEWALK REQUIREMENTS PER THE SIX MONTH NOTE ON THE PLAN**
- **CONDITIONED ON THE RECEIPT OF YORK COUNTY COMMENTS, WHICH HAVE SINCE BEEN RECEIVED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

7. COMMUNICATION FROM SUPERVISORS:

GURRERI Mr. Gurreri reported that he had attended a Traffic Coalition Committee meeting. Central School had presented its traffic study. Four representatives from Springettsbury Township had attended.

Mr. Gurreri reported that the Pennsylvania Township News carried a photo of Mr. Sabatini during attendance at a PSAT Convention.

Mr. Gurreri commented that he had been very happy with the Harley Davidson expansion and Governor Ridge's visit. Any time the Governor comes to town the Township Supervisors should attend. He did not understand why the Supervisors had not been invited.

Mr. Gurreri attended some of the Park & Rec concerts. He commended Dave Wendel for doing a great job.

Mr. Gurreri commented that someone complained about the left turning arrow heading towards the AAA building at Northern Way and Eastern Boulevard.

Mr. Gurreri reported that he had attended a PSAT Local Government Leadership Summit-2001, and it was excellent.

MITRICK Chairman Mitrick asked whether anyone had heard back from GPU regarding Pleasant Valley Road.

STERN Mr. Stern responded that GPU had contacted him indicating that they had requested Bradley Academy, York Technical, St. Onge, etc. for approval of a right-of-way to move the poles. They are not optimistic that they will receive that approval. They asked some other questions about the roadways, potential for lighting, as well as guard rails. A decision was to be made within the next few weeks.

PASCH Mr. Pasch asked whether the Township had the responsibility to resolve the potential for widening of the roadways and guardrails.

STERN Mr. Stern responded that GPU just needed an opinion from his office as to, if it were widened, how wide it should be, and would the Township put the guardrails in.

MITRICK Chairman Mitrick extended a note of appreciation to the representatives from GPU. They came out on two different occasions and met on site, and then met here in the office. She stated she believed that they were being as cooperative as they can with requests from that area.

PASCH Mr. Pasch asked whether the service would not be placed underground if the right-of-ways were not granted by the various parties.

STERN Mr. Stern added that the expense for an underground service, a three-phase primary service, would be nearly out of the question. The right-of-way issue would be for removal of the lines between property lines rather than along the road.

Board Room Noise

MITRICK Chairman Mitrick asked Mr. Sabatini to provide an update following the information received from Frank Dittenhafer regarding the traffic noise in the Board Room.

SABATINI Mr. Sabatini responded with several of Mr. Dittenhafer's suggestions: (1) increase the insulation of the doorway; (2) change the door, (3) put a second layer/level of glass over top. The information from Mr. Dittenhafer did not include any price estimates. He planned to further pursue the issue and provide costs to the Board.

Policy – Employee Raises

GURRERI Mr. Gurreri asked Mr. Sabatini whether he had an opportunity to draft a policy on raises.

SABATINI Mr. Sabatini responded that he had not worked through the issue.

BISHOP Mr. Bishop stated that, in the absence of clear employment policies, it might make sense for the Board to provide some guidance, which the Board had not provided the Manager.

GURRERI Mr. Gurreri suggested to place a hold on all raises until a policy was produced. Currently the Manager does what he sees fit. It should go through the Board, which is ultimately responsible.

PASCH Mr. Pasch did not agree to a freeze or hold on raises unless a deadline were established. He felt it would not be fair to the employees not to receive raises, and the Board have the luxury of not doing anything. He agreed that the Board must instruct Mr. Sabatini. He did not believe the Board could establish anything that indicated the employees would be in limbo until the Board decided to act.

BISHOP Mr. Bishop agreed and stated that the objective was not to have a moratorium; the objective was to have a policy.

MITRICK Chairman Mitrick stated that Mr. Sabatini had been inundated with major issues in the last four or five weeks which have taken a tremendous amount of his time. She discussed an organization chart, which the Board had requested and not yet provided. She felt that a deadline for the policy and for the organization chart would be a good combination for the Board to discuss at the same time.

GURRERI Mr. Gurreri asked whether two months would be enough time.

SABATINI Mr. Sabatini responded that he had planned to provide the information as part of the budget packet. However, he thought he could provide it by the end of the summer.

SCHENCK Mr. Schenck agreed but he did not want to see Mr. Sabatini's hands tied with a situation he needed to deal with as far as employees are concerned.

SABATINI Mr. Sabatini indicated he would provide a working draft for the Board. He added that the Board members each have different concepts of the way that the personnel process moves forward. He suggested that the Supervisors might need to spend a good amount of input.

BISHOP Mr. Bishop suggested that until such time as a formal policy is in place and approved by the Board, putting this responsibility in the hands of the Manager, that any raises and new hires need to be approved by the Board prior to going into affect.

GURRERI Mr. Gurreri agreed.

SABATINI Mr. Sabatini questioned whether that would include replacement positions.

BISHOP Mr. Bishop responded it would not.

MR. BISHOP MOVED THAT WITH RESPECT TO EMPLOYMENT POLICY IN SPRINGETTSBURY TOWNSHIP UNTIL SUCH TIME AS A FORMAL POLICY IS APPROVED BY THE BOARD OF SUPERVISORS THAT THE MANAGER IS INSTRUCTED TO INFORM THE BOARD AND SEEK BOARD APPROVAL PRIOR TO GRANTING ANY RAISES FOR CURRENT EMPLOYEES OR HIRING ANY NEW EMPLOYEES OTHER THAN REPLACEMENTS FOR CURRENT POSITIONS.
MR. GURRERI WAS SECOND.

PASCH Mr. Pasch agreed and indicated that the responsibility was on Mr. Sabatini to respond with a draft policy.

BISHOP Mr. Bishop added that also it would force the Board to meet and address the subject in order to become of one mind and move forward.

MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick added that she knew Mr. Sabatini had a very rough draft organization plan, which she would link with the draft policy. She indicated that it would be wise to have time for discussion with the Board to be sure if that was the direction that the Board felt was good for the township.

8. SOLICITOR'S REPORT:

Wyndamere

YOST Solicitor Yost provided several supplements to his written report. He requested some time for discussion of the Wyndamere Litigation during the Executive Session.

Marsteller Farm

Solicitor Yost reported three land applications had been received indicating that the Township would be in a position to apply bio-solids to the Marsteller Farm. At their expense DEP is going to take samples from all of the water sources to get background readings on those water sources before any bio-solids are applied. Solicitor Yost stated it would be a great thing to do because it is in an agricultural area where there are already high nitrates in the water and perhaps other contaminants. The Township does not want, nor does DEP want, to be in a position of saying that once we apply then they are tested and we were the cause. We would get a background analysis of all the water supplies at DEP's expense.

PASCH Mr. Pasch asked whether Solicitor Yost received a timetable.

YOST Solicitor Yost responded they would do the testing on Monday, July 30, and no later than Wednesday, August 1, if they can get permission from the land owner to get on the land to take the samples. The Township informally agreed that it will not apply any bio-solids until they complete that process.

Orchard Road/Witmer Road
Solicitor Yost asked to discuss the Orchard Road/Witmer Road intersection during the Executive Session.

9. MANAGER'S REPORT:

On Lot Management Program

SABATINI Mr. Sabatini reported that the On Lot Management Program had begun. Information was made available on the website and in the office as well with regard to production done by DEP and PSATS on On Lot Management. Five video tapes are available as well to share with residents, which can be accessed on DEP's Growing Greener channel in their website.

Act 537 Plan Reimbursement
Mr. Sabatini reported that the Township had received $103,000 for the Act 537 Plan reimbursement from DEP.

PACT Construction
Mr. Sabatini reported that a settlement agreement had been reached with PACT Construction in the amount of $12,500.

Municipal Planning Organization

SABATINI Mr. Sabatini reported that a Coordinating Committee meeting had been held of the York Area Municipal Planning Organization. The Township did retain its position for the Sherman Street/Mt. Zion Road intersection work. The Township appreciated the work of Representative Saylor and Felicia Dell in supporting the Township's concerns about the safety of that intersection. Mr. Sabatini also thanked Mr. Gurreri for his help. Dialog was opened up with PennDot regarding some other projects.

GURRERI Mr. Gurreri commented that Messrs. Sabatini and Stern had done an excellent job at the meeting.

SABATINI Mr. Sabatini reported that a young boy fell into a tributary of Codorus Creek. Township people responded quickly at Loucks Mill for the search. Mr. Sabatini stated eventually that the boy had been found dead in the creek; the body had been spotted by the National Guard and recovered. Mr. Sabatini expressed his appreciation to the Police, the Fire, Wastewater personnel, Public Works, both professional and volunteers as well as all the others who came out and had done a very good job working together.

A. Set Public Hearing Date For Liquor License Transfer

SABATINI Mr. Sabatini reported that a request had been received for an inter-municipal license transfer request. He requested that a hearing be scheduled for August 23 at 7 p.m. prior to the Board of Supervisors meeting.

Consensus of the Board was to meet at 7 p.m. on August 23rd for the Public Hearing.

SABATINI Mr. Sabatini stated he would advertise the meeting.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS

A. Amendment to IAFF Contract

SABATINI Mr. Sabatini stated that item A referred to an amendment to the contract between Springettsbury Township and IAFF regarding the Firefighters' Contract. Among a number of amendments the most prominent related to the amendment dealing with probationary employees. The Union President and Mr. Sabatini had further discussion resulting in some language changes regarding issues such as if a Firefighter should voluntarily resign prior to the end of the probationary period. Some command and control issues and some training issues were also included. This contract had been reviewed by Solicitor Yost and the Fire Chief and the amendments are appropriate to the contract.

PASCH Mr. Pasch questioned one clause indicating that the assistants to the Fire Chief would specifically be exempt from being a part of the bargaining unit. The way I see it written now it would appear that if there were an Assistant to the Fire Chief, they would have to be a part of the bargaining unit.

SABATINI Mr. Sabatini responded that was not the intention. If we ever got to the point where we had a Deputy Chief with the change in structures, there was no intention of having them within the bargaining unit. The language could be clarified.

ECKMAN Mr. Dave Eckman, President of the Local Firefighters' Union stated that a process is in place to determine whether a person is a Manager or not under PLRB rules. This had been submitted because of the Ordinance signed with the Volunteer Fire Co. Because of the Ordinance, they were not 100% sure what to call them. According to the Ordinance they could have been assistants to the Fire Chief, but that is not what they are. The intent was never for them to become a managerial employee. In fact, last month the Board had stated that no Deputy Chief would be hired.

PASCH Mr. Pasch commented that he did not think a Deputy Chief should be a part of the bargaining unit. The more clarity in the agreement, the better.

BISHOP Mr. Bishop stated that the language actually expanded the scope of the people who would be included as being not in the bargaining unit. Previously it stated "assistants to the Fire Chief." Now instead of saying "assistants to the Fire Chief," it says "other managerial and administrative personnel." That sounds to me like you could construe that as being broader.

PASCH Mr. Pasch agreed that the wording strengthened it.

SABATINI Mr. Sabatini stated that the order that established the bargaining unit does provide a process where you are able to determine who would be in the bargaining unit and who would not. Where the individual does have certain rights and responsibilities, the ability to discipline people, etc. they would not be a part of the bargaining unit.

YOST Solicitor Yost agreed that they are well defined PLRB rules. It can be determined who is management; who is not. If you disagree, a clarification petition cam be filed with the board and they tell make the determination.

MR. SCHENCK MOVED TO ACCEPT THE AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWNSHIP AND THE IAFF AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop stated that he really appreciated the presentation, which made it easy to understand what is going on.

MITRICK Chairman Mitrick asked about the training resources that need to be available in the stations and whether there an anticipated date that the items should be in the station.

SABATINI Mr. Sabatini responded that some of the training resources (EMT Manuals, information from NFPA) are available. The Fire Chief subscribes to NFPA Guidelines. The information needed to be made available at both facilities.

B. Beverage Agreement - Coke

SABATINI Mr. Sabatini requested that item B be tabled for additional review by Solicitor Yost.

C. Resolution 01-42 – Sewer Tapping Fee Amendment

SABATINI Mr. Sabatini stated that each year the Board of Supervisors evaluated the tapping fee based upon Act 203. Buchart-Horn had provided information on the tapping fees, and based upon their calculations, Township fees can go up to $2,110. As an assumption I believe that a lot of growth is based upon the adding of the Diversion Pump Station, the Interceptor connection and the utility water system which can be added to the calculation. Approval of the tapping fee resolution was recommended as presented.

MR. BISHOP MOVED TO APPROVE RESOLUTION 01-42 ESTABLISHING SEWER TAPPING FEES. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Ordinance 01-04 – Approval to Advertise Speed Limit Restrictions on Pleasant Valley Road and Springetts Oaks

SABATINI Mr. Sabatini stated that, as part of the approval process of the Pleasant Valley Road Condo, the Board of Supervisors had directed the Police Chief to evaluate speed limits. The result was that it would be appropriate to have the streets within Springetts Oaks posted as 25 mile per hour speed limit zones. In addition, the York County Planning Commission evaluated Pleasant Valley Road between Williams Road and Deamerlyn Drive. That study concluded that it could be posted at 35 mile per hour speed limit. Mr. Sabatini asked for approval to advertise Ordinance 01-04 for adoption at a future meeting.

PASCH Mr. Pasch commented about the current speed limit on Pleasant Valley Road, which he thought was 35 mile per hour.

LAIRD Police Sgt. Scott Laird responded that it was not 35, but 55 miles per hour. He added that it was technically not posted, which assumes 55, because it does not meet the definition of a business district. There are no buildings, residences, businesses, etc. within 300 feet of one another for that stretch. Posting will provide the Police Department the ability to enforce the speed limit.

PASCH Mr. Pasch responded that the information was good to know; he had not realized it was a 55 mile an hour zone.

MR. SCHENCK MOVED TO AUTHORIZE THE ADVERTISEMENT OF ORDINANCE 01-14 ESTABLISHING SPEED LIMITS WITHIN THE

TOWNSHIP. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick asked about roadways adjacent to park property. She would love to see the traffic on Pleasant Valley reduced to 25.

LAIRD Sgt. Laird responded that there had been a traffic and engineering study done on that portion of roadway establishing a 35 mile an hour speed limit. To do something different, another traffic and engineering study would have to be done based on the usage in an attempt to have that lowered.

E. Sewer Connection Fee Waiver Request – Greystone III

SABATINI Mr. Sabatini indicated that item E referred to a request from Greystone III requesting an adjustment in the sewer tapping fees. When this project had been originally proposed and proceeded through the preliminary plan, the fee had been less ($1,481 per lot). In the meantime the fee had gone up considerably. Greystone requested the Board to authorize the charging of the fees based upon when the project had completed its preliminary subdivision plan instead of the current fees. Mr. Sabatini had discussed this with Solicitor Yost, who had indicated that, without a specific waiver from the Board, it would not be permissible under the ordinances.

YOST Solicitor Yost stated that Greystone suggested that the fees had been established at the time of preliminary plan approval. Under Township ordinance, that is not the case which indicates the fees are established when the connection is made. The ordinance also states that a developer can come in advance and pay for tapping fees to preserve the capacity. At that time there had been a moratorium. The Township is bound by the ordinance.

BISHOP Mr. Bishop asked whether he was reasonably confident that the Township would have accepted their tapping fees.

YOST Solicitor Yost responded no.

STERN Mr. Stern stated that he disagreed that the Township would have accepted their money. During the moratorium there were zeros in the Chapter 94 report. For a period of two years the Township could not have issued tapping certificates. The applicant had purchased several sewer taps at the new rate. Mr. Stern suggested that, if the Board approved this request, it be limited to two additional years at that cost.

BISHOP Mr. Bishop stated that a number of years passed after the preliminary plan was approved and sewage capacity was available to which they did not avail themselves.

PASCH Mr. Pasch observed that the tapping fees have increased to pay for the new facilities installed. The individual who purchases a home in this particular group will pay for the tapping fee.

GURRERI Mr. Gurreri asked how many sewer tappings are involved.

STERN Mr. Stern responded there are about 65. If the Board were to approve a lesser cost, he suggested to condition it on a number of units for a specific time period of one to two years.

BISHOP Mr. Bishop asked Solicitor Yost whether there was any way to bend the rules for one unique situation in consideration of the moratoriums.

YOST Solicitor Yost responded that there would be a way based on the theory that the Commonwealth Court has stated that the tapping fee ordinances are land use ordinances such as the Township subdivision and land development ordinances, in which the Board has the right to vary the terms. He would not be uncomfortable with the Board granting relief without a formal amendment to the ordinance. He cautioned that a precedent would be established.

PASCH Mr. Pasch questioned whether there are other developers who were affected by the moratorium who have paid the tapping fee in effect at the time they applied.

STERN Mr. Stern responded that there had been other projects that were approved prior to the moratorium.

GURRERI Mr. Gurreri wondered whether this price could be split in half, i.e., half at the new price and half at the old price.

YOST Solicitor Yost responded that any type of relief is possible. It would really be a matter of granting something more than the developer expected.

SCHENCK Mr. Schenck stated he would favor their paying the rate when they connect at a time that is practical.

GURRERI Mr. Gurreri stated he felt this developer deserved a break because they really could not have purchased the tap ins because of the moratorium.

SCHENCK Mr. Schenck responded that the Township invested several million dollars so that they can now connect and it was not a one-way street.

YOST Solicitor Yost commented that they are paying for the facilities they are using. When they make a connection today, they are using those facilities that are already in place and paid for by the Township.

PASCH Mr. Pasch agreed with Mr. Schenck. He felt it would be a better scenario where a rule is in place, and you live by the rule, rather than try to vary it for a particular situation. He stated it was a difficult situation and he agreed with Mr. Gurreri that the Township did have the moratorium and would not let them build until sewer capacity became available.

YOST Solicitor Yost added that their subdivision plan had only been processed last month.

MITRICK Chairman Mitrick commented that the information about available sewer capacity had been made public.

MR. SCHENCK MOVED TO DENY THE REQUEST OF GREYSTONE III TO REDUCE THE SEWER TAPPING FEE. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

BISHOP Mr. Bishop asked whether the moratorium should still be in affect.

STERN Mr. Stern responded that it should not, and a request had been submitted to DEP to eliminate it. Their response should be received soon. The Chapter 94 Report had been approved.

MITRICK Chairman Mitrick asked how soon the Township should be hearing from DEP.

STERN Mr. Stern could not estimate the time period for a response from DEP.

MITRICK Chairman Mitrick stated that it was an issue that was important to developers in the community. She asked when the request had been made.

STERN Mr. Stern responded that the request had been formally submitted with the Chapter 94 Report, which had been approved. A written document had been requested recently by Ed Sowers.

MITRICK Chairman Mitrick requested Mr. Sabatini to keep that issue before the Board as an information item.

F. Lease Agreement – Manhole Grouting Trailer

SABATINI Mr. Sabatini reported that, as part of the budget approval process, the Board had approved a manhole grouting trailer using the Permacast System. In discussions with Lower Paxton Township, it had been ascertained that they have a Permacast Grouting System. There may be an interest in leasing that equipment at a cost of $500 per week rather than spending the full amount for a purchase. Lower Paxton Township does not use this trailer as much as they had anticipated, and the opportunity exists for Springettsbury to buy into their cost for this equipment. The equipment that Springettsbury had chosen would cost $36,000; theirs is valued at $72,000 plus. Mr. Sabatini indicated an interest in trying it out. Any of the lease money paid they would be willing to credit 50%. Staff would like to have an initial five-week period to work with the Permacast System.

PASCH Mr. Pasch asked whether five weeks was the amount of time necessary to do the work that needed to be done.

CROOKS Mr. Crooks responded that this activity would be part of the rehabilitation process. A decision had been made to do 50 manholes this year to learn how to use the equipment, which is a sophisticated process. There are 2500 manholes in the collection system. At least half are the older brick style. Many had deteriorated and need repair. This will be an on-going process and probably include approximately 150 each year. Mr. Crooks indicated he assumed that four manholes could be completed a day. He had been advised that a contractor who was efficient with the equipment could do eight manholes a day. The department would limit how many would be scheduled every year.

PASCH Mr. Pasch observed there could possibly be 80 done each year, maybe 100.

CROOKS Mr. Crooks stated that he assumed the first year there would be some stumbling, learning and false starts. Once the staff would become proficient they hope to do four a day.

PASCH Mr. Pasch agreed that the work must be done. He asked whether it would be cheaper to rent it than to buy it, even a half portion.

SABATINI Mr. Sabatini stated that he did not know whether Lower Paxton would accept a long-term lease arrangement in that situation. This is only for a window extending until the beginning of September.

CROOKS Mr. Crooks mentioned that, even if the Township were to own this equipment, they would use it no more than six weeks of the year. Lower Paxton is in the same situation.

PASCH Mr. Pasch asked about weather conditions and how many months a year could the equipment be used.

CROOKS Mr. Crooks responded probably about eight months.

PASCH Mr. Pasch was in agreement with trying the lease. It would be a lot less expensive for us to get our feet wet.

MR. GURRERI MOVED TO ENTER INTO A LEASE AGREEMENT WITH LOWER PAXTON TOWNSHIP FOR THE USE OF THE MANHOLE GROUTING TRAILER. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Public Hearing – June 26, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE JUNE 26, 2001 BOARD OF SUPERVISORS PUBLIC HEARING AS AMENDED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Regular Meeting – June 28, 2001

MR. BISHOP MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS MEETING JUNE 28, 2001 AS AMENDED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

There was no Old Business for discussion.

13. NEW BUSINESS:

GURRERI Mr. Gurreri clarified that Route 83 from Market Street to Exit 7 had been mentioned for PennDot work this summer. He stated

that would not necessarily mean it would be done this summer. What they are doing is the on ramp and the off ramp of Mt. Rose Avenue and the off ramp on Market Street will continue the whole way. In other words you come on Market Street and you go the whole way to Prospect Street off the main road. The same way when you go on Prospect or off Mt. Rose Avenue over to Market Street, extending it the whole way to the next exit. He understood part of the roadway will be taken away to do this.

A. 2000 Audit Report

PASCH Mr. Pasch commented about the Audit and the Managerial Report, which he previously had read. There were some questions that the accountants and the auditors had raised. They indicated that the condition of our financial records at this point is extremely better than it had been thanks to Mr. Hadge and Mr. Sabatini. There were some questions that should be addressed by both Mr. Sabatini and Mr. Hadge and presented to the Board as answers to the questions which the auditors brought up, in order to bring closure.

SABATINI Mr. Sabatini responded it had been his policy that upon receipt of a management review letter, a written response would be drafted to lay out some strategies for the staff to undertake to address specific concerns. Staff had made some substantial steps and the auditors acknowledged that in the next to the last paragraph. It was a much more favorable audit report than expected. There are a few more years' work ahead of us to get us to the point of where we want to be. Mr. Sabatini indicated all that was necessary was that the Board acknowledge receipt of the audit reports.

MITRICK Chairman Mitrick asked that a quote from the report be included in the record.

> "We wish to commend Township Management on its handling of the variety of situations which occurred in 2000 and early 2001. The turnover in significant managerial positions and financial staff during the year combined with the major construction projects being carried out had potential to create any number and type of problems and issues. Through prudent and consistent steps of process design, organization, and management, the Township appears to be right on track in its commitment to manage the growing and progressive Springettsbury community."

MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE 2000 AUDIT REPORT AND MANAGEMENT REVIEW LETTER AS PRESENTED BY THE TOWNSHIP APPOINTED AUDITORS, STAMBAUGH NESS. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Other Items

SABATINI Mr. Sabatini requested an Executive Session to discuss litigation and real estate.

MITRICK Chairman Mitrick asked whether a letter had been sent to the young man regarding the paint ball court.

SABATINI Mr. Sabatini responded that it had.

MITRICK Chairman Mitrick asked Mr. Sabatini to send a note to Mrs. Tanzola and Mr. Spangler.

SABATINI Mr. Sabatini responded that he would do so. He added that he would communicate with the other candidate who had applied for the position with the Park & Rec Board. She had indicated interest in serving in a position that would not necessarily involve citizenship in Springettsbury.

SCHENCK Mr. Schenck thanked the staff for the 6 p.m. ground breaking ceremony. Personally he was appreciative of the snacks.

MITRICK Chairman Mitrick thanked Mr. Sabatini and his staff for the wonderful Open House for the new facilities. There was a great turnout from the community, and it was very well done.

MITRICK Chairman Mitrick reminded the Board that a Traffic Calming Meeting was scheduled for Thursday, August 30 at 7 p.m.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:25 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **JULY 12, 2001**
SPECIAL MEETING - PARK BID AWARD **APPROVED**

The Board of Supervisors of Springettsbury Township held a Special Meeting for the Purpose of awarding the Springettsbury Park bids. The meeting was held on Thursday, July 12, 2001 at the Township Offices at 1501 Mt. Zion Road, York, PA.

MEMBERS IN ATTENDANCE: Bill Schenck, Acting Chairman
Ken Pasch
Nick Gurreri

MEMBERS NOT IN ATTENDANCE: Lori Mitrick, Chairman
Don Bishop

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Jean Abreght, Stenographer

1. CALL TO ORDER:

SCHENCK Acting Chairman Bill Schenck called the Special Meeting to order at 7:30 a.m. He announced several agenda items. The main item was to award the bids for the Master Park Plan. There was one outstanding issue, with which all of the Supervisors were made aware and had since been resolved.

SABATINI Mr. Sabatini stated that in the bid from IETC for electrical, Contract #4, there had been a cover letter submitted indicating some exceptions. YSM had spoken with IETC and the situation had since been resolved, and the exceptions had been withdrawn.

LUDDY Mr. William Luddy represented IETC and commented that the rock exclusion had been withdrawn. The remaining items had been simply clarification items.

SABATINI Mr. Sabatini stated that with those comments, the matter of awarding contracts could proceed. Contract #4 would include E-1 and E-2.

SCHENCK Mr. Schenck commented that as a result of Mr. Sabatini's discussion the contract would be to the letter of the bid specs.

LUDDY Mr. Luddy responded that was correct.

PASCH Mr. Pasch commented that Contract #1 on the Manager's Report showed a discrepancy between the numbers from $2,821,128 or $2,281,128.

SABATINI Mr. Sabatini corrected the number to $2,821,128.

GURRERI Mr. Gurreri mentioned that he had a concern about the contractor; however, he added that Mr. Sabatini had assured him that he was a local contractor.

SABATINI Mr. Sabatini responded that the staff had done due diligence reviews. The contractor does a significant amount of satisfactory work for York County. The company is located on Marion Drive in York.

SCHENCK Mr. Schenck asked for the name of the principal of the firm.

SABATINI Mr. Sabatini responded that the name is Mr. Jerry Watson, P.E., along with a Pamela Brown, Secretary.

GURRERI Mr. Gurreri asked whether the project would have a Project Manager.

SABATINI Mr. Sabatini responded that R.K. & K. would be recommended as Project Manager.

SABATINI Mr. Sabatini added that there are add alternates for the three Volleyball Courts for approximately $29,000. He had Charlie Lauer price that project to do in-house, and it could not realistically be done for less.

SCHENCK Mr. Schenck asked whether there were any other general questions or comments. Hearing none, he proceeded with the awards.

2. CONTRACT AWARDS:

SCHENCK Mr. Schenck stated that the first contract involved the overall site improvement and building.

MR. PASCH MOVED TO AWARD CONTRACT #1, SITE IMPROVEMENT AND BUILDING AND ADD ALTERNATE #1 TO KEYSTRUCT, INC. IN THE AMOUNT OF $2,821,128. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck presented Contract #2.

Comment [DE1]: ***MR. GURRERI MOVED TO AWARD CONTRACT #2, HVAC TO WARDEN & SHEWELL IN THE AMOUNT OF $37,858. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. GURRERI MOVED TO AWARD CONTRACT #2, HVAC TO WARDEN & SHEWELL IN THE AMOUNT OF $37,858. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck presented Contract #3.

MR. PASCH MOVED TO AWARD CONTRACT #3, PLUMBING TO WARDEN & SHEWELL IN THE AMOUNT OF $84,221. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck presented Contract #4.

MR. GURRERI MOVED TO AWARD CONTRACT #4, ELECTRICAL TO INNOVATIVE ENGINEERING TESTING CONSTRUCTION (IETC) AND ADD #E1 ANDE2 IN THE TOTAL AMOUNT OF $546,010. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

3. INVOICE PAYABLE:

SCHENCK Mr. Schenck stated that approval had been requested for payment of an invoice for the Cortleigh Drive Storm Sewer project.

SABATINI Mr. Sabatini reported that the Board had approved the contract and Mr. Luciani had provided an unsigned AIA form. He asked Mr. Luciani to return it, but it had not arrived in time for the last Board of Supervisors meeting. He withheld it with the hope that it could be approved during this meeting. The work had been done and met the satisfaction of Charlie Lauer's department, as well as Mr. Luciani. Mr. Sabatini recommended payment.

MR. GURRERI MOVED TO APPROVE PAYMENT OF INVOICE #1 DOUG LAMB CONSTRUCTION IN THE AMOUNT OF $40,608. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. ADJOURNMENT:

SCHENCK Mr. Schenck adjourned the meeting at 7:45 a.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **JULY 12, 2001**
PUBLIC HEARING – BID WITHDRAWAL **APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on July 12, 2001 at 8 a.m. at the Township Offices, 1501 Mt. Zion Road, York, PA 17402. The purpose of the hearing was to review the PACT, Inc. bid.

MEMBERS IN ATTENDANCE: Bill Schenck, Acting Chairman
Ken Pasch
Nick Gurreri

MEMBERS NOT IN ATTENDANCE: Lori Mitrick, Chairman
Don Bishop

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Andrew Stern, Economic Development Director
Don Yost, Solicitor
Jack Hadge, Finance Director
Mark Hodgkinson, Wastewater Treatment Superintendent
Jim Crooks, Wastewater Treatment Superintendent
Bill Sowers

Robert Meingassner, Attorney
Paul Maxian, PACT Construction, Inc.

1. CALL TO ORDER:

SCHENCK Acting Chairman Bill Schenck called the Public Hearing to order at 8:20 a.m. The subject of the Hearing was a bid withdrawal from PACT, Inc. concerning a sewer interceptor upgrade project. He asked Solicitor Don Yost for explanation of the rules of the hearing.

2. DISCUSSION:

YOST Solicitor Yost stated that the hearing had been scheduled for the express purposes of PACT Construction, Inc., to withdraw its bid under the Pennsylvania Statute, commonly known as the Bid Withdrawal Act or the Act of 1974. On June 15, 2001 PACT Construction, Inc. filed a bid with the Township on the East/West Interceptor Replacement Phase II contract, Contract #00-02. Subsequent and within the two-day period after submitting the bid to the Township, a proper request had been made by PACT Construction, Inc. to withdraw its bid. The public hearing was to held to enable the contractor to submit credible evidence that the reason for the price bid being substantially lower was a clerical

mistake as opposed to a judgment mistake and was actually due to an unintentional and substantial arithmetical error or an unintentional omission of a substantial quantity of work, labor, material or services made directly in the compilation of the bid. Representing PACT Construction, Inc. was Mr. Paul Maxian, and PACT'S Counsel, Robert Meingassner.

YOST Solicitor Yost distributed copies of the bid to each member of the Board and noted it as Township Exhibit #1.

MEINGASSNER Attorney Meingassner also distributed a copy of the calculations performed by PACT Construction, Inc., noted as PACT #1. He stated that PACT Construction would offer the testimony of Paul Maxian, who was duly sworn in.

MAXIAN Mr. Paul Maxian stated his name and that his employer was PACT Construction, Inc. for which he served as Executive Director. Some of his functions include supervising field activities, bidding, estimating and overall contract functions. He stated that PACT Construction provided services mainly for construction of public sewer lines and water lines. PACT's volume encompasses between $6 and $8 million and currently has work in place in the amount of approximately $2 million. Mr. Maxian stated he had become aware of the Springettsbury Township East/West Interceptor Replacement Phase II project through advertisement by the engineer. He ordered the plans, specifications, reviewed the job by visiting the site and prepared the bid. He stated that he gathered material prices and estimated labor and equipment, costs for the job, put it together and filled out the necessary forms. He had performed estimates for similar construction projects for PACT Construction for 10 years; he had done similar work an additional 10 years prior.

MEINGASSNER Attorney Meingassner asked Mr. Maxian to explain the process he had used to compile the figures for the bid submittal.

MAXIAN Mr. Maxian provided a detailed explanation of the process used and stated that that total of his figures had not been correct because he had inadvertently omitted a figure amounting to $323,505.

MEINGASSNER Attorney Meingassner further questioned Mr. Maxian as to additional work he had done in the process of compiling the bid. He explained how he provided for any additional expenses incurred, as well as the addition of a 15% profit figure.

MEINGASSNER Attorney Meingassner asked Mr. Maxian whether PACT could absorb the costs of the current bid of $1,140,325.

MAXIAN Mr. Maxian stated that PACT could not absorb those figures.

MEINGASSNER Attorney Meingassner asked Mr. Maxian whether PACT had withdrawn any other low bids in Pennsylvania.

MAXIAN Mr. Maxian explained that they had withdrawn one other bid at about the same time. He added that an occurrence of this type had not happened in 10 years, but it had happened with two bids in nearly the same hour.

MEINGASSNER Attorney Meingassner asked whether that bid withdrawal had been accepted.

MAXIAN Mr. Maxian indicated that the withdrawal had been accepted.

MEINGASSNER Attorney Meingassner asked whether his bid had been submitted in good faith.

MAXIAN Mr. Maxian indicated that it had been submitted in good faith.

MEINGASSNER Attorney Meingassner asked whether Mr. Maxian had provided notice to the Township within the two-day period of PACT's request withdraw the bid.

MAXIAN Mr. Maxian responded that he had.

MEINGASSNER Attorney Meingassner asked whether PACT would be considered for the award of any of the work for this project if the bid were withdrawn.

MAXIAN Mr. Maxian responded that it would not result in any work.

YOST Solicitor Yost asked further questions of Mr. Maxian for the purposes of explanation of his process for determination of bid costs.

MAXIAN Mr. Maxian provided further explanation of his numerical calculations showing how he arrived at the unit pricing. He explained that he had inadvertently missed the figure of $323,505 representing linear footage in his final calculations.

YOST Solicitor Yost asked Mr. Maxian for the name of the municipality where the second bid had been withdrawn.

MAXIAN Mr. Maxian responded that it was a bid for the Collegeville Joint Sewer and Water Authority and stated it was for a water line project. He stated that his error also had been one of omission in that case. None of his staff had checked his figures because it had been done quickly in time to get the bid received in time.

MEINGASSNER Attorney Meingassner noted into the record a copy of a letter from June 26, 2001 to Solicitor Yost stating that PACT agreed to extend the time limit to move the date of the meeting outside the statutory 10 days.

YOST Attorney Yost asked what the value was of the contracts PACT currently had in progress.

MAXIAN Mr. Maxian responded that it would amount to approximately $2 million in progress.

YOST Attorney Yost asked whether PACT Construction could handle the $2 million in projects with their current employees.

MAXIAN Mr. Maxian responded that they employ four foremen and as a result they can set up four jobs and have miscellaneous people that they hire through PACT II, a subsidiary, plus additional labor from the union hall.

YOST Attorney Yost asked whether there was enough equipment to allocate to the four different jobs.

MAXIAN Mr. Maxian assured Mr. Yost that they had plenty of equipment, which was also easy to rent. He added that they had financial capacity and $15 million in bonding capacity. He stated that if he had the opportunity he would love to bid again.

YOST Solicitor Yost asked what his bid price would be if he were to bid again.

MAXIAN Mr. Maxian responded that it would be $372,030 higher.

YOST Solicitor Yost asked whether that was the amount of the error that he claimed was made.

MAXIAN Mr. Maxian responded that was correct.

MEINGASSNER Attorney Meingassner stated that he wished to note for the record the PACT Construction had agreed that the public hearing would

be held this evening at 6:30 p.m. There was an agreement afterwards that it would be this morning, just a matter of convenience for all concerned.

PASCH Mr. Pasch commented that, having listened to Mr. Maxian's testimony, it was clear he had a wealth of experience and capabilities in this type of bidding. Mr. Pasch observed that Mr. Maxian had his own methods of calculating bids, and a lot of it was based on instinct and his knowledge of the business. He observed that it was surprising that Mr. Maxian would not have noticed the omission of that much money.

MAXIAN Mr. Maxian responded that it had not caught his attention because it only involved 5,000 feet of pipe.

SCHENCK Mr. Schenck asked for some further clarification on the labor calculations.

MAXIAN Mr. Maxian provided Mr. Schenck with the explanation that he required.

GURRERI Mr. Gurreri stated that Mr. Maxian's mistake was $323,505 plus 15% added to that or $372,030. He asked Mr. Maxian what his total bid would be if he added his mistake to the bid.

MAXIAN Mr. Maxian responded that the bid would be $1,513,000.

GURRERI Mr. Gurreri commented that he didn't think the board could accept the mistake by law.

MAXIAN Mr. Maxian responded that under the law if he withdrew his bid he could not re-bid.

SCHENCK Acting Chairman Schenck asked whether there was any additional information to be discussed.

YOST Solicitor Yost presented one additional exhibit, Township #2, which was a copy of the only other bid received on this project from Gregory Contractors. He submitted this for the purpose of having an award in position to compare the two bids.

MEINGASSNER Attorney Meingassner stated that the PACT bid had been analyzed several times. A comparison of the two bids would reveal that Gregory's bid ultimately was much closer to PACT's intentional bid, which was reasonable and would have been very much in line with the other bid submitted.

YOST Solicitor Yost stated that according to the statute, the Board had five days to deliberate a decision. He asked what the Board's desire would be.

SCHENCK Acting Chairman Schenck commented that there was an option to recess the hearing at that point and go into deliberation.

Consensus of the Board was to recess and attempt to come to a conclusion.

The Board reconvened at 10:30 a.m.

SCHENCK Acting Chairman Schenck asked for any further discussion. Hearing none, he asked for a motion or decision to be offered.

MR. PASCH MOVED TO PERMIT PACT CONSTRUCTION TO WITHDRAW FROM THEIR BID CONDITIONED UPON SATISFACTORY AGREEMENT BETWEEN THE CONTRACTOR AND THE TOWNSHIP RELATING TO THE TOWNSHIP'S DAMAGES IN WRITING BY 3 P.M. JULY 18, 2001. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

3. ADJOURNMENT:

SCHENCK Mr. Schenck adjourned the meeting at 10:35 a.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **June 28, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, June 28, 2001 at 7:30 p.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Don Bishop
Nick Gurreri
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Buchart-Horn, Inc.
John Luciani, First Capital Engineering
Mike Myers, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Mark Hodgkinson, Superintendent, Wastewater Treatment Plant
Jack Hadge, Director of Finance
Betty J. Speicher, Director of Human Service
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 7:32 p.m. She welcomed the attendees to the general meeting of the Board of Supervisors.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

GURRERI Mr. Gurreri stated that Congressman Todd Platts' father had passed away and he, along with other Township representatives, had attended the viewing earlier during the evening. He added that the Township had sent flowers.

2. COMMUNICATIONS FROM CITIZENS:

York County Prison - Revenue

SURTASKY Mr. Tony Surtasky of 2245 Mt. Zion Road spoke with regard to an article in the newspaper concerning the York County Prison. He

stated that York is no longer a manufacturing community, but had become the place for INS prisoners in Springettsbury Township. He commented that $60.00 is collected for each inmate, but only half of that revenue is used; the other half goes to the County Courthouse. He asked what Springettsbury Township gets for performing a service to the United States Government. He would like to see the Township go to the Commissioners and ask that they provide something for Springettsbury, such as $.50 a day for every INS prisoner. The Township provides police protection and fire protection in the event of emergency. He felt the Township was being short changed and asked the Supervisors to think about it.

Central School Board – Swimming Pool

LEHR Ms. Sue Lehr, 3400 Overview Drive reported that she had been attending the Central School Board meetings. It had been discussed that the school board expected Springettsbury Township to help pay for their $6 to $7 million swimming pool. Ms. Lehr indicated she objected. She stated that the high school students are not interested in the pool and provided the following statistics: 48 boys were interested, 132 girls were interested, and 581 students were not interested. At the middle school 520 students were not interested in a swimming pool. She asked the Supervisors to take into consideration when approached that there are residents who pay taxes to York Suburban School District as well, and to be double taxed would not be fair. She commented that Mr. Kahler stated that the school was not as interested in the swimming pool for the children as for the community. Ms. Lehr stated Springettsbury Township has a beautiful park and if a swimming pool were desired, the Township could build its own. She stated the residents should not be required to fund Central's pool.

PASCH Mr. Pasch asked Mr. Sabatini whether anything had been received to indicate Central expected the Township to pay for part of the swimming pool.

SABATINI Mr. Sabatini responded that he had received only a telephone call from Dr. Estep stating that correspondence would be coming to the Township regarding an interest in a regional recreation approach. He had not seen anything in writing.

LEHR Ms. Lehr added that the subject had been discussed during at least three school board meetings.

PASCH Mr. Pasch commented that it was important to recognize that the Board had not officially received anything, and it was important to find out what the request would be. His personal opinion was, if

the school board feels a swimming pool were necessary, the school board would have to justify it. He would not want to justify the Township being involved and paying for it. Mr. Pasch stated he would not support the cause.

MITRICK Chairman Mitrick stated if the issue would come to the Township in a formal request, it would be discussed at a public meeting.

Camp Security – Hunters Crossing

LEVENS Mr. Nelson Levens of 3585 Cimmaron Road spoke on behalf of a second grade class of Stonybrook Elementary School regarding the Hunters Crossing/Camp Security environmental issue. As a class they submitted posters which were given to the board evidencing their thoughts about cutting down the existing forest in the development. Mr. Levens stated he had been involved in the forest products industry for over 20 years; he also well aware of stewardship programs with proper forest management; also Federal and State laws involved with forest stewardship. He wanted to make the Board aware of the fact of the student's awareness of the land and its use, as well as possible violations in Federal and State laws.

PARKETT Mr. Don Parkett of 3625 Cimmaron Road stated his opinion with the thoughts regarding the development of Hunters Crossing. He wished to express his disapproval and his strong endorsement of preservation of Camp Security. He stated this was an opportune time for discussion since Flag Day activities were recently celebrated on June 14 and soon celebrate July 4. Flag Day on June 14 is the celebrated 224th birthday of the U. S. flag; at the same time we are celebrating the 226th birthday of the U. S. Army. Those major events were products of the American Revolution. He stated that within our midst is a site that was part of the American Revolution and everything it stands for, liberties, democracy, freedoms, which this country has enjoyed over the years. It would be really a disgrace to destroy a sacred ground. I can just imagine the early days of our country that our first flag was flying over this historic camp. He strongly suggested that the Board should take a good look at this and disapprove any development and vote in favor of preserving this historic place.

DIETRICH Ms. Jill Dietrich, 3615 Brookedge Lane commented that she had written a letter to the supervisors, which she requested permission to read, with regard to the Hunters Crossing Development. She read the content of her letter, the essence of which was against the development. Some of the points mentioned were the negative environmental impact, crowded schools, increased traffic, safety,

speeding, and taxes. She commented about Friends of Camp Security, a grass-roots organization made up of residents of York County, along with support of Federal and State organizations and on-line support from 15 states, Canada and Great Britain. The mission is to preserve, interpret and commemorate the site of Camp Security, which is considered endangered. She urged the Supervisors to preserve Camp Security.

Drive In Theater Tract

PASCH Mr. Tim Pasch questioned the Board on a few matters, one of which is the drive-in theater. He is under contract to purchase the theater; however, as developer he and the AMC people cannot agree. He wanted to create a Flexible Zone which was Commercial for the apartments. He can't come up with a plan for all commercial. He asked for direction. He planned for a new convenience store, bank, bookstore, restaurants, office buildings and apartments all in the tract. This would destroy everything currently in place. He thought he would have to put a traffic light in at the Food Lion intersection. Tim Pasch stated he reached an impasse with regard to changing the zoning, which would be done at purchase, and he needed direction. His contract has plenty of time to allow the change, but he must come to a comfortable position.

MITRICK Chairman Mitrick indicated that Solicitor Yost to respond.

YOST Solicitor Yost indicated he had briefly discussed the matter with Mr. Stern, but would need some time to think about it. There are some real problems with contract zoning. He indicated he would be glad to review the matter.

MITRICK Chairman Mitrick asked when Solicitor Yost could respond either to Mr. Pasch or the Board regarding this matter.

SABATINI Mr. Sabatini asked whether a PRD would be an option. That could be done without going through a zoning change. You would have residential as well as commercial.

STERN Mr. Stern was not sure of the application as to what the Ordinance would allow.

YOST Solicitor Yost responded that he could get back to Mr. Pasch by the week of July 9th or he would be happy to discuss the matter with the attorney for the seller.

A. Presentation of Emergency Management Certifications

SABATINI Mr. Sabatini announced that a presentation would be made by Mr. Fetrow from the York County Emergency Management Agency. He asked Sgt. Harvey and Firefighter Flohr to come forward.

FETROW Mr. Fetrow commented that he had certificates to present to Sgt. Tim Harvey and Firefighter Dan Flohr. Emergency Management is very involved with Springettsbury Township, and he complimented the Fire Department and Police Department for the utilization of combined resources. Firefighter Flohr received a lot of certifications when he served as Interim Township Fire Chief. He presented a Certification and Advanced Certification to him, which he had taken through the Pennsylvania Emergency Management Agency and which were provided by the Director of Pennsylvania EMA David Smith, and Dave Harman, Coordinator with York County.

FETROW Mr. Fetrow also presented a Basic Certification to Sgt. Tim Harvey, who had been very active in the York County EMA with attendance at quarterly training. Mr. Fetrow commented that Sgt. Harvey often was accompanied by Chief Dave Eshbach, and he was glad to see the involvement of the Chief. Mr. Fetrow commented that Sgt. Harvey had earned his Basic Certification through the Pennsylvania Emergency Management Agency.

Camp Security Correspondence

GURRERI Mr. Gurreri commented that he had received quite a few letters regarding Camp Security from residents who are against it. He thought the rest of the Board may have received them too.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart-Horn, Inc.

SCHOBER Mr. Schober reported several updates to his written report. With regard to the East/West Interceptor two bids had been received. Since that time the apparent low bidder had retracted his bid resulting in a meeting on July 12 with the Board. The contractor will present his case in a Public Hearing required by law. That project will be on hold until the 12th at which time the Board can make a decision on whether to allow him to retract the bid.

SCHENCK Mr. Schenck asked what the general percentages were as far as the differences in the low bid to the next bid.

SCHOBER Mr. Schober responded that the low bidder was $1.1 million; the next low bidder was $1.6 million.

YOST Solicitor Yost stated that the law required that, if the Township wished to seek to enforce the bid bond, a hearing must be held for the bidder to convince the Township or not that he made a mathematical error, or otherwise comply with the statute. The hearing must be held within 10 days of the opening of the bid. An extension was secured to the 12th. Solicitor Yost stated that if the Board chose to release the bidder and make no claim on the bid bond, the hearing would not be required. He had notified the bonding company that the Township would be making a claim on the bid bond.

PASCH Mr. Pasch asked whether a mathematical clerical error would be a reason to back down.

YOST Solicitor Yost responded that if the bidder could demonstrate a math error it would be a reason. Mike and I think the bidder will have a terrible time trying to demonstrate that because it was a unit price contract or 67 unit items, and the bidder was invariably low on each one. It looks like a judgment call, which would not release him as opposed to having missed a quantity of work or made a mathematical error including the bid. He had not added up the bid.

SCHOBER Mr. Schober reported that the annual evaluation of tapping fees had been completed, and correspondence will be provided to Mr. Sabatini with that information. The amount increased slightly.

B. Civil Engineer – First Capital Engineering

Cortleigh Drive

LUCIANI Mr. Luciani stated he had two updates to his written report. The Cortleigh Drive project had been essentially completed and had been inspected. A review will be held on July 12th and 90% payment to the contractor will be made. Mr. Luciani stated the work had been done satisfactorily.

Market Street Widening - PennDot

LUCIANI Mr. Luciani commented on a traffic discussion held with a PennDot consultant who stopped at the Township. PennDot is selecting engineers for widening Route 462 (Market Street) from Edgewood Road to Locust Grove Road. PennDot's plan was to widen that to as many as five lanes in that segment. The engineer had asked Mr. Luciani about stormwater and the problems involved. Mr. Luciani stated he had reported to him about some of

the runoff that comes into that area and also traffic congestion problems in that vicinity. The fact that Locust Grove Road is offset from the County homes roadway was discussed. The Township had a plan to split-phase that signal and a plan had been prepared. Charlie Lauer is sending that to PennDot which will further degrade the intersection. Mr. Luciani stated that particular traffic issue that is forthcoming.

BISHOP Mr. Bishop asked whether PennDot was considering a median along that stretch of road.

LUCIANI Mr. Luciani responded that any motorist coming out of any of the sites along the road trying to make a left turn would be impossible. The solution may be a type of barrier. The proof will be in the number of accidents in that segment of roadway. Safety versus convenience will be discussed and will impact current businesses and a lot of future businesses. Mr. Luciani added that the project is not completed, and PennDot would be going through the analysis just like the Township is going through analysis. If PennDot would want to increase capacity as the Township grows to 2020, the number of lanes must be increased.

Rocky Ridge Park

LUCIANI Mr. Luciani had received a call from a consultant who is reviewing the Rocky Ridge Park Master Plan, who had asked about the concerns. Mr. Luciani responded that site distance on the entrance road is critical, in addition to the fact that a motorist cannot see the road to get into the park. He had also reported that there are some runoff problems from Rocky Ridge that impact the Township.

BISHOP Mr. Bishop asked whether the Rocky Ridge consultants would be considering an alternate entrance.

LUCIANI Mr. Luciani responded that he would have to make a contact with him for further discussion.

STERN Mr. Stern spoke with two of the short listed people for the project, and both indicated that one item was to find an alternate exit/entrance not on Mt. Zion Road. The other portion was to determine the Township expectations related to Deininger Road and Mt. Zion Road.

Central School Study

GURRERI Mr. Gurreri commented on the Central School Study. He wondered why the school location and Deininger Road had not been included in the study.

LUCIANI Mr. Luciani responded that, with their initial traffic study or scope, they left out several intersections. They should not have an impact because they really won't impact the turning improvements. Mr. Luciani indicated they were asked to look at Pleasant Valley and Mt. Zion Road. Mr. Luciani's biggest concern there was the lunch crowd, kids leaving high school, going to the Galleria over lunch, which he felt would have an impact on Mt. Zion. They did study that and there would be an impact, but I also heard from the Central people that students would be restricted from leaving at lunch time, which might be a possible solution.

MITRICK Chairman Mitrick would like to see that in writing.

PASCH Mr. Pasch commented that one important item is that boards change, policies change, and Mr. Pasch did not think anything could be written that says they're going to have a 20 year hiatus on students leaving the premises.

BISHOP Mr. Bishop added that the matter is a physical reality, and they're talking about a policy that can change any day.

PASCH Mr. Pasch discussed the fact that Mr. Luciani had been involved in all the traffic studies. One memo from Central School showed that Springettsbury Township would be expected to fund nearly $900,000.

LUCIANI Mr. Luciani commented that the school felt the Township had a financial responsibility to partner with them. They still have to go through the Pennsylvania Department of Transportation process because many of the roads that the Township asked for in the study beyond Township roads are PennDot roads. Based on Mr. Luciani's development experience quite often PennDot will want to know the source of the financial commitment, and the question of whether Springettsbury would be required to pay 20, 50, 70% of those costs to mitigate the traffic impact would be discussed. Mr. Luciani added that the school would not obtain a PennDot Highway Occupancy Permit until such time as those traffic impacts are guaranteed financially by the developer. In this case, Central School would be the developer. As the Township moves through the approval process more information will become available. He added that he had not reviewed their study in detail yet.

LUCIANI Mr. Luciani stated that the school would have to come to the Township for approval, and he projected that it will probably be seen in about September or October.

PASCH Mr. Pasch stated he just didn't want to see something going ahead and then all of a sudden Springettsbury Township would be stuck with a $900,000 bill that the Board had not had a chance to review.

LUCIANI Mr. Luciani responded that Springettsbury had not made any financial commitments.

Heritage Hills

GURRERI Mr. Gurreri asked about the status of the No Left Turn sign at Heritage Hills.

LUCIANI Mr. Luciani indicated that he was not sure what the status was.

GURRERI Mr. Gurreri stated that a month ago the Township was going to ask Heritage Hills to put up the sign. A year ago the Township was going to put it up.

MITRICK Chairman Mitrick asked Chief Eshbach whether he knew anything about the No Left Turn sign.

ESHBACH Chief Eshbach indicated they had contacted PennDot, and it was part of the plan, bit the sign had not been erected. We asked them what the recourse was if the sign did not go up, and PennDot did not know.

GURRERI Mr. Gurreri asked why the Township didn't just put the sign up.

SABATINI Mr. Sabatini stated he would make a contact and make Heritage Hills aware of the fact that it was part of the plan.

MITRICK Chairman Mitrick stated she felt they were probably not aware of it.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers reported that they had done an As Built Change Order for the four contracts that comprised the Conversion Pump Station. The good news was that a $20,000 credit would be paid back to the Township.

SCHENCK Mr. Schenck wondered whether Friday evening's rain showed a need for the pump station.

HODGKINSON Mr. Hodgkinson responded that it had not been needed.

SABATINI Mr. Sabatini stated that the comment was made that the INI work was beginning to have some benefits.

HODGKINSON Mr. Hodgkinson stated there were 17-1/2 million gallons, and in years past there were 30 million gallons.

MYERS Mr. Myers added that the ground water levels are fairly low at this time.

HODGKINSON Mr. Hodgkinson stated that York City reported in 45 minutes they were somewhere in the teens to 50.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of June 28, 2001.
B. Rummel, Klepper & Kahl, LLP – Progress Billing No. 30 – Diversion Pumping System and Parallel Interceptor - $10,446.30.
C. Buchart-Horn, Inc. – Project Invoice No. 12 – Solids Handling Improvements - $6,860.83.
D. Buchart-Horn, Inc. – Project Invoice No. 13 – East/West Interceptor - $8,953.91.
E. Springfield Contractors, Inc. – Pay Estimate No. 8 – Parallel Interceptor - $72,791.25.
F. Springfield Contractors, Inc. – Pay Estimate No. 9 – Parallel Interceptor - $22,778.72.
G. Johnston Construction Company – Pay Estimate No. 7 – Diversion Pumping System - $13,115.80.
H. Five Star International – Purchase of 2002 International Model 2674 Truck - $103,922.54.

MR. GURRERI MOVED FOR APPROVAL OF ITEMS A THROUGH H AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS:

A. PACT – East/West Interceptor, Phase II

SABATINI Mr. Sabatini explained that the contractor had withdrawn his bid with regard to item A. A hearing was scheduled for Thursday, July 12, at the convenience of the Board of Supervisors. No action was necessary at this time.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. Planning Module – York County Prison – A3-67957-316-3 – 11,750 GPD (Resolution No. 01-39)

STERN Mr. Stern explained the Planning Module for York County Prison for 11,750 gallons per day, which would accompany the Land Development slated for review later during the Agenda.

MR. SCHENCK MOVED FOR THE APPROVAL OF PLANNING MODULE FOR YORK COUNTY PRISON, 11,750 GALLONS PER DAY. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Planning Module – Texas Roadhouse – A3-67957-319-3 – 5,000 GPD (Resolution No. 01-40).

STERN Mr. Stern explained the Planning Module for Texas Roadhouse restaurant, which will replace the restaurant across the street on Mt. Zion Road for 5,000 GPD. This will accompany the Land Development later during the Agenda.

PASCH Mr. Pasch asked what the existing flow had been.

STERN Mr. Stern responded that the existing flow was 2,100 gallons per day. The engineers estimate 7,100 gallons for the new restaurant. They need an additional 5,000 gallons.

PASCH Mr. Pasch questioned why this would be the same sized restaurant but the gallons would increase 1-1/2 times.

STERN Mr. Stern responded that the 7,100 gallons per day was not uncommon for a franchise restaurant due to how busy they would be, the type of food they prepare, along with the type of equipment used to prepare the food.

MR. GURRERI MOVED TO APPROVE RESOLUTION 01-40 SEWER PLANNING MODULE – TEXAS ROADHOUSE FOR 5,000 GPD. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Planning Module – Charles Kirby (York Township) – A3-67971-514-3 – 350 GPD

STERN Mr. Stern explained the Planning Module for York Township for Charles Kirby for 350 gallons per day for item C. This covered a two-lot subdivision on School Street in York Township.

MR. SCHENCK MOVED TO APPROVE THE PLANNING MODULE FOR CHARLES KIRBY IN BEHALF OF YORK TOWNSHIP FOR 350 GALLONS PER DAY. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Planning Module – Chestnut Ridge (York Township) – A3-67971-508-3 – 17,150 GPD

STERN Mr. Stern explained the Planning Module for Chestnut Ridge in York Township for 17,150 gallons per day for 49 residential lots.

MR. GURRERI MOVED FOR APPROVAL OF YORK TOWNSHIP SEWER PLANNING MODULE CHESTNUT RIDGE FOR 17,150 GALLONS PER DAY. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Planning Module – Randy Craley (Windsor Township) – A3-67966-320-3 – 700 GPD

STERN Mr. Stern explained that Item E covered a Planning Module for Randy Craley in Windsor Township for 700 gallons per day. This was for subdivision of a property on Bahns Mill Road into two residential building lots.

MR. SCHENCK MOVED TO APPROVE PLANNING MODULE FOR RANDY CRALEY (WINDSOR TOWNSHIP) FOR 700 GALLONS PER DAY. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Planning Module – Opera House Apartments Phase II (Red Lion Borough) – A3-67805-046-3 – 7,500 GPD

STERN Mr. Stern commented that item F covered the Opera House Apartments Phase II in Red Lion Borough for 7,500 gallons per day, based on 30 apartments using 250 gallons per day.

MITRICK Chairman Mitrick asked how the 250 gallons per day was determined.

STERN Mr. Stern responded that he was not certain how this was handled in Red Lion Borough, but in Springettsbury Township if an applicant can demonstrate lower flows than 350 gallons per day, and the evidence supports it, then it would be permitted. He felt that was the case with item F.

MR. GURRERI MOVED TO APPROVE RED LION SEWER PLANNING MODULE – OPERA HOUSE APARTMENTS PHASE II FOR 7,500 GALLONS PER DAY. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. SD-01-03 – Stony Brook Mennonite Cemetery & King James Bible Church – Action

STERN Mr. Stern explained item G, SD-01-03 for the Stony Brook Mennonite Cemetery & King James Bible Church on Stoneridge Road in Springettsbury Township. The essence of the plan was to adjust property lines between the two. No new parcels would be created. The plans showed five lots, but that was a paperwork exercise. Lots 1 and 2 would be combined to create the new parcel for the church; Lots 3 through 5 would be combined to show the new parcel for the cemetery. This plan was recommended for approval during the May 17 Springettsbury Township Planning Commission meeting with certain waivers. Mr. Stern commented the Ordinance requires buffering, but because both of these properties are developed and have been, the Planning Commission and staff felt that there was no need for landscaping at this time. If the church were to be torn down and developed to something else, or if the cemetery would change to another use, this would provide an opportunity to require additional landscaping. The dedication and cartway is an existing road ,and the Township does not have the ability to have them dedicate the additional right-of-way or widen it. Because the Ordinance requires it, the staff recommend a waiver. The applicant was present to answer questions.

SCHENCK Mr. Schenck asked whether this actually was two different entities.

DAVIS Mr. William Davis of Site Design Concepts responded that it was two different entities, a Mennonite cemetery and the King James Bible Church.

SCHENCK Mr. Schenck asked whether the two properties were jointly used.

DAVIS Mr. Davis responded they are not.

MITRICK Chairman Mitrick asked if this was the corner where there was difficulty in the shrubbery in the site triangle.

STERN Mr. Stern responded it was not.

MR. GURRERI MOVED TO APPROVE SUBDIVISION 01-03 STONY BROOK MENNONITE CEMETERY & KING JAMES BIBLE CHURCH WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM SUBMISSION OF A PRELIMINARY PLAN**
- **WAIVER FROM SHOWING ALL STREETS WITHIN 400 FEET**

- **WAIVER FROM PLAN SCALE REQUIREMENTS.**
- **WAIVER FROM CURBS AND SIDEWALKS AS PER SIX MONTH NOTE ON PLAN**
- **WAIVER FROM LANDSCAPE AND BUFFER YARDS PER SIX MONTH NOTE ON PLAN**
- **WAIVER FROM DEDICATION OF 50' RIGHT-OF-WAY.**
- **WAIVER FROM WIDENING THE CARTWAY TO 26 FEET.**
- **CONDITIONED ON THE COMPLETION OF ALL REQUIRED SIGNATURES, SEALS AND NOTARIZATIONS.**

MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. SD-01-01 – Sprenkle – Action

(Stenographer's Note: Ken Pasch stepped down from the Board table at this time - 8:35 p.m.)

STERN Mr. Stern commented that item H, Subdivision 01-01 for Sprenkle covered a 9.06 acre tract, which was being proposed for 13 building lots and is located on Locust Grove Road north of Laurel Lane and the Windsor Township line. This is a Preliminary Subdivision Plan, and when the plan is approved, the applicant will return with a final plan prior to selling or developing the parcels. Lot sizes range from ½ acre to a little over 1 acre. On April 12 Springettsbury Township Planning Commission recommended approval. There was a new letter issued by John Luciani with a few minor comments to be addressed.

LUCIANI Mr. Luciani stated he had reviewed the plan with some minor revisions. He commented on some of the waivers being requested.

- The maximum slope for a roadway is 10% when it's a dead end street or a cul-de-sac and they're proposing to go to 11.63%. They could probably get to the 10% but at the very end of the road it makes the cul-de-sac to the existing farmhouse inaccessible. The Planning Commission reviewed the two options and felt 11.63% was the better choice.

- Mr. Luciani and Mr. Stern had discussed the stormwater management basin. The Ordinance required a 4 to 1 slope, which is approximately the grade on the basin to the south of the building. One reason why those slopes are gentle was so they could be mowed and become easier to maintain and more esthetically pleasing. They are showing a 2 to 1 basin, which might prompt conversation of whether the Township is in the

business of taking over these basins. He suggested some conversation about the basins. The 2 to 1 slopes just fit in there, and the only way to mow those is with a weed wackier.

- Mr. Luciani commented that there are a number of outstanding conditions, such as the ENS Permit and two Highway Occupancy Permits, one for the driveway access to Locust Grove Road; the second the Township applied for to allow them to run the sewer on their behalf to connect to the existing gravity sewer.

- Mr. Luciani stated that the pump station will not be moved and always there to serve these lots. He had spoken with Wastewater Treatment people about what could be done for screening. Many of our pump stations are screened with a chain link fence; however, Mr. Luciani suggested a green buffer with some opacity to keep people from looking at the pump station. The initial plan provided white pines, which expand to 20 feet in diameter. However, there is only have 5 feet outside the fence to maintain those. It was suggested to go to an emerald green, which is a more narrow tree that would fit in the 5 foot area. That completed Mr. Luciani's comments.

BISHOP Mr. Bishop asked whether there was a condition attached to the pump station.

STERN Mr. Stern responded that was correct.

LUCIANI Mr. Luciani stated it was a DEP Part 2 Pump Station Permit. DEP is the only organization that could approve a pump station that is not for a single family residential use or a single commercial use.

STALLMAN Mr. Stallman provided supportive information regarding the matters in question which Mr. Luciani and Mr. Stern had reported. He discussed first the Traffic Study, Street Grading, Stormwater Basin, all of which had been approved by the Planning Commission. The items on which he commented were in agreement with Township Ordinances and requirements.

SCHENCK Mr. Schenck asked Mr. Hodgkinson whether the Wastewater Treatment Plant would take over that pumping station.

HODGKINSON Mr. Hodgkinson indicated that was correct.

STALLMAN Mr. Stallman added that it had been set up to be a fee simple area. He added that a separate access drive had been provided for access to the pump station.

MITRICK Chairman Mitrick asked who would maintain the stormwater basin.

PASCH Tim Pasch offered that the Township could maintain it, but he would be happy to maintain it. He added that a homeowners association would be created to do that in any case.

BISHOP Mr. Bishop commented that the issue really is if the Township ends up in a situation 15 or 20 years down the road, if the Homeowner's Association isn't functioning properly, if that will fall back to the Township.

PASCH Tim Pasch offered that what some of the other Townships had done in the creation of the homeowner documents was to include the association and/or township. He could provide a copy of the homeowner documents for Springettsbury's review. He indicated that in most of the association documents it provides for the Township having the right to assess them a fee.

BISHOP Mr. Bishop stated that the issue is if the Township would end up doing it then we want it to be designed so it's easy to do.

MITRICK Chairman Mitrick asked Mr. Luciani for his recommendation on the basin slope.

LUCIANI Mr. Luciani responded that the Planning Commission had made a recommendation. Mr. Luciani's preference would be to see a more gentle slope at 4 to 1. He would not want to take over a 2 to 1 basin.

PASCH Tim Pasch commented that Crown Vetch could be planted along the slope, and no maintenance would be required.

LUCIANI Mr. Luciani indicated that might be one way to get away from the maintenance. The Ordinance does require some kind of guarantee, and that might be the way. Prior to final plans, some type of formal plan should be created.

SCHENCK Mr. Schenck asked what provided the Planning Commission with a comfort level.

LUCIANI Mr. Luciani stated that this had been reviewed before another basin had been adopted, and it was agreed that they would maintain it.

STALLMAN Mr. Stallman commented about the third waiver. Mr. Luciani had mentioned their widening Locust Grove Road and adding sidewalks. Planning Commission agreed.

MR. SCHENCK MOVED TO APPROVE SD-01-01 SPRENKLE WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM BASIN SLOPE FROM FOUR TO ONE TO TWO TO ONE;**
- **WAIVER FROM ROADWAY WIDENING ON LOCUST GROVE ROAD**
- **WAIVER TO ALLOW 11.63% SLOPE ON WET ROCK COURT;**
- **CONDITIONED ON THE PAYMENT OF PROPORTIONATE SHARE OF THE ROAD IMPROVEMENTS AS DISCUSSED;**
- **CONDITIONED ON THE PAYMENT OF THE RECREATION FEE IN LIEU OF $602.00 PER DWELLING;**
- **CONDITIONED ON STREET LIGHTS MEETING THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS;**
- **CONDITIONED ON THE GUTTERS FOR LOTS 1, 2, AND 3 BEING DIRECTED TO THE STORM SEWER.**
- **CONDITIONED ON OBTAINING A DEP PUMP STATION PART #2 PERMIT.**

MR. BISHOP WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO FAMILY MEMBER INVOLVEMENT.

Stenographer's Note: Mr. Ken Pasch returned to the Board Table at 9:05 p.m.

I. LD-01-04 - Texas Roadhouse

STERN Mr. Stern provided background information regarding LD-01-04 for Texas Roadhouse. He stated that the Planning Commission recommended approval on May 17, as did the staff. He provided the suggested waivers and conditions. Robert Kornman, landscape engineer for the project, and Russell Arbuckle, Manager of the Texas Roadhouse York location represented the project.

MITRICK Chairman Mitrick questioned the area planned for the dumpsters, which indicated they would open up towards Mt. Zion Road. She asked whether that could be shifted.

KORNMAN Mr. Kornman indicated that the dumpsters do have gates on the front that close; however, he stated it would be very difficult to shift them to another location in that they would have to face the hotel, and truck access would be impossible.

GURRERI Mr. Gurreri asked whether the dumpsters could be seen from Mt. Zion Road.

KORNMAN Mr. Kornman responded that a landscape screen would be provided between the parking lot and Mt. Zion Road.

MITRICK Chairman Mitrick voiced very strong concern about the dumpster in that very quickly they become unsightly, in addition to facing a main roadway in the Township. She again asked whether there was any other location possible for the dumpster.

ARBUCKLE Mr. Arbuckle indicated that the material was quite sturdy and only the front door would be visible from Mt. Zion. In addition, Texas Roadhouse/High Hotels was very concerned about their image in the community.

MITRICK Chairman Mitrick asked Mr. Stern whether he had any concerns about the dumpster.

STERN Mr. Stern responded that he had no concerns. He could not guarantee that five years from now it would not be a problem; however, he had visited the site in Lancaster and found it to be an extremely clean property, and well maintained.

MITRICK Chairman Mitrick asked Solicitor Yost whether there was any provision possible to require the dumpster be moved.

YOST Solicitor Yost responded that he knew of none.

SCHENCK Mr. Schenck asked Mr. Stern whether the Ordinance still read the same on dumpsters with regard to screening.

STERN Mr. Stern responded that it read the same.

PASCH Mr. Pasch commented that the site would not provide much of an opening.

MITRICK Chairman Mitrick stated she would prefer another option for the Township. As a Board member in consideration of a main road in the Township, she would prefer to have dumpsters in a different location.

MR. GURRERI MOVED FOR APPROVAL OF LAND DEVELOPMENT 01-04 – TEXAS ROADHOUSE WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM REQUIREMENT TO SHOW 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.**
- **WAIVER FROM PLAN SCALE REQUIREMENTS;**
- **WAIVER FROM LANDSCAPE REQUIREMENTS;**
- **WAIVER FROM SUBMISSION OF A PRELIMINARY PLAN;**
- **CONDITIONED ON SUBMISSION OF FINANCIAL SECURITY IN THE AMOUNT OF $99,814 AS APPROVED BY THE TOWNSHIP ENGINEER;**
- **CONDITIONED ON THE APPROVAL OF A SEWER PLANNING MODULE BY SPRINGETTSBURY TOWNSHIP AND PENNSYLVANIA DEP.**

MR. BISHOP WAS SECOND.

MITRICK Chairman Mitrick commented on the Motion that the Developer agreed to meet and share with the Township Engineer the design and materials for the dumpster enclosure.

MOTION CARRIED. CHAIRMAN MITRICK VOTED NO.

J. LD-01-03 – York County Prison Work Release Addition

STERN Mr. Stern provided background information regarding LD-01-03 for the York County Prison's Work Release Expansion. There had previously been a temporary modular housing unit approved for this program. This building will be a replacement as a two-story building of 7,000 square feet. Township Planning Commission approved the plan 5/17/01. Mr. Josh George of C. S. Davidson represented the plan. Mr. Stern commented that 123 parking spaces were to be added.

GEORGE Mr. George reported that the original capacity at the prison was 500 inmates. In 1992 during the first expansion a wing had been provided to the east and south for 600 inmates. In 1998 the INS expansion had been constructed for a capacity of 400 inmates. The work release building construction would provide for a capacity of 288. The total population of the prison would be approximately 1800 of which 1100 are local and 700 are INS.

GEORGE Mr. George responded to the Board's questions and concerns related to waivers and conditions to the satisfaction of the Board.

PASCH Mr. Pasch brought up the fact that some of the discussions regarding stormwater runoff included the York County and prison officials. He asked whether there was a solution to those problems.

LUCIANI Mr. Luciani responded that a Greenway Grant had been applied for involving the county engineer and personnel. A budget estimate to do a regional pond in that area would be $3 million plus. The Greenway Grant was the beginning of that. He was not sure of the status of that project and thought it would be a five year time frame. The prison addition would not exacerbate the problem. It completely complies with the Ordinance.

SABATINI Mr. Sabatini added that the staff had applied for that Grant application. The next round for that will be in September, and there will be a review of our previous application. Over half that was to donate land by the county and Kinsley.

PASCH Mr. Pasch referred to Tony Surtasky's earlier comment with regard to prison revenue and that the County should pay the Township a daily fee for all the INS people.

GEORGE Mr. George indicated that in reality the prison actually saves County tax dollars. He commented that there are a number of services provided by the County, such as the County Home, which is a money loss to the County. This money helps offset that cost. It also helps with bridge maintenance on 300 bridges within the County.

SURTASKY Mr. Surtasky commented that he would go along with expansion if there were an end to the project.

GURRERI Mr. Gurreri responded that he felt it was a win-win situation with the work release project. The inmates must pay room and board. Employers get people to work; families get money from their wages; the County gets money. It helps everybody in York County.

MITRICK Chairman Mitrick calculated that based on Mr. George's report, the prison community would house about 1,800 people, a figure surprising for a county prison. When she came on the Board in 1992 the capacity was 500. She understood there was a financial benefit to housing INS program, but expressed concern with regard to the serving the needs in the County and by going into the prison business.

GEORGE Mr. George responded that he was certain that Warden Hogan would be happy to speak with the Board to alleviate any concerns that they had. He indicated the Warden was on vacation.

GURRERI Mr. Gurreri stated it should not be a concern as long as money was being earned and it was helping the County. He didn't see anything wrong with it.

BISHOP Mr. Bishop stated, if there was a continued increased utilization of this site, there may be a legitimate Springettsbury Township concern for the necessary increase in services needed to be provided to a non-tax paying entity. A review of the activity level from 500 to 1,800 inmates indicated a huge increase over 10 years, for which the Township must provide services. Mr. Bishop stated he felt it was his responsibility to express his concern. The Township does whatever it can to help with a County facility that costs us a lot and provides no benefit.

MR. GURRERI MOVED FOR APPROVAL OF LD-01-03 – YORK COUNTY PRISON WORK RELEASE ADDITION WITH THE FOLLOWING WAIVERS AND CONDITIONS:
WAIVER FROM SUBMISSION OF A PRELIMINARY PLAN;
WAIVER FROM SHOWING ALL STREETS WITHIN 400 FEET;
WAIVER FROM REQUIREMENT TO SHOW STREET LAYOUT MAP;
WAIVER FROM FINANCIAL SECURITY REQUIREMENTS;
MODIFICATION FROM STORMWATER BASIN SIDE SLOPE REQUIREMENTS;
CONDITIONED ON THE APPROVAL OF A SEWER FACILITIES PLANNING MODULE;
CONDITIONED ON THE COMPLETION OF ALL REQUIRED SIGNATURES, SEALS, AND NOTARIZATIONS.

GEORGE Mr. George commented that the plan relating to Condition #8, "Conditioned on an adequacy letter from the county conservation district" had been approved. He produced a copy for the Board.

MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

PASCH Mr. Pasch stated that he agreed with Mr. Surtasky and Mr. Bishop. Springettsbury Township residents of 20,000 people have to pay a disproportionate share when the County is involved with 300,000 people. It is important that, rather than try to funnel this information back through Josh George, the Township Board of Supervisors and Manager should communicate to the County Commissioners saying that enough is enough. We have a lot of items in the Township that need to be absorbed in services. The Commissioners should be made aware of that.

SCHENCK Mr. Schenck indicated his full support for that communication. He had previously stated that the prison is on the backs of the Township residents, and this is no different.

MITRICK Chairman Mitrick added her full support.

SABATINI Mr. Sabatini responded that he would prepare the information and proceed.

K. SD-01-05 – RMA Enterprises/Raymond Abboud – Time Extension to 9/27/01

MR. PASCH MOVED TO ACCEPT THE TIME EXTENSION OF SD-01-05 RAYMOND ABBOUD. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

L. LD-01-04 – Texas Roadhouse – Time Extension to 7/26/01
M. SD-01-03 – Stony Brook Mennonite Cemetery – Time Extension to 7/31/01

STERN Mr. Stern reported that items L and M were not necessary at this time as there had been action on their plan.

N. SD-99-09 – Hunters Crossing – Time Extension to 7/26/01

STERN Mr. Stern commented that SD-99-09 for Hunters Crossing would provide for a Time Extension to 7/26/01.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR HUNTERS CROSSING SD-99-09 TO 7/26/01. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. KEN PASCH ABSTAINED DUE TO FAMILY MEMBER INVOLVEMENT.

O. SD-01-01 – Sprenkle – Time Extension to 7/26/01

STERN Mr. Stern stated that item O was not necessary inasmuch as there had been action on the plan.

P. LD-01-05 – Budget Host Inn Mini Golf – Time Extension to 8/23/01

STERN Mr. Stern indicated that LD-01-05 would provide a Time Extension for Budget Host Inn Mini Golf until 8/23/01.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION BUDGET HOST INN LAND DEVELOPMENT 01-05 TO 8/23/01. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Q. SD-00-10 – Sheridan Manor Phase I – Time Extension to 9/30/01

STERN Mr. Stern commented that SD-00-10 for Sheridan Manor Phase I would grant a Time Extension to 9/30/01.

MR. GURRERI MOVED TO ACCEPT TIME EXTENSION FOR SD-00-10 SHERIDAN MANOR PHASE I TO 9/30/01. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATIONS FROM SUPERVISORS

Springettsbury Volunteer Fire Company

PASCH Mr. Pasch reported that the Board for Springettsbury Township Fire Volunteer Fire Company had met twice. He reported that cooperation among the members and the Board had been excellent; some work had begun and progress made.

People's State Bank Signage

GURRERI Mr. Gurreri reported he had received a letter from Donald Norbeck, a resident of 717 Clearmont Road. He had written to Peoples State Bank as a shareholder and suggested their little sign on a their property does not look right. He cited Weavers Eye store in the 3A's building which had a bigger sign.

STERN Mr. Stern responded that they are in the shopping center; the size of the frontage is smaller, and when the bank was first built they had a permit to put two signs up, which were slightly larger than the ones there now. They put up three signs each a little smaller, which was not permitted by Ordinance. After they removed one they were left with two small signs.

Pleasant Valley Condos

GURRERI Mr. Gurreri recalled that Nancy Richards had attended a meeting and pointed something out on the development on the condos of one water meter per group. He wondered whether there was any problem with the Ordinance or whether any problems had been reported.

STERN Mr. Stern responded that, rather than having one water meter for each dwelling unit the condominium association indicates that the association pays for the water. Instead of one meter per unit they put in one meter per building. We contacted the water company which revealed it had been their decision as to how many meters are there. The water company approved it and installed the meters.

Building Costs

GURRERI Mr. Gurreri brought forward again the costs to build the new municipal building and the public safety building. He stated that he had received some information but needed more. He recalled that bids had been received on each building with so much for each building, and then there were Change Orders. He wanted to see the costs of the Change Orders in each building along with anything else we had done to see how much we have in each building. Every Change Order was on a separate sheet. He wanted to see the costs more detail.

SABATINI Mr. Sabatini commented that the buildings had been bid out as a group. The Municipal Building and the Police Station were grouped, and the farmhouse was a separate contract. In terms of the prices for the Police Station and the Municipal Building, it would be very difficult, if not impossible, to separate the cost because they were lump sum figures.

GURRERI Mr. Gurreri cited one sheet he received 2/21/01 for the farmhouse; it has what the Change Orders were, the existing work, what the Change Orders were and how much they were. He indicated that was the type of information he wanted.

SABATINI Mr. Sabatini commented that the farmhouse was a separate contract. He added that Change Orders dealing with paving and sidewalks are difficult to classify a correct dollar value. A certain level of accuracy can be provided, but not 100% because of the structure of the contract.

SABATINI Mr. Sabatini indicated that if the Board wanted to authorize the staff to spend 20 or 30 hours to drill down and provide detailed accounting, it could be done, but it would be a fairly substantial time cost because of the nature of the contract.

GURRERI Mr. Gurreri mentioned all the bills had been paid, along with the fact that money had been spent on the computers. He didn't understand why 80-90% of the information couldn't be easily provided.

SABATINI Mr. Sabatini indicated he could pull out the information on the farmhouse, but not for the two buildings without an allocation of funds.

GURRERI Mr. Gurreri asked Mr. Sabatini to provide what he could.

SABATINI Mr. Sabatini indicated he would do so.

Wastewater Treatment Plant Odor

MITRICK Chairman Mitrick commented that she had received a few telephone calls regarding the odor at the Wastewater Treatment Plant in the last week or so.

Springetts Oaks Utility Poles

MITRICK Chairman Mitrick stated she had received a call yesterday from a resident in Springetts Oaks who is concerned that utility poles are going up along Pleasant Valley in the vicinity of the condos. The gentleman was one of the original homeowners in Springetts Oaks, and he stated at that time they had been guaranteed that all the utilities would be below ground.

STERN Mr. Stern responded that all of the utilities within condo property will be under ground. Along public right of ways to bring the service in just the same as along the Galleria Mall on Pleasant Valley Road, GPU has the right to put in overhead lines. Mr. Stern indicated they had argued that point with GPU; however, it was determined there was no way to enforce it.

MITRICK Chairman Mitrick asked Mr. Stern to please call Dick Campbell tomorrow and explain that.

Pleasant Valley Condo Project

MITRICK Chairman Mitrick visited the Pleasant Valley Condo project. It appeared to her that the berm that they committed to constructing along Pleasant Valley Road begins to phase out too early on the west end, and they need to extend it. She stated that what they had done was good, but the west end needed to be built up slightly. She asked Mr. Stern whether he had noticed it.

STERN Mr. Stern stated that she was correct, and the builder had been made aware of it.

Paint Ball Court

MITRICK Chairman Mitrick stated that a 13 year old came to the Open House and asked whether he and his friends could have a paint ball area on part of the property that is behind the existing condos along Pleasant Valley Road. They want to have the property right up against Route 30. They've indicated that the topography is such that the paint wouldn't get up onto the cars. They are using environmentally safe paint. Chairman Mitrick stated that, even though this young man may not get his paint ball area, he would be someone to look forward to in the future. He wrote an amazing letter, sent a picture of the guns that they would use, the type of paint that they would use, and in the end he's asking the Board's

permission to do so. Chairman Mitrick added they have their targets where they wouldn't bother anyone. She asked for a decision from the Board.

SCHENCK Mr. Schenck commented that the young man is in his scout troop, and he is a future President of the United States. Mr. Schenck indicated he is an amazing young man.

PASCH Mr. Pasch asked whether the area actually was on Springettsbury Township property.

SABATINI Mr. Sabatini stated that he thought only part of the area was in Springettsbury Township and the other part was on Kinsley property.

PASCH Mr. Pasch added that he would want to know what liability the Township would have if the paint would go on the road or on a car's windshield. He knew it was washable.

SABATINI Mr. Sabatini will contact the young man and advise him that the property location is not in Springettsbury Township.

Front Wall Design

MITRICK Chairman Mitrick reported that she had received positive response for the design for the front wall. A design has been drawn, and Mr. Stern is working on the materials and the costs.

Board Room Noise

MITRICK Chairman Mitrick stated she had received information from Frank Dittenhafer about the noise problem, which will be provided to everyone on the Board.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost reported that the only addition he had to his written report concerned the PACT hearing. He explained that the Board was required to have a hearing within 10 days. An extension had been secured until the 12th. The contractor will have to demonstrate and prove by credible evidence that they did make an inadvertent error as opposed to an error in judgment in compiling their bid. Solicitor Yost had suggested that the contractor secure counsel.

PASCH Mr. Pasch questioned whether the Township would continue with the bond itself if the contractor failed to show credible evidence.

YOST Solicitor Yost responded that at that point the Township could permit them to withdraw but claim damages on their bond. Presumably they would have the option to perform. He made an interesting observation that on the same day they bid another project over in Collegeville, PA they withdrew that one as well.

MITRICK Chairman Mitrick stated that the Board had been previously scheduled to meet at 7:30 a.m. that day to award the park bid. The hearing could be held at 8 a.m.

YOST Solicitor Yost stated he had one item for discussion during Executive Session in response to the Wyndamere offer.

SCHENCK Mr. Schenck stated he did not completely understand the wording.

YOST Solicitor Yost responded that the last time it had been discussed, it had not been absolutely clear. However, he accepted the consensus that he had the authority to offer what we considered to be the defense costs.

SCHENCK Mr. Schenck stated that his sense was that the Township went and built recreational facilities right up against that development. This was money for recreation. The Township built a soccer field and a nicely developed playground, a pavilion, a bridge costing some $20,000 up against this project. That project uses those facilities. Mr. Schenck stated he had a hard time with a developer that wants to back out of what they're obligated to do. The Township did its part and spent more than they contributed.

YOST Solicitor Yost commented that during those days, the Township had not been as organized as it is today. One of the conditions of a development now involves the payment of recreation fees. Their plan was originally submitted under the old Ordinance, and because they delayed the project so long, the five years had expired so they were subject to the new Ordinance.

GURRERI Mr. Gurreri asked what Solicitor Yost recommended.

YOST Solicitor Yost responded that his recommendation was to submit it on a Motions for Summary Judgment. The facts are not in dispute. His only concern was an all or nothing judgment.

BISHOP Mr. Bishop stated he agreed with Mr. Schenck more vociferously. He believes the Township is right and that we stand pat and take our chances.

YOST Solicitor Yost stated it is a matter of principle.

SCHENCK Mr. Schenck agreed and stated that they are a developer just like any other developer.

YOST Solicitor Yost indicated their claim is that the Township waived it because it was not collected at the time the permit was issued; however, there is not much to support that.

MITRICK Chairman Mitrick agreed with Mr. Bishop that this Board should be a Board of principle. The park is right across the street.

PASCH Mr. Pasch was concerned on the all or nothing percentage. He added that he did not think this should be brought up in open session if a move is to be made. It should be discussed in Executive Session.

BISHOP Mr. Bishop stated that the Board needed to send a message that they will not be taken advantage of.

PASCH Mr. Pasch would like to see it settled and done.

YOST Solicitor Yost added that it was on a fast track. What the judge gave us is that the motions would have to be filed and briefed within 45 days of my response following this meeting.

Chairman Mitrick announced that there would be an Executive Session immediately following the general meeting regarding legal matters.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini reported that at the last Board meeting, he had been directed to initiate some action in cooperation with PennDot regarding Locust Grove Road and the curve, the site of numerous accidents. PennDot representatives, John Luciani, himself and the Police Chief and determined some possible solutions that would be a little lower cost than what had initially been proposed in terms of straightening the curve. PennDot appeared to be very cooperative in looking to address this in an appropriate manner. Mr. Sabatini is waiting to hear from PennDot.

SABATINI Mr. Sabatini thanked the Eagle Scout, who came out to work at the Creative Playground, to put stone down, clean up and trim brush. He also thanked Jim, a Master Gardener and his wife for teaching the Scouts and their parents proper trimming and pruning of shrubbery and trees.

SABATINI Mr. Sabatini reported that the Market Street manhole reconstruction project had been completed, and grouting and sealing of the manholes is in progress. The Chapter 94 report approval from DEP was received. The Township is working with them regarding the second step, which will be the lifting of any moratoriums or restrictions on development.

SABATINI Mr. Sabatini stated that the Board of Supervisors had previously received correspondence from Murphy & Dittenhafer regarding architectural fees. A review was done by Mr. Stern, who concluded that the fee request of $28,410.30 was reasonable based upon the total workload. An analysis of that found that the request was for less than half of the estimated additional cost put in by Murphy & Dittenhafer on the project. He asked the Board to approve this invoice of $28,410.30 for additional architectural services.

GURRERI Mr. Gurreri commented that the last time the Board had discussed Murphy & Dittenhafer, we were going after him to get money back; he wanted to know what happened. We weren't happy with him.

SABATINI Mr. Sabatini responded that our estimate of his time was substantially higher than the $28,410.30. Recognizing that the Board had been unhappy with some issues that should have been resolved by the architect, the architect did make a proposal that was substantially lower than the estimated costs. Based upon Mr. Stern's analysis he believes this would be a fair remuneration for the additional services.

GURRERI Mr. Gurreri stated that the township had already paid him $160,000 for the design of this and other buildings. Mr. Gurreri was against paying him anything.

MR. BISHOP MOVED TO ACCEPT THE STAFF'S RECOMMENDATION AND PAY THE MURPHY & DITTENHAFER BILL. MR. PASCH WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

SABATINI Mr. Sabatini reported that Board of Supervisors interviewed several potential candidates for the vacancy on the Park & Rec Board. The term of office is a vacancy so the appointment would run until January 6 of 2003. There are two candidates: Sarah Austin and the other is Brian Kimball.

SCHENCK Mr. Schenck stated that one of the applicants for this position lives in a property that straddles the Windsor Township line and Springettsbury. Their residence and their registration is in Windsor Township. The Township would be unable to appoint the candidate based on the residency requirement.

MR. BISHOP MOVED TO APPOINT BRIAN D. KIMBALL TO THE UNEXPIRED TERM ON THE PARK AND RECREATION BOARD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck asked to have the last two or three sets of Minutes of that Board mailed to him promptly.

SABATINI Mr. Sabatini responded that the meeting schedule would be mailed to him as well.

MITRICK Chairman Mitrick asked that the other candidate be made aware that the Board was bound by the residency requirement.

A. Discussion on Additional Firefighter Positions

SABATINI Mr. Sabatini reported that the Board had been provided with copies of correspondence regarding his request to increase the authorized staffing level of the Fire Department from 15 to 17 firefighters. The Township is in the process of recruiting one firefighter to complete the authorized complement of 15. Mr. Sabatini had been reviewing the staffing levels, leave and Townships goals and objectives for this department. He had come to the conclusion that the Township would be best served in a cost effective and efficient manner by adding two additional firefighter positions on top. The positions requested were mid-year unbudgeted positions. Mr. Sabatini cited several different reasons for the hiring:

- Utilization of the Harrisburg Area Community College Fire Academy training, which runs two sections/year – March and August.

- Utilization of new recruits more quickly, fully trained and ready.

- The overtime budget is not and cannot go down due to the aging work force, and the number of days off.

- Training has been shored up and capabilities increased over the last two years; need to move further.

- Filling in with a minimum of four firefighters on duty when time off is granted either for training or other reasons.

SABATINI Mr. Sabatini urged the Board to authorize him to increase the work force from 15 firefighters to 17 firefighters contingent upon entering into any appropriate amendment to the contract dealing with scheduling and issues relating to fully implementing the shift officer. He added that there are two months remaining in which to enroll new people into the Academy. We have one month to enter into an agreement. Mr. Sabatini did not want to expend a lot of his resources and the Board's time going through a process if the Board is insistent that it wanted to maintain the staffing level into 2002.

GURRERI Mr. Gurreri mentioned the position of Duty Officer. There had been discussion regarding the Assistant Fire Chief. A Duty Officer would be on duty 24 hours a day where an Assistant Fire Chief couldn't work 24 hours a day. Other fire companies, same size as Springettsbury do not have the overtime. He asked who sets the vacation time.

HICKMAN Chief Hickman responded that at the end of the year in December they have vacation picking. They know how many days they have to take off and they have a meeting where collectively they get together and pick those days they want off based upon coverage of relief people. Chief Hickman added that the problem being experienced now was not necessarily vacation days, but rather that one firefighter is off on sick leave and will be for quite some time. The other issue we ran into was having one of the candidates washed out of the HAAC class. We also had another firefighter with an extended leave.

GURRERI Mr. Gurreri asked whether there was anything else that could be done with the vacation time. If you have five people off, it makes a difference with overtime than if you have two or three people. The Fire Chief should have control of that rather than they have control of it.

HICKMAN Chief Hickman stated that the problem with vacation is that the firefighters have to take their vacation time, and they pick accordingly in December and use their relief firefighters to fill those vacation spots. We're not paying overtime necessarily for all the vacation. The relief firefighters set their schedule in December based upon the vacation schedule of the three shifts of firefighters.

GURRERI Mr. Gurreri commented on the education taking place. He commended Chief Hickman and the department for the education.

SABATINI Mr. Sabatini added that firefighting is no longer an add water process. Some of the initiatives talked about can only be accomplished with this type of HAAC training.

PASCH Mr. Pasch commented that in Mr. Sabatini's memo he indicated that the amount of overtime we're spending is the equivalent of two firefighters. He asked whether the hire of two firefighters would drop the overtime accordingly.

SABATINI Mr. Sabatini stated that it would drop very substantially - anywhere between 70 and 90%. Individuals will call off at the last minute because of family emergencies or sick leave. There's no way to physically remove every bit of overtime, but it is his belief in reviewing Chief Hickman's information that you the overtime budget could be reduced assuming there would not be anyone going out on long-term leave.

PASCH Mr. Pasch commented that if the bulk of what was being discussed was to be a reduction in overtime, he would like to know that, but he also would like to have a better feel than substantial numbers. If we're going to add on two people, what does that do to the total net dollars that we have to pay in addition.

SABATINI Mr. Sabatini indicated that his review of this showed that there would be a reduction in the amount that we would pay overall in personnel. We're paying a firefighter approximately $20.00 an hour overtime not including benefit cost. We're paying the relief firefighters somewhere around $15.00 an hour. It would take 9 years for a new firefighter to get to the top rate.

PASCH Mr. Pasch indicated that one of the things to investigate would be early retirement if the department was that top heavy in terms of seniority and age. It might be more beneficial to the township to do it and pay an initial dollar for the early retirement.

SABATINI Mr. Sabatini agreed with Mr. Pasch. The only way he could not come out ahead is if he kept utilizing the overtime.

HICKMAN Chief Hickman stated that projected overtime for this year is $140,000.

BISHOP Mr. Bishop stated that the problem would really bother him if it were a surprise, but it is no surprise. He stated that he appreciated

the fact that Mr. Sabatini had wrapped his arms around this and forced the issue because it's something that we've avoided for various potentially legitimate reasons over the last few years. Now it's time to step up and do what we have to do to make it right.

SURTASKY Mr. Surtasky interjected that the Board was only looking at the money and forgetting something really vital. If you look in yesterday's paper, there was a fire. He asked how many people had to be called in for mutual aid, and how many times Springettsbury was called for mutual aid at another location. Every fire company is operating on the edge of the amount of people they have. Three people are needed to get in a building. There needs to be a little bit of cushion there for safety regardless of the dollars.

GURRERI Mr. Gurreri liked the concept of the Duty Officer, which should provide 5 people.

MITRICK Chairman Mitrick asked whether this action would then eliminate the position of Deputy Fire Chief.

SABATINI Mr. Sabatini responded that he was not seeking to fill that position. I need to add two net positions as firefighters.

BISHOP Mr. Bishop asked Mr. Sabatini whether he would be comfortable with elimination of the Deputy Chief position at the same time. Mr. Bishop did not want to be thinking I'm adding two and then end up with three.

SABATINI Mr. Sabatini responded that he had no interest or intention of filling the Deputy Chief slot and if the Board would feel comfortable with eliminating that position that's fine. He would keep it on the books but would not fill that position unless authorized by the Board.

MR. PASCH MOVED TO AUTHORIZE AN INCREASE IN THE STAFFING LEVEL OF FIREFIGHTERS FROM 15 TO 17 CONTINGENT UPON THE TOWNSHIP REACHING THE NECESSARY AGREEMENTS WITH THE UNION AND MODIFY THE APPROPRIATE LANGUAGE AND THAT WE WILL BRING THAT LANGUAGE BACK NEXT MONTH. MR. BISHOP WAS SECOND.

MITRICK Chairman Mitrick asked about Chief Hickman's memo in which he referred to the Duty Officers and whether that was the same as Shift Officers. She wanted clarification that it was consistent with our agreement.

HICKMAN Chief Hickman responded that she was correct, Shift and Duty are synonymous.

SABATINI Mr. Sabatini indicated they would clarify that comment.

MITRICK Chairman Mitrick reported that she had asked Chief Hickman what would the Township receive in return for those two positions if she were to support the additional position. He provided a memo of 6/27/01 where he listed numerous items. Having read that thoroughly, it supports two positions.

HICKMAN Chief Hickman added that this is the next logical step to take us to the next level of where everyone wants to be.

SABATINI Mr. Sabatini concluded that it would make financial and operational sense.

MOTION UNANIMOUSLY CARRIED.

B. Discussion on PennDOT Snow Removal Agreement

S**ABATINI** Mr. Sabatini reported that PennDot had asked the Township to renew the snow removal agreements. He spoke with Mr. Lauer and recommended that the Township ask PennDot to lower the number of miles of road that the Township maintains during the winter months. Eliminate Edgewood Road, Mt. Zion Road and Mt. Rose Avenue, East Prospect Road and potentially eliminate East Market Street from the Hellam Township line to Locust Grove Road. The Township is finding that half of its resources of trucks and personnel are being used to maintaining 14% of the roads in the Township, and the Township is not capable of maintaining some of the county and state roads, especially Mt. Rose because of the width of the roads and the need for extensive care during the winter months. He spoke with Charlie Webb and he would not be adverse to the Township reducing the number of roads that it plows because he also felt that the Township crews were stretched beyond our capability. Outside of adding additional staff, which he was not interested in doing, Mr. Sabatini thought that the next best step would be to enter into a negotiation to reduce miles. We would bring the agreement back to the Board next month.

PASCH Mr. Pasch asked about the experience with the state removal of the snow.

SABATINI Mr. Sabatini reported that the state's capabilities had improved in the past few years with more money in the system. They currently maintain some areas, specifically Route 30 and Locust Grove Road.

SCHENCK Mr. Schenck commented that he lived on a state road and he wondered what the priority would be with the state and the hills. He monitored the snow storms many times. He had heard the police call out to a trouble spot and could rest assured that Charlie Lauer would be right there. He asked whether the state would provide that kind of service. He added that they use a lot of subcontractors.

SABATINI Mr. Sabatini mentioned that in terms of the area of Market Street, the same subcontractor who maintains Market Street in Hellam Township also does Locust Grove Road.

SCHENCK Mr. Schenck stated he would have to be sold that PennDot could give the Township a high level of service.

SABATINI Mr. Sabatini commented that he just needed the Board's authorization to negotiate with PennDot on the issues and bring back an agreement. If the Board would like to extend that to some of the other state roads we'll be happy to do that and provide the details.

BISHOP Mr. Bishop stated that he was very sensitive to Mr. Schenck's concerns, but I think there's also an argument to be made that PennDot should be doing state roads, and we should be doing township roads to the extent that we have roadways where we are concerned about neighborhoods, they would be taken care of. We need to put our efforts and resources into neighborhoods and our roads and make clear to everyone that state roads are state responsibilities.

SCHENCK Mr. Schenck agreed. He remembered many conversations with Charlie Lauer saying there's no sense hurrying up in the neighborhoods because until the state roads are clear no one is going anywhere. If he's going to give up the state roads, to me this goes back to a service problem.

GURRERI Mr. Gurreri asked what Charlie Lauer's input might be.

SCHENCK Mr. Schenck interjected that Charlie's issue is manpower, and I don't want to confuse manpower with safety and those issues. There are other ways to gain manpower.

PASCH Mr. Pasch commented that he had heard comments before on state roads. If they have difficulty doing the state roads, and we have equipment available, one of the things to look at is if they're in a jam and we've got equipment which is available, we're on a subcontract basis. We can put some of our equipment to use in certain areas; we'll do those areas on a subcontract basis. Already pre-arranged and in cooperation with the state to do it.

SABATINI Mr. Sabatini responded that the preferred program by which to do something like that would be the state's Agility Program. It's a non-cash transaction, but we'd be able to use a milling machine as part of that program if we provided other services

MR. BISHOP MOVED TO AUTHORIZE THE TOWNSHIP MANAGER TO NEGOTIATE WITH PENNDOT AND BRING THE BOARD OF SUPERVISORS A RECOMMENDATION. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop questioned the status of the garbage contract. There had been a delay in waiting for the Recycling Committee to have their input. The Supervisors have not had any input yet, and there are less than six months left before we have to have a new contract.

SABATINI Mr. Sabatini responded that he had been preparing some conceptual ideas on revising the garbage contract. Most of it will deal with the spring cleanup and some new approaches that are proving to be effective for residents and contractors. A summary of that will be provided within the next few weeks. A Draft contract will be available for the Board to direct us to advertise either at the July meeting or in August.

BISHOP Mr. Bishop indicated there would not be much time to provide impact on the process.

SABATINI Mr. Sabatini indicated he has the majority of the information available and could possibly have it to the Board early next week for opportunity to comment.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Resolution 01-36 – Eliminating Member Contributions to Police Pension Fund for the Years 1999, 2000 and 2001.

SABATINI Mr. Sabatini provided background information on Resolution 01-36 to eliminate member contributions to the Police Pension Fund for 1999, 2000 and 2001. The Resolutions normally are done in

September or October of the previous year. The Township had not done so in 1998, 1999 and 2000. It had been pointed out by the Office of the Auditor General and this must be done as a clean up exercise. In each of those three years the Township had not required the contribution by the officers, which is usually said as part of the actuarial study.

BISHOP Mr. Bishop clarified that the township had not done this by Resolution, but the action had been taken.

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 01-36. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Consideration of Sewage Capacity Lease Agreement – Manchester Township

SABATINI Mr. Sabatini commented that item B covered an Agreement between Springettsbury and Manchester Township to lease an additional 91,700 gallons of sewage capacity from them for a period of five years. This provides us with a cushion during 2000 and beyond with Manchester Township. The agreement was that our costs will only be the interest on the carrying charge which is very nominal. He requested the Board of Supervisors enter into this agreement.

MR. SCHENCK MOVED TO APPROVE THE AGREEMENT BETWEEN SPRINGETTSBURY TOWNSHIP AND MANCHESTER TOWNSHIP TO LEASE ADDITIONAL SEWER CAPACITY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Regular Meeting – May 24, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING OF MAY 24, 2001 AS AMENDED. MR. SCHECNK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Public Hearing – June 14, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

There was no Old Business for action.

13. NEW BUSINESS:

A. Consideration of Resignation of Carol Tanzola from Historic Preservation Board

SABATINI Mr. Sabatini reported that Mrs. Tanzola tendered her resignation on June 14, 2001. He suggested that the Board move to accept her resignation with regret.

MR. BISHOP MOVED THAT THE BOARD OF SUPERVISORS ACCEPTED WITH REGRET THE RESIGNATION OF CAROL TANZOLA FROM THE HISTORIC PRESERVATION BOARD. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick commented that she felt Carol Tanzola had been a real driving force with the Historic Preservation Committee. In the years that Chairman Mitrick had been on the Board, the Historic Preservation Committee had accomplished a great deal to benefit Springettsbury Township.

MITRICK Chairman Mitrick commented that she ran into Warren Spangler several weeks ago, who also was a member of that Committee. He is in an unusual situation where he feels he should resign because he's not able to participate regularly in meetings, but he would like to be mailed the Minutes of the meetings so that he can be kept informed.

SABATINI Mr. Sabatini indicated he would do so.

MITRICK Chairman Mitrick asked that Mr. Sabatini send him a letter as well accepting his resignation, but also acknowledging that he would be kept informed.

SABATINI Mr. Sabatini indicated he also would ask whether Mr. Spangler might have internet access.

B. Consideration of Policy on Membership in Service and Professional Organizations.

SABATINI Mr. Sabatini commented that item B covered an area of decision making by the Board of Supervisors relating to the procedure for approval of membership requests. There are two options one which shall be voted on by the Board of Supervisors at a regular meeting or shall be deemed approved if no objections are raised by members of the Board. If there are objections then the issue of

membership shall go before the Board of Supervisors for approval.

SABATINI Mr. Sabatini asked whether the Board had an opportunity to review this and any feedback that the Board would like to provide on this issue.

PASCH Mr. Pasch mentioned the comment from Mr. Sabatini's draft stating the "prohibited organization" - prohibited from religious organizations. He'd like to see that word changed to ineligible organizations rather than prohibited. He also asked whether membership in service organizations was generally limited to the Township Manager and departmental directors. He asked whether it was limited or open. He stated it should be definite rather than saying "generally." He added that there should be a maximum number of organizations that one could belong to and come back to the Township for payment.

GURRERI Mr. Gurreri spoke about the concept, which was to have someone to represent the Township. If you go to too many you can't do that. He suggested only one.

SABATINI Mr. Sabatini agreed with Mr. Gurreri's recommendation for only one, especially for service clubs. He does belong to more than one professional organizations primarily for information.

BISHOP Mr. Bishop asked about the expectations with paying of the dues. He commented that it was a philosophical discussion. The Board is comprised of elected officials, elected by the people to represent people. If the people want Rotarians on their Board of Supervisors then they ought to elect Rotarians. This isn't a job like that where you can change your life in order to be a Supervisor. You can do the job and you either are one of those or you are not. In terms of staff, it's a different situation. It's good for us to encourage the Township Manager and department heads to do this sort of thing.

MITRICK Chairman Mitrick stated that she had to defend her case on that issue. She had been approached to become a member of Rotary as a representative of the Board of Supervisors. In the directory she is listed as a government official. She agreed with Mr. Bishop that she might want to do otherwise, but when someone is approached to do that there is some sense to having the Township pay it. It is not a tremendous fee. She had paid it for 4-1/2 years. She will continue to pay it.

GURRERI Mr. Gurreri had no problem with paying Chairman Mitrick's dues.

Consensus was to continue to allow employee dues to be paid and clean up the policy.

C. Consideration of Amendment to Collective Bargaining Agreement - IAFF

SABATINI Mr. Sabatini stated that, as part of a review process and getting into the HAAC class, we realized there was a fairly substantial gap there between the contract language itself and the new reality we are facing, which is the fact that people can wash out of the HAAC Academy. We are obligated to retain this. The Township and the Union had discussed some ideas of language revision which would completely eliminate the right of any probationary employee to challenge his termination legally. The Township has the ability to terminate other employees during the probationary period, and also set a standard here which states that the completion of the HAAC Academy class or equivalent and providing in-service training. Mr. Sabatini strongly urged the Board of Supervisors to approve this amendment to Section 3 of the Collective Bargaining Agreement between the Township and IAFF.

MITRICK Chairman Mitrick asked whether the language was clear enough to indicate the probationary period. She asked whether there ever was a time when a long-term firefighter might be put on probation.

SABATINI Mr. Sabatini responded that there are probationary periods because of disciplinary actions or performance. This is for new employees.

MR. SCHENCK MOVE TO APPROVE THE AMENDMENT OF SECTION 3 OF THE COLLECTIVE BARGAINING UNIT BETWEEN THE TOWNSHIP AND THE IAFF AS PRESENTED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Establishment of Meeting Date – East York Traffic Calming Program

SABATINI Mr. Sabatini asked that a date be established for the next public discourse of the East York Traffic Calming Study. The purpose will be discussion of the results of the Focus Group meetings on Traffic Calming.

Consensus was to schedule the East York Traffic Calming meeting on Thursday, August 30 at 7 p.m.

MITRICK Chairman Mitrick stated that for the next calendar year, consideration might be given to starting the Board of Supervisors meetings at 7 p.m. rather than 7:30 p.m.

E. Consideration of Sales Agreement – 1354 Williams Road

SABATINI Mr. Sabatini reported that the Township had been successful in negotiating a sales agreement with Mrs. Adams. The price is $230,000, and he requested that the Board of Supervisors enter into this sales agreement. Settlement will be held by September 30, 2001.

MR. BISHOP MOVED THAT THE TOWNSHIP MANAGER BE AUTHORIZED TO ENTER INTO THE SALES AGREEMENT FOR PURCHASE OF THE PROPERTY AT 1354 WILLIAMS ROAD AT A PRICE OF $230,000. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Other items.

There was no further discussion.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 11:45 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **JUNE 26, 2001**
TRAFFIC CALMING – HAINES ROAD **APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing for the purpose of discussing the Haines Road Traffic Study on Thursday, June 26, 2001 at 6:30 p.m. at the Township office at 1501 Mt. Zion Road, York, PA.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Nick Gurreri
Don Bishop
Ken Pasch

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
John Luciani, Civil Engineer – First Capital Engineering
Andrew Stern, Economic Development Director
Dave Eshbach, Police Chief
Sgt. Tim Harvey, Police Department
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 6:35 p.m. She welcomed the public to the meeting and explained that the purpose was to hear from the consultants regarding their findings in the Haines Road/Memory Lane Corridor Study in Springettsbury Township. She stated that several weeks prior a similar meeting had been held to discuss East York Traffic Calming measures. She indicated that everything presented by the engineers would be new information for the Board of Supervisors. She added that Police Chief David Eshbach and Sergeant Tim Harvey were present for any questions.

2. INTRODUCTION:

LUCIANI Mr. John Luciani, Township Civil Engineer, of First Capital Engineering provided introductory comments. He explained that several weeks earlier a very productive meeting was held for discussion of traffic calming. He stated that the impacts of Haines Road would be discussed during this meeting.

3. PURPOSE OF STUDY:

LUCIANI Mr. Luciani explained the reasons for the study. As part of the duties of the Board of Supervisors all the land developments within the Township come to them for approval. During that process traffic studies must be completed, which often had revealed

particular streets and intersections operating in a failed capacity. Haines Road had surfaced as a problem area from a traffic flow standpoint.

4. STUDY FUNDING:

LUCIANI Mr. Luciani indicated that as a result, the Board of Supervisors decided it was necessary to review the overall traffic picture and, in particular, study the Haines Road intersections, to focus on the problem areas, identify some solutions, and thus become a vehicle for implementation, and perhaps to secure some State and Federal funds. Mr. Luciani stated that only raw data was available at this point in the study, which indicated some accident and traffic flow trends. He added that no results had been formulated, and only options would be discussed. Mr. Luciani introduced Mr. Tom Austin of Transportation Resource Group, a York County firm. Mr. Austin's experience included the bulk of the traffic work in York County. TRG collected the data through traffic counters, reviewed the accident history, worked with First Capital with regard to future developments and the right of ways, and with Pennsylvania Department of Transportation's planning for the future. Mr. Austin provided the data compiled. Mr. Luciani solicited input from the residents of Haines Road area.

5. STUDY AREA:

AUSTIN Mr. Austin explained the agenda for discussion. Additionally, he had provided a survey questionnaire with a request that the residents respond with their input. Mr. Austin described the study area as the Haines Road/Memory Lane Corridor extending two miles from the south at Mt. Rose Avenue, north to Whiteford Road including the U. S. Route 30 interchange. There are 13 study intersections with a mixture of lanes. Of those 13 study intersections seven of those are signalized intersections. Those are the intersections believed to be key to the flow of traffic along the corridor including the following: Mt. Rose Avenue on the south, the Haines Acres Shopping Center driveway, Raleigh Drive, Seventh Avenue, Cambridge, Eastern Boulevard Shopping Center, East Market Street, York Market Place driveway, Industrial Highway and the Caterpillar Plant and U. S. Route 30 interchange, and Whiteford Road. He stated that the input from the residents would be very important to the study.

Interesting points about the Haines Road/Memory Lane Corridor:

- Provides direct access to a variety of land uses.
- On the south is a commercial area with K-Mart

- Going north is the Haines Acre residential area.
- Heavy commercialized area.
- Classified as a minor arterial but carries traffic volumes that are characteristic of major arterials.

6. STATUS OF STUDY WORK ACTIVITIES:

AUSTIN Mr. Austin commented on traffic volume and some of the daily traffic results on the Haines Road portion indicate approximately 20,000 vehicles use the road on a daily basis. He added that beyond Eastern Boulevard and East Market Street, the traffic drops off to about 15,000 cars a day. Much of the traffic uses Eastern Boulevard as a short cut. Traffic calming improvements are being reviewed for that part of Eastern Boulevard. He stated that just north of East Market Street the volume picks up to 16,000 and around the Caterpillar plant, it increases to 21,000 around the interchange.

AUSTIN Mr. Austin explained that accident or crash data had been obtained from PennDot over a five year period as part of the initial study effort. The data had been analyzed and compared with similar roadways in the state in terms of average accident rates. The result was that portion of Haines Road/Memory Lane between Eastern Boulevard and Whiteford Road exceeds the state-wide average for similar type roadways. That indicates a potential need to deal with the accidents that occur there. Other accident data was tabulated showing East Market and Haines Road had the most accidents over the five year period which totaled 26; Industrial Highway intersection along Memory Lane came in second with 10. Along Haines Road, Raleigh Drive had a total of nine accidents over a five-year period, and Cambridge Road had five.

AUSTIN Mr. Austin explained that congestion was another measure used in the traffic engineering industry to determine how bad the roads are in terms of traffic flow, etc. Currently along the corridor of the 13 study intersections, two signalized intersections overall are failing at a Level F, the worst congestion level possible. Those intersections include Mt. Rose Avenue and Eastern Boulevard. Five other study intersections were studied in which an approach failed. Those include the Haines Acres Shopping Center, Raleigh Drive, 7th Avenue, Cambridge Road, East Market Street, and York Market Place. Currently there are intersections, which have unacceptable congestion levels. The overall segment of the corridor between Eastern Boulevard and north is failing or has unacceptable levels of congestion.

7. FUTURE STUDY WORK ACTIVITIES:

AUSTIN Mr. Austin reported that one of the other work activities completed as part of this analysis was to look at the future 20 years down the road. All the known developments in that corridor were reviewed. The amount of traffic that would result from the developments, in addition to the through traffic along the corridor was generated in order to estimate future traffic growth. The re-use of the Caterpillar plant will be a big generator and the assumptions were made comparable to the time when Caterpillar was in full operation. Behind the Home Depot there is potential for a warehouse type development, which would impact the Memory Lane portion. North of Route 30 along Whiteford Road, Pleasant Valley Road, that would impact the northern portion of the corridor with office and residential type developments. Between Eastern Boulevard and East Market Street represents the proposed Auto Zone and some strip retail. All future development, general growth and background traffic was compiled resulting in the year 2020 future traffic volumes. If all the development materialized and traffic continued to grow, an estimated 29,000 cars would travel Haines Road on a daily basis. Traffic would increase around the Caterpillar plant to volumes of 40,000 a day in which case all study intersections would fail in one direction or another. One additional comment made was that when the studies are conducted, they are reviewed in the a.m. and p.m. peak hours. Saturdays are considered as well in the area of the shopping centers.

AUSTIN Mr. Austin indicated that in summary there are several major factors:

- Safety and congestion are two matters of importance.
- PennDot is currently doing an Interchange study at Exit 7 and 8, which will impact Haines Road.
- The origin and destination survey on Haines Road revealed that 33% of the traffic on Haines Road is through traffic and does not originate or end within the study area.
- Motorists were asked, as part of the Origin and Destination survey if they would remain on I83 if improvements were made to Exits 7 and 8 and 20% of the traffic said yes.

He added that an important part of this study is to advise PennDot of our findings to help them come up with some solutions to the interchange with a focus on Haines Road/Memory Lane.

8. SCHEDULE:

Where Do We Go From Here?

AUSTIN Mr. Austin reported that the initial data collection analysis revealed good results. The next step would be to determine the transportation needs of the area. He mentioned safety, congestion, economic development needs with the re-use of the CAT plant, which must be formalized to come up with the needs for the corridor. Some of the options for consideration are:

- Do nothing and leave the corridor as is.
- Consider Transportation Systems Management (TSM) type improvements, which are typically low-cost improvements that can be implemented easily, such as signal timing.
- Further review of minor widening, adding turn lanes at intersections.
- Major widening as an improvement option, such as widening from two to three lanes; two to four lanes; three to five lanes, etc.
    - As part of the major widening options we are going to examine the interchange in terms of what the needs are there for a westbound off ramp. That will be an important part of the study is to examine that and determine the need.

9. QUESTIONS AND ANSWERS:

SCHENCK Mr. Schenck asked for an explanation of what was meant by the approaches failing as it related to side streets.

AUSTIN Mr. Austin responded that typically at stop sign controlled intersections such as Cambridge Road, there are no traffic lights, so the main line keeps moving, but the side street stops and the motorist sits there. That's an example, whereas at a signalized intersection you may have an approach, such as East Market and Memory Lane or Haines Road with an eastbound approach is failing as opposed to the overall intersection.

LIVERS Ruthanna Livers of 541 Haines Road wondered if there was any way to keep all the big trucks off Haines Road. She indicated they come off I83 and head down Haines Road to Market.

LUCIANI Mr. Luciani responded that if motorists could be kept on I83 that would provide a solution, but as far as prohibiting trucks, it is a state roadway, and it would be difficult to prohibit truck movement for that reason. If I83 would become a more attractive option to motorists and truckers in general, there would be less truck traffic on Haines Road.

LIVER Ms. Livers commented that she had seen signs where no trucks were permitted on certain roadways.

LUCIANI Mr. Luciani indicated that because Haines Road is a state road, that option would not be possible.

WILSON Delores Wilson of 521 Haines Road commented on the area of Eastern Market, which is extremely bad on a Friday. As a solution, she asked whether consideration had ever been given to running a road in from Industrial Highway.

LUCIANI Mr. Luciani responded that the Township, First Capital and Tom Austin had been working on a solution. They submitted a proposal to PennDot. As part of a development where Sam's Club is and back in behind Bon Ton, you can drive back behind Sam's Club, across the railroad tracks, behind Caterpillar and come out on Mt. Zion Road. The Township has a plan to connect Memory Lane to Mt. Zion Road behind Sam's Club and coming out at Concord Road.

GURRERI Mr. Gurreri stated that he thought Ms. Wilson was talking about Industrial Highway there at Giambalvo's; moving from there to Eastern Market.

STERN Mr. Stern indicated that he thought Ms. Wilson was looking for a driveway from Industrial Highway to Eastern Market.

AUSTIN Mr. Austin responded that it would probably help that intersection.

GRAU Dick Grau of 2401 Cambridge Road commented on the multi-lane portion of Memory Lane in its congested state. He had seen other places where signs had been erected stating "Lights On – Congested Area" which makes a motorist more aware and a visible vehicle coming up and down the road as well.

ALWINE Dana Alwine of 180 South Royal Street commented on the part of the corridor between Mt. Rose and Eastern Boulevard when you're talking about the four possibilities including doing nothing to major widening. She asked whether there were any initial thoughts about what type of changes could be put in place there without damaging property values or ruining the very well tended look.

AUSTIN Mr. Austin responded that they were certainly sensitive to the issues along there. He indicated that they would not come before the residents and present something that was not practical and in harmony with the residential character. At the next meeting it will become more interesting, and the residential feedback will be an important part. As part of the survey questionnaire, he urged the

residents to write down any solutions they might have. As far as that section was concerned, he indicated maybe a three lane center left turn lane section would help.

ALWINE Ms. Alwine stated that she works for the State House of Representatives and is Special Counsel to the House Transportation Committee. She had seen a number of instances where PennDot had gone in with a hammer and decreased the value of property. She added that with regard to State roads all trucks are not created equal. There are many classes of trucks. State law does permit certain roads to be off limits to trucks. The idea of permitting trucks has some merit.

LEBO John Lebo of 160 Haines Road commented on the various studies. In the previous traffic calming meeting reference had been made to a study on Prospect Road at the I83 intersection and Route 30. He wondered whether the State was obligated to inform the township and local residents what they're doing. The spirit of cooperation had been mentioned going the other way.

LUCIANI Mr. Luciani responded that they have similar venues as the Township. Dead Man's Curve had been advertised in the paper for discussion. Mr. Luciani indicated that perhaps continuity could be maintained through the Township newsletter where the meetings come up periodically, and those results are issued.

LEBO Mr. Lebo added that without that information it would be difficult to solve the inside problem without knowing what's going on in the outside.

LUCIANI Mr. Luciani commented that the ultimate deciding power with all these studies is the York County Municipal Planning Organization where all of the traffic improvements are programmed over a 12-year period. Felicia Dell and other representatives from York County are the gathering/common denominator with Springettsbury, Windsor, Spring Garden and PennDot. In order to spend PennDot money, the MPO (Municipal Planning Organization) must approve and coordinate it.

AUSTIN Mr. Austin added that they have a study group and a representative from PennDot is involved, as well as the York County Planning Commission, etc. From the beginning all the key players have been involved in this study process.

PICHLER Richard Pichler of 360 Haines Road pointed out that practically everyone had mentioned safety. He felt that increased traffic

would be detrimental to the safety of the area. He stated that the area is residentially zoned, which should be paramount in everyone's thinking, as well as schools on the major roadways. He felt that any widening would attract more traffic, and improving the road would make it better for the zip through traffic and truck traffic at night. Mr. Pichler suggested that a serious review needed to be made of how to deter traffic from coming on to that road. One of the suggestions that came up previously was painting on the roadway 35 miles an hour. He indicated he walked a lot at night, and that particular little bit of paint had made a tremendous difference with the speed on East Market Street. It could be incorporated into Haines Road as a deterrent. Mr. Pichler stated that circles and boulevards were not options, but plantings, more trees, and traffic lights would make sense toward reducing that 20,000 vehicles a day to 15,000. He urged that everything possible be done from the Township level to the State level in coordination to reduce the amount of traffic.

PICHLER Mr. Matt Pichler of 2485 Crystal Lane commented that one of the best ways to get traffic off Haines Road is North Hills Road. It is almost a straight shot and is a road that could be widened and affect the least amount of people. Truckers can go straight down I83 and if that exit ramp were improved they could go straight across and take them right to Route 30. He did not feel there would be any major problem and added the only things there are industrial places. He felt there was room along I83 to widen. He added comments with regard to the Mt. Rose Avenue exit from I83 and how traffic is backed up to I83 during 3 o'clock traffic.

AUSTIN Mr. Austin responded that he made a good point. What is key is that drivers will take the shortest route. Hopefully that's part of the PennDot study of looking at the Interchanges where they can come up with a scheme that will attract that through traffic. As he had previously stated 33% of the traffic on Haines road was through traffic. If they would stay on I83, it would reduce the traffic volumes on Haines.

PICHLER Mr. Pichler commented that Industrial Highway never seemed to be that crowded. That's a road that should be accessed because there are no residences there.

ROCKSTROH Susan Rockstroh of 550 Haines Road commented that because Haines Road is residential, the speed limit is 20-25 mph. If Haines Road between Eastern Boulevard and Prospect Street was put to 25 mph and strictly enforced, she thought that would deter a lot of motorists. With the school crossing at 7th Avenue, the police

officers that come do a great job, but she had seen days where the police officers jump right into the road and scream at the people in the cars. Motorists don't respect the person directing traffic. Her suggestion was to drop the speed limit and strictly enforce it.

AUSTIN Mr. Austin responded the two intersections at 7th Avenue and Cambridge Road, based on the initial studies, both meet signal warrants. That would be something to be considered as part of the next step in looking at improvement options, which may help with the school crossings.

EISENHART Jan Eisenhart of 25 North Manheim Street had been in attendance at the previous meeting and commented that the information being presented reinforced the traffic calming efforts. She was interested in how much of the I83 traffic was really diverting into the different areas when they could continue on to Exit 8.

AUSTIN Mr. Austin responded that the survey revealed that 20% would use an alternate route if it were available. If improvements were made on the surrounding roadway system such as I83, etc. that would make that road more attractive, that would help reduce the traffic on Haines Road.

EISENHART Ms. Eisenhart added that if it were coupled with a sign that said No Trucks except Local Deliveries it might reduce the truck traffic.

PASCH Mr. Pasch commented that 33% of the traffic was through traffic, not stopping anywhere between Exit 7 and Route 30. Most of that traffic is going east on 30. Mr. Pasch thought the suggestion that was made was very good because that's congested at North Hills already because there's so much truck traffic. Most of the trucks get off there at 8 because they can go straight down North Hills and pick up 30 going east.

PICHLER Mr. Pichler added that widening North Hills Road would seem to be the best potential area.

WILSON Delores Wilson commented that when there was discussion about widening Haines Road, all she could visualize was what happened on North Sherman Street where you open the screen door and you're on the street.

ALWINE Dana Alwine asked whether the 33% traveling through were heading toward the Galleria.

AUSTIN Mr. Austin responded he did not have that information at his fingertips, but he indicated they can tell in general where the destination was.

ALWINE Ms. Alwine indicated that truck traffic was the subject of discussion and those are people that have a fiscal reason for making a very economical trip. There are ways to restrict anything from a step van to a tractor trailer. Also being discussed was people going to shop at the Super Walmart, Super Giant and Galleria where people come from far and wide to shop. Something as simple as speed limit control and enforcement must be taken into account. Ms. Alwine stated that there may be two different issues: trying to lessen vehicle traffic (cars) and also lessen truck traffic.

EISENHART Ms. Eisenhart mentioned that the State did make a change on the interchange coming down the exit ramp off of 83 at Exit 9. That's why it jumps from 8 to 10. There used to be a real short exit ramp that came down onto North Hills Road. That exit ramp was taken off and that did create more traffic coming off of Exit 8. I know there have been some substantial improvements. She asked whether anyone remembered how long ago Exit 8 had been revamped.

Consensus was that the improvements were made about 15 years ago.

PICHLER Richard Pichler, 360 Haines Road asked whether the surveys were being done to request Federal or State money.

LUCIANI Mr. Luciani responded that was partially the case. As developments occur within the Township and we at least have some specific information about areas of impacts, which need improvements, the data can be provided. This study occurred at the right time; five years from now it would be too late. As Federal and State funds come in and developers come in, we can piggy back with them to resolve some of the target areas such as safety and capacity concerns.

PASCH Mr. Pasch commented that one of the prime reasons that the Board agreed to the study was because of the Caterpillar tract becoming a development zone. It was the concern of this Board that it would create traffic concerns, and the Board wanted to find out how to resolve it. An amount of $100,000 was placed into the budget in order to do the study and learn the best way to solve it. He empathized with the people who live on Haines Road, but unless an alternate route that's better than Haines Road can be found,

there will be a slow moving parking lot and the property values will still decrease. It behooves all of us to work on the best possible solution.

SABATINI Mr. Sabatini commented on the grants mentioned. All of the Township's efforts do not guarantee a grant. There are 1,000 municipalities in the Commonwealth of Pennsylvania and others in the U. S. all competing for the same funds. What this does is nail down up front some of the Federally mandated requirements that the Township would have to go through. Secondly by going ahead with the very expensive studies, it demonstrates there is a serious commitment by the community for this project, and there are measurable results toward the probable outcomes of what is proposed. The study had to be done because the Federal rules required it.

PICHLER Mr. Pichler reiterated that safety is a key issue in the Haines Road corridor with schools, churches, kids, and houses. He felt the moral value of the township comes to the forefront. This is an old, old roadway with old residences, some which have historical potential. Obviously someone is thinking along these lines. He begged please to consider the children, grandchildren and the residents. He commented that he picks the trash off his yard every morning because of all the traffic. He had never seen anyone pulled over for littering with a $300 fine. The traffic flies at 7 o'clock in the morning. All the residence can do is ask for the Township's help and added the help is needed. He stated that the residents are at the mercy of the traffic from the outside world, and most of it just buzzes past our township. We pay a price.

MITRICK Chairman Mitrick responded that when the Board talked about doing a study, we knew we had a problem now, but also realize that the problem is going to be greater. In the 10 years she had been on the Board, Springettsbury Township has had a very good relationship with PennDot. She believed that the good relationship existed because Springettsbury had been willing to contribute to better the community. The Township did not simply rely on PennDot to come in and carry the burden of improving the roadways. That had brought success with projects already completed and proved that the Township has to do our part with the PennDot roads. Secondly, she had mentioned in the previous meeting as well, that what is very important to the Board is the results of all of the studies conducted. They must review the whole picture because what might be an answer for a particular area may cause greater problems on another roadway in the community. Mr. Austin will advise the timing of when all these

results will be available because that will be the time when the recommendations can be made on what will be best for Haines Road, Eastern Boulevard in terms of traffic calming. She asked Mr. Austin if he had any sense of when the studies will all come to conclusion and be available.

AUSTIN Mr. Austin responded that his agenda provided the project schedule. By the end of summer another public meeting will be held and at that time improvement options to the corridor will be presented. What will be suggested may work in terms of alleviating the safety and congestion problems. The resident feedback will provide a good idea of what improvements are acceptable for the residents who live along the corridor. All that will be packaged up in a report, and the goal is to wrap it up by the end of the year. If things go well we'll be able to do that by the end of summer. Again, public input is important, and the next meeting will be critical. The vision for the corridor will be discussed and what type of improvements can be made, which are in harmony with the abutting land uses, the residents, neighbors, etc. This also satisfies the need of the congestion, and the safety needs, economic development needs.

PASCH Mr. Pasch commented that this must be done with the agreement of the people in the area. Through traffic showed as 33%, but $67% of that has its origin and destination within the corridor. A lot of the traffic is the people who live in the area, and that needed to be recognized as well. If we put in a lot of deterrents that are going to be unsatisfactory to other residents who aren't here, we're going to have the same kind of repercussions from those folks as well.

MATUNIS Mr. Ralph Matunis of 170 Haines Road commented that the whole problem is brought into Haines Road from Mt. Rose Avenue and Eastern Boulevard. If either end or both were opened up, he did not think there would be as much problem on Haines Road.

AUSTIN Mr. Austin responded that he had a good point and offered some additional information.

- Average daily traffic volume on Mt. Rose Avenue is 26,000.
- At Market Street it is 27,000.
- At Route 30 it is 45,000.

One of the important components of this study is to identify improvements that are in the fringe or in the surrounding roadway systems. It will help keep traffic on those main roads. Mr. Austin stated that it is fortunate that PennDot is working on some

important studies along I83, etc. The timing of this and everything else will work out nicely.

EISENHART Jan Eisenhart commented that as far as the development of the Caterpillar tract, back into the C.N.A. commercial area she wondered whether an off ramp from 30 onto Memory Lane would help traffic coming into those areas, which presently has to come through alternate routes. She stated that that had not been previously noted.

AUSTIN Mr. Austin responded that as part of the study effort that was an issue to be reviewed in detail, i.e., the need for interchange improvements and the offer of a westbound off ramp. That would have a major impact. What will probably drive that is the redevelopment of the Caterpillar plant and from an economic development angle he thought that could be supported. The traffic numbers have to work. There are implications with that. At the next meeting we'll talk about some of the implications, such as an environmental impact, when you make an improvement like that. That's key to this study effort.

MITRICK Chairman Mitrick called on Police Chief Dave Eshbach for his comments, particularly about safety.

ESHBACH Chief Eshbach responded that the Police Department is certainly concerned about safety. He had been on Haines Road with a representative from PennDot most of the day discussing signal repairs and improvements to 7th Avenue at Haines Road at the school crossing. Chief Eshbach commented that many of the suggestions made were good, but they are not as easily done. Concerning state roads, the township cannot arbitrarily go out and make changes. They all must be permitted by PennDot. A request has to be made with a traffic engineering study, and similar requests had been made before on other state roads. Some of them aren't as improved as well as Haines Road is even though it's not perfect, and requests had been denied. Prohibiting truck traffic on Haines Road in my experience would be denied because of the way the road is configured. The one thing to remember in any of these studies, the idea of a traffic and engineering study is to move traffic safety, effectively and efficiently. PennDot looks at how can we get the amount of traffic on this roadway through this roadway safely and efficiently without backups. Safety is always a concern. It's a township problem but the Township can only act within the guidelines of PennDot. As far as that road being posted 45 miles per hour, I very seriously doubt that PennDot would do

that. Haines Road does not qualify for 35 miles per hour in a residential zone.

MATUNIS Mr. Martunis asked how Haines Road ever became a state road. He lived on that road for 40 years, and it was a country road at one time.

LUCIANI Mr. Luciani responded that when Governor Pinchot was in office there were certain roadways adopted as a standard of roadway network with a minimum of 33 feet in width. That was the beginning of our state roadway network, which has continuity.

MATUNIS Mr. Matunis asked whether Industrial Highway could be declared a state road.

LUCIANI Mr. Luciani responded that he goal of the State is to do a turnback program where they will take a state road and they'll turn it back to a municipality. The considerations are that there are costs to plow, maintain storm sewers, to overlay the roadway. There are certain roads that are beneficial to the township, but in general to take a road on the turnback, it can be a long-term financial burden for a municipality. The Township is probably better off to let the State use their state dollars to repair that road. We haven't really looked at too many turnback roads in general, and it is not really a long-term bargain.

GRAU Mr. Grau commented that the Township does a better job plowing than the State.

PICHLER Sandra Pichler of 360 Haines Road asked whether there had been any discussion about Mt. Rose/Prospect. She indicated that it would not matter how many lanes Haines Road would have, there's no place for the motorists to go on Mt. Rose Avenue, and that's why the traffic backs up on Haines Road. She added that the traffic lights do not appear to be coordinated because nobody seems to be able to move anywhere. At 5 o'clock it's backed up to their front door because the cars can't get out onto Mt. Rose Avenue.

AUSTIN Mr. Austin responded that that intersection is failing today. Two years ago Springettsbury, Windsor,York Township, York County Planning Commission went together in cooperation with PennDot and formed a Transportation Study similar to this one. As a result of that a number of recommended improvements were placed on PennDot's 12 year program and some are in the first four years which is a priority there. Along Mt. Rose Avenue the specific

recommendation there was to widen that out to 4 or 5 lanes and right when you get around the interchange there, essentially what will be needed is three lanes through the intersection to make all that work. As part of their interchange study, PennDot is taking another hard look at that. What they come up with in terms of the interchange improvements will drive the improvements that end up at the Haines Road/Mt. Rose Avenue intersection. From the prior studies, the townships were successful in getting projects on the 12 year program. Essentially that was the thinking here too. The study needed to be done, and the study results have put the Township in a good position to get some improvements on the 12 year program.

MITRICK Chairman Mitrick asked the Board for their comments.

GURRERI Mr. Gurreri commented that PennDot was going to put in a turn lane there at the bank on Haines Road. That will help a lot with the problem of turning. They're also going to be changing the bridge and making it higher. The on lane and off lane will be longer in the 12 year plan. They are supposed to re-do those two lanes off and on lanes and make them bigger this summer. It's a temporary thing until they get some land applications to get them off the road at the bridge.

PICHLER Mr. Pichler commented that he read that PennDot was going to do something about Exit 7.

GURRERI Mr. Gurreri indicated the plan was to do something this summer.

PASCH Mr. Pasch commented that it was very important that when you get down to an F intersection where there are no gradients on F. If there is a lot more traffic there and we go to 29,000 there is a slow moving parking lot. He asked whether there was any type of correlation between failing intersections as they get worse and the safety factor. He asked whether there would be anything to help in terms of working with the State. Long term resolutions are needed.

AUSTIN Mr. Austin commented that he had come to the area in the early 80's, and Exit 7 was unsafe at that time. That was a real big safety problem. Also speed is a factor. As part of the analysis, the actual data will be reviewed closely, and it will tell us what accidents related to speed, etc. We can get a better handle on what to do from a safety point of view.

GURRERI Mr. Gurreri added that I83 is a real problem. He commented that a lot of suggestions heard were very good.

LIVERS Ms. Livers suggested a toll booth.

MITRICK Chairman Mitrick stated that an East York Traffic Calming meeting was held on June 14th. After the meeting the Board was elated because it was a wonderfully successful meeting. The reason it was successful is because we heard from the people before decisions were made and certainly the decisions to be made will be impacted by the information provided. This meeting was also successful. She thanked the residents for coming. The Township will be sure that the residents are aware of the upcoming meetings so that they can be further informed. She asked the residents to provide any additional comments to Mr. Luciani or Mr. Austin, or the Township Manager, Mr. Sabatini. She had been out in the community today, and a gentleman who could not attend the meeting on the 14th gave her his card and asked that someone call him because he wanted to add to the information before any decision was made, and public input is important to the Township.

10. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 8:08 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **June 14, 2001**
PUBLIC HEARING – TRAFFIC CALMING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing for the purpose of discussing the East York Neighborhood Traffic Calming Study on Thursday, June 14, 2001 at 6:30 p.m. at the Township office at 1501 Mt. Zion Road, York, PA.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Nick Gurreri
Don Bishop
Ken Pasch

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
John Luciani, Civil Engineer – First Capital Engineering
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 6:40 p.m. She thanked all the residents for coming. She advised that the results of the East York Neighborhood Traffic Calming Study would be presented and that the information from this meeting will be placed on the Springettsbury website. She stated that the entire Agenda would be covered and at the end of the presentation there would be time for questions.

MITRICK Chairman Mitrick stated that there would be an Executive Session immediately following the Traffic Calming meeting regarding legal matters.

2. INTRODUCTION:

MITRICK Chairman Mitrick introduced John Luciani, Springettsbury Township's Civil Engineer with First Capital Engineering.

LUCIANI Mr. Luciani welcomed the residents and stated that a year ago the Board of Supervisors heard some concerns and complaints from the residents in East York about excessive speeds, traffic volumes, etc. At that point the Board asked Mr. Luciani to look into the matter and attempt to mitigate some of the impacts if possible. He commented that there was no panacea of correction for all of the problems. However, a study of the area of traffic counts was taken for speeds, volume and peak trips. A menu of traffic calming data had been compiled from which to work; however, the Township desired to hear from the residents as to what the perceived problems are and what might be the goal. The only way traffic calming devices are successful is that the majority of the people agree that they are

warranted and acceptable. He stated that Tom Austin of Transportation Research Group would be making the presentation. Mr. Luciani indicated that Mr. Austin had done a significant amount of traffic work in York County, having previously worked with the York County Planning Commission. He stated that Mr. Austin probably was the most knowledgeable traffic consultant in the York area. He turned the meeting over to Mr. Austin

3. WHAT IS TRAFFIC CALMING?

AUSTIN Mr. Austin stated that the Traffic Calming had been defined by the Institute of Transportation Engineers, the professional organization which supports and encourages traffic calming solutions. The definition is the combination of mainly physical measures, that reduce a negative effect of motor vehicle use, alter driver behavior, and improve conditions for non-motorized users. Traffic calming measures intend to be self-enforcing. Many municipalities do not have the manpower to enforce 24-hour sign restriction, etc. The focus would be on physical type measures to control speed.

Study Area

AUSTIN Mr. Austin stated that the study was initiated about a year ago. Initial efforts encompassed an identified broad study area, essentially called the East York Study Area, bounded by Memory Lane on the east, Interstate 83 on the west, extending to Camp Betty Washington Road on the south and Industrial Highway on the north.

Focus Streets

AUSTIN Mr. Austin commented that the Focus Streets initially were North Rockburn and South Kershaw Streets. He had met with several of the residents who expressed an interest. During that time Eastern Boulevard and Third Avenue had been discussed as well. Those streets are directly connected to major arteries such as East Market, Industrial Highway, and Haines Road.

Sign Inventory

AUSTIN Mr. Austin stated that one of the first items was an inventory of regulatory signs in the neighborhood. All stop sign locations, speed limit signs, no parking signs, truck prohibition signs, warning signs, etc. were documented.

Traffic Volume Characteristics

AUSTIN Mr. Austin stated automatic traffic recorder counts were done within the Study Area. Machine counters recorded the volume of traffic, classification of traffic i.e., truck, bus, motorcycle, speed (85th percentile is used to establish speed). From that the hourly distribution can be

determined, choosing the highest volume within the 24-hour period. Counts were conducted at 15 locations; four on Eastern Boulevard, some on Keesey, Vernon, Kershaw and North Rockburn.

4. TRAFFIC ISSUES:

Congestion on Surrounding Major Roadways

AUSTIN Mr. Austin reported the average daily traffic ranges on Eastern Boulevard to be from 3,000 to 5,000 vehicles/day, 3,000 on the west end and in the area of Vernon the volume increases to 5,000 continuing east to Haines Road. The section of Eastern Boulevard near Haines Road carries 6,000 vehicles per day. He characterized that as high traffic volume. Typical counts for a residential neighborhood would be about 3,000/day.

Cut Through Traffic

AUSTIN Mr. Austin commented that the main reason for high traffic volumes is the use of streets for a cut through as opposed to traveling on Market Street. Approximately 25% to 30% of the traffic traveling eastbound turns right and utilizes Eastern Boulevard indicating significant amounts of cut through traffic on Eastern Boulevard. Additional data included the following:

- North Rockburn St. – Average daily traffic ranges 330 vehicles/day.
- North Kershaw St. - North of Eastern Blvd. – 630/day
  South of Eastern Blvd. – 640/day
- Vernon St. – North - 1,790/day
- Vernon St. – South - 260/day
- South Keesey – North - 240/day
- South Keesey – South - 260/day
- Market Street – 32,000/day (considered very high)

Excessive Speeds:

AUSTIN Mr. Austin commented that the counters record the average speed in the 85th percentile. Eastern Boulevard speeds ranged from 34 mph in the western end; the eastern end at 36 mph. The posted speed limit is 25 mph. Anything more than 5 mph would be considered in excess of that.
As far as the other remaining speeds, the average speeds were within the 25 mph speed limit typically found in residential areas.

Turning Movements at Key Intersections – Cut Throughs

AUSTIN Mr. Austin indicated that an individual sat at intersections and recorded the amount of traffic turning right, going straight, turning left, etc. Traffic turns were recorded at Eastern Boulevard and Market Street, South Rockburn, Rockburn and Market Street, Keesey and Market , Vernon Street and Market Street, Kershaw Street and Market Street. On Eastern Boulevard turning movement counts were conducted on Keesey Street,

Vernon Street and Kershaw Street. On North Rockburn Street turning movements were compiled at the intersection of Philadelphia and Wallace and Industrial Highway both for the a.m. and p.m. peak hours. This data provided a very good indication of the amount of cut through traffic in a particular area. Earlier at that location the traffic heading eastbound on Market Street 25% in the morning turns right on Eastern Boulevard and uses Eastern Boulevard in lieu of East Market Street. That volume is consistent all the way through up to Haines Road. Once at Haines they can turn right and go straight through. The same condition exists during the p.m. peak hour. Peak hour movements are seen identifying turning movement volumes on Eastern Boulevard which are characteristic of cut through volumes. Turns off of Market Street, traffic heading eastbound turning left on North Rockburn Street and continuing straight through to Industrial Highway was predominant movement seen. Cut through traffic was also revealed on North Rockburn Street and eastbound turning left and continuing to Industrial Highway. The same on South Kershaw which was one of the focus study streets. The p.m. peak hour revealed a heavy right turn through for Market Street onto south Kershaw Street and continuing to Third Street. Some of the initial observations and concerns about cut through traffic were confirmed based on the turning movement counts. One of the follow up items would be to obtain traffic accident information from the Springettsbury Township Police Department, which will help to determine appropriate traffic calming techniques. From all of that Mr. Austin would identify what he would characterize as the traffic issues based on the initial look at the data.

Congestion on Surrounding Major Roadways

AUSTIN Mr. Austin commented that congestion is essentially on the surrounding major roadways such as East Market and Haines Road, and the cut through traffic with excessive speeds through the neighborhoods on Eastern Boulevard, Kershaw Street and North Rockburn Street.

Overdesigned Roadway Geometry

AUSTIN Mr. Austin stated that an additional traffic issue in the neighborhoods pertaining to Eastern Boulevard is that of an over-designed residential type street. Essentially the wider the street, the faster the traffic travels, which creates a safety problem there.

Safety

AUSTIN Mr. Austin commented that all of the issues including cut through traffic, high speeds and high volumes all relate to safety problems in the neighborhood.

5. TRAFFIC CALMING TECHNIQUES:

Concerns of Traffic Calming Techniques

AUSTIN Mr. Austin explained three areas relating to traffic calming techniques, which include:

- Engineering – Physical type of improvements mentioned that will be a focus.
- Education – Educating the motorist requires manpower.
- Enforcement - Regulatory Signs which require 24 hour enforcement.

He stated that what works best in neighborhoods are physical type measures that are self enforcing.

Speed Control Measures

AUSTIN Mr. Austin provided several options for Speed Control Measures including

- Vertical: Speed humps
  Speed table/raised crosswalks
  Raised intersections
  Textured pavements/cobblestone
- Horizontal: Traffic Circle (Successfully implemented in Springdale)
  Chicanes (Example, York City, Market Street)
- Narrowings: Neckdowns/Intersection Narrowings
  Chokers/Midblock Narrowings
  Center Island Narrowings

Volume Control Measures

AUSTIN Mr. Austin indicated the Volume Control Measures are the most drastic measures.

- Dead ends/cul-de-sacs (eliminates cut-through traffic; not always appropriate and shifts traffic to other roadways)
- Semi-diverters/Half-closures
- Diagonal diverters
- Median barriers
- Improve capacity on arterial roadways to discourage cut through traffic in neighborhoods. Mr. Austin felt this was one of the most desirable ways to implement controls.

6. NEXT STEP?

AUSTIN Mr. Austin stated that the next step would be to take input from the neighborhood residents and identify problem areas, as well as traffic calming solutions for those areas. At that point he would suggest another meeting to come back and present those solutions, receive some Board feedback and finalize the traffic calming program. He commented that this was the beginning: to collect data, to obtain accident information, and to hear from the residents from which a solution can be obtained to implement some traffic calming devices. He opened the meeting to questions/comments from the residents.

7. PUBLIC COMMENT:

GUNNING Mr. Paul Gunning of 2205 East Philadelphia Street stated that his street, particularly where Philadelphia joins Market, one block west of Haines Road is a soft L at Vernon and Rockburn and is used heavily. Further west the traffic lessens, because it travels to Vernon to take them to McDonald's; Rockburn to Industrial Highway, and some continue all the way to the entrance of 83. Mr. Gunning was puzzled that the area was not looked at as he felt it was a problem area.

AUSTIN Mr. Austin asked Mr. Gunning whether he felt the major issue was speed or volume.

GUNNING Mr. Gunning responded it was both volume and speed, particularly because it is used as a cut through, especially on market day. Most of it is from east to west because of the way the configuration runs. The motorists travel on Rockburn or Vernon and head north. He stated it would not have the volume of Eastern Boulevard, but stated it was essentially a residential street and not a wide street. In addition, its configuration is such it's not a straight way. Mr. Gunning added he really liked the ideas he had heard.

AUSTIN Mr. Austin asked Mr. Gunning whether there might be one particular idea that he felt would be useful.

GUNNING Mr. Gunning responded that he was just one person but the speed was a problem. He indicated that motorists coming off Market Street are traveling at 10 mph over the 35 mph speed limit. He added that his area used to be a residential neighborhood but he felt it was a commercial neighborhood now.

LUCIANI Mr. Luciani indicated that turning movements were counted on Philadelphia Street to see what the peak hour and volume counts would be and provided some idea of where people are coming from and going to.

GUNNING Mr. Gunning commented that where he referred to was from Market Street at Royal. Not many cars are turning north on Rockburn heading west; they're going to turn into Philadelphia Street. Many are going east and will make a left turn there because of the light at Vernon.

AUSTIN Mr. Austin commented that he had noticed in the a.m. peak hour, there were only three right turns heading westbound at Rockburn and Market. He had expected more based on some of the initial concerns.

GUNNING Mr. Gunning stated he felt the bigger problem would be speed.

AUSTIN Mr. Austin commented that the stop signs for the first few streets are all on the side streets and the traffic would essentially be a free flow. He stated that would be reviewed.

BICKLER Mr. Richard Bickler of 360 Haines Road indicated that the classified ad in the newspaper mentioned the study done on Memory Lane and Haines Road. He stated he had not heard too much on Haines Road.

SABATINI Mr. Sabatini stated the Haines Road Study would be reviewed in a separate meeting on June 26th. Memory Lane and Haines Road has direct impact on traffic issues in the area.

BICKLER Mr. Bickler indicated he had telephoned the Springettsbury office and was advised it would be addressed during this meeting.

GETTLE Mr. Greg Gettle of 26 South Vernon Street indicated that all the data was excellent. His concern was that within the small block where he lives there has been an increase in the number of children who live on the street. The traffic light at causes a lot of volume on Vernon and that will unless something can be done about that. The data study did not pick up any speeding issues. Mr. Gettle thought that was a major problem. He explained that motorists come off of Eastern Boulevard, see that the light is green at Market and Vernon and speed up to make it through that light. He added he personally does not think that the light stays red very long. The counter at one time was in front of his house, which is closer to Eastern Boulevard. He stated that if the counter had been placed at the end of that block it would pick up some pretty high speeds. He had seen cars bottom out trying to make it onto Eastern Boulevard with sparks flying. Speed would be his concern on behalf of that small area on Vernon, in addition to the volume problems.

AUSTIN Mr. Austin responded that having the traffic signal where motorists avoid the Memory Lane/Haines/Market Street intersection is one of the convenient easy ways to head west. He added that would be one of the key issues and also one of the challenges and one which will be worked through with the neighborhood residents.

GETTLE Mr. Gettle stated he did not think that there was a speed limit sign on that block.

LUCIANI Mr. Luciani responded that no speed limit sign is on that street. He added that Mr. Austin discussed that if 100 vehicles went down that street, 85 of them would travel below 29 mph or whatever the speed limit is. There will always be the 15% of the population traveling 70.

MILLER Rita Miller of the corner of Eastern Boulevard stated that there had been three serious accidents on their property. Motorists come around the corner too fast and end up upside down on fire. Police chases had ended up on their front lawn. She emphasized that something must be done there. The children used to catch the school bus on that corner, but thankfully that had been changed. She added that there was much too much traffic for that small street. It backs up around the corner in the morning when people are going to work. She indicated there were times she couldn't get out of their driveway.

SMITH Brian Smith of 19 South Vernon Street questioned some of the data from the standpoint that there is a stop sign there. He observed that the other side of the 85%/15% comment was that there are motorists backed up at the light going 5 mph. That would heavily weigh things the other way. He felt that should be reviewed as well.

MILLER Rita Miller stated that Vernon Street is turning into a major thoroughfare.

LUCIANI Mr. Luciani explained why mid-block recordings are selected. Normally there is a peak speed at the end of the block and zero at the starting point. Motorists are at a peak speed when they're mid-block. That is why the recordings are done halfway through the block because it provides the best result.

WHITELEY Steve Whiteley of 8 Eastern Boulevard stated that his home is located right off of Market Street on the wide part of Eastern Boulevard. He felt that speed was a major factor on his street. There are easily speeds of 55 or 60 mph on Market Street, and the turn onto Eastern is an easy one. He had observed two cars in trees, one near fatal the night before Thanksgiving, cars coming off the stretch, coming from Fat Daddy's with too much to drink, coming from both directions at high rates of speed. He understood the problem at Vernon, which really is the only legitimate way to get out onto East Market Street and go west. He asked how this all relates together and how the consultants were working with whoever is in charge of Market Street and in charge of these larger arteries. He stated that there must be some sort of cooperation so everyone knows what is being done.

AUSTIN Mr. Austin responded that a study is being conducted by the Township on Haines Road/Memory Lane for both short and long-term types of improvements. Part of Market Street is included in that study. PennDot is the owner of Market Street, Route 462 and is a player in the study being performed. PennDot's approval will be needed for those improvements affecting Market Street. Mr. Austin asked whether any of the residents had noticed some of the pavement markings that recently were laid on

Market Street showing 35 mph. He indicated that was a good example of pavement marking type traffic calming techniques.

WHITELEY Mr. Steve Whiteley stated that he had lived on Eastern Boulevard for six years and seen these cars speeding in front of my house. He commented that, with all due respect to law enforcement, he have not yet seen one speed trap or police car parked there. He indicated an interest to know if anyone else in the neighborhood had. Enforcement may not be the strongest way to go at it, but no enforcement would lead to a worst case scenario.

AUSTIN Mr. Austin asked for Mr. Whiteley's opinion as to whether speed is the primary concern on Eastern Boulevard.

WHITELEY Mr. Whiteley indicated that speed is the primary concern. Once they round that corner, they have to cut down on the speed, but then it becomes a volume problem.

EISENHART Jan Eisenhart of 25 North Manheim Street stated that she had been a Township resident for 20 years. She had a concern about the entrance to Eastern Boulevard whether or not a motorist would be traveling east or west on Market Street. An entrance to Eastern Boulevard is necessary, but an exit is not. She viewed it as a hazard to have traffic pulling out on to Market Street especially making left turns. She had observed mishaps and near misses and a believed it to be a major problem area.

LUCIANI Mr. Luciani stated they had reviewed that area. The studies were done in the a.m. and the p.m. peak hours. There were six motorists who made that move in the a.m., and several in the p.m. made that maneuver.

EISENHART Ms. Eisenhart commented on another area. The Army Corps of Engineers had been involved in the 83 off ramp re-design. A portion of that was really great in that they took down the real short 83 off ramp onto North Hills Road. Improvements were made in the bridge girding. However, she mentioned a design flaw in the off ramp because of water retainage in that area. Whenever there are downpours that whole area is blocked. That causes traffic to turn back into the neighborhoods when trying to work around a peak traffic time period. She added that there is a health factor in that in those times there is less emergency access to the hospital for an emergency vehicle.

BISHOP Mr. Bishop asked for the exact location to which she referred.

EISENHART Ms. Eisenhart responded that it concerned the area where Interstate 83 crosses over Market Street and exits to an off ramp.

AUSTIN Mr. Austin responded that PennDot had initiated an interchange study and presently is looking at Exits 6, 7 and 8.

EISENHART Ms. Eisenhart mentioned the trucks are permitted to come off that ramp, a point mentioned in a Township meeting several months ago. She stated that the trucks come off that ramp to access Route 30 by traveling across North Hills Road. In peak times all of that traffic is backed up onto 83 and again provides a potential hazard. She suggested re-directing that to a direct Route 30 off ramp. She also mentioned that re-directing one way traffic on North Rockburn to only be permitted to come out onto East Market Street.

AUSTIN Mr. Austin asked whether she was suggesting the entire street length or just the entrance.

EISENHART Ms. Eisenhart responded that it would be just the entrance.

GUNNING Mr. Paul Gunning commented that if that would happen, the traffic would double on Philadelphia Street.

AUSTIN Mr. Austin stated that was one of the challenges in deciding the appropriate solution. Everyone must be aware of the secondary impacts.

SMITH Mr. Phil Smith of 511 Haines Road commented on enforcement of the speed laws already in place. He understood that the police officers would not be able to watch the area 24 hours a day. He wondered whether one officer could stagger himself in the different problem areas, not let it be known when he would be there, and catch these speeders.

PARKER Mr. John Parker of 15 South Harlan Street had grown up in his home and was very familiar with the area. He had observed the traffic problems develop and grow. You've pinpointed at least the southside of Market Street and the key areas very well: Eastern Boulevard, Vernon Street to Third Avenue, and Third Avenue out; Keesey and Kershaw. He stated that he walks all those streets, and commented that it took him five minutes to get across Eastern Boulevard at Royal at nine o'clock in the morning due to traffic in both directions. One major corridor he had not heard mentioned was Marshall Street and Third Avenue, which access Haines Road.

LUCIANI Mr. Luciani provided some information from the traffic study and commented that during the morning peak 211 vehicles turn off the slip lane to travel east towards the business center. The through traffic at the next intersection at Keesey and Eastern Boulevard, 203.

PARKER Mr. Parker commented that Marshall Street has no stop sign going across Route 30. The sign would be on Vernon. It's a clear shot straight across. He liked the idea of divider on Eastern Boulevard, which he felt would do a lot to calm and slow things down and divert a lot of the cut through traffic. He felt that was a bigger problem than speeding. With regard to the entrance and exit at Market and Eastern Boulevard, he felt that was a good candidate for a right turn only at Market.

LUCIANI Mr. Luciani commented that would be an easy one to fix.

AUSTIN Mr. Austin commented that the accident reports needed to be checked.

PARKER Mr. Parker asked about the telephone pole in the middle of the intersection. He added that whatever would be done on some of the streets drainage must be considered carefully. Back in the Fayfield area, some of the streets are the drainage routes.

OLMEDA Ms. Lisa Olmeda of 251 S. Kershaw commented that she did not believe anywhere on Third Avenue that there is a speed limit sign. People believe there is a 35 mph speed limit, so therefore they travel 40 to 45 mph. Another concern she had concerned the cut through on Kershaw was that motorists don't stop at the stop sign and roll through the intersection. They start down on Marshall Street and cut through the neighborhood and come on Third and see that one little stop sign and take off at a high rate of speed. What had become a problem recently for some of the residents who live on Third Avenue was that motorists had gotten tired of using the road, and now are using our yards. What they're doing is they're actually cutting down around and past one of her trees which sits in her yard and continuing down the street. One of the other gentlemen pointed out that in his neighborhood there are more children and younger families moving in which points to more of a safety concern. One of the things for calming is the humps, which had been done in one of her Maryland neighborhoods. She had seen police officers on Haines Road near the school watching traffic during school. Their presence does slow down traffic.

FARRELL Mike Farrell of North Marshall Street commented on stop signs. He asked whether stop signs could be erected at any given point without having to do feasibility studies on how it interacts with another intersection on the road. It seems to me that people take the path of least resistance and look for a straight line without a stop sign. Several examples that he heard was that a stop sign will slow people down, and they're not going to have people in front yards and get somebody gathering speed on Philadelphia Street. He felt that the most cost effective way to affect traffic without pushing it to other people's streets and insuring the safety of children would be the addition of stop signs.

LUCIANI Mr. Luciani agreed that at a first look a stop sign may appear to be an effective way to slow speeds down, but first of all the Township can put a stop sign in an area where a stop sign is warranted. If there are already two stop signs in one direction and you want to make it a 4-way stop, state law dictates that must be done with sufficient reason and is a little more involved. Mr. Luciani explained that with traffic calming the whole purpose is to avoid the stop sign problem. Creative innovative measures are needed that are going to work long term.

LEFEVER Richard Lefever of 201 S. Finley indicated that everyone acknowledges that stop signs aren't what they used to be. He understood what Mr. Luciani was saying about enforcement, but they observe every night motorists going through the stop sign from their back porch on Vernon Street. It is an open intersection they can look and if they see nothing's coming, they go through it. He asked whether traffic calming could be used in combination with a stop sign. Speed humps seem too simple at intersections where there is a clear view. It might slow them down.

GRAU Mr. Richard Grau of 2401 Cambridge Road had moved here 2-1/2 years ago. He indicated he did not anticipate all the traffic on Haines Road. He was hopeful that the meeting to be held later during the month would be useful because the traffic is horrendous.

FERNANDEZ Mr. David Fernandez of 1843 Wallace Street emphasized cut through traffic as a major problem in his neighborhood. He added that there are some bottlenecks such as turning off East Market on to North Hills Road. Immediately the traffic is combined into one lane going towards Route 30. The other lane must turn left into Interstate 83. They need to turn left onto Philadelphia. North Rockburn, North Hills and Memory Lane are too congested to handle everything.

BECK Mr. Steve Beck of 21 S. Kershaw St. asked Mr. Austin to elaborate on how they arrived at the solution in Springdale neighborhood. He indicated he could see a lot of similarities with parallel streets.

AUSTIN Mr. Austin responded it had been a study process that included the neighborhood in every decision that was made. A Focus Group worked hand-in-hand with the consultants and was based on all the data that was collected and analyzed. The City conducted surveys with each resident/property owner regarding their concerns. Based on that data and the available traffic calming techniques, a package of potential solutions was compiled. From that came a consensus on the package of what the neighborhood would be willing to implement. Essentially what you see there was the consensus package, traffic circles on Springettsbury Avenue, left turn restrictions on Rathton Road. Regarding the fringe areas improvements were made to Rathton and Country Club Road, signalized

an intersection there, and did some phasing. Also some improvements were made to Country Club, Rathton and South George Street intersection The one recommendation that was made dealt with speed humps. The neighborhood at a later time decided to hold off on the speed humps until a re-evaluation is done. As a follow up study to that, the City is currently going through the same process in the Avenues near the Fairgrounds and is actually into the design and implementation stage. The main focus there was speed, and the neighborhood decided to installing speed humps on some of the main east/west roads. They will be tested to see how effective they are. In addition to that we're going to be working on the fringe areas and surrounding roadways to help keep traffic on the main roads by making improvements there. There were some pedestrian improvements that were made because there's a school in the area. There, in the Avenues, they had the stop signs on the main line. Essentially the residents wanted to installing speed humps, removing the stop signs on the main line and putting them on the side streets, which was considered an appropriate use of signs. In most cases you want to have stop signs on the minor roads, etc. That was a big decision for them. A similar process will be followed in coming up with the solutions for Springettsbury.

ESTLACK Catharine Estlack of 1924 Eastern Boulevard commented that she lives on the corner of Keesey and Eastern Boulevard. This is a very busy intersection with a public mailbox and school bus stops. A lot of people run that stop sign. She felt that the street was too wide and should be narrowed with a medial strip or something.

PICKLER Sandra Pickler of 360 Haines Road indicated she hoped before the next meeting that a study would be done on Mt. Rose Avenue. Traffic backs up to her house because they can't get on Mt. Rose Avenue.

AUSTIN Mr. Austin responded that Mt. Rose Avenue had been studied recently by Springettsbury, Windsor and York Township, called the "Longstown Road Corridor Intersection Study." A review was made of Mt. Rose Avenue down to the intersection there, a series of recommendations made, many of which are on PennDot's 12 year program. In addition, PennDot is actively studying the Interchange of exits 6, 7 and 8 in terms of identifying what improvements are needed. As part of the Haines Road Corridor Study, we're also looking at Mt. Rose Avenue and Haines Road.

PICKLER Ms. Pickler added that something needed to be done because traffic is all backed up and there's no where to go.

TAPP Sharon Tapp of 12 Eastern Boulevard indicated she was very much in favor of narrowing the entrance to from Market Street onto Eastern Boulevard due to the tremendous speeds coming through there. She has an 11 year old daughter who goes across the street to visit her friends. She

works on Eastern Boulevard near where she lives. When she comes back home, sometimes she has to wait three or four minutes just to turn into her driveway. The slope of the roadway also pulls cars to the opposite direction.

GUNNING Paul Gunning indicated he really appreciated the meeting and was glad this action was being taken. He hoped the areas he had identified would be recognized. There were not many present from north of Market Street, but that is an area for review. He also emphasized again that this had been a staunch residential area, which he felt was being lost to commercial properties. The focus should be not the convenience and comfort of the people off to the mall and such, but to recognize, and retain the neighborhoods.

LUCIANI Mr. Luciani indicated that the Supervisors had asked them to study this matter and recognizes the importance of the neighborhood.

8. ADJOURNMENT:

MITRICK Chairman Mitrick commented that Sgt. Tim Harvey had been present during the meeting to listen to the comments and go back to the department to see what could be done about them. She assured the residents that Sgt. Harvey would take the concerns back to the department and hopefully resolve some of the issues mentioned.

MITRICK Chairman Mitrick commented that she had received a telephone call from a resident on Rockburn and mentioned the new brown sign that went up reads Rockburn Road and not Rockburn Street. That obviously is an error that Mr. Sabatini will take care of as soon as possible.

SABATINI Mr. Sabatini indicated that it was a PennDot sign.

MITRICK Chairman Mitrick clarified that the name of the street had not been changed.

MITRICK Chairman Mitrick asked Mr. Austin whether or not the residents could be provided with a time frame on when he would be able to digest what they had given tonight and come back for some recommendations.

AUSTIN Mr. Austin responded that he could come back with some recommendations within 4 to 6 weeks. The process used in the City of York where they worked with a smaller group seemed to work best. They would then come back to the large group or leave it up to the consultant. He asked for a raise of hands of those who would be willing to work with a small Focus Group.

MITRICK Chairman Mitrick indicated that any residents who are interested in being on the Focus Group should sign the sheet in the back. She indicated that other traffic studies are being conducted. The consultants mentioned the traffic study and improvements going on Interstate 83 and also Haines Road/Memory Lane Study. She stated it would be irresponsible of the Board to move ahead with traffic calming solutions without looking at the whole picture. This means that the Board must be realistic. They would not want to take a problem in your neighborhood and simply transfer it to another street in your neighborhood. She asked for the residents' patience. She indicated a commitment from the Board of Supervisors that it is a very important issue, and they will follow up as quickly as possible.

MITRICK Chairman Mitrick stated that the meeting on Haines Road/Memory Lane will be held on Tuesday, June 26th, and she invited everyone to attend. Also a Board of Supervisors meeting is scheduled for Thursday, June 28th. She asked Mr. Sabatini to put an item on the Agenda for the establishment of a date for the community to hear back from the traffic experts.

EISENHART Ms. Jan Eisenhart provided a comment with regard to the police in the municipality. She had seen them pull many people over at many different times on many different streets, and they've always responded to any call that she had placed. She was pretty proud of our police in the municipality. She just wanted to state that because she had seen them respond with expediency and professionalism.

MITRICK Chairman Mitrick adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **MAY 24, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, May 24, 2001 at 7:30 p.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Don Bishop
Nick Gurreri
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Buchart-Horn, Inc.
John Luciani, First Capital Engineering
Mike Myers, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m. Chairman Mitrick announced that an Executive Session would be held immediately following the general meeting regarding legal matters. She announced also that the Board of Supervisors will hold an Executive Session on Friday, May 25, 2001 at Noon regarding personnel.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

MITRICK Chairman Mitrick provided several announcements for clarification purposes. The final Land Development for Hunter's Crossing was not shown on the Agenda for action during this meeting. Hunters Crossing was shown on the Agenda for consideration of a time extension and two waivers.

MITRICK Chairman Mitrick also stated that there had been some confusion over a Transportation Study meeting that the Board was going to have at 6 p.m. this evening. She apologized for the confusion, but the consideration of a date for that meeting will come on the Agenda later. The Transportation

meeting related to the Haines Road Study, and the Public Meeting will be scheduled later.

2. COMMUNICATIONS FROM CITIZENS:

RICHARD Mrs. Nancy Richard, 3632 Hope Lane, brought forward an item regarding Pleasant Valley Condos. She stated that a Certified letter would be sent to the Zoning Officer covering the matter. It appeared that there would only be one water meter per group of units, which would preclude those being individual homes. She stated that no one party would want to share their water bill with the group. The other issue was Section 1915 of the Zoning Ordinance, item 3, the property that abuts on Pleasant Valley Road is 1920 square feet, and by this Ordinance, these would have to be 80% which would be 1536 square feet, and they appear to be less than that. Mrs. Richard asked Mr. Sabatini about progress on the road improvements scheduled for 2002.

SABATINI Mr. Sabatini responded that a letter had been sent to the Civic Association President in January. The Board had directed the Township to work in conjunction with Kinsley, to move ahead. The Township had discussed having them do the work, and the Township do the right of way acquisition in conjunction with the work to be done as part of the site improvements. This would be concurrent with the project at a lower cost to the taxpayers. That information had been submitted to the Civic Association with a request that it be shared with the residents.

RICHARD Mrs. Richard stated that the project is moving along.

SABATINI Mr. Sabatini stated that occupancy was not projected until the later part of 2001. The Township wanted to be sure that the construction runs as concurrently as possible with the occupancy of the project.

SCHAEFER Mr. Tom Schaefer, 138 North Keesey Street, represented Friends of Camp Security. Mr. Schaefer commented that there had been a change in the way the Pasch plan would be addressed; however, a number of people were present to speak in opposition to the question of granting of waivers or an extension to the project. He asked when it would be appropriate to voice statements regarding Hunters Crossing.

MITRICK Chairman Mitrick asked the Board whether they wished to hear the comments at this time on the Agenda.

BISHOP Mr. Bishop stated that the Board normally would not ask for public comment during action with respect to waivers. He suggested that comment be provided at this point on the Agenda.

Consensus of the Board was to proceed with public comment on the Hunter's Crossing development during this time on the Agenda.

SCHAEFER Mr. Schaefer stated that Friends of Camp Security have taken a position to be represented by counsel. The fight to preserve this site has taken an international flavor. They had pointed out in the past the true significance of the historic site. At this point they felt that for the idea of this tract to be developed as a housing project offered nothing in good interest to the Township. He suggested that anything the Supervisors would act upon would add to the complicity that might revolve as to what will happen to the site in the future. A key question is where are the graves of dozens/hundreds of British and Canadian prisoners of war who died as documented at that site. Anything done by the Supervisors to facilitate the destruction of the property may put York in a very bad light internationally. He commented that he had e-mailed Prince Charles. The Royal Family was not interested in seeing the bones of His Majesty's soldiers resurrected to the light of day after 200 years by bulldozers. In connection with international societies in the British Isles and Canada, York is already not in the best of highlights in the history of the nation, it is now time for this Board of Supervisors to do the right thing vis-à-vis Camp Security. There will be a lot more international interest generated on the site.

FREELAND Attorney Michael W. Freeland, Suite 700, 1900 Market Street, Philadelphia, PA 19103 addressed the Board. He indicated he was not a resident of Springettsbury Township. He reported he is a member of the Sons of the American Revolution and a Past President of its largest chapter in the country. Their mission as a society is to preserve the memory and the integrity of those who fought in the Revolution. It had come to their attention that a development was proposed at the site that has both British and U. S. soldiers of the Revolution. The sites of the graves have yet to be determined. Attorney Freeland stated that under Title 9, Section 15 of the Pennsylvania Statutes dealing with care of neglected burial grounds, of which this clearly would be one, whenever any burial ground is neglected so as to become a nuisance even though said burial ground may occasionally be used for burial purposes, the county court in which such burial ground is situated may direct that such burial ground be placed in the care of the Township Supervisors. Attorney Freeland suggested that the citizens of Springettsbury Township should move the court to put this gravesite in the Supervisors' care. The first order of business would be to find it. He hoped that before the land was developed, care would be taken to find the soldiers buried there and take care of their graves.

CARROLL Mr. Wynn Carroll stated that he resided in eastern Pennsylvania. He is a Past President of the Sons of the American Revolution, Past Vice President of the Sons of the Revolution from Pennsylvania and also a National Officer of the Mayflower Society. He stated the reason for his attendance was that he had some related experience in Pennsylvania. He is the President of a non-profit corporation, The American Revolution Patriots Fund. Their job is to restore Philadelphia's Washington Square in preparation to turn it over to Independence National Historical Park. It is the largest Revolution War burial ground with 3500 soldiers buried there in mass, unmarked graves. That had been an effort of Federal, city, and private funds, and the park had been restored and will be turned over to INHP in July 2002. Mr. Carroll stated that he served on the Board of the Paoli Battlefield Preservation Fund, another non-profit group, which recently bought the Paoli Battlefield from Malvern Preparatory School and turned it over to the Borough of Malvern. This was done through a combination of Federal, county, state and private funds. They are now negotiating a contract with the Borough of Malvern to develop a historical plan for the park as part of their historical commission and are expecting it to be a major tourist attraction. It is right next to the Paoli Memorial where 56 soldiers are buried. Mr. Carroll added that he is closely involved with Brandywine 225, a group in the process of working to purchase easements on the large Brandywine Battlefield. So far they had been able to get easements on 2500 acres of the battlefield and have been able to protect the most important aspects of it. A Bill in Congress called the Patriot's Bill had passed two years ago, which was applicable to Springettsbury. With the Patriot's Fund they had done the following: (a) bought easements on 2500 acres of Brandywine; (b) bought a major portion of 40 acres of Paoli; (c) expanded Valley Forge National Historical Park; (d) are in the process of building a new Museum at Valley Forge. There is a potential for tourism in both York and Lancaster as they were capitals of the U. S. for short periods of time. Something like the Patriots Bill could be put together with the Federal government. The State is interested. The Paoli effort was done on the basis of open land, and they were able to get a nice grant from Chester County for that.

BISHOP Mr. Bishop asked whether any of this information had been communicated with the owners of the property.

CARROLL Mr. Carroll responded that it had not been communicated and added that they had first learned of this project May 9. The local Sons of American Revolution in Lancaster has shown interest in the project along with the local SAR Chapter and the DAR.

SABATINI Mr. Sabatini asked Mr. Carroll to provide a business card or e-mail information regarding his organization.

CARROLL Mr. Carroll indicated he would provide that information along with some material.

NAPOLI Mr. Rob Napoli stated he is a resident of York County. He is Vice Regent of the Lancaster Chapter of the Pennsylvania Society of the Sons of the Revolution. He echoed Mr. Carroll's comments with respect to their Chapter's concern. Most importantly as a resident of York County, one who had brought up his children in the County, it was his belief that this particular vestige of our Revolutionary experience represented a tremendous opportunity to position in the minds of many young people who live in the City and suburbs of this County, what the Revolution represented. He added the hope that the Board and York County would understand that this is a moment when we, in fact, can shine a spotlight on this County as opposed to the blemishes that it had experienced of late.

BAUMGARD Mr. Ken Baumgard indicated he was intimately involved in the Camp Security project. He had been involved in the project for three years initially as a personal research project. Three years ago there was an article in the York Daily Record in which one of the reporters commented that York County should find a way to enhance its Revolutionary history. He stumbled across Camp Security and began doing research on it. He attempted to get landowner access to the project but never heard back from the people to whom he had written. Several months after beginning the research, he was contacted by the Pennsylvania Historical Museum Commission and advised that Tim Pasch had proposed this tract of land for development. At that point in time he became technical adviser for the Corps of Engineers and spent the last two years providing archeological, technical support to the Regulatory Department of the Corps of Engineers. He had been an archeologist for the last twenty years, working with the Corps for the last 10 years. In his professional opinion, this is one of the few really intact archeological sites that he had ever seen. Additionally, he commented one of the things not addressed publicly and the reason this particular site is so important doesn't have to do totally with the archeological context. 5,000 British soldiers were captured in 1777 at the Battle of Saratoga initiating the first ethical dilemma for our country. He has hundreds of letters written by Thomas Jefferson, George Washington and all the other great well known people of the time discussing back and forth how to care for these 5000 POW's, what to do with them, how to feed them, how to transport them. Ultimately they were held as hostages until 1783 when Great Britain signed the Treaty of Paris officially ending the war and causing us to be a free nation. This site has local, statewide, national, and international significance. He stated that was the reason why the site needs to be saved.

TANZOLA Mrs. Carol Tanzola acted as a messenger for Ron Bissett, a Canadian who visited York County several weekends ago. He had been doing genealogy

research and discovered that his 5th generation grandfather had been held as a hostage at what he thought was Little York, Virginia. He could not find a Little York, Virginia and realized it was Little York, Pennsylvania. She read his letter, which included the fact that after a 35 year search he found where his 5th great grandfather had died at Camp Security. He encouraged that the land holds historical value not only to the USA, but also to Great Britain and Canada.

MITRICK Chairman Mitrick asked Mr. Sabatini whether the Township had received a copy of Mr. Bissett's letter.

SABATINI Mr. Sabatini indicated he had not received a copy but would appreciate one.

YANT Mr. Hoover Yant, had been a resident of York County for 21 years, but grew up west of the Allegheny Mountains. He is a member of the Sons of the American Revolution. When he moved here he was opened to a new world of American History. Everything west of the Allegheny happened decades later, but when he came here and found the sites now available it was a wonderful treasure. It was his strong hope that the Township would consider Camp Security as one of those important treasures for current and future generations.

SANTELL Mrs. Judy Santell of 3650 Kingston Road, spoke as a mother, grandmother, sales rep and one who had recently won a national award for volunteer excellence. With volunteerism everything cannot be measured by the bottom line. The whole world knows about what's going on in York. She implored the Board to consider what message is being sent to our children. Her children are old enough to think for themselves; her grandchildren are learning to think for themselves. She would like a positive message about our community sent to them.

RANDALL Mr. Richard Randall of 3001 Cimmarron Drive had reviewed some prior plans for the area. It seemed at that time an effort had been made to preserve a fair amount of area of Camp Security, to have an up-to-date style of open design, and work had been done to preserve the natural habitat and wooded areas around Camp Security. He commented that today the plan seemed to be moving in the opposite direction. The preserved area is getting smaller, the habitat is going away, and the number of lots and homes had increased. He urged the Supervisors to be the group that tries to push in the direction of having some win for the residents of the Township and residents of the County for the preservation of an area that's important to everyone.

STOUGH Mr. Blake Stough, a York City resident, stated that he had an ancestor that was a guard at Camp Security. His opinion was that if something is not

done to preserve this site for the future, York will have a bad image with people across the nation. He had gained support of people he had contacted through on-line genealogy lists and had submitted approximately 20 copies of letters that people e-mailed showing their support for Camp Security's preservation. He had approximately 20 more for the Supervisors review.

MITRICK Chairman Mitrick thanked him for taking the time to write his letter to the Board.

ROMAN Ms. Becky Roman of the Historic York, the County's organization dedicated to the preservation of the historic sites of the region. Historic York had been and will continue to promote the complete preservation of Camp Security. It is such a significant site at the local, state, national and international levels that no matter where it would be located or what type of development, public private or whatever, Historic York would have to only support its complete preservation, its adequate treatment, ownership of an appropriate organization and a buffer area to protect the site. Many people have been confused to that position, but it is based on the extreme significance of this specific archeological site compared to most others. There may be other historic sites as well that would have this level of significance. Historic York's Board had decided, in its 25 years of existence, that this might be the most important historic property that had ever been promoted. She reminded everyone that this was a gem and to have any kind of destruction of a portion of it would be negative for everyone in the country and others outside the country. She also stated that Historic York over a period of 1-1/2 year had communicated to the current owner and the developer the extreme significance of the site. Other community members have supported them. They had explained the tourism potential to other members of the community. Tourism can be done in many levels; there is no plan for this, but it should be done quietly and sensitively. We are focusing on telling the public about its significance. Ms. Roman stated that the many who came to speak tonight are proof of how many are interested in the site, and it wasn't through Historic York alone that the people had attended, but those who had contacted others first with concern for its destruction.

BISHOP Mr. Bishop asked Ms. Roman to outline for the Board what Historic York had done prior to 1-1/2 years ago to insure the preservation of the site.

ROMAN Ms. Roman responded that they were one of the groups, along with Springettsbury Township, which obtained a grant to excavate a small portion of the site in 1979. We have held histories on Camp Security and had submitted its artifacts to the State Museum of Pennsylvania. Historic York is not an organization that holds historic properties. It is a preservation organization, not a museum or historic sites organization and

serves a role to assist others in finding a potential party interested in being the eventual holder or caretaker of a historic property. The only way Historic York would ever own historic properties would be to purchase them to save them from destruction and then find a buyer as soon as possible.

BISHOP Mr. Bishop asked whether they had success in searching out someone to own Camp Security or generating someone to take on that role.

ROMAN Ms. Roman indicated that the Archeological Conservancy, a national organization based on the Nature Conservancy, acquires and holds archeological sites that are threatened, similar to the Nature Conservancy holding wetlands and natural areas. They had been involved for about a year and did agree to be a holder. They like to hold properties over a period of time, not for perpetuity. The Farm and Natural Lands Trust was working with Historic York to find ways to purchase it, and there are local businessmen involved.

GURRERI Mr. Gurreri thanked everyone for the history lesson, which was very enlightening. The site belongs to everyone, but Tim Pasch is in the process of purchasing it. A way needs to be found for someone to purchase it. Mr. Carroll had an interesting concept with the Patriot Fund Bill.

DEITRICH Mr. Don Deitrich of 3615 Primrose Lane asked whether Mr. Pasch actually had purchased the land.

GURRERI Mr. Gurreri indicated he was in the process of its purchase.

BISHOP Mr. Bishop indicated that was not a fact that they would necessarily know.

MITRICK Chairman Mitrick thanked everyone who had spoken regarding Camp Security, particularly to those who had traveled a distance to address the Board. She re-stated that there would be no action on the final Land Development for Hunter's Crossing during this meeting. A Time Extension, and a Request for Consideration of several Waivers, which would take place later in the Agenda.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported that consideration for payment would be discussed for the East/West Interceptor Upgrade along with a Change Order for the first application and the final for Phase I. Phase II had been advertised and bids will open on June 22. A recommendation will be considered for

authorization to proceed with the award process and during the July meeting to award the contract and issue a Notice to Proceed.

B. Civil Engineer – First Capital Engineering

Haines Road Traffic Study

LUCIANI Mr. Luciani provided several updates. Mr. Luciani recommended that the Haines Road Traffic Study be discussed during a 30-minute presentation and public review with a total meeting of about 2-1/2 hours. He suggested several dates: June 26 or 27th.

Consensus of the Board was to meet on Tuesday evening at 6:30, June 26th to discuss the Haines Road Traffic Study.

Traffic Calming Study

LUCIANI Mr. Luciani also suggested that the Traffic Calming discussion take place on Thursday, June 14th at 6:30 p.m. He stated an hour and a half would be sufficient.

Consensus was to meet on Thursday, June 14 at 6:30 p.m. for discussion on Traffic Calming.

MITRICK Chairman Mitrick asked Mr. Sabatini to advertise both of those meetings.

SABATINI Mr. Sabatini indicated he would do so.

SCHENCK Mr. Schenck asked whether the Traffic Calming meeting would address specific items.

LUCIANI Mr. Luciani indicated it would and the neighborhood group involved in the matter would be made aware of the meeting.

SABATINI Mr. Sabatini asked whether the Board would prefer a mass mailing. He added that generally the Township would advertise the meeting.

SCHENCK Mr. Schenck stated that advertising alone would not get to the right people. A postcard mailing was suggested.

Cortleigh Drive

LUCIANI Mr. Luciani reported that the Cortleigh Drive project is about 1/3 completed. The project is about a 1500 foot long project; 500 feet of the concrete channel had been installed. He had been made aware that some of the residents had not been notified of the work being done. He reported that his personnel had discussed it with some of the residents, but it impacted 18 property owners. They obtained the mailing address of all 18

and notified them. The workers will be there for another two to four weeks to complete the job.

Traffic Flow

LUCIANI Mr. Luciani reported on signalization on Eastern Boulevard. Mr. Gurreri had questioned the signal light at Eastern Boulevard and Edgewood Road. Mr. Luciani reported he had reviewed the traffic study for that intersection. Prior to Home Depot the intersection had been studied, and the southbound, left-hand turn lane failed. After Home Depot, the left-turn lane is short (100 ft. long), and allows only five cars to make the turn. He was not sure that he could change some of the signal timing there, but there are other adjoining intersections where the equipment might be out of date. Perhaps the timing could be optimized. He will review this and report at the next Board meeting.

Ordinance re/Small Sheds

LUCIANI Mr. Luciani commented on Mr. Schenk's mention of the burden that property owners undergo to construct a small storage shed. He had included the Best Management Practices that had been adopted by Pennsylvania, which is a sliding scale ordinance. A property owner who wanted to add a small shed structure would need to do a Stormwater Management Plan, which could be cost prohibitive. He suggested that a review of the ordinance be done in consideration toward easing the burden on the homeowner.

LUCIANI Mr. Luciani added that another thing to tighten up the Ordinance would be toward protecting the Township from a liability situation. Currently the Township requires post development review just like pre-development. If it were tightened up to make post development more restrictive, then the downstream people couldn't point and say it's all coming from up there. He suggested that a review be made of stormwater ordinances in surrounding municipalities. He indicated he would be willing to review the Ordinance and work with Mr. Stern toward tightening this up if the Board desired.

SCHENCK Mr. Schenck indicated he would be in favor of that.

PASCH Mr. Pasch stated he felt it was very restrictive and changes are necessary. He agreed that the staff and Mr. Luciani could work on this to come up with a recommended solution rather than bringing it back to the Board for the Board to work on it.

BISHOP Mr. Bishop agreed. He added that a person should be delegated to be responsible for taking on the project.

SCHENCK Mr. Schenck commented that, as an Ordinance, it would have to go through the Planning Commission for their comments.

BISHOP Mr. Bishop indicated that someone must draft something to go there first. He was in favor of appointing someone to be in charge.

MITRICK Chairman Mitrick asked Mr. Sabatini who would be responsible for the review of the Ordinance.

SABATINI Mr. Sabatini responded that he would be responsible. He suggested a timetable of the end of the third quarter.

MITRICK Chairman Mitrick asked Mr. Sabatini to place that item on his new format so that it will continually be reviewed.

Plymouth Road

LUCIANI Mr. Luciani reported that the work was slated for Plymouth Road to be done as soon as Mr. Lauer would be able to do so.

Heritage Hills – No Left Turn

GURRERI Mr. Gurreri asked about Heritage Hills relating to the left hand turn. There's no left-hand turn sign there. He asked about putting that up several months ago.

LUCIANI Mr. Luciani indicated that PennDot asked the Township to sign that area "No Left Turns" so it had been included as part of the Land Development Plan. The Township could do that at any point in time, whenever the Township work crews could do the work.

GURRERI Mr. Gurreri asked that the sign be erected.

ESHBACH Chief Eshbach commented that as part of the Land Development Plan it would be the responsibility of the property owner to sign the land.

BISHOP Mr. Bishop asked whether the property owner had been informed of that fact.

STERN Mr. Stern responded that the discussion had come up a year ago. They had been advised at that time, but the property owner did nothing. It was Mr. Stern's understanding that the Township was going to do this.

SCHENCK Mr. Schenck suggested that the property owner be given one more opportunity to take care of the sign, and if not, the Township should proceed.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers reported that the Pump Station fence and gates had been installed. The pavement repairs to Eden Road had been made.

MITRICK Chairman Mitrick asked about a date for an open house.

MYERS Mr. Myers responded that he had given an invitation list to Mr. Sabatini for review. He suggested late June or early July as a time frame. He asked for some feedback from the Township on the list and a date.

MITRICK Chairman Mitrick indicated that Mr. Sabatini should respond back to Mr. Myers following a review.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of May 24, 2001.
B. Johnston Construction Company – Pay Estimate No. 6 – Diversion Pumping System - $2,489.40
C. Springfield Contractors, Inc. – Pay Estimate No. 7 – Parallel Interceptor - $53,357.89
D. Allan A. Myers, Inc. – Pay Estimate No. 11 – Diversion Pumping System - $45,316.31
E. East Coast Contracting – Progress Payment No. 16 - $57,065.10 (less $10,000 to be held in retainage)
F. Gregory Contractors, Inc. – Old East West Interceptor Phase I Construction - $114,000

GURRERI Mr. Gurreri questioned a $25,000 item to Springettsbury Fire Company and $17,000 to Commonwealth. The companies had been joined together. He asked why the separate payments.

SABATINI Mr. Sabatini responded that those were items submitted prior to April 1. He indicated that the item would be discussed further in Executive Session.

MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS A THROUGH F AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS

A. Shannon Smith Electric – Change Order No. 17 - $8,103

SABATINI Mr. Sabatini reported that item A was a Change Order No. 17 from Shannon Smith for additional electric work at the Police Station. The

Change Order had been reviewed by Mr. Stern and recommended for approval.

MR. SCHENCK MOVED TO APPROVE THE SHANNON SMITH ELECTRICAL CHANGE ORDER NO. 17 IN THE AMOUNT OF $8,103. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Gregory Contractors, Inc. – Change Order No. 1 – East West Interceptor Replacement – Phase l – ($6,000) CREDIT

SABATINI Mr. Sabatini stated that item B is a $6,000 credit from Gregory Contractors, Inc. for the East/West Interceptor Replacement – Phase 1. The design had to be re-engineered in the field resulting in a $6,000 credit. Item B was recommended for acceptance.

MR. GURRERI MOVED TO APPROVE GREGORY CONTRACTORS, INC. CHANGE ORDER NO. 1 IN THE CREDIT AMOUNT OF $6,000. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-01-01 – Sprenkle – Time Extension to 6/28/01

STERN Mr. Stern indicated that item A covered a time extension granted to the Township for SD-01-01 – Sprenkle until June 28, 2001.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR THE SPRENKLE TRACT, SUBDIVISION 01-01 TO 6/28/01. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO FAMILY MEMBER INVOLVEMENT.

B. SD-99-09 – Hunters Crossing Time Extension to 6/28/01

STERN Mr. Stern commented that item B covered a time extension granted to the Township for SD-99-01 – Hunters Crossing until 6/28/01.

MR. GURRERI MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR HUNTERS CROSSING TO 6/28/01. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO FAMILY MEMBER INVOLVEMENT.

C. SD-99-09 – Hunters Crossing – Waiver Requests (street slope and cul-de-sac length)

(Note from the Stenographer. Mr. Ken Pasch left the Board table at 8:35 p.m.)

Cul-De-Sac Length

STERN Mr. Stern reported that item C involved a request for two waivers for Subdivision 99-09 – Hunters Crossing. Mr. Stern added that on December 14, 2000 the Board had approved several waivers for the Hunters Crossing project. At that time those waivers were conditioned upon the plan submitted being the final plan. The plans since have been revised. The applicant wished to clarify if two of the waivers granted in December still apply. The first waiver was for cul-de-sac length. The Ordinance indicates that cul-de-sacs should generally not be greater than 600 feet. Originally the first plan for this project was well over 1,000 feet. The December plan showed 850 feet. The newly-revised plan showed 650 feet. The applicant wished to clarify that the waiver would still apply.

Street Slope

STERN Mr. Stern stated the second waiver request that the applicant wished to clarify covered the street slope and leveling areas. A portion of one road is extremely steep. It can meet the Ordinance, but in so doing, the street would have a 14% slope with leveling areas at the top and the bottom. Staff felt that this was a less desirable situation than what was being proposed, which involved a 12% slope, but no leveling areas. The plan is very similar to that which had been requested in December. Staff supported this as it is a better design for the road. Mr. Stern commented that Tim Pasch and Jerry Stallman were present to discuss the plan.

GURRERI Mr. Gurreri asked if Mr. Stern was indicating it would be better for a 12% than a 14% with leveling.

STERN Mr. Stern responded that it would be a better situation.

MITRICK Chairman Mitrick commented that the staff recommended this. She asked Mr. Luciani whether he had reviewed this new plan.

LUCIANI Mr. Luciani responded that he had not reviewed the revised drawings.

BISHOP Mr. Bishop asked Fire Chief Hickman if he had reviewed the cul-de-sac request in terms of 800 feet and whether he had an opinion.

HICKMAN Chief Hickman responded that it would fall back to his previous comments. He considers cul-de-sacs a problem because it limits the fire apparatus' accessibility.

BISHOP Mr. Bishop asked whether there was any difference to Chief Hickman in terms of the physical length of a cul-de-sac other than the fact that there would be more homes there.

HICKMAN Chief Hickman responded it would make no difference as long as there is a turn around at the end.

STALLMAN Mr. Stallman commented that the previous plan submitted had a cul-de-sac length of 850 feet. The revised layout was done to attempt to maintain an open space concept, as well as provide protection for a large part of the Camp Security area and enables pulling the cul-de-sac back to 650 feet. The previous waiver had been granted on the 850; this essentially shortens it up to provide a more desirable layout. The other issue covered street grade. That had been previously discussed with the Board. He had provided a drawing showing a comparison of street grade, which could be done with a 14% grade with the required leveling areas or requesting a waiver to that and providing through intersections reducing the street grade down to 10% with no leveling areas.

GURRERI Mr. Gurreri asked about the street leveling on Edgewood Road.

LUCIANI Mr. Luciani responded it was 10%.

PASCH Mr. Tim Pasch indicated when he and others had measured street slopes in Springettsbury Township, the highest ones were 10 and 11% with one exception of a dead end street at Harrowgate, which was 15%.

STALLMAN Mr. Stallman commented that Mr. Stern had submitted information on a 12% street versus the 14%, which would meet the Ordinance. Mr. Stallman had provided a drawing and asked the Board to focus on portions of the drawing. He requested that the Board would transfer the previously granted waivers to the new plan.

GURRERI Mr. Gurreri indicated Mr. Lauer had been concerned about intersections not having flatter ground for turning during slippery weather conditions. He suggested this might be a calming effect.

STALLMAN Mr. Stallman commented that the intersections which pass through the woods are the main problem area. On the previous plan the crossing was placed near the creek. On the new plan it was moved further east to the rear of the property. It could be taken up across at 10% without asking for a waiver. The problem with this is that it goes right through the heart of the Camp Security area. From the beginning Tim Pasch had directed them to do a layout that would protect the center area which is the case in the new open space layout as well. We're trying to avoid the sensitive area to connect to the upper sections. The drawing provided showed the least impact at the crossing. The waiver request was identical as it had been previously.

GURRERI Mr. Gurreri asked why the plan had been changed from the previous plan.

PASCH Mr. Tim Pasch responded that he thought it was a great plan, but that plan did not meet the needs of the Army Corps of Engineers. He added that the new plan was totally out of the wetlands. Instead of crossing through the stream, they would bore under the stream and put in a bridge.

GURRERI Mr. Gurreri commented it would be much more expensive to build.

PASCH Mr. Tim Pasch responded it would cost three times as much.

SCHENCK Mr. Schenck asked whether a full-scale drawing was available.

STALLMAN Mr. Stallman responded that it was available. The drawing shown was a smaller version.

SCHENCK Mr. Schenck commented that the streets had been moved significantly and asked whether the grade or conditions remain the same.

STALLMAN Mr. Stallman responded that the conditions are basically the same.

PASCH Mr. Tim Pasch commented that there is a lesser cut but steeper on one side than another.

SCHENCK Mr. Schenck indicated that the waivers were based on looking at the big picture and seeing what we could sense into the project. He added that the project appeared to have changed significantly.

MITRICK Chairman Mitrick indicated she had researched the context in which the Board had granted the previous waivers. Even in the Minutes of the December 14, 2000 meeting, Mr. Pasch indicated that his impression was that this was a Camp Security issue, and had commented that everyone was willing to make concessions to accommodate the Camp. She understood that Mr. Pasch had been working on the project for a long time, but when the waivers had been granted there were 72 units. Chairman Mitrick indicated that the sketch plan she had in front of her showed109 units and a totally different configuration. She had discussed the matter with Mr. Stern, and his statement to her was that he had not had the time to review the plan to know if it qualified for an Open Space development. She was not willing to make any decision because she would be responsible for making the right decision, and she did not have enough information.

STALLMAN Mr. Stallman indicated he was not asking for a decision on an Open Space plan and added that the waiver is not necessary as they can continue per the Ordinance. The design consideration was to give consideration to

eliminating the leveling area so we could put a uniform 10% sloped street in.

PASCH Mr. Tim Pasch stated that he simply wanted to determine approval on the waivers on the 10% uniform slope in an attempt to make this work for everybody. If not, he will develop the slope at 14%. He was looking for direction in order to move ahead.

MITRICK Chairman Mitrick stated that she was interested and supportive of the waivers that were requested before because they were going to allow for some preservation of the Camp Security area. She added that the area had been reduced.

PASCH Mr. Tim Pasch responded that it was still 5-1/2 acres.

MITRICK Chairman Mitrick indicated it was reduced by about three acres.

STALLMAN Mr. Stallman added that the area was not removed, just relocated.

STERN Mr. Stern indicated that he agreed with everything stated. He added that this particular waiver request is different from most. This is unique in that if the Board would deny it or not act upon it, the developer will be forced to follow the Ordinance. In this case the Ordinance would not be supported by our Fire Chief, Public Works Director or our Engineer. Mr. Stern indicated some concern that they would build it to the specifications of the Ordinance, which would not be the best scenario in this case. He agreed with all of the comments re/Open space. Specifically what they are proposing is a better solution no matter what the plan looks like.

GURRERI Mr. Gurreri stated that the Board would only be approving the waivers and not the plan. Mr. Gurreri indicated he liked the previous plan and had no problem approving the waivers, but not the plan at this time.

STERN Mr. Stern indicated Mr. Pasch would have to return to the Planning Commission with new plans.

MITRICK Chairman Mitrick indicated that in her mind granting the waivers would be a favorable action towards this plan. She added that it bothered her that a commitment had been made to the people living along Cimmarron Road to not build directly behind them. Chairman Mitrick commented that the plan showed 14 or 15 units directly behind them. She asked Mr. Tim Pasch to respond to that.

PASCH Mr. Tim Pasch responded that he had tried his best to work with the Army Corps for a year and a half. At this time the Army Corps has no jurisdiction. He had made a decision to progress with this plan. The plan

had been revised to stay out of the wetlands and to place the pumping station under the stream, followed by a revision to put the bridge in. Discussions had been held with the Board and the Planning Commission a, and there was hesitation to grant a waiver for the curbs, etc. He had made an economic decision to make that work. When the bridge was added that added three times as much to the cost as the original plan, and it was necessary to figure out a way to recoup that dollar. He indicated he had worked with Mr. Stallman to save some acreage and make the plan work. They are permitted to put 117 units on the site. He added he had made a commitment with regard to Camp Security and saved as much as possible in the design around the areas where the archeologists determined part of the site was located. The design enables the archeologists who have a desire to preserve the area to buy all eight lots. That preservation would continue; the development could proceed and everybody wins.

BISHOP Mr. Bishop cautioned the Board that Mr. Stern's advice should be heeded. If the waivers were not granted, and the Township's Ordinances followed, the result could be something worse. He added that Mr. Stern had been intimately involved with this process and understands what granting the waivers really means. It would not be approving the plan but allowing the process to move forward hopefully in a way that would be somewhat more acceptable to the Township.

MITRICK Chairman Mitrick agreed with Mr. Bishop and agreed with Tim Pasch's request. She added that the plan had been reconfigured, the number of units increased, the access points are different, and our engineer who we employ to help us make good decisions had not had the opportunity to review the plan.

BISHOP Mr. Bishop responded that the Board would not be approving a plan that could be reviewed but would be approving a waiver in order that the developer could finalize a plan and submit it, which would then be reviewed by our engineer. At that time the Board would have its real opportunity to review an exact plan, as well as all of the professional advisors, and the Board could make the necessary decisions.

SCHENCK Mr. Schenck commented that he was concerned about the significance. He understood that when the Board granted the waivers the first time there had been a much more complete package, which assumption had not changed.

PASCH Mr. Pasch responded that when the waivers were previously granted, the plan had been drawn to comply with the Army Corps of Engineers.

MITRICK Chairman Mitrick asked Mr. Luciani whether he had any more information now than on the previous plan.

LUCIANI Mr. Luciani responded that he had reviewed the profile and had more information. The cul-de-sac waiver will have some impact relating to fire apparatus.

MITRICK Chairman Mitrick stated that there should be a happy medium. She stated that the Board had very minimal sketch plans with a request for waiver consideration. She indicated she understood that Tim Pasch would not want to move ahead and build to 14% and then have to reverse it or have the Township be locked into it. She personally requested that the Board not act on the waivers tonight but that Tim Pasch, without doing a full blown plan, come back to the Township and allow Mr. Luciani and Mr. Stern for a more thorough review. If the waivers were granted then proceed.

PASCH Mr. Tim Pasch understood but stated that he wanted to proceed with Mr. Stallman. He had met with staff. He understood that John Luciani had not had the opportunity to review it, but anticipated his comments at a later time.

STALLMAN Mr. Stallman added that nothing would be gained by his having to do an additional detailed drawing. He stated that the Ordinance was clear; he respectfully asked the Board to grant the waiver of that particular section that clearly allows us to put a 14% grade in to leveling sections and remove that requirement and build a 10% street. It's detached from and unrelated to the drawing and stands on its own merit.

BISHOP Mr. Bishop asked whether there was an actual request in a document other than Mr. Stern's memorandum, which supported the waivers but did not include the language that he would need to propose a motion. He asked Mr. Stern for a recommendation in terms of wording for the motion.

STERN Mr. Stern responded that within the body of his December 20 letter items 4 and 5 would include the wording allowing one cul-de-sac to be 650 feet in length as well as the street slope numbering at Kingston Road to a 10% leveling areas between the two station numbers in this drawing, i.e. 400 and 2100.

BISHOP Mr. Bishop stated that Chairman Mitrick had a valid point; however, the Board needed to be certain as to what it would agree to, if anything. Mr. Bishop wanted to be certain of the base language. Previously one cul-de-sac was permitted, which was 840 feet, and this request is for one 650 feet. He asked if there were any other cul-de-sacs.

STERN Mr. Stern responded that another cul-de-sac met the Ordinance.

SCHENCK Mr. Schenck clarified for the benefit of the public that whether the vote would be for or against the waivers, this vote would not kill the plan. What had been stated, which was absolutely correct, was that if the Board did not grant the waiver, the developer will design the plan to meet the Township Ordinance, which they can do. The two issues that are requested are cul-de-sac length and street slope. Mr. Schenck did not want anyone to go away with any false impressions of what the vote really meant.

SHAFFER Mr. Tom Shaffer stated that there are a number of people in the room with a fair degree of landscape architecture in our development. One of the things that was apparent throughout the exercise is that this tract of land is very difficult to build as a housing project. However, he added that it would be very easy to preserve.

SCHENCK Mr. Schenck responded that there was no question about that fact; however, there was no section in the Ordinance which would allow the Board to deny it because of that significance.

SCHAFFER Mr. Schaffer asked if there was anything in the Ordinance which would force the Board to deny or grant the waivers.

MITRICK Chairman Mitrick indicated that if the waivers were not granted, the developer could still build in accordance with the Ordinance. It may not be the better plan that we might have in front of us. Chairman Mitrick stated that the Board would not have to act upon the request. She stated that there was nothing that stated the Board had to provide an answer.

PASCH Mr. Tim Pasch responded to Chairman Mitrick's statement indicating that he had done his part and that he needed an answer. He added that if the Board did not provide an answer, he would begin working.

BISHOP Mr. Bishop stated that it was very clear to him that not acting on this would cause Tim Pasch to take the exact same action as denying it.

MITRICK Chairman Mitrick stated her concern tonight was that there were too many questions. She stated that Tim Pasch had been very cooperative and had taken the time to consider Open Space Development; however, she asked him to return to the Board with additional information that would allow me to grant you the waivers you request.

PASCH Mr. Pasch responded that he had spent two years on this plan and needed an answer.

BISHOP Mr. Bishop asked Mr. Stern whether there were any unintended consequences related to granting the requests.

STERN Mr. Stern responded that, as long as Mr. Bishop's motion would be as specific as it had been the previous time, i.e., one cul-de-sac to be 650 feet and the east and west slope would be between the two stations. It would not apply to any other streets or cul-de-sacs.

YOST Solicitor Yost asked whether there was some way to identify that cul-de-sac.

STERN Mr. Stern indicated it was the northern cul-de-sac.

MR. BISHOP MOVED TO GRANT THE TWO WAIVERS FOR HUNTER'S CROSSING DEVELOPMENT, SD-99-09, THE FIRST WAIVER TO ALLOW THE NORTHERN CUL-DE-SAC TO BE NOT MORE THAN 650 FEET IN LENGTH AND THE SECOND WAIVER TO ALLOW THE MAIN ACCESS ROAD OFF OF KINGSTON ROAD TO HAVE A 12% SLOPE WITH NO LEVELING AREAS BETWEEN STATION 400 AND 2100 AND 10% SLOPE WITH NO LEVELING AREAS. MR. GURRERI WAS SECOND.

MITRICK Chairman Mitrick commented that she wanted this to be clean and she, unfortunately, did not have enough information in front of her to make a clear decision.

MESSRS. BISHOP AND GURRERI VOTED IN FAVOR; MR. SCHENCK AND CHAIRMAN MITRICK VOTED AGAINST THE MOTION. THE MOTION DID NOT PASS.

Chairman Mitrick stated that the Board would take a brief recess for an Executive Session at approximately 9:20 p.m. The Board then reconvened at approximately 9:40 p.m.

YOST Solicitor Yost stated that Mr. Sabatini had brought to his attention an obscure provision in the State Ethics Act, Section 4J, summarizing briefly that where you have a member of a governing body who is conflicted out of voting such as Mr. Ken Pasch sitting in the front row. He was conflicted from voting on the issue at hand pursuant to the State Ethics Act because it is his son's development, who is acting as the developer in this case. That creates a situation where a majority vote is unattainable. The person who is conflicted out, if they disclose on the record the conflict they are entitled to vote on the issue before the Board.

SABATINI Mr. Sabatini stated that this was a state law and not a Springettsbury Township law. The concern is that by denying an elected official the opportunity to vote where clearly under state law he has that right in this situation the Township and its residents and taxpayers find themselves in a difficult situation. We have unnecessarily by requirements of state law

disallowed him from having the opportunity to vote. There was no chance for a majority; there was a split vote.

YOST Solicitor Yost added that this was not mandatory but permissive, and it would be Mr. Ken Pasch's decision.

SCHENCK Mr. Schenck stated that with all of that stated, Robert's Rules of Order provided him with the option of introducing a motion.

MR. SCHENCK MOVED FOR THE APPROVAL OF THE REQUESTED WAIVERS FOR SUBDIVISION 99-09, THOSE WAIVERS BEING TO ALLOW THE NORTHERN CUL-DE-SAC TO BE 650 FEET IN LENGTH AND ALSO TO ALLOW THE CONNECTING ROAD TO BE AT A 10% SLOPE WITH NO LEVELING AREAS BETWEEN STATION 400 AND 2100 AND THE INTERSECTING SIDE STREETS STILL MEETING ORDINANCE REQUIRMENTS. MR. BISHOP WAS SECOND.

MITRICK Chairman Mitrick commented that she was certain that the plan would come back to the Board in greater detail. She felt a responsibility to allow that to happen with the understanding that this does not mean that this plan is approved; it simply means that it can go ahead in a waived direction.

GURRERI Mr. Gurreri commented that he was glad that this was handled in this way. This was a conflict of interest for Mr. Pasch; he felt it would be wrong for him to vote.

SCHENCK Mr. Schenck commented that his mind truly is and was made up because the fact is on this waiver request doesn't change our process and does not give any direction to deny or approve the plan.

MOTION CARRIED. MR. KEN PASCH RECUSED HIMSELF.

Note: Mr. Ken Pasch then returned to the Board Table.

7. COMMUNICATIONS FROM SUPERVISORS:

GURRERI Mr. Gurreri announced that Stan Saylor would host a meeting at the Meadow Hill Family Restaurant on May 29th at 6:30 p.m.

GURRERI Mr. Gurreri stated that he was concerned with the amount of money being spent on the new Municipal Building and increasing costs for the park. He had requested the costs for the Municipal Building, Public Safety Building and the farmhouse two months ago, which he had not yet received. There were increases in wages, new vehicles, etc. He asked whether anyone was keeping record of the spending.

SABATINI Mr. Sabatini responded to Mr. Gurreri's request regarding the cost figures. He indicated he had met with the financial people, and Mr. Stern had met with the architect. There were several pending change orders that had not been included, which were fairly minor. They wanted to provide Mr. Gurreri with an accurate statement rather than a "within $50,000 statement" once the project was completed. Mr. Stern met twice with the architect for a paperwork review. He indicated that would be submitted as soon as the last of the change orders are submitted.

GURRERI Mr. Gurreri brought up the subject of Building Permits. He stated that people are encouraged to fix up their places but are penalized to do so, and he felt that should stop. He suggested that a motion be made in that regard.

SCHENCK Mr. Schenck responded that he thought the Board had given direction for some consideration.

SABATINI Mr. Sabatini responded that the direction given was to examine the Building Permit situation. Some discussion had been held on structural versus non-structural changes along with a dollar limit.

SCHENCK Mr. Schenck stated he thought Mr. Sabatini was to respond to the Board with a policy discussion to start the process of examining the issue.

SABATINI Mr. Sabatini indicated that there are some additional guidelines in that state law requires the Township to have the International Building Code in place. He added that there are many issues to review.

GURRERI Mr. Gurreri stated that the matter had been mentioned some eight to 10 months ago, and he hoped it would not go another eight to 10 months. He added that Mr. Sabatini was not on board during previous discussions. Mr. Gurreri added that most of the townships around Springettsbury do not require a permit, especially for roofs.

SABATINI Mr. Sabatini mentioned he and Mr. Stern had a discussion following the last Board meeting on the subject.

STERN Mr. Stern stated he did not disagree with the desired end result; just how to get there, and he and Mr. Sabatini are attempting to do so. They do not want to eliminate permits for all work under $5,000.

PASCH Mr. Pasch stated that he felt it important for a review especially where it becomes a nuisance for the homeowner or the business person. There is as much expense as permit fees and it does nothing for us. He felt it did not make much sense.

BISHOP Mr. Bishop indicated that he had previously mentioned his issue about the building heights and had received Mr. Stern's response to his question, which indicated that in every zone there was a lot of flexibility because a building could be built much higher provided that the front footage is available to go to the height. Mr. Bishop stated that he did not think that Springettsbury was becoming the Township of unlimited amounts of land on which to build tall buildings. He felt the matter still needed to be addressed, because of the density within the Township. The whole focus was to be able to use that available commercial land for those kinds of buildings especially in areas near major highways. Tall buildings may be desirable in some areas.

PASCH Mr. Pasch added the additional subject of parking requirements, which he felt were out of line.

MITRICK Chairman Mitrick reported she had received a telephone call from a resident in the 600 block of Locust Grove Road. The resident had lived in the area for over 10 years and has witnessed numerous accidents. The Township had made some effort to look into the dangerous condition that is there, but had not received permission from PennDot to remedy the situation. Chairman Mitrick focused on the fatality and the condition of the occupants of the vehicle and asked that Mr. Sabatini be directed to re-examine that area and get in contact with Chief Eshbach and see if there isn't something that could be done.

SABATINI Mr. Sabatini responded that they had reviewed that area. He reported that the vehicle involved in the fatality was traveling at 61 miles an hour in a 35 mile an hour zone. In addition, the vehicle had been driven by a 15 year old unlicensed driver. The child, two years old, was being held by an aunt. He did not have details for each of the accidents mentioned; however, the recent accident never should have happened. One of his concerns in addressing this with PennDot was that accident had nothing to do with the road; everything to do with speed and an unlicensed driver.

GURRERI Mr. Gurreri asked whether there were a lot of accidents at that intersection.

SABATINI Mr. Sabatini responded that there had been a number of accidents.

BISHOP Mr. Bishop agreed that something should be done with that intersection.

SABATINI Mr. Sabatini agreed to review the matter.

MITRICK Chairman Mitrick commented that it appeared that over time there had been a consistent level of accidents.

SABATINI Mr. Sabatini responded they would look into it and report back next month.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost stated that the Wyndamere Litigation matter had come before the Environmental Hearing Board concerning land application of the farm in East Hopewell Township. The Environmental Hearing Board had issued an order dismissing the appeal. Solicitor Yost reported that he received a revised map from Tim Chronister, which addresses all the legitimate concerns of the individual who appealed. We are hoping that if and when the favorable decision is given by DEP to the Township for that site, there will be no appeal, but it could start up again.

SCHENCK Mr. Schenck wondered whether he was still looking for direction on the Wyndamere situation.

YOST Solicitor Yost indicated that he would need direction as he will in Judge Thompson's Chambers regarding what settlement authority the Township has.

SCHENCK Mr. Schenck stated that the Township had spent a lot more than $39,130.

PASCH Mr. Pasch stated the Township does not have much involved in it.

YOST Solicitor Yost commented that, while they're pretending they're going to call all kinds of witnesses and have all kinds of evidence to present, he would indicate that it comes down to a question of law. It comes down to interpretation of the Ordinance. With regard to the approval of a preliminary plan, if a plan is not executed within five years, then the new Ordinance could be applied. We have a new Ordinance that clarifies how recreation fees will be handled and from that point forward any changes made have to respond to it. That was why the Board did not say conditioned upon the payment of the recreation fee in its motion approving the plan . Solicitor Yost's answer is that it had been the custom and practice well recognized by the developer's engineers that it was not done because no land is offered for dedication to the Township for recreation. That means automatically a fee will be paid. Mr. Stern will be a witness who will state that. Because he was not here at the time, I have listed our former engineer to come in who had a long, historical institutional memory and have him come in to testify. I suppose we'll have to pay a witness fee maybe, but I think he would be worth it.

PASCH Mr. Pasch commented that the $5,000 would be a bonus to the litigant.

YOST Solicitor Yost commented that it is as much as the case is worth right now. No one doing any more work on it.

SCHENCK Mr. Schenck indicated to stick with the plan to cover the cost.

Consensus was to stick with the plan to cover the cost.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini provided an update on the Park Plan. Bid date is scheduled for June 13 with acceptance of bids on July 6. A Special Meeting of the Board of Supervisors was suggested for Tuesday, July 12 to award the contracts in order to have sufficient time to get into the growing season this fall.

Consensus was to meet on Thursday, July 12 at 7:30 a.m. for contract award.

SABATINI Mr. Sabatini reported that Solicitor Yost had provided him with a Pedestrian Signal Agreement for Harley Davidson. There was some concern as to maintenance of the signal. Approval was requested.

YOST Solicitor Yost indicated that he had advised Harley Davidson that the Township regularly maintains its signals and that a schedule of the maintenance would be provided.

SABATINI Mr. Sabatini added that signals are generally inspected on a monthly basis. Any emergency work to be done would be corrected by the Township's service provider.

MR. GURRERI MOVED TO APPROVE THE PEDESTRIAN SIGNAL AGREEMENT WITH HARLEY DAVIDSON MOTOR COMPANY AND SPRINGETTSBURY TOWNSHIP. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SABATINI Mr. Sabatini stated that the Township had been approached by the Army Corps of Engineers, owner of the levy on the Codorus Creek with a request to patrol the levy for four-mile stretch. The Township evaluated what they would need to do in order to provide this service. The basis was (1) there would be a need for an ATV vehicle, and (2) Officer overtime salary would be paid including benefits and insurance. In order to amortize the cost of the ATV, the Corps asked for 192 hours of service primarily on Friday, Saturday and Sunday for the summer, which would run through the weekend through September 30, 2001. There are people on dirt bikes and ATV's going up and down the side of the levy, and they are doing significant damage to the levy. Renting an ATV is not a possibility; a purchase price is $4,300. That was amortized over 192

hours. The total cost of the contract would be $17,681.28 for patrol services. At the end of the term of the contract, the equipment including the four wheeler and trailer, would be fully paid for through the contract and become the property of the Township. The Police Department requested Mr. Sabatini to bring this to the Board. It had been examined by Solicitor Yost, who raised several issues: Township service cost does not include any court time involved if an officer were required to testify. The Township has traditionally never charged that for any of our service, for example, at St. Joseph's carnival. The second question Solicitor Yost raised was the fact that there are terms and conditions that come with every single Federal contract. The Township has numerous contracts with the Federal government, which have the same contractual obligations. Permission was requested to enter into the contract for which the Township would be reimbursed $17,681.28.

PASCH Mr. Pasch asked whether the Police Chief had any questions about the security or safety of the officer.

SABATINI Mr. Sabatini responded that he did not express any concern. This would be a scheduled activity, and the department would know where the officer would be located. It can be accessed by the police cars in an emergency situation. The levy system is not conducive for the patrol cars, however.

SCHENCK Mr. Schenck stated that he would like to have Chief Eshbach present for this discussion. (Chief Eshbach had been called away from the meeting for an emergency.) Mr. Schenck indicated he had some difficulty with the purchase of an ATV. There are two four-wheel drive vehicles available for such patrols. Overtime is done on a purely voluntary basis, and he would prefer to see that in school programs and more highly visible activities.

SABATINI Mr. Sabatini stated that this would be a change in patrol. The Corps of Engineers initiated this, but Mr. Schenck's point was well taken.

GURRERI Mr. Gurreri stated that with an ATV someone could get to the people a lot faster.

SCHENCK Mr. Schenck stated he would support leasing a horse.

MITRICK Chairman Mitrick asked if the Township joined into this agreement, the patrol would be done in a voluntary basis. She asked what would happen if no one was available to patrol.

SABATINI Mr. Sabatini responded that the police department would agree to provide 192 hours of service. The traditional pattern would be that you offer the

overtime to the officers, and if no one accepts it, then you work your way up on a seniority basis.

BISHOP Mr. Bishop asked where the ATV would be stored.

SABATINI Mr. Sabatini responded that during the weekend it would probably at the police station, and during the week at the Public Works facility.

PASCH Mr. Pasch commented the levy is important, and the Corps of Engineers is correct that if damage is being done to the levy then there should be something done to prevent any further damage. The Corps is going to pay for the whole project. Mr. Pasch thought that Mr. Schenck had a valid question as to whether it would be a toy or a legitimate use. In terms of taking a look at the whole idea, it's going to cost someone money whether it's the Federal government or whether we'll be involved as taxpayers to repair the levy. There should be something done to prevent them from being there and doing further damage. He further commented that if the young kids are on there riding their dirt bikes it's because they don't recognize that it's off limits, and they will continue to do so as long as there is no intervention. Whether the patrol is done with the four wheel drives, that's another question. If we did it without the four wheel drives, Springettsbury Township would be ahead some money.

GURRERI Mr. Gurreri asked where the kids could go. The Township can't provide a place for them because of the liability. He added it was too bad they don't have a place to ride.

PASCH Mr. Pasch stated that the Township just received word from Todd Platts' regarding the approval for $1.75 million for our Solids Waste Treatment. This is the Federal government cooperating with the Township, and by the same token we should be willing in some way to cooperate with them.

BISHOP Mr. Bishop agreed with Mr. Pasch. He commented that the bottom line is there's not a lot of downside for us. While there may be different ways to accomplish the same objective, this is the Police Chief's recommendation, and Mr. Bishop would be inclined to take his recommendation and approve the request.

MR. PASCH MOVED TO APPROVE THE TOWNSHIP MANAGER ENTERING INTO AGREEMENT FOR SPRINGETTSBURY TOWNSHIP WITH THE U. S. ARMY CORPS OF ENGINEERS FOR THE PROVISION OF PATROL AND RELATED SERVICES TO THE CODORUS CREEK LEVY FOR A PERIOD OF FROM MAY 25, 2001 THROUGH SEPTEMBER 30, 2001. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. SCHENCK VOTED NO.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS.

There were no items for action.

11. ACTION ON MINUTES:

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE MAY 10, 2001 BOARD OF SUPERVISORS MEETING AS AMENDED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT IN ATTENDANCE.

12. OLD BUSINESS:

There was no old business for discussion.

13. NEW BUSINESS:

MITRICK Chairman Mitrick indicated she had requested that Mr. Sabatini provide the Board with an update on significant information related to the building project nearly completed and to have that information to the Board prior to the Open House.

MITRICK Chairman Mitrick requested the Board to review membership in the Rotary – East York. She had been a member for three years. As a member she represents her position in Springettsbury Township. The dues for the year are $440. For three years she had paid the dues personally, and at this point she asked the Board if they would consider it a cost that the Township should cover.

SCHENCK Mr. Schenck asked Mr. Bishop if he was a member.

BISHOP Mr. Bishop responded that he is a member of the Downtown Rotary Club.

SCHENCK Mr. Schenck asked Mr. Sabatini if he had joined.

SABATINI Mr. Sabatini responded that they had asked him, and he would be interested in it.

SCHENCK Mr. Schenck indicated the Township had always paid for the Manager's membership.

PASCH Mr. Pasch commented that he would not have a problem with it and the funds should be available within the Board of Director's budget. There should be an established policy as to what service clubs are available and should it be open to all of the Board members. It should not be open to just the Chair. He recommended that it be specifically spelled out.

BISHOP Mr. Bishop agreed with Mr. Pasch and stated that the policy should not only be for the Board members, but also for all the staff too in terms of what the Township is going to do. That policy should be in place before implementing changes.

GURRERI Mr. Gurreri commented that it was a good idea and asked a question relating to how many clubs would be included.

BISHOP Mr. Bishop responded that was the reason there would have to be a policy.

MITRICK Chairman Mitrick asked Mr. Sabatini to take care of drafting a policy.

SABATINI Mr. Sabatini indicated he would do so.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10:35 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **MAY 10, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, May 10, 2001 at 7:30 p.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Don Bishop
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Nick Gurreri

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Don Yost, Solicitor
John Luciani, First Capital Engineering
Mike Myers, R. K. & K.
Ann Yost, YSM
Dori Bowders, Manager of Administrative Operations
Michael Hickman, Fire Chief
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m.

A. Pledge of Allegiance

SCHENCK Mr. Schenck led the Pledge of Allegiance.

MITRICK Chairman Mitrick stated that there would be an Executive Session following the regular meeting regarding legal matters.

2. COMMUNICATIONS FROM CITIZENS:

There were no communications from citizens.

3. ENGINEERING REPORTS:

MITRICK Chairman Mitrick stated that an additional item D, YSM had been added to the agenda.

A. Environmental Engineer – Buchart Horn, Inc.

SABATINI Mr. Sabatini stated that Mr. Schober was unable to attend the meeting. However, he had provided a report showing an additional item regarding the final prices for the North Hills Road crossing sewer work which had been received at $114,000. The item had been bid out at $120,000. The Board had been made aware of some field modifications, which were necessary due to some manhole issues. The invoice will be listed for payment during the next Board meeting. Mr. Sabatini added that all deadlines had been met; the road was closed on Monday morning and was opened Friday afternoon. He congratulated the engineering professionals and staff, the fire police, the Police Department and the contractor.

B. Civil Engineer

LUCIANI Mr. Luciani had previously provided his report. He commented that Mr. Gurreri had voiced a concern about the traffic flow at Haines Road and Eastern Boulevard. He had raised the issue about the capacities. Mr. Luciani indicated he would prefer to wait until the next Board meeting for discussion on the capacity of this failing intersection. Home Depot had done some improvements, and Mr. Luciani indicated he would check with Tom Austin to verify the current level of operation. Mr. Luciani stated that the other issues in his report related to some land development plans. Mr. Bishop had asked him about some ongoing projects and what had been discussed at staff meeting, so he had included a section on what had been discussed at the staff meetings.

MITRICK Chairman Mitrick asked when the Lunden farm would be addressed.

LUCIANI Mr. Luciani responded that Mr. Stern was in the process of providing a Zoning Officer interpretation with regard to the gentleman raising skunks. He needed a number of special exceptions.

BISHOP Mr. Bishop asked about the Haines Road/Memory Lane study.

LUCIANI Mr. Luciani responded that a meeting was to be scheduled to coordinate with Mr. Sabatini for a public hearing on that subject.

BISHOP Mr. Bishop asked whether the project was on schedule, behind or ahead of schedule.

SABATINI Mr. Sabatini indicated that a one-hour public hearing was proposed prior to a Board meeting, but with the liquor license issue, it was postponed until the June meeting. It would be a two-part meeting consisting of a question and answer period and secondly for the public to review the plans and comment.

BISHOP Mr. Bishop stated that he felt it was very important that the project be kept on schedule.

MITRICK Chairman Mitrick asked about the status of the Kershaw Street study.

LUCIANI Mr. Luciani responded that they were two separate studies. One covered traffic calming on Kershaw. He was uncertain that both items could be covered in one meeting.

MITRICK Chairman Mitrick stated agreement with Mr. Bishop in that the schedules needed to be kept.

C. Design Engineer – Rummel, Klepper & Kahl

Pump Station

MYERS Mr. Myers reported that all the site work at the pump station was complete with the exception of the fence, and the posts should be installed within a few days. The area had been seeded and paved; the parking lot had been striped. An Open House is being planned, and he asked for the Board's input regarding a list of invitees.

SCHENCK Mr. Schenck indicated it would be appropriate to include the member municipalities, staff, sewer authority, and York City.

BISHOP Mr. Bishop commented that it would be a great opportunity to educate the attendees. He suggested that Congressman Platts and former Congressman Goodling should be included.

PASCH Mr. Pasch stated that the Senators had been helpful as well.

MYERS Mr. Myers agreed to compile a list based on what he had heard and provide that to Mr. Sabatini.

MITRICK Chairman Mitrick indicated that a date should be agreed upon prior to the conclusion of the meeting. She added to Mr. Bishop's comment about education and asked whether R. K. & K. would be able to put together a brief program.

MYERS Mr. Myers responded that he would be able to put together a Power Point presentation that would run continuously.

PASCH Mr. Pasch cautioned that a presentation of that nature should not be lengthy as it would lose people's interest.

Interceptor

MYERS Mr. Myers reported that the interceptor work was complete with the exception of the paving repairs on Eden Road. The contractor should complete that project by the end of the week.

Overview

MYERS Mr. Myers reported that the punchlist items that the contractor had put off (and had been agreed upon) due to the sloppy weather have now been completed.

D. Springettsbury Park Project - YSM

MITRICK Chairman Mitrick provided a comment with regard to item D. She stated she had not been in attendance at the Board of Supervisors meeting where discussion and a decision had been made regarding the money to be invested in the Springettsbury Park Project. She had read the draft Minutes and a packet of information from Ms. Yost. Chairman Mitrick indicated she met with Ms. Yost and Mr. Mears to discuss some concerns that only part of the grading project had been included in Phase I and the ensuing impact. Chairman Mitrick stated she realized that a decision had been made but requested the Board reconsider that decision and look once again at the Phase I and Phase II.

YOST Ms. Yost provided a synopsis of events which had transpired since the project began, including initial cost estimates, deductions made resulting with lines drawn for Phase I with items developed at this point and some items to be developed in the future. All the grading would not be done in the scenario discussed during the last meeting. That synopsis included not doing demolition, stormwater conveyance, lawn seeding and erosion control. Ms. Yost indicated that she had pushed for a decision at the previous meeting due to the necessary balancing necessary in order to get the project out to bid, obtain good costs from the bidders and getting the work done. She added that the on site development projects are tied to the fall seeding season when a spring/summer bid is made. Ms. Yost commented that a lot of this first phase work is ball fields, in which case they attempt to get the grading done on fields as early as possible in a park process. Having done some research on a number of other projects Ms. Yost stated that the time frame would still allow the work to be done. The contractor will be requested to do the same amount of work in less time. Ms. Yost commented that doing all of the earth work at one time would be a good idea for a couple of reasons. All the large equipment would be on the site at once along with the economies of scale. It also gets the equipment off the site, which leads to safety issues. If all the grading work is done, the base work is set. All the conveyance system will be in; conduit will be laid for future lighting. The grading and seeding work will be done. Ms. Yost stated some additional pluses. If the playground

were to go in during the next phase only the dollars for the playground would be needed. There would be no need to get the dollars for the grading and everything around it. The same with the tennis courts; they can go in at any time. There is some flexibility in the future by spending a little bit more now. The negative note is it affects your budget. More money must be spent now to effectively do more work now.

BISHOP Mr. Bishop asked what the impact would be if Phase I were done without all of the grading, and then come back and do the grading as part of a Phase II. He asked what impact that would have on the work that was already done in Phase I. He indicated that there seemed to be an implication there would be some pulling up things that were previously done.

YOST Ms. Yost responded that there would be a transition zone where you have to go back and re-manipulate the grades to get to finish grade in the Phase II area. That will be a portion of the park that you want to close back off so that you have a safety barrier between where people are working and where they are not working. They will attempt to be as clear as possible as to where that park would be under construction and not under construction. They had developed some transitional grading between those areas. The lower Phase I work could go in, transition back to existing grade and then the upper Phase II work would have to come back in and disrupt those transition grades. There would be some disruption of work already done.

SCHENCK Mr. Schenck asked how much of the additional costs would be involved in demolition.

YOST Ms. Yost responded that during the demolition decisions it was determined that the Township would not participate to a large degree in the demolition. The Township would be pulling out items that are pretty easy to do and not take a lot of time from Township crews. That would be removal of playground equipment and the posts around the perimeter of the park.

SCHENCK Mr. Schenck asked about the road budget Mr. Lauer had discussed, particularly concerning an hourly rate for milling; Mr. Schenck thought he had mentioned work on the tennis courts.

SABATINI Mr. Sabatini responded that part of this would be separately contracted; that would be the milling machine that will be used for the parking lot and for the tennis court in the asphalt areas. He explained that already had been issued under a separate contract.

SCHENCK Mr. Schenck asked whether that would be done regardless.

SABATINI Mr. Sabatini responded that the way that it is phased out the tennis courts are going to stay where they are. The parking lot on the southwest corner of the facility will have to be completely milled. Because of the way that the bid is structured it is an hourly basis.

MITRICK Chairman Mitrick stated that one of her concerns with the tennis courts is that they are in very poor condition.

PASCH Mr. Pasch asked for some clarification as to which tennis courts were under discussion, i.e., the ones up on the hill. Phase I will cover the tennis courts up on the hill.

BISHOP Mr. Bishop stated his understanding was that the discussion encompassed the tennis courts on the hill. In the new plan they would be eliminated completely, since everything would be graded. In the other plan, those tennis courts remained in their present condition.

YOST Ms. Yost confirmed that was correct. The tennis courts could stay, as well as the Shipley Field.

SABATINI Mr. Sabatini mentioned a downside in that, if we are able to raise sufficient funds for the tot lot or the other structures, that is located exactly where the tot lot is to be. Demolition would have to be budgeted for the tennis courts up on the hill in order to install that tot lot.

BISHOP Mr. Bishop commented about the Little League field, under the old plan that would remain untouched, and a new one built. Presumably the new one will be ready before anything had to be done about the Shipley Field. Shipley Field was to be accommodated through the end of the summer as it would be hosting some pre-Williamsport tournaments, but it would be gone next year.

SABATINI Mr. Sabatini commented that Ms. Yost prepared figures regarding the additional cost that the Township would incur to do all the grading in the first phase. The figure would be $3.6 million, nearly $600,000 above where the Board had benchmarked two weeks ago.

BISHOP Mr. Bishop asked whether our position indicates that there is no way to do a $3 million project that makes sense.

YOST Ms. Yost responded that it depended upon the compromises the Board wanted to make. Both projects work.

A) The $3 million works; a portion of the park is set aside as Phase II. There would be mobilization to do those portions which include everything north of the amphitheater parking. That would be a Phase II park.

B) The scenario discussed earlier tonight is not setting aside a portion, but setting aside items. Prior to setting them aside a platform was created to put them on. The park would be set up to receive these items in the future when funds are available. By doing that the grading contract is optimized by doing the whole site at once. Additionally safety also would be optimized some inasmuch as everything is closed. The equipment arrives, does the work and leaves. Then tennis courts or the playground can be done. There are two small pavilions that we go in and one area of parking, but those are the items that are still pulled out, and they are not so large that the whole site needed to be mobilized. Ms. Yost summarized that there are two different scenarios; do 2/3's of the park or disturb the whole park and come back and place the remaining items in as you are able. They both work; they're both valid, but it is a matter of compromises.

SABATINI Mr. Sabatini commented that if the Board chose the $3 million scenario, anything done in the second phase would still be done dependent upon re-grading.

YOST Ms. Yost stated that parks had been done previously where the whole park had been graded. The platform was set for the tennis courts and two terraced areas. The project was completed in four phases over about six years, and the tennis courts were completed in two phases. They came in right on the dollar even lower than the cost estimate because basically it was a paving job. The ground was really set. The master plan was done and the whole site was engineered at one time. No new swales were done; only placing more topsoil and seeding around the disturbed area. They can be quick jobs if the site is engineered at once. It comes down to how much dollars you want to spend now.

MITRICK Chairman Mitrick asked that the Board consider the revision. She commented that it seemed to her there would be disruption to Phase I to some degree to come in and do Phase II.

PASCH Mr. Pasch stated that it did not seem to be a major consequence.

YOST Ms. Yost commented that $3.6 million would include the trails.

PASCH Mr. Pasch questioned what the net difference would be between doing all the grading now versus doing it a year from now.

YOST Ms. Yost responded that the number would be difficult to determine. She indicated that there are some efficiencies in a larger project where all the grading work is done at once. She based that comment upon experience

and common sense. She indicated that mobilization on every project is calculated at approximately 5%.

BISHOP Mr. Bishop asked Ms. Yost how confident she was with the efficiencies of doing a larger project if the contractor is forced to do it on a pretty tight time frame.

YOST Ms. Yost responded that the it goes back to the compromises and attempting to get exactly what is going to work best for Springettsbury. She had contacted a major contractor in the area. Their response was only a gut reaction, because of the dynamics of weather, coordination, multiple primes, having the conduit laid down by the electrical contractor to allow the general contractor to do the site work. There are many dynamics and real numbers can't be placed on some of these things.

SABATINI Mr. Sabatini commented that there are advantages and disadvantages to both scenarios. While this Board may be committed to the entire park plan, two years from now if there is a change in the Board, there may not be the same commitment. With the Phase I plan, the possibility existed for having only part of the park.

SCHENCK Mr. Schenck asked what Mr. Sabatini's financial plan would be for the $3.6 million project.

SABATINI Mr. Sabatini responded that he would recommend that the Township borrow $2 million to $2.5 million. Some questions would have to be answered as to whether it would be better to borrow through a bank versus entering into the bond market. There are a number of opportunities available for refinancing the existing issue with a new issue. Mr. Sabatini added that some upgrades would be needed for Springettsbury's other 13 parks. Transportation improvements are necessary for the Township over the next few years. All those projects could be bundled together and financed. If you're looking at $2 million or $3 million of other projects over the next two to three years, the best opportunity for reducing the per dollar cost is right now and bundle the amounts together.

PASCH Mr. Pasch asked Mr. Sabatini if he felt confident that an additional $600,000 could be raised at a 5% interest rate and no higher.

SABATINI Mr. Sabatini indicated he was confident it could be done.

PASCH Mr. Pasch asked Ms. Yost whether she felt construction costs would go up at 5% a year.

YOST Ms. Yost responded she could not answer that question. Many of the master plans include a number slightly higher percentage than that.

PASCH Mr. Pasch asked whether the Shipley Field would be out for this year.

YOST Ms. Yost responded that it still will be playable through the season to accommodate the Williamsport pre-final games. After that time it will be put it into the mix with construction. That is the way the drawings were set up; that is what was discussed with the erosion control people and designed the project initially.

BISHOP Mr. Bishop commented that there would be a year in which there is no field available.

PASCH Mr. Pasch commented that there would be the other field available.

BISHOP Mr. Bishop added that if the Board continued with the plan already approved, the park would never be without a field.

YOST Ms. Yost stated that was a downside of doing all the grading at once.

BISHOP Mr. Bishop asked what the strategy would be if the Board decided to spend the $3.6 and the bids came in at $4 million.

PASCH Mr. Pasch commented that there is a 10% factor for contingencies in there.

YOST Ms. Yost responded that there is some contingency in that number. The bid form will be constructed to enable us to pull things out such as benches, picnic tables, lighting on the courts which is still included in the total Phase I project. Those items will be identified to provide that buffer so that what is bid will be able to be awarded.

MITRICK Chairman Mitrick stated that during their meeting early in the week there was further discussion on the types of disruptions. Even though there would be a buffer area between Phase I and Phase II for the grading, there would be an impact of noise and dust. She stated that one of her issues when the grading starts for Phase II is that it will be dry and there will be an impact on the amphitheater. She asked that the Board reconsider the previous decision.

PASCH Mr. Pasch commented that he was indifferent. He indicated it comes down to a question of whether the Board wants to go to that $3.6 million. He did not think it would cost any more if it were done now or later.

BISHOP Mr. Bishop stated that it comes down to the ultimate question of whether it makes sense to spend that much money right now. He had no doubt that the Township could borrow the money, but it still has to be paid back. Mr. Bishop was more comfortable moving in the direction of spending

$3 million rather than $3.6 million. He also voiced some concern that if the bid comes in at $3.8 there will be pressure to spend more. For Mr. Bishop this point was the stopping point. He added that Mr. Sabatini had just identified other parks in the Township which need capital improvements. Mr. Bishop felt it was a little bit foolish to spend that much extra money here rather than wait until two years down the road when the Board knows a little bit better how much money is available to spend and whether some of these other options come about for generating income.

SCHENCK Mr. Schenck stated that his concern related to the financing. His opinion on the park had been consistently in favor of a comprehensive and master plan because we have a park that was built piece meal. He favored the idea of laying the foundation for the future improvements. He indicated a concern that as time rolls on that focus will be lost. The financing picture was unclear to him. He was unsure how the financing could be paid.

SABATINI Mr. Sabatini provided some input as to the financial picture utilizing $1 million of cash. Originally, as part of the Capital Improvement Program for the Township, $1.2 million of funds were budgeted for each of a three-year period. We were to spread this out over a three-year period, and this would have been part of the 2000 Capital Budget enacted in 1999. At the discussion point we looked at $1 million of cash from the Township and a $2 million borrowing. In order to target terms of borrowing costs versus bond issue costs, there's a fine line there that shifts every time that the Fed or the stock market moves a little bit, and Mr. Sabatini had earmarked that at $3 million. He stated that if interest rates dropped to 4.5% from a bank borrowing it would be to our benefit to go with a bank borrowing. Mr. Sabatini recommended to take at least a minimum of $1 million of capital reserves already budgeted and put it toward the project and borrow the remaining $2 million to $2.4 million. He added that part of that is a policy question. Obviously if the Board wanted to do so, all of the borrowing costs could be taken from your cash reserves.

PASCH Mr. Pasch commented that he agreed with both Mr. Bishop and Mr. Schenk's comments about repayment if $2 million to $2.6 million were borrowed. In previous discussions it was clear that the Board did not want to have a big tax increase to repay the principle.

SABATINI Mr. Sabatini responded that he had previously prepared this information for the Board. For a $2 million loan over a 15-year period at 4-1/2% the annual payments are $183,000. Based upon the growth in the revenues versus the growth in expenditures, which were held at 4% including a significant amount of capital improvements, the Township would not have any need for a tax rate increase based upon that scenario. Mr. Sabatini's

intent/goal was to not have a tax increase to pay for this project. We've kept a very strict approach on that because of the sensitivity of the issue. If we can do this at a position where the Township does borrow $2 million over a 15-year term, there will not be a need for a tax increase.

SCHENCK Mr. Schenck added to his comment that one component gained with the revised plan is the expanded walking trail, but Shipley Field and tennis courts would be lost.

MITRICK Chairman Mitrick commented on the poor condition of the upper tennis courts.

SABATINI Mr. Sabatini added to his finance discussion that he would be pursuing other alternative financing situations. One proposal could cover anywhere from 25 to 40% of debt service. Additionally fund raising efforts will continue. Fund raising through community-based organizations will be focused on specific pieces of the project. The remaining funds will be used against debt service or for long-term maintenance or for future enhancements. The approach is that if there is a regular revenue stream that is part of this project, it is earmarked specifically for this debt service. We would actually request that to be part of an ordinance so that it maintains its lock box position.

MITRICK Chairman Mitrick stated that the lengthy discussion was of benefit, and if there was any consideration toward going with the revised plan, it should be mentioned. Otherwise the first plan that was submitted will move forward.

MR. SCHENCK MOVED THAT WE LAY THE GROUNDWORK FOR THE FUTURE DEVELOPMENT OF THE PARK BY DOING ALL THE GRADING AT ONCE. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of May 10, 2001.
B. Rummel, Klepper & Kahl, LLP – Progress Billing No. 29 – Diversion Pumping System and Parallel Interceptor - $17,551.25.
C. Philips Brothers Electrical Contractors, Inc. – Pay Estimate No. 11 – Diversion Pumping System - $28,417.04.
D. Shannon Smith Electrical – Progress Billing No. 7 (revised) – Existing Building - $5,611.65.
E. Shannon Smith Electrical – Progress Billing No. 16 – New Building - $15,301.15
F. Murphy & Dittenhafer – Progress Billing - $130.71.

PASCH Mr. Pasch questioned an amount of $80,000 payment to Springettsbury Township to reimburse sewer for 1997. He asked Mr. Sabatini to have Mr. Hadge provided him with an explanation.

MR. SCHENCK MOVED TO APPROVE PAYABLE ITEMS A THROUGH F AS LISTED ON THE AGENDA. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS

There were no bids, proposals or contracts for action.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. SD-00-16 – Greystone III – Action

STERN Mr. Stern provided background information regarding SD-00-16 – Greystone III. The project is for subdivision for 62 residential parcels. This is a final subdivision plan. The preliminary plan had been approved several years ago. The final plan was delayed due to several sanitary sewer issues including the East York Pump Station, as well as the new Diversion Pump Station. On April 19 Springettsbury Township's Planning Commission recommended approval of the plan. He had identified several waivers and conditions in his memorandum to the Board.

- Waiver from requirement to separate intersections at least 600 ft. from one another. He stated that this waiver is becoming a standard waiver request for any subdivision of this type. Lots would have to be 300 ft. deep in order to have 600 ft. between intersections.

- Conditioned on approval from Hellam Township, which action had been tabled at their May 3 meeting. There are five parcels in the plan which are in Hellam Township, as well as a portion of the stormwater management area.

- Conditoned on correcting note 46 related to the property being in Central schools. That note had been corrected. The intent was to clarify which school district the property would be in so that someone doesn't purchase a house thinking they're in Central and find out they're in Eastern schools or vice-versa.

- Modification for basin height from 6 ft. maximum to 6.75 ft. maximum.

- Conditioned on a block being added to the title sheet for UPI, which since had been added.

The issues are not major in that they do not affect whether the plan is approved or not but need to be resolved in the near future.

- Maintenance of the stormwater pond. A slight majority of the area of the pond is in Springettsbury Township; the rest in Hellam. Mr. Stern identified a growing concern on the staff level of maintenance of ponds. There aren't too many developers or homeowners associations that are eager to maintain ponds to anywhere near the same degree as what we would expect our front or back lawns to look like.

- Mr. Stern commented that various discussions had taken place in the past about different options with stormwater districts, homeowners associations, separate lots connected to a building lot or the option that the staff recommended that the Township take over the pond and let the developer grant us an amount of money in order to set up a foundation from which we would use the annual earnings to pay for the maintenance. That is being recommended. The applicant had agreed to an amount of $33,000 to give to the Township to set up the fund. Mr. Lauer indicated that $33,000 would be sufficient to provide him with the funds necessary to maintain it.

- The Township engineer indicated that an inlet should be added near the corner of Livingston Drive and Campbell Road. The developer has a different opinion. You can determine that it doesn't need to be done or that it does need to be done and should be the applicant's responsibility, or you can determine that it should be done and it's not the applicant's responsibility. If you choose the last option, the applicant has offered to do the work while they are on site, and the Township would need to reimburse them for time and materials for that inlet.

- The Ordinance requires street lights. In the past the practice had been that the developer puts in the lights at their own expense. They hire an electrician; they install the lights to our standards, they turn it over to the Township, and the Township maintains them, pays electricity for them. GPU had set up some new programs over the last few years for several different methods of acquiring street lights. The applicants have agreed that there will be street lights. They've bonded it; we have the bonds so the exact method of how the Township chooses to proceed in getting those lights doesn't need to be resolved tonight. It's probably an issue that will affect all future plans. Pick a program that's most economical to the Township and stick with that for the future for all subdivisions.

STERN Mr. Stern recommended approval with waiver from separating intersections, conditioned on approval from Hellam Township, modification from the basin height, and conditioned on the payment of $33,000 to Springettsbury Township in order to set up a fund for the township to maintain the stormwater pond.

PASCH Mr. Pasch questioned the application of each township conditioning this upon the approval of the other, which indicated that the two townships could pass the buck to each other.

YOST Solicitor Yost indicated they could not do so.

STERN Mr. Stern stated that in order to record the plan, signatures from both township's elected bodies must be on the plan. Both townships have to have the condition, which must be met when the signature is put on the plan. Then it is recorded.

YOST Solicitor Yost stated that if Springettsbury Township approved the plan first, Hellam Township could not condition it upon Springettsbury's approval because that had already been accomplished.

BISHOP Mr. Bishop commented that Mr. Stern had recommended a significant new policy with respect to a storm water pond maintenance.

STERN Mr. Stern responded that was a fair statement. He felt his policy would help to guarantee that the work will be done. All other methods in place have failed one by one with exception of the homeowner's associations, and there it depends on which homeowner association.

PASCH Mr. Pasch commented that if the Board was embarking on a new policy, the staff should have some kind of understanding from the Board or some ruling indicating the direction to follow.

STERN Mr. Stern agreed that it should be consistent. Another reason that we've talked about is that once we have enough ponds contributing to this fund then if one pond has some additional work then a larger fund is available to borrow against to fix the others.

BISHOP Mr. Bishop indicated he would like to see a much greater analysis done if the policy was to be changed with respect to these ponds. Mr. Bishop was not willing to review a policy change.

STERN Mr. Stern understood his point and stated that the portion did not have to be acted upon. The pond has to go in, and the maintenance of it will have to be resolved at some point, but I don't think that you have to approve

that part tonight. The pond requires maintenance after 18 months of completion.

MITRICK Chairman Mitrick asked whether the water would just pass through this basin or whether there will be an accumulation. If the Township acquired it or the developer holds ownership, there should be a fence and adequate screening around it.

STERN Mr. Stern stated that it is a detention basin and added that the engineers would explain that in detail. There is no fence because it is a detention pond. Our ordinance requires them for retention ponds. The landscaping will be explained by the developer.

HOLLEY Mr. James Holley represented the plan. He addressed several issues. The first was the stormwater pond. This is a detention pond, which is normally dry. It only retains water for a short period of time during a heavy storm event. On a very small storm event no water would be seen in it at all. The unique thing about this pond is that it is piped all along Campbell Road directly to Kreutz Creek and discharges on the downstream side of the culvert that carries Campbell Road over Kreutz Creek. That was at the request of Hellam Township. There are inlets from our property to the south which pick up the stormwater coming from offsite of the development all the way down Campbell Road to pick as much water up and keep it from going across Campbell Road onto the adjoining property owners.

HOLLEY Mr. Holley discussed detention ponds and indicated many municipalities handle the ownership of detention ponds several different ways. There are municipalities that have found that if the township owns it, the citizens know who to complain to about a problem. The township has the wherewithal to maintain them. In this instance the developer will deposit $33,000 into the Township. The Township puts that into an interest-bearing account. The interest income from that money will maintain this pond. As you get more ponds and larger contributions when you have larger dollar figures to work with you can get better interest and better income from those dollars.

PASCH Mr. Pasch indicated that he felt the Township taking over the responsibility for it and having the ability to do so is a better position for the Township.

HOLLEY Mr. Holley felt this was the best route that the Township would be responsible. A Stormwater Management District could be established and actually then tax or bill the people in that Stormwater District similarly like you have or could have the Sanitary Sewer Districts.

YOST Solicitor Yost stated that Stormwater Districts had been discussed for years. They have always been authorized. At times the Township waives stormwater management on lots and collects a fee in lieu there of which is intended to be deposited in a fund for that district. At some point in the future these ponds on lots that are not being maintained are the ones in the developers name but don't get maintained and get sold for tax sale eventually, there's a good possibility that the township will have to establish Stormwater Management Districts and set up an assessment to collect the cost of maintaining it from the people who benefit from the facility.

BISHOP Mr. Bishop wondered whether it would make sense to do this up front so that when people are purchasing a lot they know it's there.

YOST Solicitor Yost agreed. This is something that has been pushed under the rug for years. I think bringing it to the forefront would be an excellent idea if we all sat down and put our minds to it and tried to come up with a plan that satisfies the requirements of the Township as well as the requirements of the people who are going to live there.

SABATINI Mr. Sabatini voiced a technical question relating to the Tax Collector collecting for the ponds. Sewer billing is done in a slightly different manner for Springettsbury, but it is workable.

HOLLEY Mr. Holley stated that the developers other option is to form a Homeowner's Association which they are prepared to do. The staff has promoted through the review of this project the idea that the Township would take this over, but if that doesn't work then they are prepared to have the Homeowner's Association agree to do that. In fairness to the developer, if that is what you're going to research and proceed and set a goal to do, then we can live with that because there will be a time that it will occur and they've already agreed to do so. If not, they are prepared to go to the Homeowner's Association.

STERN Mr. Stern had discussed the matter with Mr. Henry at York Township. They have a structure in place to do what we are recommending. Their structure is $500/acre of land of the pond to be dedicated using York Township's Ordinance and policy, for this project the amount of money would be given to the Township would be $10,583. The amount that our staff had worked out is 3 times what York Township's Ordinance requires. York Township believes that the number they've set aside has been working for them.

HOLLEY Mr. Holley brought forward another issue related to the stormwater pond which was the landscaping. The Ordinance does not require specific landscaping. We would propose not to cover this with a lot of landscaping

because that makes the maintenance costs higher. Then you are not only mowing grass but you are taking care of the landscaping.

ABEL Mr. Abel provided a commentary regarding the municipal and land development process. He stated that they had come full circle in proposing the Township maintains the detention basin. He stated the development had been designed with gentler side slopes in the detention ponds. It is a facility that functions in the stormwater management for the project, but it is also easier to maintain inside the basin. They are not proposing further landscaping which is a further maintenance issue.

MITRICK Chairman Mitrick asked Solicitor Yost whether the Township would still have the right to go back later and create a district if it were to assume the basin this evening.

YOST Solicitor Yost stated that was true. It would not preclude that.

MITRICK Chairman Mitrick added that if we took the time to do something that we've been talking about for years, we could go back and create a district. Then we have the authority to tax those who contribute.

MITRICK Chairman Mitrick asked what would happen to the five lots that contribute but are in Hellam Township.

HOLLEY Mr. Holley responded that they do not contribute. Mr. Holley commented upon an issue mentioned that they requested the developer extend the stormwater system parallel to Campbell Road off Livingston Drive. That was to capture water that is coming down Livingston Drive and flowing to Campbell Road. Depending on the intensity of the storm, that surface water will actually sheet across Campbell Road and go down the east side of Campbell Road and onto the properties which abut Campbell Road to the east, namely Mrs. Blakey. We were highly opposed to doing that because that's considered an offsite improvement which our understanding of the municipality's planning code is you cannot require us to do that. It's not fronting on our property; it's not solving a problem created by our development; it is an attempt to try and improve a condition that has existed for many years ever since those homes on Livingston Drive were built. It's not the result of this development. There's more than that inlet installation needing to be done to solve that problem. To ask our client to do that is above and beyond what we feel the municipality planning code can require us to do.

LUCIANI Mr. Luciani reported that he and Mr. Holley had a number of conversations related to this stormwater, and initially when the plan came in there weren't any inlets to the south side of their last access road. There was a lot of potential water that was not getting into that system. Their

design does include this water getting into their system, but it's just concentrated in one small area that they can't capture without leaving their property. The only way to capture every drop of water would be to extend their improvements beyond their property line.

ABEL Mr. Abel stated that the piping in that inlet could be installed at that same time and Abel Construction reimbursed by the Township without having to do it with their own forces or putting it out to bid or something of that nature.

MITRICK Chairman Mitrick asked whether it was needed.

LUCIANI Mr. Luciani responded that it is needed now and had been a problem for a number of years. They're not aggravating the situation, but it's needed for the traveling public going up and down Campbell Road and could very easily be done.

PASCH Mr. Pasch commented that the development does not contribute any of the water that's creating the problem and are not adding to it. They may be alleviating it.

LUCIANI Mr. Luciani indicated Campbell Road will be widened. He indicated that one of the problems experienced over a number of years is that Campbell Road has areas where there is no crown in the road. Water crosses from one side to the other creating icing problems saturating conditions for a property owner. They're going to be re-establishing 7 to 8 inlets along that gutter line. There is one small area to correct and a lot of the stormwater problems on Campbell Road will be resolved.

MITRICK It's your opinion that we accept their offer to do the work while they're out there and the Township would reimburse them.

LUCIANI Mr. Luciani indicated that concept had been embraced on a number of different projects. He felt it was a good way to streamline bidding costs and things of that nature. Abel is a capable contractor; let's get the price and look at it, but that's the best solution.

MITRICK Chairman Mitrick stated that a guestimate was $5,000.

HOLLEY Mr. Holley commented on the issue of street lights. There will be a process that the Township will get into with GPU for the operation and maintenance of the street lights. The developer did not see that as an issue.

STERN Mr. Stern commented that he did not view this as an issue and wanted to make it clear that there is a potential of this being done differently. There is a bond to cover installation of the lights.

MR. BISHOP MOVED TO APPROVE SUBDIVISION-00-16 – GREYSTONE III WITH

- **WAIVER FROM THE REQUIREMENT TO SEPARATE INTERSECTIONS AT LEAST 600 FEET FROM ONE ANOTHER.**
- **CONDITIONED UPON APPROVAL FROM HELLAM TOWNSHIP**
- **CONDITIONED UPON THE MODIFICATION FOR BASIN HEIGHT FROM MAXIMUM OF 6 FEET TO 6.75 FEET AND,**
- **CONDITIONED ON PAYMENT OF $33,000 TO SPRINGETTSBURY TOWNSHIP IN ORDER TO SET UP A FUND FOR THE TOWNSHIP TO MAINTAIN THE STORMWATER POND. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

MR. BISHOP MOVED THAT THE TOWNSHIP MANAGER PREPARE A REPORT TO THE BOARD OF SUPERVISORS WITH A TIME LINE FOR THE ESTABLISHMENT OF STORMWATER MANAGEMENT DISTRICT USING GREYSTONE III SUBDIVISION AS A PROTOTYPE OF DEVELOPMENT OF ALL FUTURE STORMWATER DISTRICTS IN SPRINGETTSBURY TOWNSHIP, AND THAT THE MANAGER COMPLETE THAT REPORT TO THE BOARD OF SUPERVISORS BY THE JUNE BOARD OF SUPERVISORS MEETING. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. SD-00-15-Sarah Norton - Action

STERN Mr. Stern provided commentary with regard to Subdivision 00-15 – Sarah Norton. This project is for the development at the cul-de-sac at the end of English Way, which had just been created with your approval of Greystone III. This project is for six parcels, significantly larger than the last parcels with the largest being 5.7 acres. This is the parcel directly behind what is known as Lunden's property along Stonewood Road. This was also acted upon at the Springettsbury Township Planning Commission meeting on April 19th with a waiver from submitting a preliminary plan, waiver from plan scale requirements and conditioned on completion of stormwater comments from Mr. Luciani. Staff recommended approval.

PASCH Mr. Pasch asked whether Mr. Luciani's comments had been resolved.

LUCIANI Mr. Luciani indicated everything had been addressed. This plan is conditioned upon approval of Greystone III because without that you don't have access to the parcel.

PASCH Mr. Pasch commented that English Way must be there; otherwise there would be no access. It's subject to English Way, but it should be subject to English Way being put in and not just approved.

ABEL Mr. Abel stated that the construction on the site had commenced, and English Way is under construction as we speak.

YOST Solicitor Yost indicated that Mr. Pasch was correct in his assumption.

MITRICK Chairman Mitrick asked Chief Hickman if he had reviewed the cul-de-sac and if it met with his approval.

HICKMAN Chief Hickman indicated it meets his approval.

MR. SCHENCK MOVED FOR APPROVAL OF SUBDIVISION-00-15 FOR SARAH NORTON WITH:

- **WAIVER FROM THE REQUIREMENT TO SUBMIT A PRELIMINARY PLAN,**
- **WAIVER FROM PLAN SCALE,**
- **CONDITONED ON A NOTE ON THE PLAN INDICATING THAT THE COMPLETION OF ENGLISH WAY BE DONE PRIOR TO THE ISSUANCE OF CERTIFICATES OF OCCUPANCY. MR. PASCH WAS SECOND.**

MOTION UNANIMOUSLY CARRIED.

C. LD-00-19 – Misericordia Parking Lot

STERN Mr. Stern provided background information regarding this project. The stormwater perc test had previously failed so the proposed on-lot seepage pit would not have worked. Mr. Luciani and the Misericordia engineer determined that the best course of action was to install stormwater management for existing improvements to the north of this new parking lot to capture some of that stormwater as opposed to capturing the new stormwater. The end result is that the same amount of stormwater would be captured as would be with the new parking lot. Approval of the plan was recommended with several waivers.

PASCH Mr. Pasch inquired whether the stormwater drawing had been received.

STERN Mr. Stern responded that it had been received.

LUCIANI Mr. Luciani explained the original plan and provided assurances that the stormwater management issues had been resolved through the use of a very shallow pond.

MITRICK Chairman Mitrick asked whether the new landscaping had been added to the plan.

LUCIANI Mr. Luciani responded that they had added some red maple trees, a mulch bed and some landscaping around the entrance.

MR. SCHENCK MOVED TO APPROVE LAND DEVELOPMENT-00-19 WITH A

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN,**
- **WAIVER FROM SHOWING EXISTING CONTOURS,**
- **WAIVER FROM SHOWING ALL STREETS WITHIN 400 FEET,**
- **WAIVER FROM LANDSCAPE AND BUFFER YARDS FOR SIDE AND REAR OF PROPERTY,**
- **CONDITIONED ON THE SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER.**

MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. SD-01-04 – Pleasant Valley Road Condos – Action

STERN Mr. Stern provided commentary regarding the Pleasant Valley Road Condos. At the time of the Land Development Plan for the condominiums at Pleasant Valley Road, there was a condition placed on the approval that a subdivision be developed to serve several purposes to correct some setback violations at the existing condominiums as well as put the existing cul-de-sac for the existing condos within their own property, and also to provide the Township with a parcel for the expansion of the Springetts Park.

SCHENCK Mr. Schenck asked about the little corner of land, which had been previously discussed.

FRANCIS Mr. Paul Francis represented the plan and provided a color-coded plot drawing.

MITRICK Chairman Mitrick inquired as to whether Lot #4 would remain open space.

FRANCIS Mr. Francis responded that it would remain open space.

MR. SCHENCK MOVED FOR THE APPROVAL OF SUBDIVISION 01-04 PLEASANT VALLEY CONDOS WITH A

- **WAIVER FROM THE REQUIREMENT TO SUBMIT A PRELIMINARY PLAN,**
- **WAIVER FROM THE REQUIREMENT TO SHOW PROPOSED CONTOURS, AND**
- **A WAIVER FROM THE REQUIREMENT TO SHOW PROPOSED BUILDINGS.**

MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. SD-01-03 - Stony Brook Mennonite Church – Time Extension to 6/30/01

STERN Mr. Stern indicated that SD-01-03 involved a time extension from Stonybrook Mennonite Cemetery and King James Bible Church until 6/30/01.

SCHENCK Mr. Schenck asked what the church was proposing to do.

STERN Mr. Stern indicated this actually related to Stonybrook Mennonite Cemetery and King James Bible Church. They are doing a land swap simply to adjust the property line between the two.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF EXTENSION OF TIME FROM THE STONYBROOK MENNONITE CEMETERY AND KING JAMES BIBLE CHURCH TO 6/30/01. MR. PASCH WAS SECOND.

MITRICK Chairman Mitrick questioned the signature on the Time Extension form, which had been signed under the name of Stonybrook Mennonite Church.

BISHOP Mr. Bishop assumed that they owned the Stonybrook Mennonite Cemetery.

STERN Mr. Stern responded he thought they did.

YOST Solicitor Yost indicated it may be a separate association.

STERN Mr. Stern indicated it was not King James Bible's Cemetery. It is Stonybrook's Cemetery.

MOTION UNANIMOUSLY CARRIED.

F. SD-99-09 – Hunters Crossing – Time Extension to 5/24/01

STERN Mr. Stern commented with regard to Subdivision 99-09 – Hunters Crossing Time Extension until May 24th.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF THE EXTENSION OF TIME TO HUNTER'S CROSSING, SUBDIVISION 99-09 TO 5/24/01. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO FAMILY MEMBER INVOLVEMENT.

G. SD-01-01 – Sprenkle – Time Extension to 5/24/01

STERN Mr. Stern explained that item G involved SD-01-01 a Time Extension for Sprenkle to 5/24/01.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF EXTENSION OF TIME – SPRENKLE TRACT SUBDIVISION 01-01 TO 5/24/01. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO FAMILY MEMBER INVOLVEMENT.

H. LD-00-09 – Hess (Reapproval to Record)

STERN Mr. Stern explained that item H involved a reapproval for the Hess gas station at the corner of Market Street and Memory Lane. It had been originally approved on August 24, 2000, re-approved December 14, 2000 so that it could be recorded. A correct set of plans had not yet been received, which was necessary in order to record it. The Board could either re-approve this and allow another 90 days to work with, or wait until a set of plans is received.

BISHOP Mr. Bishop commented that work is being done on the site.

STERN Mr. Stern responded that the work being done related to soil contamination, which would not be part of the Land Development Plan. They have had to install a shed and underground pump system.

MR. SCHENCK MOVED FOR REAPPROVAL OF LAND DEVELOPMENT 00-09 HESS GAS STATION. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

I. Sewer Planning Module A3-67957-318-3 Kingston Square (Empire Beauty School) – 350 GPD

STERN Mr. Stern commented that item I related to a Sewer Planning Module for the Empire Beauty School. The school had moved in about a year ago. At that time they agreed to stay within the sewage constraints that had been imposed. The school indicated they wanted to expand in about a year, which time is now. In order to expand they are required to do a Sewer Planning Module for the additional capacity as the total capacity of the Kingston Square is over 2 EDU's. Staff recommends approval. It is only one additional EDU.

MR. BISHOP MOVED TO APPROVE SEWER PLANNING MODULE FOR KINGSTON SQUARE EMPIRE BEAUTY SCHOOL FOR 350 GPD. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

1. COMMUNICATIONS FROM SUPERVISORS

Tire Storage

SCHENCK Mr. Schenck indicated he had received several complaints for which he would like to see some action taken. The first one concerned the Township's storage of used tires at the maintenance facility. Apparently this involved a pile of tires that is filling up with water, a condition which would breed mosquitos (West Nile Virus).

Gas Main Regrading

SCHENCK Mr. Schenck stated that in Lower Wilshire Drive the gas company re-did the main and tore up two blocks worth of yards. He had received this complaint a week ago. Within the last few days they began the regrading work. He requested some follow up to be sure that gets done.

Small Driveway Expansions

SCHENCK Mr. Schenck indicated there is a Township Ordinance requiring stormwater management for small driveway expansions. The Ordinance calls for a stormwater plan if it's 150 square feet (10 X 15 ft.). Another complaint had been received due to the requirement of a seepage pit that was right beside a stormwater inlet for a stormwater system, and the resident could not understand why. Mr. Stern had explained that we do have the option of waiving it if the engineer approves it, and it would not be required. The catch 22 is the fees that must be paid to have that evaluation done. He wanted to make sure the residents were made aware of that option. He suggested that perhaps the entire Ordinance should be reviewed. Mr. Schenck indicated he was concerned that it was so cut and dry that it takes an engineer and for that small project common sense should be allowed to play a role.

STERN Mr. Stern commented that in a case of a driveway there is an exception. With regard to sheds, they must be a foot away from the property line, but you get to add an additional 10 square feet of impervious surface without stormwater management.

Building Permits

BISHOP Mr. Bishop provided that one of his pet peeves is the requirement of Building Permits for what he considered to be normal maintenance items such as roof replacements and window replacements. He stated that it makes absolutely no sense to charge people money to do those things. It's not that cut and dried an issue, but it's something that we don't seem to be interested in addressing. He indicated that at some point someone needs to look at some of those things.

SCHENCK Mr. Schenck indicated that when he put a roof on his home, he asked Andrew if he needed a permit, and he said absolutely. Mr. Schenck asked what he would get for his $80.00 or whatever it was. If I pay for a

plumbing permit, the plumbing inspector comes out to make sure the job's done right.

SABATINI Mr. Sabatini responded that if the work being done was non-structural in nature, i.e., not adding dormers or changing the roof line, it would be considered normal maintenance and repair. It would not be adverse to the Board's policy setting ability that non-structural work would not need a building permit. There could be a dollar value limit set. He indicated he would respond to the Board with a policy discussion. He added that the discussion should focus on where the staff resources would be spent as well.

PASCH Mr. Pasch cautioned as far as the dollar amount would be concerned. Replacing a roof can cost a lot more than $2,000. Focus on non-structural maintenance items and forget the dollar amount.

Structures Higher Than Two Stories

BISHOP Mr. Bishop stated that wherever the Ordinances limits the height of buildings is short sighted. There are some places in the township where it would make sense to put bigger buildings than two-stories. He asked that the matter be reviewed.

Wastewater Treatment Plant - Odors

MITRICK Chairman Mitrick stated she had received numerous calls from residents in the Sherman Oaks area north of the Wastewater Treatment Plant regarding odors. They have organized a telephone campaign so that if one person smells an odor from the plant then they all start making their calls. Not only will they call members of this Board, but also they will call State Representatives and who knows who else.

BISHOP Mr. Bishop commented that they should be calling Central School District as well.

SABATINI Mr. Sabatini indicated that no calls had been received at the Township Office.

MITRICK Chairman Mitrick indicated they are also calling Mark Hodgkinson, and it was her understanding that he had made attempts to go out and talk to them. She asked whether some type of PR effort could be made with that neighborhood to let them know what is going on at the plant and what to expect, as well as what is unreasonable. With more information made available to them, they may understand it better.

PASCH Mr. Pasch commented that when they do call Mr. Hodgkinson he was able to provide a very excellent explanation.

MITRICK Chairman Mitrick indicated that she would suggest offering it to the group so that many are educated at once.

PASCH Mr. Pasch stated they should put it on their telephone chain.

Landscaping – New Building

MITRICK Chairman Mitrick voiced concern about the landscaping immediate to the new building. The grass area had been seeded and left to die. It was her understanding that the contractor does not have a healthy attitude about maintaining what $50,000 has put out there. She wondered if there was anything that could be done to try to salvage what is still alive out there. Also if the attitude is that you've got a year warranty and they'll come back 11-1/2 months from now and put it back in, Chairman Mitrick did not want to live with an 11-1/2 month mess. She asked what the Township's rights would be to get some action from the contractor. They had already come back out and re-seeded the whole field.

YOST Solicitor Yost indicated that with a year guarantee there's not much that could be done until the end of the year. We could afford to put a little water on it ourselves.

MITRICK Chairman Mitrick stated she had asked that question.

SABATINI Mr. Sabatini stated that the issue had come up with the fact that it is the contractor's responsibility, and by us taking the bull by the horns and watering ourselves, the contractor would be relieved of his legal responsibility.

STERN Mr. Stern commented that an excellent landscape crew came in and re-seeded. Their attitude is that there is a 12-month warranty; if we don't have grass in 12 months, come to see them.

PASCH Mr. Pasch stated that sometimes grass will come back even if it gets brown and perhaps dormant.

SABATINI Mr. Sabatini commented that the township still has a retainage of $25,000. They're fully bonded. His recommendation when all the accounts are settled that we hold that amount plus 10% as retainage until the warranty period expires and then make the judgment from that point.

PASCH Mr. Pasch commented that Mrs. Mitrick is concerned that we're going to have mud instead of grass. They won't come back for a year. In order to try to solve that problem, try to work out a deal with them.

MITRICK Chairman Mitrick indicated it was a sad situation. It's not just the grass, the shrubs are dying; the ground cover is dead.

SABATINI Mr. Sabatini added that the contract with the landscape company is clear that their responsibility is to water.

MITRICK Chairman Mitrick asked Mr. Sabatini to give the matter some thought.

STERN Mr. Stern stated that the contractor did come back on at least two Sundays to water the plants, but not the grass.

MITRICK Chairman Mitrick commented that Raleigh Drive had been mentioned during a previous meeting. She would appreciate any procedure that could be established to provide information about the status of complaints. For instance, Mr. Lauer had been in attendance at the last meeting where a complaint came forward from a Raleigh Drive resident. Did Mr. Lauer go to Raleigh Drive and review the situation, and if so, the Board should be made aware of the status of the complaint. This was not just for that particular complaint, but all issues of that nature.

2. SOLICITOR'S REPORT:

Sewer/Sludge Appeal

YOST Solicitor Yost reported on the Abrinsky Sewer/Sludge Appeal in East Manchester Township. He indicated he was now fully up to speed on that, and DEP counsel and he both entered appearances. He provided an explanation of the situation. He stated that on Monday they will go onto the property by agreement with the landowner, and the landowner will point out the nine springs and two streams that were allegedly missed. Solicitor Yost indicated that it could turn into a fairly significant matter before the Environmental Hearing Board.

YOST Solicitor Yost stated that the only other matter is to discuss an issue in Executive Session.

MITRICK Chairman Mitrick asked whether any information regarding the Sewer Capacity Agreement had been received.

SABATINI Mr. Sabatini responded that the one with Manchester we have to finalize and tweak some language. The City is in the process of preparing an agreement.

9. MANAGER'S REPORT:

Grant Application

SABATINI Mr. Sabatini reported the Township submitted a grant application to the Federal Emergency Management Agency on behalf of the Township Fire Company, as well as the Volunteer Fire Companies for communications

equipment and training gear in time for the May 2 deadline. We should hear something towards the latter part of the summer regarding that.

Solid Waste/Recycling Contract

SABATINI Mr. Sabatini reported that he had requested some clarification from Solicitor Yost regarding the ability of the Township to extend the existing Solid Waste and Recycling Contract. Solicitor Yost opinioned that we do not have the capability; therefore, we are proceeding with drawing up new specifications. Mr. Sabatini was in contact with the Recycling Committee and sent out a copy of the existing contract and the Solid Waste Ordinance for comments from them. We will circulate to the Board a general idea memo on ways we can structure this contract. The game plan is to have comments assembled in June and bid out in July.

Police Pension Fund

SABATINI Mr. Sabatini reported that the Police Pension Fund is being reviewed. Eight different proposals were received, which through elimination will be brought down to three. The police officers and the committee as well as Mr. Bishop received the information and it is being reviewed on a staff level.

York County Alert System

SABATINI Mr. Sabatini reported he had submitted a memo to the Board of Supervisors regarding York County Alert System, which is a regional information sharing issue. He indicated he was not looking for any action. The system is the computerized information sharing system. He would like to have some comments from the Board prior to this becoming an Agenda item.

PASCH Mr. Pasch indicated his only question was in the proposed letter to the other participating townships. If a township agreed to participate, they should be advised that the costs will be shared equally.

SABATINI Mr. Sabatini indicated he agreed and stated that he would ask Solicitor Yost to review the language. Some police departments have advised us that because of the budgeting process they would agree to that, but request that they be able to provide the funds after the first of the year. That's something that will have to be discussed with those individual departments.

PASCH Mr. Pasch stated that for the size of the grant and the total dollars involved, he felt the Township should participate, and if we have to lead it, then great. All participants will pay a pro-rata share of the operating cost. He added that perhaps our Representatives and Senator could be approached for some of their walking around money.

SABATINI Mr. Sabatini agreed and stated that was the approach being taken.

PASCH Mr. Pasch added that it could be very beneficial in terms of apprehending culprits who are burglarizing or whatever in all the townships. The sharing of the information quickly is a big help.

SABATINI The part about the system that is important to note is that it gets more effective each year because you're gathering more information. NSA deals with telecommunications intercepts. The more information they get the easier it is to tie together and to identify trends and issues. Same way with the alert system the more information you put into it the more effective it becomes for the users. It's controllable on the donor's end.

Park and Recreation Director

SABATINI Mr. Sabatini introduced Mr. David Wendel and announced his appointment as the new Park and Recreation Director. Mr. Wendel is the existing Executive Director for the Boys and Girls Club of Columbia in Lancaster County where he has been for 7-1/2 years and a total of 9+ years as an employee. Mr. Sabatini was pleased to have him on board and indicated he brings the right combination of program development, business sense and the ability to reach out into the community. He will begin his duties on May 21st. He welcomed him to the Township.

MITRICK Chairman Mitrick commented to Mr. Sabatini that after our 45 minute meeting with Mr. Wendel, she was impressed with his selection. She asked Mr. Sabatini to be sure that David realizes that the Board have high expectations of him as we do of you.

SABATINI Mr. Sabatini indicated he had some real estate, litigation and a legal matter items for discussion during the Executive Session.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

There were no items for action.

11. ACTION ON MINUTES:

A. Board of Supervisors Public Hearing – April 26, 2001

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE APRIL 26, 2001 BOARD OF SUPERVISORS PUBLIC HEARING AS DRAFTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Regular Meeting – April 26, 2001

Building Identification

MITRICK Chairman Mitrick advised the Board that progress was being made and she felt the Board would be very pleased with the final result.

MR. PASCH MOVED THAT THE BOARD OF SUPERVISORS REGULAR MEETING ON APRIL 26, 2001 BE APPROVED AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

There were no items for action.

13. NEW BUSINESS:

A. Appointment of a Member to Historic Preservation

MR. BISHOP MOVED TO APPROVE RESOLUTION 01-33 APPOINTING STEVE KOHLER TO THE HISTORIC PRESERVATION COMMITTEE. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick asked Mr. Sabatini to correspond with Mr. Kohler and advise him of this appointment.

SABATINI Mr. Sabatini indicated he would do so.

MITRICK Chairman Mitrick reported that, as Chair, she had recently signed a document relating to Mr. Sabatini as he had been with the Township for over six months. As the Board discussed in the past, we would like to have a meeting for a review of the Manager in Executive Session and meet with the Township Manager.

Consensus was to meet on Friday, May 25th at Noon in the Conference Room.

MITRICK Chairman Mitrick requested that Mrs. Bowders make arrangements for the meeting, and asked that she notify Mr. Gurreri of the meeting date and time.

BOWDERS Mrs. Bowders agreed to do so.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10:35 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **APRIL 26, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 26, 2001 at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania at 7:30 p.m.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Ken Pasch
Don Bishop
Nick Gurreri

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Buchart Horn, Inc.
John Luciani, First Capital Engineering
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Jack Hadge, Director of Finance
Mark Hodgkinson, Wastewater Treatment Superintendent
Charlie Lauer, Maintenance Department
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting of the Board of Supervisors to order at 7:40 p.m. She stated that there would be an Executive Session following the meeting regarding legal matters.

A. Pledge of Allegiance

SCHENCK Mr. Schenck introduced three scouts from Boy Scout Troop #25, Eric Nelson, Dan Walters and Greg Timmons. The Scouts are working on either their Communications or Citizenship Merit Badge or both. One of their requirements is to attend a governmental meeting. The Scouts led the Pledge of Allegiance.

MITRICK Chairman Mitrick invited the Scouts to voice any questions they might have regarding the meeting discussion. She thanked them for their interest in the meeting.

2. COMMUNICATIONS FROM CITIZENS:

GRIEST Mr. Robert Griest of 410 Meridian Lane in Haines Acres addressed the Board. He asked who was responsible for developing the maps of York County and the Township.

SABATINI Mr. Sabatini responded that the Township map was done by the Township Engineer; the County map came from a number of sources.

GRIEST Mr. Griest indicated he was primarily interested in the Township map. He had been out of town for the majority of the winter. During one of the snowstorms, their area was out of electricity for an extended period of time, nearly 40 hours. His neighbor telephoned half a dozen times to GPU, and their response was that everything had been repaired. When the neighbor identified the street as Meridian Lane, the GPU worker stated that Meridian Lane was not on the map. The road had been on the Township map for years.

SABATINI Mr. Sabatini asked whether it was a private street.

GRIEST Mr. Griest responded it was not.

YOST Solicitor Yost asked which map Mr. Griest had referenced.

GRIEST Mr. Griest stated it was a Township map.

YOST Solicitor Yost asked whether GPU was using a Township map.

GRIEST Mr. Griest indicated he had seen a Township map, and there had been no name mentioned there for some time.

SABATINI Mr. Sabatini indicated that only map the Township was responsible for was one identified as the "Official Township Map" identified under the Municipal Planning Code.

GRIEST Mr. Griest asked where they would suggest he could go to get this changed.

LUCIANI Mr. Luciani stated there are several types of streets: a state-owned and maintained street; a township street owned and maintained by the Township; and a few instances for private streets either owned by a neighborhood association or homeowner's association. He suggested Mr. Griest could determine whether it was a Township street by looking at the recorded plan for the development. For it to become a Township street, it would have to be adopted for dedication and the Township must accept it. At that point the Township would begin to salt and cinder, patch pot holes, etc.

GRIEST Mr. Griest indicated the Township had been maintaining Meridian Road for 30 years.

STERN Mr. Stern provided the Official Springettsbury Township Map.

GRIEST Mr. Griest indicated the information should be passed to GPU.

SABATINI Mr. Sabatini stated that generally on a regular basis the utilities pick up maps.

MITRICK Chairman Mitrick stated that an Official Township Map could be provided to Mr. Griest and to the utility.

GRIEST Mr. Griest brought up an additional matter. During the winter snowstorms, the snow plows came up over the curbs, knocked cement chips out and took a six foot piece of sod out. He asked whether the Township could replace that.

MITRICK Chairman Mitrick stated that a Township representative would be sent to his address. She asked Mr. Lauer if he would do so.

LAUER Mr. Lauer responded that he would.

GRIEST Mr. Griest thanked the Board for anything that could be done.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported the new pipe line had been installed for the East/West Interceptor Upgrade. The trench was backfilled and final paving completed. The roadway would be opened up by noon. Final grading was completed. Most of the equipment had been picked up.

MITRICK Chairman Mitrick thanked Mr. Stern and the Police Department as well for their help with traffic on the first day.

B. Civil Engineer – First Capital Engineering

North Hills Road

LUCIANI Mr. Luciani stated that the North Hills Road railroad portion of the project was completed. Mr. Gregory indicated he thought the road would re-open at 4 p.m. on April 27th. Traffic patterns seemed to work out over the course of the project.

MITRICK Chairman Mitrick asked for clarification as to when the road would re-open.

LUCIANI Mr. Luciani responded that the paving was scheduled for April 27th.

Maple Donuts

MITRICK Chairman Mitrick asked Mr. Luciani whether Maple Donuts/Mr. Burnside would have to come back before the Board.

LUCIANI Mr. Luciani responded that he understood the need for the additional paving. In his discussions with Mr. Lauer he indicated a lot of earth was being tracked off of the Maple Donuts site onto the roadway at the rear of the property. It had been previously suggested to widen the driveways, and that might help the situation. They are reviewing the stormwater impact. Mr. Luciani stated he hoped that Mr. Burnside would not have to come back.

STERN Mr. Stern reported that he met with Mr. Burnside on Monday, and approved what he wanted to do. He was very pleased.

C. Design Engineer – Rummel, Klepper & Kahl

SABATINI Mr. Sabatini stated that no R.K.& K. representative was able to be present. There was nothing to report regarding the Diversion Pumping Station other than they expect to have the paving and the last of the site work completed by Allan Myers within a few days.

Bio-Solids Education

BISHOP Mr. Bishop indicated that the Bio-Solids Public Education Program continually appeared on the R.K.&K. report; however nothing appeared to be happening. He asked for an update.

SABATINI Mr. Sabatini commented that the Bio-Solids work had been put on hold until the Township received DEP Certification as a Class A, Class B Sludge upgrade. That will have an impact on the Bio-Solids Education brochures.

BISHOP Mr. Bishop asked for a time table.

SABATINI Mr. Sabatini stated that the last sample had been sent out during the week of April 16th. A May response was expected regarding the certification. At that time work will proceed on the brochure.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of April 26, 2001.
B. Johnston Construction Company – Utility Water System Improvements – Final Payment Request - $4,062.20

C. Buchart Horn, Inc. – Solids Handling Improvements – Project Invoice No. 11 - $4,512.03.
D. Allan A. Myers, Inc. – Diversion Pumping System – Pay Estimate No. 10 - $172,176.51.
E. Frey Lutz – Progress Billing #14 – Existing Building - $7,454.42.
F. East Coast Contracting – Progress Billing #15 – Existing Building - $32,808.91

GURRERI Mr. Gurreri asked about item E for Frey Lutz relating to the sidewalk which was raised up.

STERN Mr. Stern responded that item E related to mechanical and plumbing work done. He added that he does have a punch list of items to be completed. A retainage amount was held for those items.

GURRERI Mr. Gurreri asked if Mr. Stern had discussed the sidewalk issue with anyone.

STERN Mr. Stern responded that he had, and the response had been that during a snowstorm the Township had used an incorrect type of ice melt. That fact related to whether it would be a warranty item. The Township disagreed, and the matter was documented.

YOST Solicitor Yost stated that item E related to the old building.

MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS A. THROUGH F. AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS:

A. Gregory Contractors, Inc. – Change Order Request (4/17/01) – East/West Interceptor - $4,300.
B. Gregory Contractors, Inc. – Change Order Request (4/17/01) – East/West Interceptor - $2,500
C. Gregory Contractors, Inc. – Change Order Request (4/17/01) – East/West Interceptor - $250

SABATINI Mr. Sabatini indicated that items A, B, and C had been resolved and there was no longer a need for a Change Order.

D. Shannon A. Smith – Change Order #16 – Police Building - $406

SABATINI Mr. Sabatini stated that item D related to moving the lights at the front driveway to accommodate a future widening of the driveway. Work had been done late last year, and approval was recommended.

MR. SCHENCK MOVED TO APPROVE SHANNON A. SMITH CHANGE ORDER #16 IN THE AMOUNT OF $406. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Williams Service – Change Order #1 – Police Building - $550

SABATINI Mr. Sabatini explained that item E related to install a new ceiling HVAC diffusers in the Police Building.

MR. BISHOP MOVED TO APPROVE THE WILLIAMS SERVICE CHANGE ORDER #1 IN THE AMOUNT OF $550. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. 2001 Material and Resurfacing Project Bids

SABATINI Mr. Sabatini explained that item F related to materials needed for road and sidewalk improvements. Bids had been received, and Mr. Lauer provided his recommendations in an April 17, 2001 memorandum. Mr. Sabatini recommended approval of each as referenced by Mr. Lauer's memorandum with a request that it be included with the Minutes.

PASCH Mr. Pasch questioned that the milling had previously been done on a yard basis and now would be done on an hourly basis. He asked how Mr. Lauer had arrived at the benefit of doing it that way and whether this was a more economical way.

LAUER Mr. Lauer responded that the milling had been bid for the park project parking lots and the tennis courts. A lot of that would be done on an hourly rate. If there are enough trucks it will be easier to accomplish. On a Township street we're only milling two inches over the whole street and can mill by a square yard. Otherwise they would mill at least eight inches on the parking lots because it has to get the final grade.

MR. GURRERI MOVED TO AWARD THE BIDS FOR ROAD MATERIALS AND WORK FOR 2001 PER THE RECOMMENDATION OF CHARLIE LAUER, PUBLIC WORKS DIRECTOR, IN HIS APRIL 17, 2001 MEMO, AND FURTHER DIRECT THE INFORMATION TO BE ADDED DIRECTLY TO THE MINUTES. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. LD-00-19 Misericordia Parking Lot – Time Extension to 5/24/01

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR LAND DEVELOPMENT 00-19 TO MAY 24, 2001. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-00-13 – York Volkswagen – Time Extension to 10/30/01
C. SD-00-07 – York Volkswagen – Time Extension to 10/30/01

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM YORK VOLKSWAGEN FOR LAND DEVELOPMENT 00-13 AND ALSO SUBDIVISION 00-07 EXTENSION TO OCTOBER 30, 2001. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. LD-00-17 – St. Joseph Church – Time Extension to 8/23/01

MR. GURRERI MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM ST. JOSEPH'S CHURCH LAND DEVELOPMENT 00-17 TO 8/23/01. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. SD-00-17 – Sheridan Manor – Time Extension to 6/28/01

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM SHERIDAN MANOR LAND DEVELOPMENT 00-10 TO JUNE 28, 2001. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. SD-00-15 – Sarah Norton – Time Extension to 5/10/01

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM SARAH NORTON, SUBDIVISION 00-15 TO MAY 10, 2001. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. SD-00-16 – Greystone III – Time Extension to 5/10/01

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM GREYSTONE III – SUBDIVISION 00-16, TO MAY 10, 2001. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. Sewer Planning Module A3-67966-316-3 for John R. Stewart in Windsor Township, 350 GPD.

STERN Mr. Stern explained that the Sewer Planning Module covered a one-lot subdivision in Windsor Township. Staff recommended approval.

MR. SCHENCK MOVED FOR APPROVAL OF SEWER PLANNING MODULE FOR JOHN R. STEWART IN WINDSOR TOWNSHIP IN THE AMOUNT OF $350 GALLONS PER DAY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

I. Sewer Planning Module A3-67957-315-3 – St. Joseph Church – 700 GPD

STERN Mr. Stern explained that Sewer Planning Module referred to a proposed addition and expansion.

MR. PASCH MOVED TO APPROVE THE SEWER PLANNING MODULE FOR ST. JOSEPH'S CHURCH IN THE AMOUNT OF 700 GALLONS PER DAY. MR. SCHENCK WAS SECOND.

BISHOP Mr. Bishop stated that a time extension was being granted until August, which probably meant that the project would not be moving forward quickly. He asked whether a scarce resource was being allocated to a project that was uncertain to move forward.

STERN Mr. Stern indicated that the gallons are already allocated on the Chapter 94 Report. The planning modules, as far as the Land Development process, had already been allocated for at least a year.

MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATIONS FROM SUPERVISORS:

SCHENCK Mr. Schenck advised that he had been contacted directly by the York Water Company in reference to the Township's formal challenge to their rate increase. They expressed their frustration with what they determine as "the accuracy of our numbers." They respected the position taken, but stated that our information was incorrect.

BISHOP Mr. Bishop asked for the status of the garbage contract. The Manager had outlined some of the possibilities and issues. He desired to move the issue forward.

SABATINI Mr. Sabatini responded he would like to discuss the matter in Executive Session. There is an opportunity for the Board to deal with a potential contractual issue, a negotiated revision to the contract.

BISHOP Mr. Bishop indicated he wanted to be sure it was on the agenda for action.

MITRICK Chairman Mitrick asked whether Solicitor Yost agreed with Mr. Sabatini's comment.

YOST Solicitor Yost responded that it would be questionable.

SABATINI Mr. Sabatini commented that an offer had been received from the company to extend the contract with a rate cut as part of the negotiated agreement extension to the contract. He had not had an opportunity to digest all the implications and requested that the Board hold the matter until the next meeting.

SCHENCK Mr. Schenck stated he had no problem with talking to them. His question was to the extension of contracts in general.

YOST Solicitor Yost responded that there would be a problem with extension of contracts unless the existing contract provided for it specifically.

SCHENCK Mr. Schenck asked whether Mr. Sabatini would review the contract and report back to the Board.

SABATINI Mr. Sabatini stated that Act 101 specifically allowed and permitted extensions on existing contracts. He will follow up with the Board.

BISHOP Mr. Bishop asked about the proposals for Management of the Police Pension Funds which staff is analyzing.

SABATINI Mr. Sabatini indicated that Mr. Bishop was correct that the proposals had been received and are in the process of being analyzed.

BISHOP Mr. Bishop stated he would like to receive copies of those.

SABATINI Mr. Sabatini will provide copies for the Supervisors and also for the two members of the Police Department who are on the Pension Board and the professional Township staff.

GURRERI Mr. Gurreri indicated he received an e-mail from a resident suggesting a turn signal at the stop light at Eastern Boulevard and at Edgewood Road. The resident requested a green arrow at that light.

ESHBACH Chief Eshbach indicated there was a light at that intersection, but there was no turning arrow. There was a turning lane as well. He indicated they could check to see whether an arrow would be possible.

SCHENCK Mr. Schenck stated that his recollection was that at the time there was not sufficient communication from the state that we could put arrows in there. The warrants weren't there.

STERN Mr. Stern commented that when Home Depot came in they did upgrade the intersection.

LUCIANI Mr. Luciani indicated he might have some information in the Traffic Study for Home Depot. He did not think the traffic had changed significantly in the last two years.

GURRERI Mr. Gurreri reported that the 2001 Local Government Leadership Summit will be held May 16 and 17 in Harrisburg.

GURRERI Mr. Gurreri reported he attended the PSATS Convention. He enjoyed the convention and recommended it for next year.

MITRICK Chairman Mitrick received a call from a Mr. Arcuri on Raleigh Drive up from Erlen. He asked her to come out and look at the curbs. She requested that Mr. Lauer look at them, as they are in bad condition. When she reviewed the list for upcoming repairs she had not seen that section on the plan.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost recommended that the Board not take action on Resolution 0-31 under item 10. Local counsel for Harley Davidson and he had worked out a very simple agreement between Harley and the Township concerning the cross walk and the signals contemplated between the plant and the parking lot across Eden Road. Late today he received a call from Harley that their corporate counsel became involved and indicated the agreement would have to have an indemnity clause pursuant to which the Township would agree to indemnify Harley for anyone who stubbed their toe crossing that cross walk. Solicitor Yost advised that, in his opinion, instead of taking action on an agreement and the Resolution to make the application, the application would be dead for the time being. What they proposed is completely unacceptable to him and he recommended it would unacceptable to the Board as well.

PASCH Mr. Pasch stated that if anything were to be done there, Harley would have to initiate the action.

YOST Solicitor Yost indicated it would be up to Harley to pursue it. It would be premature for the Township to apply for a permit until the agreement was resolved.

MITRICK Chairman Mitrick stated that she was optimistic because Harley had been a wonderful neighbor in Springettsbury Township.

YOST Solicitor Yost commented that it had nothing to do with the local people or their local counsel.

BISHOP Mr. Bishop stated that Solicitor Yost's written report requested that the Board provide him some guidance with respect to the Water Company matter.

YOST Solicitor Yost indicated he had received guidance from Mr. Sabatini, which he assumed was guidance from the Board.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini commented that when he had provided information a few weeks prior regarding the York Water Company rate increase proposal, the information was incorrectly calculated resulting in a description of a $20,000 rate increase. Instead that rate increase is substantially less in the amount of $2,000 because of ways in which the tariff is set and the way it had been evaluated. It does have an impact upon how it affects the Township financially. However, Mr. Sabatini still believes strongly that the Township Board of Supervisors should continue to pursue a course of action with the Public Utility Commission. He provided several reasons:

1. 11.1% is a substantial jump and the fact that the Township filed in effect helped to force the PUC to investigate the legitimacy and the issue surrounding the rate increase.

2. The Township, by being a party to this formal complaint process, would be able to participate in settlement negotiations that may result from the investigation.

3. The rate increase proposed for public utility service is .5% (1/2%). This is a strategy that had been pursued by other water companies, and it shifts the burden of hydrant service to residential and commercial customers. In negotiations the PUC can direct that a greater burden be shifted back to public hydrant customers in effect potentially raising the rates from .05% increase to something larger and shift downward the cost increases for residential and commercial customers. The Township, by acting as a voice and as a conduit to the community, is fulfilling its obligation to the residents and the businesses in the community. However, the information as to the dollar impact specifically on Springettsbury as part of the rate proposal was incorrect. Mr. Sabatini again apologized to the Board and indicated he had thanked York Water Company. A press release would be issued to the news media and to the Board clarifying the matter.

SABATINI Mr. Sabatini reported that with regard to the need for legal counsel, there is a requirement under the PUC code to have municipalities represented by legal counsel. The Township will not be doing investigations of this rate

increase proposal. It would simply allow the Township to have input as to how it would impact as the settlement talks ensue and would allow us to participate in this. The extent of legal counsel would be extremely limited to the point where all they are doing is receiving information, which is also copied to the Board of Supervisors. It is not expected that more than an hour or two of Solicitor Yost's time would be involved. He indicated he was familiar with it on the state level. He did not anticipate any amount of legal time to pursue this follow up.

PASCH Mr. Pasch agreed with Mr. Sabatini that the Township should stay in the process and insure that the Water Company does provide all that is necessary. He felt it was important also to acknowledge that the Township was in error; however, if we take what the cost is to Springettsbury Township, it's a drop in the bucket in relation to the cost to all of the residents and businesses of the Township. That would be considerably more money than to the Township in terms of the increase. It's not an insignificant number of $2000. That's just for Springettsbury Township itself. We should pursue it for the residents.

Consensus of the Board was agreement to continue with the course of action with the Public Utility Commission regarding the York Water Company rate increase.

SABATINI Mr. Sabatini reported that the board had received two resumes of individuals interested in participating on the Historic Preservation Board and the Park and Recreation Board. He requested the opportunity to present the individuals to the Supervisors prior to the next month's Board meeting on May 10th.

Consensus of the Board was to meet the candidates at 6:30 p.m. on Thursday, May 10, 2001.

SABATINI Mr. Sabatini reported that the Township made an application to DEP to expand the Sludge Disposal work in East Hopewell Township. Approval had been received from the Township, which had been appealed to the Environmental Hearing Board. A pre-hearing order had been received regarding why we should be allowed to put sludge down. This is an expansion onto an adjacent farm owned by the same land owner. There has been some media coverage of it.

GURRERI Mr. Gurreri reminded Mr. Sabatini that he would like to have an itemized list of the cost of the buildings and change orders.

SABATINI Mr. Sabatini responded he had not had an opportunity to gather that information for him but would do so.

10. ORDINANCES, RESOLUTIONS AND AGREMENTS:

A. Resolution No. 01-31 – Authorization to Apply for a Permit to Install and Operate Pedestrian Flashing Warning Devices on Eden Road – Harley Davidson

MITRICK Chairman Mitrick indicated that Solicitor Yost had provided information regarding this matter with the recommendation that it be tabled.

YOST Solicitor Yost suggested that a motion be made to table the action.

MR. BISHOP MOVED TO TABLE ACTION ON RESOLUTION 01-31, AUTHORIZATION TO APPLY FOR A PERMIT TO INSTALL AND OPERATE PEDESTRIAN FLASHING WARNING DEVIES ON EDEN ROAD, HARLEY DAVIDSON. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Work Session – March 21, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE MARCH 21, 2001 BOARD OF SUPERVISORS WORK SESSION AS AMENDED. MR. BISHOP WAS SECOND. MOTION CARRIED. MESSRS. PASCH AND SCHENCK ABSTAINED AS THEY WERE NOT IN ATTENDANCE.

B. Board of Supervisors Regular Meeting – April 12, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE APRIL 12, 2001 BOARD OF SUPERVISORS REGULAR MEETING AS AMENDED. MR. BISHOP WAS SECOND. MOTION CARRIED. CHAIRMAN MITRICK ABSTAINED AS SHE WAS NOT IN ATTENDANCE.

SABATINI Mr. Sabatini responded that a lengthy discussion had been held with regard to the crest; however, no decisions had been made.

MITRICK Chairman Mitrick thanked her colleagues for waiting (for her input) to make that decision.

MITRICK Chairman Mitrick referred to item 7A under Communications from Supervisors, which had been inadvertently omitted from action earlier on the agenda.

A. Authorization – Closing Bank Accounts

SABATINI Mr. Sabatini indicated that as part of the Audit Report, the Auditors suggested that those two accounts needed to be closed. One was a Sewer

Fund Special Account; the second was the Springettsbury Pumping District. They were minor accounts, which had been eliminated. Mr. Hadge and Mr. Bishop had closed the accounts, and the funds were transferred into an appropriate account.

MITRICK Chairman Mitrick asked whether any action was necessary.

SABATINI Mr. Sabatini stated that this was an informational item only.

12. OLD BUSINESS:

A. Other items.

There was no Old Business for action.

13. NEW BUSINESS:

A. Transfer of Pennsylvania Liquor License No. E-3053 to MELA, LLC

SABATINI Mr. Sabatini requested action resulting from the earlier Public Hearing.

BISHOP Mr. Bishop asked whether this related to the item having an LLC that does not exist.

YOST Solicitor Yost responded that it does exist. He had been assured by Attorney Heim that it will exist; the paperwork was completed and the license applicant (Bel Paese) would be submitted to the LCB as MELA, LLC.

BISHOP Mr. Bishop commented that all the Board would be doing is moving the license into Springettsbury Township.

MR. BISHOP MOVED FOR APPROVAL OF THE TRANSFER OF PENNSYLVANIA LIQUOR LICENSE NO. E-3053 TO MELA, LLC FOR THE PURPOSE OF OPENING A RESTAURANT AT 3608 EAST MARKET STREET. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Transfer of Pennsylvania Liquor License No. R-20105 to Bel Paese, LLC

SABATINI Mr. Sabatini requested approval for item B to Transfer License No., R-20105 to Bel Paese, LLC which had been part of the Public Hearing earlier.

MR. GURRERI MOVED TO APPROVE THE TRANSFER OF PENNSYLVANIA LIQUOR LICENSE NO. R-20105 TO SALVATORE FERRANTE D/B/A BEL

PAESE, LLC FOR THE PURPOSE OF SELLING ALCOHOL AT THE RESTAURANT AT 1201 MEMORY LANE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Consideration of Letter of Map Revision – Mill Creek

SABATINI Mr. Sabatini reported that item C referred to consideration of a Letter of Map Revision from Springettsbury Township to the Federal Emergency Management Agency to re-evaluate the Mill Creek floodway. Last year the U. S. Army Corps of Engineers had submitted a detailed floodway study of Mill Creek. They had found that there were inaccuracies in the existing floodway and in the flood insurance; therefore, the flood map. This information had been reviewed by a number of engineers and the Township had been approached by James R. Holley and Associates on behalf of AWI and K/G Whiteford LP to submit to the U. S. Federal Emergency Management Agency, the agency responsible for flood plane mapping. The information prepared by the Army Corps of Engineers in an effort to receive what is known as a letter of map revision, which would potentially redraw the flood plane boundaries. According to Federal regulations any request for an LOMR must be made through the municipality. This does not mean the Township would agree or disagree. This is a pass through and part of Federal regulations. The costs for the submission fees would be paid for by Mr. Holley and/or his clients. He recommended the Board authorize staff to submit this to FEMA for their evaluation based upon the calculations provided by the U. S. Army Corps of Engineers.

SCHENCK Mr. Schenck commented that he thought the Township had agreed with the County to spend money to study Mill Creek some time ago. He asked whether that study had been completed and whether any recommendations came from it.

LUCIANI Mr. Luciani mentioned there had been a study completed and submitted.

SABATINI Mr. Sabatini indicated that a recommendation had been received up to several million dollars.

LUCIANI Mr. Luciani indicated that study does not agree with the FEMA study. The goal of this study which he learned in a meeting in Jim Holley's office is that the management at AWI wanted to expand, but they can't because they're in a flood plane and floodway. That study gave them some evidence that the flood way and flood plane are wrong and that's the purpose of the submission.

SABATINI Mr. Sabatini indicated that the original mapping is not a detailed map.

LUCIANI Mr. Luciani added that it was off by a couple of feet.

SABATINI Mr. Sabatini indicated that this was what is called a detailed study; it may be a revision to the detailed study. Apparently there is up to a seven foot elevation difference in the floodway, which is substantial. From his personal experience he was aware that FEMA maps are not always accurate.

MR. SCHENCK MOVED TO APPROVE THE SUBMISSION OF THE LETTER OF MAP REVISION REQUEST FOR THE MILL CREEK FLOOD PLANE TO FEMA FOR REVIEW AND ACTION. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Consideration of Services – Reed Smith, LLP

SABATINI Mr. Sabatini commented that the Township previously had used the services of Chris Risetto from Reed Smith, LLP to assist in securing Federal funding for wastewater activities, which had been very successful. As part of the capital budget, the Township is moving forward with a solids handling project for which additional Federal funding would be highly advantageous because of the cost of the project which is approximately $3.6 million. The Township had been able to allocate a portion of the last EPA grant towards this project, approximately $600,000. However, there is still a $3 million cost which taxpayers and other municipalities would have to bear. Funding would be sought from the EPA through the appropriations process. A proposal had been received and the estimated cost is between $50,000 and $65,000.

BISHOP Mr. Bishop asked whether there was a target from Reed Smith as to what could be gleaned for this.

SABATINI Mr. Sabatini indicated that Federal guidelines, without a waiver, limit us to 55% of the project, which is approximately $2 million. An allocation of $600,000 had already been made, which means that the Township would have up to $1.4 million which we would seek to secure, probably looking at a $1 million range for funding for this project.

GURRERI Mr. Gurreri asked about utilizing the full-time grant writer recently hired.

SABATINI Mr. Sabatini responded that this was something significantly different. The Federal appropriations process is a very labor and time-intensive process which is generally outside of the realm of all but the very most skilled people who happen to be in Washington, DC working for law firms. The intent of the grant writer was to pursue things within the state. There is significantly dramatically less likelihood of our success if this were to be pursued internally.

PASCH Mr. Pasch commented that the people at Reed Smith have access to all of the Senators and staff, and they get the message across better than one individual person here.

SABATINI Mr. Sabatini responded that a 20 to 1 return on investment had been received historically with their services. It's an appropriate use of their resources to pursue additional Federal funds for this project. This will have a significant cost benefit for the Township and an environmental benefit for the community.

GURRERI Mr. Gurreri asked whether there was any way that our Representatives or Congressmen could help.

SABATINI Mr. Sabatini stated that in this process the appropriations and the letters would be secured from Congressmen representing us, i.e. Congressman Platts and Senators Santorum and Specter, who had been very supportive of our efforts in the past. In terms of support by State lawmakers for Federal projects, as a general rule that is somewhat limited in its effectiveness, although it never hurts to have additional support of elected officials. We are in touch on a regular basis with our state representatives on other grants in pursuing other funding. For this particular project there is not the availability of this level of state funding.

PASCH Mr. Pasch pointed out that all of the other users of the plant receive the benefits of this funding, but they also share in the expenditures. Reed Smith had been so beneficial to the Township that Mr. Pasch had no problem pursuing this. The funds are still there and the Township should go after it.

GURRERI Mr. Gurreri stated he did not disagree that Reed Smith had done a good job in the past. It's a question people might ask since we have a grant writer.

MR. GURRERI MOVED TO APPROVE THE AGREEMENT WITH REED SMITH, LLP FOR LEGAL SERVICES RELATED TO THE FEDERAL FUNDING FOR THE SOLIDS HANDLING PROJECT AT A COST NOT TO EXCEED $65,000. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Other Items.

MITRICK Chairman Mitrick commented that she had received a copy of a letter from Teresa Crone from the York Daily Record informing the Township that she had resigned her position with the newspaper. Chairman Mitrick felt

the letter showed a professional approach for her to notify them and wished her well in her endeavors.

Correspondence – Frank Dittenhafer

MITRICK Chairman Mitrick had received some correspondence from Mr. Dittenhafer regarding the New Municipal Government and Police Facility and also Construction Administration Services. Mr. Stern had received a copy as well. She requested that Mr. Sabatini copy the letter for each member of the Board.

Building Identification

MITRICK Chairman Mitrick brought forward the matter of the Township identification for the front of the building. She stated she had met with Frank Dittenhafer last week and asked him for a professional opinion as to how the letters would look on the wall. He strongly encouraged us to find something different.

STERN Mr. Stern provided the original letters designed for the building.

MITRICK Chairman Mitrick indicated that Mr. Dittenhafer suggested not to select the silver letters originally provided.

GURRERI Mr. Gurreri asked to see the original drawings. He indicated he wanted to see the letters, which had already been purchased. He mentioned there were four signs for consideration. The letters seemed to be the same size.

STERN Mr. Stern provided the original drawings showing the plans for letters. He indicated there are several sets of letters available.

MITRICK Chairman Mitrick stated that during her discussion with Mr. Dittenhafer he indicated that even the same letters in a brushed bronze would look better on the front of the building. She asked whether they were stock letters, which could be returned.

STERN Mr. Stern indicated he doubted that they could be returned as they were purchased some time ago.

LUCIANI Mr. Luciani suggested that they check with the vendor to determine whether they could be exchanged for bronze.

MITRICK Chairman Mitrick stated she would like to have something that says a little more than just Springettsbury Township, i.e. “established in 1891” or something like that.

STERN Mr. Stern provided his previous drawing suggestions.

MITRICK Chairman Mitrick stated that the Board had pushed to get the lobby finished. The front of the building is another issue that needed to be finished.

BISHOP Mr. Bishop agreed.

PASCH Mr. Pasch stated he was very disturbed that the architect spec'd the letters and then indicated not to use them. As far as Mr. Pasch was concerned, simplicity to him would be the best way.

GURRERI Mr. Gurreri asked whether Mr. Pasch had looked at the letters on the wall.

PASCH Mr. Pasch responded he had not.

GURRERI Mr. Gurreri stated the letters looked better on the drawing than they look here. He stated that if those letters were chosen, they could be put up before the Open House.

MITRICK Chairman Mitrick suggested that an attempt be made to use the letters and that a check be made to determine whether the letters could be exchanged for bronze.

PASCH Mr. Pasch agreed that the other color would not show up.

GURRERI Mr. Gurreri commented that they would show up on the Police Building.

ESHBACH Chief Eshbach stated that brushed bronze letters would not show up on their building, but the silver would work okay.

STERN Mr. Stern indicated that the stone above the entrance was the same stone that was on the back.

BISHOP Mr. Bishop indicated he didn't have any problem with the bronze, but since the silver letters was the suggestion of our architect and since he caused the problem in the first place the Township should allow him to solve the problem and do the additional work and see if they can be exchanged or not. The Township clearly did exactly what the architect told us to do and now the architect was telling us to do something different. He did not think that was something that other staff people or other paid consultants ought to be doing.

PASCH Mr. Pasch agreed if it could be done by the architect in a timely manner. He would favor having someone else do it and bill the architect in order to get it done. Previous efforts to get anything else done have not met with a lot of speed.

MITRICK Chairman Mitrick agreed with Mr. Pasch. She indicated that Mr. Sabatini should decide which is the most efficient route to get it done. She asked for the consensus as to whether the brushed bronze was the Board's choice. Nobody wanted "established in 1891."

SCHENCK Mr. Schenck had made one consistent comment which was a concern about the color of whatever is put there. He is not a color expert and he could not say that brushed bronze would be the right color.

MITRICK Chairman Mitrick asked Mr. Sabatini to get sample pieces of the brushed bronze or anything else that might be appropriate. She requested that this be put on a fast track to get that done.

PASCH Mr. Pasch indicated it had been going on for a long time. He suggested that the Chair and the Manager come up with a solution and advise the Supervisors.

GURRERI Mr. Gurreri stated it should be a cheap solution.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:10 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **APRIL 26, 2001**
PUBLIC HEARING – LIQUOR LICENSE TRANSFERS **APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, April 26, 2001 at 7 p.m. at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Don Bishop
Nick Gurreri
Ken Pasch

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Don Yost, Solicitor
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the Public Hearing to order at 7:05 p.m. She announced that the Public Hearing would not be a decision-making forum, but rather an opportunity for the Board to hear from the public regarding the application for transfer of a retail liquor license into Springettsbury Township. She advised that this item appeared on the Agenda for action during the Regular Meeting scheduled for 7:30 p.m.

2. NEW BUSINESS:

A. Transfer of Liquor License No. E-3053 to MELA, LLC

SABATINI Mr. Sabatini reported that the Board of Supervisors had received a request for the Transfer of Liquor License No. E-3053 to MELA LLC, which proposed to have 3608 East Market Street license, the former Lee's Diner, to be converted into a restaurant. The license is a Limited Liability Company solely owned by Manuel Torres.

HEIM Attorney Larry Heim requested that the other application be heard first inasmuch as Mr. Torres had not yet arrived at the meeting.

SABATINI Mr. Sabatini asked how the application had been advertised.

MITRICK Chairman Mitrick responded that each had been advertised separately.

B. Transfer of Pennsylvania Liquor License No. R-20105 to Bel Paese, LLC

SABATINI Mr. Sabatini reported that a request for the Transfer of License No. R-20105 had been made by Salvatore Ferrante doing business as Bel Paese, LLC. Mr. Ferrante sought to have the license transferred from Mackley's Mill, Inc. to the facility at 1201 Memory Lane, currently a restaurant desiring to service food and alcohol as well. A copy of the application had been provided, which indicated rare instances of disturbances. The percentage of food sales would be 70% to 80%.

HEIM Attorney Larry Heim represented the applicant along with Attorney Peter Mangan. Attorney Heim introduced Mr. Salvatore Ferrante.

FERRANTE Mr. Ferrante advised that his business was located at 1201 Memory Lane in York. The name of the Italian restaurant is Bel Paese. He had been in operation for 10 plus years. Mr. Ferrante explained that he had entered into a contract to purchase the liquor license, No. R-20105, from Mackley's Mill, Inc., currently held in safe keeping and previously located in Hellam Township. He explained that upon rare occurrences a patron would get happy as a result of drinking alcohol. He added that the ability to sell alcohol would be important to him first for the financial gain, and secondly a glass of wine should be offered with an Italian meal. The restaurant had been designated "Best Restaurant in York" several times in several publications unsolicited. The restaurant had allowed patrons to bring their own bottles, and the servers had provided glasses and opening service.

HEIM Attorney Heim asked whether Mr. Ferrante had been informed of the TIPS Program (Training for Intervention Procedures) as well as the PLCB Program of Responsible Alcohol Management.

FERRANTE Mr. Ferrante responded that he had received that information.

HEIM Attorney Heim asked whether it was Mr. Ferrante's desire to participate in the programs.

FERRANTE Mr. Ferrante stated that he would participate in any program that would help him.

SCHENCK Mr. Schenck asked about the current situation allowing the carrying in of alcohol and whether the state had to provide a license to do that as well.

FERRANTE Mr. Ferrante indicated that it was permitted if the restaurant derived no profit.

HEIM Attorney Heim stated that PLCB only regulates licensees. The Tavern Association had been advocating townships and municipalities to pass BYOB ordinances, which several had done.

PASCH Mr. Pasch stated that he was uncomfortable with the entire procedure. The Liquor Control Board normally does all the research and the background work when a license is requested. Mr. Pasch felt the LCB was more qualified to do so.

YOST Solicitor Yost indicated they have to approve the transfer, but the municipality is required under Act 141 to hold a Public Hearing and make a recommendation either for approval or disapproval of the transfer.

HEIM Attorney Heim added that the township or municipality action is required prior to the submission of an application. The Township's approval does not mean that it would be approved by the LCB; rather a preceding condition that must be processed. The Township Ordinance must accompany the application.

GURRERI Mr. Gurreri asked whether any type of bar would be put in.

FERRANTE Mr. Ferrante stated that the only reason he had pursued this avenue was it was a necessity for his business. The restaurant had become better known, and it's a nice restaurant. He stated he is more interested in making his money with food and does not want to be in the alcohol business. He added he did not plan to raise his prices.

MITRICK Chairman Mitrick asked for comments from others in the room. Hearing none, she adjourned the discussion regarding Pa. Liquor License No. R-20105. She re-stated that the item would be acted upon during the Regular Meeting.

Y**OST** Solicitor Yost explained that the Board had adopted a Resolution fixing a $500 application fee plus the cost of advertising the notice

of the Public Hearing. He stated that the applicant will receive a bill.

MANGAN Attorney Peter Mangan commented that they had not filed for the LLC at this point depending on the outcome of the Public Hearing. Business is being conducted as Bel Paesse, but the LLC had not yet been filed. The contract would be assignable.

SABATINI Mr. Sabatini questioned whether a disclosure was needed. It was submitted as an LLC.

YOST Solicitor Yost responded that Act 141 and good practice would dictate that it would be the ultimate user of the license who would be the applicant and who would be approved. The procedure would approve the transfer of a license to a specific transferee.

MITRICK Chairman Mitrick adjourned the Public Hearing and announced the second Public Hearing would begin again in 30 seconds.

A. Transfer of Pennsylvania Liquor License No. E-3053 to MELA, LLC

MITRICK Chairman Mitrick opened the subject of the second liquor license transfer, item A. She stated the purpose was to discuss the application for transfer of a retail liquor license into Springettsbury Township.

SABATINI Mr. Sabatini asked whether Mr. Manuel Torres was present to speak. He was, and Mr. Sabatini indicated that he had submitted an application on behalf of MELA LLC, a recently-formed PA Limited Liability Company, solely owned by Mr. Torres. He sought to have Liquor License No. E-3053 transferred to open a premises located at the former Lee's Diner, 3608 East Market Street. The restaurant is not currently in operation and had been purchased recently by the applicant with the intention of operating a restaurant with a liquor license. Mr. Sabatini indicated there was nothing out of the ordinary with the license application. The percentage of gross sales was consistent with 80% food, 20% alcohol. There were no issues relating to disruptive and unruly patrons.

HEIM Attorney Heim represented Mr. Manuel Torres, the applicant.

TORRES Mr. Manuel Torres identified himself as the owner of El Serrano Restaurant, 3410 East Market Street, York, PA. He has operated that restaurant for 12-1/2 years. Current practice in the restaurant allows patrons to bring their own bottles of alcohol into the restaurant. He had never had any problems within El Serrano due to unruly or disruptive conduct. He has owned another liquor license for eight years in Lancaster, PA for another facility. That license had never been suspended or revoked. Mr. Torres stated that he purchased the former Lee's Diner for the purpose of providing a restaurant and bar, primarily for the food business – 80% food, 20% liquor.

HEIM Attorney Heim asked Mr. Torres whether he was currently under contract to purchase Pennsylvania Liquor License E-3053 from 225 North Front Street, Inc.

TORRES Mr. Torres responded that was correct.

HEIM Attorney Heim commented that the purchase would be contingent upon the approval of the Township and the Liquor Control Board.

TORRES Mr. Torres responded that was correct.

PASCH Mr. Pasch asked whether Mr. Torres planned to move El Serrano to the new location or keep both places.

TORRES Mr. Torres responded that his current plan is to keep both places open.

SCHENCK Mr. Schenck asked whether the new location would be a restaurant.

TORRES Mr. Torres responded that his plan included rotisserie chicken with beer.

PASCH Mr. Pasch asked whether there would be any difference in the parking requirements from a restaurant to bar and restaurant.

SABATINI Mr. Sabatini indicated he did not think so.

YOST Solicitor Yost responded the requirement is determined by seating capacity. He added a Land Development Plan would have to be filed if there would be any extensive modification to the building or the seating capacity.

MITRICK Chairman Mitrick asked about the rotisserie chicken concept.

TORRES Mr. Torres responded that his plan was similar to El Serrano but a type of Spanish rotisserie theme with ribs and Spanish dishes.

MITRICK Chairman Mitrick asked what percentage would be carry out.

TORRES Mr. Torres responded that it would be handled the same way he has it now at El Serrano, about 5%. He projected it might be about 10% for the new restaurant.

MITRICK Chairman Mitrick asked whether his focus would be in-house seating.

TORRES Mr. Torres responded that was correct.

MITRICK Chairman Mitrick asked for questions from the public. Hearing none she advised that the item appeared on the Agenda for action during the Regular Meeting which would begin in a few minutes.

3. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 7:30 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **APRIL 12, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 12, 2001 at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania at 7:30 p.m.

MEMBERS IN ATTENDANCE: Bill Schenck, Vice Chairman
Ken Pasch
Don Bishop
Nick Gurreri

MEMBERS NOT IN ATTENDANCE: Lori Mitrick, Chairman

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Buchart Horn, Inc.
John Luciani, First Capital Engineering
Mike Myers, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Jack Hadge, Director of Finance
Mark Hodgkinson, Wastewater Treatment Superintendent
Charlie Lauer, Maintenance Department
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

SCHENCK Vice Chairman Bill Schenck called the meeting to order at 7:30 p.m. He stated that Chairman Lori Mitrick was unable to be present for the meeting and sent her regrets, especially with the activities planned for the evening.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

2. COMMUNICATIONS FROM CITIZENS:

A. Recognition of R. Bruce Bainbridge

SCHENCK Mr. Schenck brought forward Resolution 01-27, Recognition of R. Bruce Bainbridge.

MR. PASCH MOVED THAT RESOLUTION 01-27 HONORING BRUCE BAINBRIDGE BE APPROVED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

1) Presentation by Board of Supervisors

SCHENCK Mr. Schenck called Mr. Bainbridge forward for recognition. He stated that Mr. Bainbridge had done a great service for the Township and for the citizens of Springettsbury Township through his work in the Recreation Department. He thanked Mr. Bainbridge for his many contributions to the Township.

SCHENCK Mr. Schenck read Resolution 01-27, Recognition of R. Bruce Bainbridge.

PASCH Mr. Pasch presented Mr. Bainbridge with a watch and thanked him for his dedication and service.

2) Presentation by Pennsylvania Parks & Recreation Society (Bruce McFate, President and Bob Griffith, Executive Director)

SCHENCK Mr. Schenck introduced Mr. Bob McFate, Pennsylvania Parks and Recreation Society for a presentation.

McFATE Mr. McFate thanked the Township, on behalf of the Society, for allowing them to honor Mr. Bainbridge with this award. He stated that Mr. Bainbridge had been part of an 1800 member organization of professional representatives throughout the State of Pennsylvania since 1970. Mr. McFate itemized all of the many committees on which Mr. Bainbridge had served, as well as the awards and honors he had received. He presented a Certificate of Honorary Membership to Mr. Bainbridge in recognition of his outstanding contributions to recreational parks.

BAINBRIDGE Mr. Bainbridge thanked Mr. McFate for the honor. He indicated he felt humbled by all the activities of the evening. He stated he would miss the people of Springettsbury Township, which he referred to as his extended family. He commented that he always enjoyed going to work. Mr. Bainbridge received a standing ovation from those in attendance.

SCHENCK Mr. Schenck thanked everyone in attendance and stated that the Township and citizens of Springettsbury Township had been very grateful for the service that Mr. Bainbridge had provided in an award-winning program.

B. Other Items:

Rutter's Store – Adjacent Land

FREY Mrs. Margaret Frey, 619 Arsenal Road spoke about a parcel of land, which she referred to as "swamp land" at the corner of Rutter's Store. She indicated she had met with Mr. Sabatini regarding this land.

SABATINI Mr. Sabatini responded that Penn Dot was still working their way through that issue.

FREY Mrs. Frey asked who was responsible for the land.

SABATINI Mr. Sabatini asked Mr. Lauer whether or not the land had been officially declared part of Springettsbury Township.

LAUER Mr. Lauer responded that it had been turned over to the Township, but nothing had been received in writing.

SABATINI Mr. Sabatini added that he had spoken with Mr. Kennedy from Penn Dot to learn the status.

FREY Mrs. Frey commented that Mr. Argento might be interested in the property but had not yet committed to purchasing the land. It continued to be used by Rutter's customers as a parking lot with tractor trailers. Penn Dot had erected No Parking signs and wrapped the area. She reported that there are stones and mud on the roadway. However, she felt it should not be used unless it would be improved. She expressed concern that if no one claims ownership, it could remain like this forever. Meanwhile she stated that the ground sinks about a foot with every rain.

YOST Solicitor Yost responded that typically Penn Dot takes rights-of-way. They did not take a right-of-way to build that new street. They took fee simple title to the property, so they are the owner of the real estate, not just the right-of-way. There is provision in the PennDot Transportation Code that permits PennDot to release rights-of-way back to municipalities. That does not give the Township title to the parcel of land being used for parking. The Township must have ownership with a deed to the land before anything can be done. The deed had been requested three or four months ago, but has not been received.

FREY Mrs. Frey indicated that she had called PennDot in the past, which had resulted with the No Parking and fencing.

YOST Solicitor Yost stated that the right-of-way itself is in tact. The Township can take care of the road, but the problem involves the residual lot. The Township is willing to accept an interest in it, but it had not been provided to date.

SCHENCK Mr. Schenck stated that the Board had agreed a long time ago to take ownership of that piece of land from the state in order to do what is necessary. He emphasized that legally nothing could be done until then. He suggested that the Township make contact with Charlie Webb at PennDot.

FREY Mrs. Frey stated that Mr. Webb was the person she had been in contact with previously.

SABATINI Mr. Sabatini stated that this matter would have to go through the state office for release of the property transfer.

GURRERI Mr. Gurreri indicated he had spoken with Mr. Argento, who expressed interest in purchasing the land.

SABATINI Mr. Sabatini stated that a land transfer from the state to a municipality would not be a fast process. He will continue to follow up.

FREY Mrs. Frey indicated she would contact Mr. Webb as well.

York Waste Disposal Report

CLAGHORN Mr. Dave Claghorn provided a monthly report of waste collection in the Township. At this point the overall service to the Township remains good. The large item collection is scheduled for April 23, and had been advertised.

PASCH Mr. Pasch asked whether that the large item collection would be made on the same day as the resident's normal pickup.

CLAGHORN Mr. Claghorn responded that was correct.

SCHENCK Mr. Schenck commented that he had received no complaints about the service.

1. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

East/West Interceptor Upgrade

SCHOBER Mr. Schober reported that the East/West Interceptor Project was moving along quickly with the contractor on board. Agreements and

paperwork had been processed. The equipment will be delivered on Monday and Tuesday, April 16 and 17 in anticipation of beginning construction the following Monday. All permits are in place. Norfolk Southern had submitted the license agreement to the PUC to file.

Raw Pump Drives

SCHOBER Notice to Proceed had been issued on the Raw Pump Drives project, and the contract is scheduled to be done October 6th, 2001.

B. Civil Engineer – First Capital Engineering

North Hills Road Railroad Project

LUCIANI Mr. Luciani supplied one addition to his written report. On North Hills Road, the Public Utility Commission needed to provide approval for the grade crossing. He and Mr. Lauer met in the field today. A formal hearing will not be necessary. A memo was written on approving the change of material. Mr. Luciani commented that this procedure had not been necessary on the Memory Lane project. The PUC will write an order within a week so that there's no holdup. Mr. Luciani received the detour plan from Ray Britcher of PennDot. He had provided copies of that to Messrs. Sabatini, Lauer and Hadge. The project will be done during the week of April 23rd. He will be in contact with the detour people. Material will be stored on site.

PASCH Mr. Pasch commented that the Police Department should be notified.

LUCIANI Mr. Luciani indicated that some problems had been anticipated with the number of trucks using that roadway. The Township was requested to supply some police support early in the construction.

SCHENCK Mr. Schenck asked whether the detour plan included all the way back to Market Street.

LUCIANI Mr. Luciani indicated that was correct. Specific detour instructions will be shown at North Hills and 30 with digital board signs indicating a detour; at Memory Lane and 30 a sign will indicate that North Hills Road is closed going southbound; and on Market Street and on Industrial Highway warning signs will be displayed.

Hallam Township – Liquid Fuels

PASCH Mr. Pasch asked about Hallam Township's concern for the storm water basin. A shared maintenance agreement had been suggested for the roadways in and around the development. Mr. Pasch stated that Mr. Stern felt the Township could not develop such an agreement because of restrictions from liquid fuels. Mr. Pasch asked for an explanation. He commented that the state was encouraging

Springettsbury to have mutual agreements with other Townships. He wondered how the liquid fuels restriction could affect the agreements. He asked whether Mr. Stern felt that the state was putting a roadblock in the way of doing some of the mutual agreements.

STERN Mr. Stern responded that there were several issues. The general consensus was that an agreement was not necessary because the two townships could work this out. Mr. Stern provided a scenario relating to snowplows turning around in other townships. Secondly, the developer wanted an agreement in writing, which was not his place to negotiate what the townships should do. Liquid fuels was a component of that but was not the only reason. Mr. Stern added that matters of this nature also involved other surrounding townships as well, such as York Township, Windsor Township and Spring Garden.

LUCIANI Mr. Luciani commented that there had been a joint meeting with Hallam Township and Springettsbury Township to see how the Greystone development plan fit into both townships. A number of issues impacted Hallam Township. The issue of road maintenance had been discussed because five of the homes are in Hallam Township and 57 are in Springettsbury Township. The matter of reimbursement for liquid fuels was discussed. There are sewer impacts as well. Mr. Luciani stated that a gentleman's agreement existed.

PASCH Mr. Pasch agreed that the solution appeared to work well. However, he suggested that Mr. Sabatini review the matter as it related to the state and inter-municipal agreements.

SABATINI Mr. Sabatini reported that there are cases where it may be more cost effective to do the full road maintenance. Currently the state law will reimburse for the maintenance of streets within the township.

Plymouth Road Project

GURRERI Mr. Gurreri asked whether the permit for Plymouth Road had been received.

LUCIANI Mr. Luciani responded that the permit had been received. The project is moving forward with no bureaucratic holdup at this point.

C. Design Engineer – Rummel, Klepper & Kahl

Pump Station

MYERS Mr. Myers reported that the final testing of the communications system for the pump station was successfully completed. City officials, as well as Jim Crooks of Springettsbury Township were there to witness it the testing. The pump station is now communicating, not

only with the York City plant, but also the Springettsbury plant as well. Allan Myers planned to come back this week to do the final grading and paving, but the weather did not cooperate. Currently they are scheduled to do that final work next week.

SCHENCK Mr. Schenck asked whether the pump station had been utilized with the recent weather conditions.

MYERS Mr. Myers responded that the wet weather flows were not high enough to really warrant it being turned on.

D. Park Design – YSM

YOST Ms. Yost reported that a combined meeting had been held on March 21 with the Rec Board and the Board of Supervisors for discussion of the park project. At that meeting a cost estimate for the park was indicated, based on some alternates that had been defined, with a budget of $3.7 million to revise, renovate and further develop the Township park. Some clear direction had been given, along with a few outstanding items to be determined. Two items were determined to be base bid. One would be the street hockey rink and the other will be the sidewalks and curbing along the municipal roads where they do not currently exist. The additional piece of direction was bring the project cost back to $3 million. Ms. Yost reported that work was done with Kinsley to derive some cost estimates done by their firm. The amounts she received were $200,000 less in site work and $100,000 less on the building. Ms. Yost determined that due to the process, along with Kinsley's expertise in certain areas, YSM's numbers were used for the purposes of Board discussion. Ms. Yost explained that the total project, as it was conceived, was still at $4.782 with items defined as deduct alternates or Phase II items, a strategy decision from the March 21st meeting. She had provided a fold out map referring to Phase I and Phase II items. She stated that there were several pluses utilizing the phasing, such as the fact that the Shipley field will not be disturbed. The existing tennis courts do not need to be torn out. If they are moved to the next phase, the existing ones will still be in place and people will still have that activity happening in the park. The top of the site was segregated as Phase II and the bottom of the site as Phase I.

GURRERI Mr. Gurreri asked about regrading the whole park. If the tennis courts are in place, that whole park could not be done.

YOST Ms. Yost indicated that was correct in that the grading would only be done on half the park.

GURRERI Mr. Gurreri indicated he thought it would be foolish not to re-grade the park all at one time.

YOST Ms. Yost responded that it would depend on having large enough areas to work with.

YOST Ms. Yost stated that Phase I of the project will be $3.2 million. She explained the items listed in her handout to the Supervisors. The items earmarked for Phase II included the infra structure north of the amphitheater, tot lot and youth playground, the midway and associated walkways and lighting, baseball field dugouts, demolition (assuming the township could move ahead with those items defined), box lighting instead of the previously planned lighting, and installation of sports field lighting at this time. Conduit will be installed for future installation. The football field and Little League field at the amphitheater will not be renovated at this time along with the picnic pavilion and walkway at the crest of the hill and the tennis court area parking. Review of the sketch indicated that the items could still be part of the bid package as alternates. It was suggested the football and baseball fields in the center of the site in the volleyball courts at a minimum would be alternates. If Kinsley's numbers are right, and there is some extra money, those will go in and the phase line would be moved up a little higher on the site. Ms. Yost focused on the last page of the handout showing a schedule dependent upon favorable decisions from the Board. She suggested that the schedule be maintained, which showed a May 8th 100% completion date for the project manual, construction drawings and going through the bidding process, having a Notice to Proceed by July 9, 2001. To push it any further than that we will jeopardize the field seeding for the athletic fields.

GURRERI Mr. Gurreri indicated he would prefer the piece meal procedure, which could be done for a park but not for a building. He added that some of the items could be done by the Township and save money. He asked whether the Township could do the dug outs.

YOST Ms. Yost responded that had been discussed as one strategy. Dugouts in any case are accommodated in the design. They can be put in now or in the future.

GURRERI Mr. Gurreri commented that costs were noted for DUG outs to be done by YSM and an engineer. He thought that would be spending money twice and asked why our in-house engineer, John Luciani, couldn't be used for that function.

YOST Ms. Yost responded that the project should be put out as one package. There are infra structures as part of this, and civil engineering is a part as well. It's all one site and there are economies in putting this out as one package. You'll have multiple prime contracts but the largest contract is going to be the site contract.

SABATINI Mr. Sabatini asked how the changes would affect Addendum No. 1 as far as the architectural services.

YOST Ms. Yost suggested to approve the Addendum, and have YSM design all those things. When Phase II begins, the design work is done. She suggested that she and Mr. Sabatini could sit down and initial items to be removed at a later time and placed in Phase II.

BISHOP Mr. Bishop asked what she needed from the Board in terms of the documents she had distributed.

YOST Ms. Yost responded that an approval was needed as to the strategy. YSM had been directed to come back at $3 million and had done that. Compromises had been made. They had drawn the Phase II line in a way that was the least piece meal as possible and made the most sense. She added that a decision needed to be made quickly, as they had three weeks to finish the drawings.

BISHOP Mr. Bishop stated that YSM had been very responsive to the Board's input.

GURRERI Mr. Gurreri favored the second phase, which would enable the addition of more land, provided additional properties could be purchased.

PASCH Mr. Pasch asked whether there was any magic number of alternates that should be included or not.

YOST Ms. Yost responded that she would at least like to cover Kinsley's numbers. She planned to remove the bond mobilization and layout, and Kinsley was basically $200,000 less than YSM. They take a catalog number and put a multiplier on it for installation so YSM's numbers are as good as a guess. There's still some flux in there. She was not real comfortable with the architecture numbers yet.

PASCH Mr. Pasch asked where the two alternates should be.

YOST Ms. Yost responded that she thought the two should be the sand volleyball courts and renovating the existing football field and baseball field indicating the raising of the Phase II level.

BISHOP Mr. Bishop asked whether there would be a risk in terms of the grading as there might not be enough material there.

YOST Ms. Yost responded that the whole process was to stay as close to finish grade as possible.

BISHOP Mr. Bishop commented that they weren't planning to take a whole lot from the top and put it at the bottom.

YOST Ms. Yost added that within the next three weeks they will review that and put that into the contingency numbers.

SABATINI Mr. Sabatini indicated that the board needed to consider the utilization of the Public Works Department. If that were to be the case, the work should begin very quickly.

BISHOP Mr. Bishop responded that he would not be comfortable with making a decision to move ahead before reviewing a bid.

SABATINI Mr. Sabatini stated that they would not be able to do the demolition work if they had to wait until the bids were reviewed.

BISHOP Mr. Bishop indicated that in that case the Township involvement should be removed.

SABATINI Mr. Sabatini indicated that was the feedback he needed. The Board had approved an aggressive road project list, which will require Public Works attention.

SCHENCK Mr. Schenck commented that even though there are alternatives, he did not think there would be any risk to putting the demolition work in as an additional item.

YOST Ms. Yost responded that it would confuse the documents as they go out to bid. It could be rolled into an Addenda.

PASCH Mr. Pasch questioned whether a contingency was included for anticipated changes.

YOST Ms. Yost responded that contingency dollars are still in the $3 million. There are still contingency dollars in the project totals.

PASCH Mr. Pasch asked whether it was 10% more or less.

YOST Ms. Yost responded that it was 10% at 60% documents and 5% at 90% documents, which had been presented. She added that the decision to be made was as simple as defining what the bid form looks like. The decision to approve our change order to do all the alternate work could be made later. YSM will design the whole thing and then it's basically a matter of meeting with Mr. Sabatini as we put together a bid form and define the alternates. It becomes a bid form item.

GURRERI Mr. Gurreri stated that if a bid is received and it's more than $3 million things could be taken out.

YOST Ms. Yost responded that the budget will be targeted with the base bid, but the flexibility is there in add or deduct alternates.

SCHENCK Mr. Schenck asked what exactly would the Board be approving.

BISHOP Mr. Bishop responded that there wouldn't be anything actually approved. What the Board would be indicating was that the phasing concept made sense and to move forward.

YOST Ms. Yost indicated that their approval tonight basically would keep the project here with the Board. The alternates had been presented, and if the Board approved this, this is how the bid form will be put together.

SCHENCK Mr. Schenck stated that the only alternate he would be interested in is the demolition work.

BISHOP Mr. Bishop questioned whether or not the alternates, which add costs to the project up to $5 million should be placed into a bid. The contractor would submit bids on items the Township would have no intention of doing.

YOST Ms. Yost responded that all of that portion would be listed as alternates, defined as Phase II. The base bid needed to be targeted. In terms of the YSM work, the contract was to design the whole project.

BISHOP Mr. Bishop indicated he would like to continue with the schedule that had been presented. Even if that meant something else would be sacrificed, he would be willing to pay that price.

GURRERI Mr. Gurreri stated he would like to see as much done in-house as possible.

SCHENCK Mr. Schenck asked whether there was a consensus to give the direction to proceed with what Ms. Yost had presented with the understanding

that there'll be some meetings with Mr. Sabatini and the staff to fine tune the document.

PASCH Mr. Pasch indicated agreement with the exception of the of indicating only two alternates. A lot of confusion will be created with 10 or if you've got 10 or 12 alternates.

SABATINI Mr. Sabatini stated that the Board needed to act on the Addendum.

F. YSM – Addendum #1: Additional Park Design Services ($29,250.00)

SCHENCK Mr. Schenck suggested that item F be acted upon at this point on the agenda. He stated he was in agreement with the discussion. He was not opposed to approving the Addendum at a not-to-exceed price, and allow the staff to manage the expenses within that Addendum.

BISHOP Mr. Bishop commented on just the design, which should be designed once then the design drawings are secured. If, for example, the Sertoma Club comes forward and says they want to build a baseball dugout, he plans could be provided with an approval to proceed.

BISHOP Mr. Bishop asked about the construction management services of R.K.& K.

YOST Ms. Yost indicated that work was to be done to get to the point of Notice to Proceed, but it would not be during construction.

MYERS Mr. Myers added that the work covered not only construction management services, but also a constructability review, which is a review of the contract to make sure there are no issues down the road during construction.

STERN Mr. Stern commented that one of the biggest problems with this project was that there were things missing from the contract which would provide any ability to make the contractors stick to the contract. What they had done was to review the specs and contracts to be sure that what's in there would be enforceable. That's a million times more important than the actual construction.

YOST Ms. Yost added that R.K.& K. was acting as a sub-consultant to YSM, and they had worked that out as an up front process. She stated that some of the money would probably be lower because part of their fee was to review the 60% and then the 90% construction documents. However, the process was way beyond that.

BISHOP Mr. Bishop asked whether they had done any work on the process to date.

YOST Ms. Yost indicated that they have not because they had not been authorized to do anything.

GURRERI Mr. Gurreri asked whether Public Works would continue to provide maintenance for the park.

SABATINI Mr. Sabatini stated he would assume so.

GURRERI Mr. Gurreri commented that Public Works should be involved in the planning process.

SABATINI Mr. Sabatini assured Mr. Gurreri that Mr. Lauer had been involved in a number of park planning meetings.

MR. GURRERI MOVED TO APPROVE YSM ADDENDUM #1 IN A NOT-TO-EXCEED AMOUNT OF $29,250. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

2. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of April 12, 2001.
B. Murphy & Dittenhafer – Progress Billing - $186.73
C. Buchart Horn, Inc. – Project Invoice No. 10 – Solids Handling Improvements - $11,131.79

PASCH Mr. Pasch questioned the $2,500 item designated as Board of Supervisors Materials.

SABATINI Mr. Sabatini responded that covered the reception for Mr. Bainbridge.

PASCH Mr. Pasch commented that the work that Mr. Hadge had done to provide budget and accounting information was well done. He added that the salary information was easy to read. There appeared to still be some work to be done on employee benefits, but overall he was very pleased.

SABATINI Mr. Sabatini responded that Mr. Hadge had done a very nice job in bringing the Finance Department to its current high level.

MR. GURRERI MOVED TO APPROVE ITEMS A THROUGH C AS PRESENTED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

3. BIDS, PROPOSALS AND CONTRACTS:

A. Shannon Smith Electrical – Change Order #14 – New Building – CREDIT $6,338

SABATINI Mr. Sabatini commented that item A covered a Change Order to move some speakers in the meeting rooms, install a three-way switch in the conference room and delete the card readers.

SCHENCK Mr. Schenck pointed out that the item was a credit.

GURRERI Mr. Gurreri commented it was nice to see a credit for the first time since he had been on the Board.

MR. GURRERI MOVED TO APPROVE SHANNON SMITH ELECTRICAL CHANGE ORDER #14 IN THE AMOUNT OF $6,338. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

GURRERI Mr. Gurreri asked Mr. Sabatini to provide him with the amount spent on the new building, what was spent on the Police Department and the farmhouse, and the Change Orders to get an idea of the total project costs.

SABATINI Mr. Sabatini agreed to do so.

B. Shannon Smith Electrical – Change Order #15 – Police Building - $344

SABATINI Mr. Sabatini explained that item B covered the addition of a telephone jack and receptacle in a new office formerly housing the bathroom in the police station.

MR. PASCH MOVED THAT CHANGE ORDER #15 TO SHANNON SMITH ELECTRICAL BE APPROVED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. East Coast Contracting – Change Order #9 – Police Building and New Building - $7,562

SABATINI Mr. Sabatini stated that item C covered installation of snow guards on both buildings. He explained that the roof is a seamed metal roof and when snow begins to melt it comes off in sheets endangering some of the air conditioning condenser units and piping. The snow guards will prevent the snow from sliding off in sheets.

SABATINI The second item was to complete the conversion of the bathroom into a new office area, an addition of $1872.00.

BISHOP Mr. Bishop asked whether Mr. Sabatini would consider the changes that were required to the roof with snow guards were made as a result of the Board changing its mind about anything. He asked whether that would be characterized as a design flaw or an oversight.

SABATINI Mr. Sabatini responded that he had not seen a seamed metal roof that did not have snow guards installed specifically for that purpose. He added that there might have been a design flaw, but he would not qualify himself as an expert.

BISHOP Mr. Bishop indicated that the Township had not asked them to change the pitch of the roof or the type of material or anything.

SABATINI Mr. Sabatini indicated that was correct.

BISHOP Mr. Bishop asked if he could safely assume that we have absolutely no recourse against anyone for not anticipating that problem other than to forcefully state the fact in the Minutes that whoever designed it didn't design it well.

YOST Solicitor Yost responded that was essentially correct.

MR. BISHOP MOVED TO APPROVE CHANGE ORDER #9 EAST COAST CONTRACTING IN THE AMOUNT OF $7,562.

PASCH Mr. Pasch commented that the amount must be approved in spite of the fact that it should have been in the original design.

MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. East Coast Contracting – Change Order #10 – Police Building - $469.20

SABATINI Mr. Sabatini commented that Change Order #10 covered the addition of 240 feet of vinyl cove basin areas that were not in the original design.

MR. BISHOP MOVED TO APPROVE EAST COAST CONTRACTING CHANGE ORDER #10 IN THE AMOUNT OF $469.20. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Philips Brothers Electrical Contractors, Inc. – Diversion Pumping Station: Reduction in Retainage

SABATINI Mr. Sabatini explained that the reduction in retainage request from Philips Brothers Electrical Contractors to drop from 5% to 2-1/2%.

Currently $21,122 is being held. R. K. & K. concurs, and they believe that all work will be completed shortly.

MR. GURRERI MOVED TO APPROVE THE REDUCTION IN RETAINAGE REQUEST FROM PHILIPS BROTHERS ELECTRICAL CONTRACTORS FROM 5% TO 2-1/2%. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. YSM – Addendum #1: Additional Park Design Services ($29,250.00)

This item had been previously acted upon.

G. Carl Beasley Ford – 2001 4x4 Pickup Truck - $29,620 (Includes Trade-In)

SABATINI Mr. Sabatini commented that, as part of the Capital Budget, the Township had included three vehicles to be purchased by Public Works. The first was a 2001 4x4 Pickup Truck. Low bid was from Carl Beasley Ford for $29,620 including the trade in.

MR. PASCH MOVED TO APPROVE THE PURCHASE OF 2001 4x4 PICKUP TRUCK FROM CARL BEASLEY FORD IN THE AMOUNT OF $29,620 INCLUDING THE TRADE IN OF THE EXISTING VEHICLE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. Carl Beasley Ford – 2001 4x4 17,500 GVW Crew Cab with Utility Body - $47,805

SABATINI Mr. Sabatini indicated that the low bid for item H was received from Carl Beasley Ford in the amount of $47,805.

MR. GURRERI MOVED TO ACCEPT THE BID FROM CARL BEASLEY FORD FOR A 2001 4x4 CREW CAB PICKUP TRUCK UTILITY BODY IN THE AMOUNT OF $47,805. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

I. Freightliner of Harrisburg – 2001 39,000 GVW Dump Truck - $73,519 (Includes Trade-In)

SABATINI Mr. Sabatini explained that the low bid for item I had been received from Freightliner of Harrisburg in the amount $73,519 including the trade in.

MR. BISHOP MOVED TO ACCEPT THE BID FROM FREIGHTLINER OF HARRISBURG FOR A 2001 39,000 GROSS VEHICLE WEIGHT DUMP TRUCK IN THE AMOUNT OF $73,519 INCLUDING TRADE IN. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. SUBDIVISIONS AND LAND DEVELOPMENT:

A. Rezoning Request – Leonard Bentivegna – Eastern Boulevard between Mills Street and Moul Street (preliminary review to either reject or send on to Planning Commission).

STERN Mr. Stern explained that the Rezoning Request covered land off Eastern Boulevard between Mill Street and Moul, which is currently a grass field. The request would re-zone it from an R-2 Medium Density Residential zoning district to an O – Professional Office zoning district. Mr. Stern explained the process.

STERN Mr. Stern commented on the second concern that Eastern Boulevard is the line separating the districts. He added that this may be a matter for the Zoning Hearing Board to review for a variance. Mr. Stern cautioned the Board that rezoning from residential to non-residential is something that should be taken extremely seriously and granted only in extremely rare circumstances. Mr. Stern provided a map of the area involved. Mr. Stern recommended denial for rezoning and recommended sending it to the Planning Commission for review.

PASCH Mr. Pasch commented that the land was still one parcel having a dedicated road.

LUCIANI Mr. Luciani asked Solicitor Yost whether this land would constitute as a separate parcel.

YOST Solicitor Yost responded that the other parcel would be included for determining lot percentages. It is a defacto subdivision, and under no circumstances would the west parcel be considered part of the tract of land for development of the parcel being asked to be rezoned.

PASCH Mr. Pasch asked what the zone was across Mill Street where there is property below the school.

STERN Mr. Stern responded that it was Residential.

PASCH Mr. Pasch asked whether that property was owned by the school.

STERN Mr. Stern responded it was an LIU school property.

PASCH Mr. Pasch stated that they own it but that would not mean they could not sell it. Mr. Pasch questioned the fact that if one piece of property was rezoned, I would think there would be a lot of pressure to re-zone the properties on the east and west sides of the property.

STERN Mr. Stern indicated he would not know whether the school had any interest.

PASCH Mr. Pasch commented that there was no question that from Eastern Boulevard coming from Haines Road all the way down on Eastern Boulevard it is a commercial or office zone.

GURRERI Mr. Gurreri stated that it seemed like a natural place to put it.

STERN Mr. Stern indicated one of his concerns was that the rezoning will spread.

BISHOP Mr. Bishop stated that the desire for re-zoning requests will spread, and if the Board would decide to do this, it would not give anyone else rights to rezone other adjacent property. It still ends up with the legislative authority of the Board. He added that the Board needed to decide whether to hear arguments about the merits of this case, or whether to decide to send it forward or not.

PASCH Mr. Pasch commented that a decision should be made as to whether there is merit in forwarding it to the Planning Commission. He asked how the Board could decide whether there is merit in sending it on to the Planning Commission if it does not even look at the merits.

BISHOP Mr. Bishop responded that simply the fact that Mr. Pasch had questions indicated to him that there was enough merit to send it to the Planning Commission. It would be stated that there were interesting enough questions that it should be examined thoroughly.

PASCH Mr. Pasch stated that would be the way he would like it stated. Some interesting questions should be examined thoroughly rather than saying there is merit to sending it to the Planning Commission. There would be no implied merit or approval or anything else by doing so.

YOST Solicitor Yost commented that the purpose of the policy was two-fold. One was not to waste the Board's time with something that was dead on arrival, and to not incur the cost of a Public Hearing.

SCHENCK Mr. Schenck stated that the policy was adopted for good reason. The Board would simply indicate to move the matter on to the Planning Commission and allow the normal process to take place. If that process comes back with a recommendation then the Board could act on it.

KATHARMAN Attorney Katharman stated that the applicant was fully aware of the

procedure.

SCHENCK Mr. Schenck asked whether there was enough consensus that we feel we want to move it on to the Planning Commission.

KATHARMAN Attorney Katharman introduced three generations of the Bentivegna family. Mr. Jack Bentivegna, his son, Dr. Lee Bentivegna, the applicant, a dentist practicing in the Township for two decades, and his two sons, Jack, a dentist with him, and Len. He also introduced Tim Debes of Nutec and Mike Scarborough of Nutec.

KATHARMAN Attorney Katharman commented on the merits of every re-zoning request to stand alone. He indicated that somewhere at a time in the past, the Township granted to Collins Wagner the right to have an office here, which they have maintained for many years. The entire other side of the street is commercial or office. Another has 3 or 4 doctors. In fact, the area is not residential. He pointed out that the small lot would not be developed commercially for the reason that it lacks sufficient size for the township ordinances to develop it with a commercial or office use. Attorney Katharman stated it was their desire to come back and formally subdivide it so that this lot would remain residential. He stated he did not see a domino effect because there are all established homes. There must be a line somewhere. For 60 years the lot has sat vacant because it is not an appropriate site to build a house. This is a very busy road. Logic would dictates that a low-intensity office use would be a more appropriate use than allowing it to sit vacant.

PASCH Mr. Pasch commented that Mr. Stern indicated earlier that this would be better for the Township passed on to the zoning Hearing Board.

STERN Mr. Stern indicated he would rarely agree, but in this case he truly believed that it would be better for the Township.

BISHOP Mr. Bishop asked what hardship the applicant would present when he comes forward—an economic one, that it had been vacant for years.

STERN Mr. Stern responded that there had been cases where a property sat vacant for what it was zoned for and could become a hardship. He was sure that was how the Collins Wagner property got its variance.

KATHARMAN Attorney Katharman stated that it had been built as a home and converted.

PASCH Mr. Pasch stated it was important that the Bentivegnas are here and there is a long-term relationship, but that doesn't mean they will own this property for ever either.

BISHOP Mr. Bishop commented that he was not aware of any mechanical way to explore that other than for the applicant to take it to the Zoning Hearing Board.

KATHARMAN Attorney Katharman stated that, in his opinion, they would be unsuccessful with the Zoning Hearing Board. He stated he believed that Dr. Bentivegna would much prefer to come as he is right now and look at reality and consider rezoning so that in fact it reflects reality found on Eastern Boulevard.

BISHOP Mr. Bishop stated that the Board's concern was that Dr. Bentivegna might not be there the day after we grant that re-zoning.

KATHARMAN Attorney Katharman stated that it would still be subject to all the dictates of your office regulations. Seven townhouses on a lot that size could be built now.

GURRERI Mr. Gurreri stated he was sure the neighbors would rather have the office building than the townhouse.

KATHARMAN Attorney Katharman responded that they had spoken with the neighbors, who are enthusiastic about the project because they currently look out on a trash-filled field and have for years.

GURRERI Mr. Gurreri indicated he was in favor of sending it to the Planning Commission.

MR. BISHOP MOVED THAT WE REFER THE BENTIVEGNA RE-ZONING REQUEST TO SPRINGETTSBURY TOWNSHIP'S PLANNING COMMISSION AND YORK COUNTY PLANNING COMMISSION FOR THEIR REVIEW AND RECOMMENDATION WITH THE UNDERSTANDING THAT DEFERRING IT TO THE PLANNING COMMISSIONS MENTIONED IN NO WAY REPRESENTS AGREEMENT WITH THE REQUEST ON THE PART OF THIS BOARD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BENTIVEGNA Mr. Bentivegna commented that many years ago he had served on the Township Sewer Authority. It had been their forward thinking group that moved ahead and built the sewer plant. Mr. Bentivegna stated how proud he was just observing the Board. He added that when George Elsesser died, Don Yost took over, and he's still here. He stated that the Board had done a beautiful job, and it made him proud

to see what had been done. He added that it takes forward thinking with a vision.

B. SD-01-02 – Snyder – Mt. Zion Road (Action) – (4/12/01)

STERN Mr. Stern explained Subdivision 01-02 for Snyder on Mt. Zion Road. It encompassed a 46.6 acre tract of land proposed to be divided into two parcels, one 36 acres and another 10 acres. Staff recommended approval of the plan with several waivers and conditions. A request for public water and sanitary sewer was originally made. The applicant had agreed to put in water, but the sewer would be approximately $42,000 due to the cost for boring under Mt. Zion Road, as well as the lengthy run to where the house would most likely sit which is about 840 feet from the sanitary main. Staff supported this waiver and Ed Sowers, who represents Wastewater Treatment Plant, and Mr. Snyder were both present for discussion.

WILLIAMS Mr. Zane Williams from Gordon L. Brown and Mr. Snyder, the owner spoke for the project. Mr. Snyder planned to sell off the 10 acres and create a single family residential lot.

Review of the plan

SCHENCK Mr. Schenck asked whether the seepage pit matter had been addressed.

LUCIANI Mr. Luciani responded that they are not certain where the house would be. We have a storm water management ordinance requiring one square foot to 3 cubic feet. The driveway on the plan will be 900 feet long. Because of the slope there could be a storm water management area.

SNYDER Mr. Snyder stated that Kinsley came in and swaled the property after he purchased it. A swale had been placed there to catch the water, so some work had already been done.

PASCH Mr. Pasch asked where the water drains to when it gets down to the bottom.

LUCIANI Mr. Luciani responded that it drains down to the Glades, all the way down to the Codorus on the east side of the Wastewater Treatment Plant. A little tributary comes in there.

SNYDER Mr. Snyder stated that site distance had been checked and is okay.

PASCH Mr. Pasch asked whether the sewer variance would be consistent with what had been done in the past.

STERN Mr. Stern responded that the Board had rarely done so, but the ordinance allowed for it. While the ordinance required a sewer and water feasibility study, their cost estimate was $42,000, and staff did not believe $42,000 was justified for one single house.

PASCH Mr. Pasch asked whether the Board had denied it to others in the past.

STERN Mr. Stern responded that he did not believe that as a Board they had denied others. There have been times at the staff level that we have told developers there's no way approval would be recommended. In this case we told them that the water was not an unfeasible amount of money. They agreed to put the public water in.

PASCH Mr. Pasch asked Solicitor Yost whether this would establish precedent in the future.

YOST Solicitor Yost responded that it would not establish a legal precedent. In a practical matter it does, because the next one in will say you gave it to Mr. Snyder. It will be increasingly the difficult to enforce.

PASCH Mr. Pasch indicated the Board may create a problem for the future. If it's economics where is the line drawn.

STERN Mr. Stern agreed, but added that there were other parameters to review such as how many houses will it serve; what is the potential for future development; what is the cost of the on-lot system versus public sewer. Ed Sowers had reviewed a lot of the other issues as well as those. It will make it more difficult for the staff and the Board in the future.

PASCH Mr. Pasch was searching for a solid measurement upon which to make the decision.

STERN Mr. Stern indicated it would be very difficult to come up with a formula, because every lot and every case is different. This one, for example, required an additional sewer pump in addition to the long sewer line going under the road. Sewage pumps going outside the building, would become a Township responsibility. In this case every reason why is there.

YOST Solicitor Yost stated that there is probably no other way to look at this except in an ad hoc position based on the particular circumstances. It would be nice to have a formula that could be applied, but he did not think that was feasible.

BISHOP Mr. Bishop asked whether the Township requested information about the feasibility of not hooking up to the sewer and the costs of providing that.

STERN Mr. Stern responded the costs would be something that Ed and Brad Hengst could speak about to the Planning Commission.

SNYDER Mr. Snyder indicated that two perk probes had been done, one in the vicinity where the home would be built and one in the field as a backup site. They both perked and probed.

STERN Mr. Stern added that the requirement is that they have two sites.

GURRERI Mr. Gurreri commented that when an individual would have a small lot, that would not be possible.

STERN Mr. Stern responded that in some cases a septic system could not be installed.

MR. GURRERI MOVED TO APPROVE SD-01-02 SNYDER, MT. ZION ROAD WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN,**
- **MODIFICATION OF WAIVER FROM PLAN SCALE REQUIREMENT,**
- **WAIVER FROM SHOWING PROPOSED CONTOURS,**
- **MODIFICATION OF WAIVER FROM REQUIREMENT TO INSTALL CURBS & SIDEWALKS PER THE STANDARD SIX MONTH NOTE ON THE PLAN**
- **WAIVER FROM REQUIREMENT TO CONNECT TO PUBLIC SANITARY SEWER**
- **CONDITIONED ON THE REMOVAL OF SEEPAGE PIT DETAIL FROM THE PLAN.**
- **CONDITIONED ON EXTENDING DRAINAGE EASEMENT ACROSS LOT #1**
- **CONDITIONED ON HIGHWAY OCCUPANCY APPROVAL FROM PENNDOT**

MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. LD-01-01 – St. John Chrysostom Church Cemetery (Action) – (5/10/01)

STERN Mr. Stern provided background information for the church cemetery. Several subdivisions and development plans for the church itself as well as Father Pier's house had been before the Board and they are now asking permission to do a cemetery. There are two areas for the cemetery shown on the plan. Solicitor Yost suggested that a Land Development Plan be approved. They're looking at over 100 years

worth of use. Staff recommended approval of the plan. York County Planning Commission did not review the plan and had no interest in doing so. Mr. Jim Barnes of Holly Associates represented the plan.

PASCH Mr. Pasch commented that since the Board had dealt with St. John Chrysostom Church, they have been very responsive to the Township. He did not see any difficulty with the plan.

MR. BISHOP MOVED TO APPROVE LAND DEVELOPMENT 01-01 – ST. JOHN CHRYSOSTOM CHURCH CEMETERY. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. COMMUNICATIONS FROM SUPERVISORS:

GURRERI Mr. Gurreri reported that a County Convention is coming up in the near future, and there are some resolutions on which to vote. He asked whether the Supervisors received a copy and whether they had any comments.

PASCH Mr. Pasch responded that he had no problem with them.

BISHOP Mr. Bishop encouraged Mr. Gurreri to use his own good judgment.

GURRERI Mr. Gurreri asked whether the other Supervisors had received a communication from Bev Macelroy about property maintenance issues.

GURRERI Mr. Gurreri reported he had attended the York County Assembly of Government 2001 Annual Dinner March 29th. He provided a synopsis of the speakers and offered copies of information. He indicated it was the most interesting government meeting he had ever attended.

PASCH Mr. Pasch added comments regarding two townships, which had animosity toward each other. When actually discussing the matter, it didn't really exist.

GURRERI Mr. Gurreri commented that Shrewsbury and Peachbottom are growing very quickly. He added that half the municipalities in Pennsylvania do not have a Comprehensive Plan.

BISHOP Mr. Bishop asked for the status of the request for proposals in the Police Pension Management and whether there was a timetable.

SABATINI Mr. Sabatini responded it had been sent to 10 different firms and responses are due back on the 28th.

BISHOP Mr. Bishop asked for a plan regarding the trash contract. He suggested it was about time to begin a serious review.

PASCH Mr. Pasch asked whether the contract runs from January 1st or October 1st.

SABATINI Mr. Sabatini responded it runs from January 1st.

SCHENCK Mr. Schenck asked whether the Board felt it was necessary to have Mr. Clayborn attend the meeting and provided a status report.

SABATINI Mr. Sabatini responded that spring clean up would take place in two weeks. He suggested to have him here following that meeting. The demands of the Township appear to have been met.

GURRERI Mr. Gurreri stated that a meeting of the Local Government Advisory Board will be held May 2 and the Planning Commission at the Expo Center. He added that there would be a Government Leadership Summit on May 16 and 17 at the Harrisburg Sheraton Inn.

6. MANAGER'S REPORT:

SABATINI Mr. Sabatini reported that information had been distributed on the York Area Metropolitan Planning Organization. They are looking for a person to serve on the coordinating committee and/or the technical committee. Based upon Springettsbury's very strong central location and the amount of money being spent on transportation , he strongly recommended that the Board of Supervisors authorize the submission of a letter of interest to York County Planning Commission for participation in either one of those committees.

SCHENCK Mr. Schenck asked whether the submission would indicate we definitely want a Board member or staff member, or just a request. He asked whether there would be an opportunity to choose, and what the right process would be.

SABATINI Mr. Sabatini responded that a submittal could be made for both a Board member or a staff member.

GURRERI Mr. Gurreri commented that they meet three times a year during the day at 9 a.m.

SABATINI Mr. Sabatini recommended that a Board member be submitted.

GURRERI Mr. Gurreri volunteered.

SCHENCK Mr. Schenck indicated an interest should be expressed in being represented.

East/West Interceptor – Gregory Contractors

SABATINI Mr. Sabatini indicated that he had provided information to the Board with regard to the East/West Interceptor. A fast-track contract had been done for the section of work that would go that would go under North Hills Road to make it concurrent with the work being done on the rail crossing. Two bids were received, and the low bid was Gregory Contractors in the amount of $120,000. Gregory Contractors had been reviewed by our engineer, and they concur with the bid and they understand the critical timing issues involved in it. The bid documents were submitted to Mr. Yost. He asked for authorization to award the East/West Interceptor bid to Gregory Contractors in the amount of $120,000 and direct that the documents be signed.

YOST Solicitor Yost asked how the price compared with what Mr. Schober would have estimated.

SCHOBER Mr. Schober responded that they had not had an opportunity to do an estimate. His gut reaction was that it was a little bit higher than what B-H would guess.

SABATINI The other bid came out to be somewhere around $180,000.

MR. GURRERI MOVED THAT THE EAST/WEST INTERCEPTOR PHASE I CONTRACT AWARDED TO GREGORY CONTRACTORS IN THE AMOUNT OF $120,000. MR. BISHOP WAS SECOND.

PASCH Mr. Pasch asked whether this had been budgeted by sections.

SABATINI Mr. Sabatini responded that the whole project had been budgeted. The reason was to have North Hills Road shut down only once during the rail crossing improvements.

PASCH Mr. Pasch asked whether this would affect the total cost significantly.

SCHOBER Mr. Schober responded that the smaller section would probably cost a little more doing it separately than doing it as part of the rail project.

YOST Solicitor Yost indicated it was probably not significantly more than if the Township had tried to do it on an emergency basis, and maybe even less.

SABATINI Mr. Sabatini mentioned having to do the traffic control plan and rent the equipment only once versus twice resulted in $5,000 savings there.

MOTION UNANIMOUSLY CARRIED.

SABATINI Mr. Sabatini reported that the Township met with Bob Astor and Dick Lake regarding transition issues related to the new fire company. The Township will be assisting the fire company in submitting a Federal Grant application under the new Federal Fire Grants Program. It's $100 million geared more towards volunteers than a paid organization.

PASCH Mr. Pasch asked whether any progress had been made with the transition.

SABATINI Mr. Sabatini responded he would be happy to discuss that after the meeting. It was the intent to call a meeting of the Board of Directors together before the end of this month to have their first full organizational meeting in May per the by-laws. He thought it was the first Monday.

PASCH Mr. Pasch asked what group that would involve.

SABATINI Mr. Sabatini responded that this would be the group of the new organization. The Township facility had been offered as a place for the kick off meeting. Some other transitional issues had been discussed. The Township will continue to work with them as directed by the Board. He felt that there was an understanding between both groups.

YOST Solicitor Yost added that the new fire company does legally exist. It had been incorporated by the Department of State. The advertisements of the Articles have been completed, so it is a legal entity.

SABATINI Mr. Sabatini indicated that one of the first actions would be to adopt the By-laws. A tax ID number had been secured. Most of the paperwork needed to be signed that first night. All the paperwork is ready but is in need of an authorized person to sign.

YOST Solicitor Yost stated that technically the paperwork should not be signed until there are officially adopted By-laws. That would be the first act for the Board of Directors--to adopt the By-laws, which were agreed upon as part of the settlement agreement.

7. SOLICITOR'S REPORT:

YOST Solicitor Yost reported he had nothing to add to his written report other than to correct the meeting for which it is offered. It's for the

meeting of April 12th, not April 26th as indicated. There will be another one for the meeting of April 26th.

Resolution 01-30

PASCH Mr. Pasch asked whether the Board should vote on the fee for the Inter-municipal Transfer.

YOST Solicitor Yost responded that he asked the Board to set a fee for holding public hearings for the Inter-Municipal Transfer of liquor licenses. This would be a fee to cover the administrative costs. He suggested that $500 might be a starting point.

SCHENCK Mr. Schenck asked how that fee should be set, i.e., by a simple vote.

YOST Solicitor Yost suggested that it be set by a motion to adopt a verbal resolution to add a fee for the license transfers to the fee schedule.

SABATINI Mr. Sabatini indicated that would be Resolution 01-30 amending the existing fee schedule and setting the liquor license transfer hearing fee at $500.

YOST Solicitor Yost responded that the legal standard is that fees should bear a reasonable relationship to the cost of the Township administering the program. Solicitor Yost indicated that there would be no inspections involved. A review of the application would be made prior to the applicant's appearance.

SABATINI Mr. Sabatini stated that in consideration of the fact that a the cost of a legal notice is $250 to $300 each, our cost would be very quickly consumed.

MR. PASCH MOVED THAT THE FEE RESOLUTION SCHEDULE THAT IS NOW IN EXISTENCE BE AMENDED TO INCLUDE A FEE OF $500 TO COVER THE ADMINISTRATIVE COST OF INTER-MUNICIPAL TRANSFER OF LIQUOR LICENSES PLUS THE COST OF ADVERTISING FOR THE PUBLIC HEARING. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

YOST Solicitor Yost added that the liquor license that we thought was being transferred to El Serrano is not being transferred to El Serrano. The transferee is someone who is involved with El Serrano, but actually they bought Lee's Diner and are going to turn that into a bar.

8. ORDINANCES, RESOLUTIONS AND AGREEMENTS

A. Ordinance No. 01-13, Establishing On-Lot Sewage Management Program

SCHENCK Mr. Schenck indicated the On-Lot Sewage Management Program had been presented several weeks ago. The Ordinance itself had been provided at that time.

GURRERI Mr. Gurreri asked whether it indicated anything about the three year pumping requirement.

SABATINI Mr. Sabatini indicated that Solicitor Yost had identified a couple of procedural issues that needed to be addressed. The requirement is a three-year benchmark; however, the SEO has the ability to waive the three-year timetable and go further. It was suggested to him to go five or six. Typically DEP and EPA recommends that on-lot septic systems be evaluated on a three-year basis. It could be waived based upon soil conditions or size of the septic tank.

GURRERI Mr. Gurreri had received several phone calls asking for it to be raised to six, but he felt that was too long.

SABATINI Mr. Sabatini responded that a husband and wife with a particular lifestyle may only need the facility pumped every six years, but they could move and sell their home to someone with five children, and the system may become overwhelmed and you're on a six-year cycle, and it fails after three.

GURRERI Mr. Gurreri indicated that there is no mechanism to do the pumping every six years. It's not very clear and should be clarified.

YOST Solicitor Yost stated that the standard is three years. The SEO can waive it under certain circumstances.

PASCH Mr. Pasch indicated that the SEO has a lot of latitude.

YOST Solicitor Yost indicated some concern with the latitude, but it is an Ordinance where the standard is not as precise as it could be..

SABATINI Mr. Sabatini indicated some of the people wanted a universal six years. That's too long. DEP's rules are three years, the standard benchmark with EPA and DEP.

PASCH Mr. Pasch stated he had no problem with the ordinance. He stated that because of the fact that the SEO has so much latitude, there should be reporting coming back that shows what is changing.

SABATINI Mr. Sabatini responded that a reporting requirement exists by DEP to identify SEO activities for the year. A number of his inspections have been reported. Application had been made for the State 50% reimbursement.

GURRERI Mr. Gurreri re-stated that DEP requires the inspection every three years, but they require us to check everything in three years to make sure there's no leakage. They don't require a property owner to pump it every three years. Pumping could be every four years.

SCHENCK Mr. Schenck commented on the fact that the complaints and the problems would not be with the three years the pumping and the inspection. It is going to be the failed systems he finds where the people have been in these homes for 30 and 40 years and have totally inadequate failed systems. A lot of time had been spent discussing the $100 fee every three years when the issues are going to be those same elderly people who are concerned about the inspection pumping fee, who are probably the same ones who are going to have the failed systems.

YOST Solicitor Yost added they would be facing a $15,000 sand mound.

SCHENCK Mr. Schenck stated that the Township wanted to be sure everything was made available for those residents. We can't allow those failed systems to exist because they are a public health issue.

SABATINI Mr. Sabatini indicated that he had researched information, and Penn Vest does have their program for low-cost loans for rehabilitation of failed septic systems based on income based loan program. It had been set that up on the web site along with the forms. If and when we start having systems that fail, we are prepared to provide help with submission of the loan application. He did not know whether Springettsbury would qualify under Farmers Home Administration. ARC also has loans and grants for rehabilitation of on-lot systems. Also if the SEO notifies you of a failing system, you probably know it before he does. They're not spotted inspections; they're scheduled activities.

SCHOBER Mr. Schober added that there would be some effort on Brad Hengst's part to come up with a solution to renovate and fix the existing system before the need to replace it. This may involve a couple of things to get this to work.

GURRERI Mr. Gurreri felt that 60 days was too short a time to tell someone they had to fix their system in certain cases.

PASCH Mr. Pasch asked if that was a problem. If the SEO is giving advice that they could fix their system a particular way and it doesn't work, and they've spent the money.

SCHOBER Mr. Schober responded that Mr. Hengst was trained to do this work. There are certain things that he can recommend they try. Mr. Schober did not think he could give any guarantees or recommending anything that is really expensive to do.

PASCH Mr. Pasch stated he thought it was important that recommendations be discretionary. That could result in a lot of disgruntled users if the recommendations didn't work.

SABATINI Mr. Sabatini indicated that if the deadline were to be extended to 90 or 180 days, there may be liability that the Township could incur for not enforcing our own ordinances as they deal with public health.

GURRERI Mr. Gurreri added that the way government works 120 days is not a lot of time.

SABATINI Mr. Sabatini stated that even sixty days was not unreasonable for an order to replace. There are a number of steps to take before hand to see if it is a fixable system. Discretion and good common sense was necessary.

SCHOBER Mr. Schober added that it would normally be 60 days from the time Mr. Hengst issued the permit, and probably there would be another 60 days before the permit would be issued to design and order the system.

MR. BISHOP MOVED TO ADOPT ORDINANCE 01-13 ESTABLISHING ON-LOT SEWAGE MANAGEMENT PROGRAM. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. ACTION ON MINUTES:

A. Board of Supervisors Public Hearing – March 22, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF MARCH 22, 2001 BOARD OF SUPERVISORS PUBLIC HEARING AS AMENDED. MR. PASCH WAS SECOND. MOTION CARRIED. MR. BISHOP ABSTAINED AS HE WAS NOT IN ATTENDANCE.

B. Board of Supervisors Regular Meeting – March 22, 2001

MR. PASCH MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF THE SPRINGETTSBURY TOWNSHIP BOARD OF

SUPERVISORS ON MARCH 22, 2001 AS AMENDED. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. BISHOP ABSTAINED AS HE WAS NOT IN ATTENDANCE.

10. OLD BUSINESS:

A. Continental Signs – Sign Proposals for New Building

SABATINI Mr. Sabatini commented that there were two options. One would be to act upon it, or have the Board consider a second option. Mr. Sabatini recommended that action be held on the matter until Mrs. Mitrick returned.

STERN Mr. Stern provided two options for consideration. The cost was $3,210 for the Celtic material in 1-1/2" thick letters with aluminum laminate base. It could also be finished in black. The color red fades quickly. Another type would be in aluminum, also called brushed silver.

PASCH Mr. Pasch asked whether the colors had been tested against the background. I'm not sure whether the brushed silver would show up.

STERN Mr. Stern commented that the letters originally designated for the building were brushed silver. Those are housed in the Public Works Department.

BISHOP Mr. Bishop asked whether one of the questions would be what is the next iteration, he was still in the same place with respect to the crest, which he really does not like. The sample that doesn't have the crest has two features he really did not like as well. One is that the S and the Y are bigger for no apparent reason. The 'established in 1861' thing is just way too big. Mr. Bishop would be perfectly happy with just the letters all the same size.

PASCH Mr. Pasch suggested that a motion on all the suggestions.

STERN The architect spec'd letters that simply say Springettsbury Township. That was unacceptable a year ago. They are in the Public Maintenance garage. They will be permanent once they are installed. They are very similar to the letters on the Police Department building. Those are white, and these are aluminum.

PASCH Mr. Pasch indicated that whoever has a suggestion should make that suggestion, and at the next meeting we should allow all the motions come up and vote on them. If they get voted down they get voted down.

SCHENCK Mr. Schenck stated he liked the idea of just letters with nothing in the middle. He also indicated to be real considerate of the color because we're dealing with natural materials.

Consensus was to look at the letters previously provided by the architect (and paid for) to determine whether they would be acceptable.

B. Other items:

There were no other items for discussion.

11. NEW BUSINESS:

A. Other items:

There was no new business for discussion.

12. ADJOURNMENT:

SCHENCK Vice Chairman Schenck adjourned the meeting at 10:50 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

Ja

SPRINGETTSBURY TOWNSHIP **MARCH 22, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 22, 2001 at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania at 7:30 p.m.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Ken Pasch
Nick Gurreri

MEMBERS NOT IN ATTENDANCE:
Don Bishop

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Buchart Horn, Inc.
John Luciani, First Capital Engineering
Mike Myers, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Jack Hadge, Director of Finance
Michael Hickman, Fire Chief
Mark Hodgkinson, Wastewater Treatment Superintendent
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m. She announced that there would be an Executive Session following the general meeting regarding legal matters.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

2. COMMUNICATIONS FROM CITIZENS:

There were no communications from citizens.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

East West Interceptor

SCHOBER Mr. Schober provided the East/West Interceptor project had been advertised and scheduled for bid opening on Monday, March 26th at 2 p.m. All the permits are in place and materials ordered for delivery a week before the contractors begin.

On-Lot Sewage Management

SCHOBER Mr. Schober reported the On-Lot Sewage Management Ordinance had been discussed during a public meeting held earlier and there were good public comments.

PASCH Mr. Pasch recalled one of the things mentioned in beginning was the possibility of getting some state funds for anyone required to spend considerable amount of money in order to meet their requirements at a low interest rate.

SABATINI Mr. Sabatini responded that referred to the PennVest Funds. There had been no follow up in anticipation of the finalization of the Ordinance. He will proceed with requests to PennVest. He stated it was an open process.

PASCH Mr. Pasch stated that the Township should have the mechanism in place so that if anyone needed the help they could get it at a low interest rate.

SABATINI Mr. Sabatini indicated agreement and stated he would proceed to put that in place.

MITRICK Chairman Mitrick thanked Mr. Schober for his presentation during the On-Lot Management meeting. She stated that he had done a good job and answered the questions very well.

GURRERI Mr. Gurreri commented about some of the statements toward making the inspections every four years instead of three. Mr. Gurreri indicated he would not be against doing so.

SCHOBER Mr. Schober responded that there was some flexibility.

PASCH Mr. Pasch stated that two people indicated they had their tanks pumped every two years. He commented on a scenario where his daughter and son-in-law had to replace their entire septic system, which cost in the neighborhood of $10,000. The matter of pumping tanks at $150 to $200 was a good investment.

GURRERI Mr. Gurreri agreed, but added that the difference between three years and four years would not make a lot of difference.

SABATINI Mr. Sabatini commented that the Ordinance provided for a waiver. Three years is a base line; however, if there are areas with good drainage or a very large septic system for one to two people living in a home, application could be made for a waiver to be pumped for five years or six years. He felt that three years was a good benchmark for inspection of systems.

MITRICK Chairman Mitrick asked Mr. Sabatini to place the Ordinance on a future agenda.

SABATINI Mr. Sabatini indicated agreement.

B. Civil Engineer – First Capital Engineering

North Hills Road

LUCIANI Mr. Luciani reported that material had been ordered for the North Hills Road railroad crossing, and the target date to close the road was established as April 23rd. He is awaiting a detour plan. He spoke with Ray Britcher, of PennDot, who is responsible for preparation of the detour plan. The plan will provide the draft and price. The project is moving forward.

Cortleigh Drive

LUCIANI Mr. Luciani stated that Cortleigh Drive appeared on the Agenda for award of contract.

Plymouth Road

LUCIANI Mr. Luciani indicated the Plymouth Road project was moving ahead. Tom Fogelsanger of PennDot getting ready to issue the permit. He will work with Charlie Lauer to get the curbing staked and proceed with the improvements.

GURRERI Mr. Gurreri indicated he would be glad to be present to dig the first shovel.

Mt. Zion Road Trench Box

LUCIANI Mr. Luciani reported that he had reviewed a structure on Mt. Zion Road at Chairman Mitrick's request, which was a trench box used by a contractor when a trench was needed to be deeper than five or six feet to protect the walls from falling in. It probably had not yet been mobilized out of the site since the sewer line work had been done.

MITRICK Chairman Mitrick thanked Mr. Luciani for his investigation.

C. Design Engineer – R.K. & K.

Pump Station

MYERS Mr. Myers reported that the trailers had been removed from the pump station. Allan A. Myers and Johnston Construction completed all punch list items. Myers was committed to return during the first week in April, weather permitting, to pave, do seeding and soding, clean up of the property, put finishing touches on the site, and erect the fence. Philips Brothers, the electrical contractor, had finalized the programming of the PLC in order to provide the communications links to the York City plant and Springettsbury's plant. The modems from Seattle had been received installation was scheduled for March 23rd, ready for service first thing Monday, March 26th. In anticipation of wet weather this week, Jim Crooks had wanted to make sure that the pump station could be used without the communications link with the City. He and Steve Douglas at the City plant worked out a deal that they could use the pump station up to 3 mgd. Fortunately, this was not necessary, as the weather did not generate enough flow that the plant couldn't handle it.

Overview Project

MITRICK Chairman Mitrick asked when that site would be completely cleaned up.

MYERS Mr. Myers responded that they had been held off because of the weather. There are two things remaining to be done on their punch list with the stream crossings. Mr. Myers and Jim Crooks do not want them to come back in until the soil is somewhat more firm. He had no concern about their returning to do this work because of the large retainage being held for completion of the project.

D. Park Design – YSM

There was no report on the park design.

SABATINI Mr. Sabatini stated that the questions on the park had been answered during a meeting held on Wednesday evening, March 21, 2001.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of March 22, 2001.
B. Johnston Construction Company – Pay Estimate No. 5 – Diversion Pumping System - $6,240.60.

C. Rummel, Klepper & Kahl – Progress Billing No. 28 – Diversion Pumping System and Parallel Interceptor - $19,797.30.
D. Philips Brothers Electrical Contractors, Inc. – Pay Estimate No. 10 – Diversion Pumping System - $47,916.90.
E. East Coast Contracting – Progress Billing #14 - $85,697.74
F. Frey Lutz Plumbing – Progress Billing #13 - $2,843.58
G. Williams Service Company – Progress Billing #2 – Farmhouse - $1,008
H. Williams Service Company – Progress Billing #3 (FINAL) – Farmhouse - $1,446.50.
I. Williams Service Company – Progress Billing #6 – New Building - $4,468.
J. Williams Service Company – Progress Billing #7 (FINAL) – New Building - $25,633.
K. Williams Service Company – Progress Billing #2 – Police Department - $28,452.
L. Reduction in Retainage – Allan A. Myers, Inc.

MITRICK Chairman Mitrick requested that items A through K be reviewed first.

GURRERI Mr. Gurreri questioned item H.

STERN Mr. Stern responded that item H covered the final bill for the mechanical contractor, which had not been previously billed.

GURRERI Mr. Gurreri asked what item G covered.

SABATINI Mr. Sabatini indicated that was a progress billing.

STERN Mr. Stern commented that the last two bills, #2 and #3, had not been previously billed. The work had been done several months ago.

MR. GURRERI MOVED TO PAY ACCOUNTS PAYABLE A THROUGH K. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick asked for action regarding item L.

SABATINI Mr. Sabatini stated that a request had been received from Allan A. Myers to reduce the retainage. The work had been substantially completed with the exception of liquidated damages, and there should be no need to hold the full amount of retainage. It was recommended that $140,000 be retained, which would cover liquidated damages and the remaining amount of site work.

MITRICK Chairman Mitrick added that a letter had been received from R. K. & K. in support of the item.

MR. SCHENCK MOVED TO APPROVE THE REDUCTION IN RETAINER REQUEST FROM ALLAN A. MYERS, INC. TO $140,000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS:

A. Cortleigh Drive Storm Sewer Rehabilitation Contract – (Doug Lamb Construction - $46,800).

SABATINI Mr. Sabatini stated that item A covered the Cortleigh Drive Storm Sewer Rehabilitation Contract. Three bids had been received with the low bid from Doug Lamb Construction in the amount of $46,800. There had been a defect in the bid due to the fact that the non-collusion affidavit had not been included. That had been subsequently provided. There was no reason to believe that there was any collusion due to the price variances. This matter had been reviewed by Solicitor Yost, who termed this a technical defect and not a fatal flaw in the bid. Mr. Sabatini requested that the Board waive the technical defect and award the bid to Doug Lamb Construction. The base bid was $44,000 for the work plus the concrete at $100/cubic yard for 28 plus or minus cubic yards.

GURRERI Mr. Gurreri asked about the other three bids.

SABATINI Mr. Sabatini responded that the other two bids were over $90,000. This base bid was $44,000 plus 28 cubic yards of concrete at $100 per cubic yard installed which equaled a total price of $46,800. He requested that in the motion it should be separated because a variance would exist on the amount of concrete to be used.

SCHENCK Mr. Schenck questioned the suggestion to waive further technical bid defects.

SABATINI Mr. Sabatini responded that referred to the non-collusion affidavit.

SCHENCK Mr. Schenck commented that the affidavit had been received, however.

SABATINI Mr. Sabatini responded that was correct. It simply had not been received as part of the initial bid package.

MR. PASCH MOVED TO ACCEPT THE CORTLEIGH DRIVE STORM SEWER REHABILITATION CONTRACT FROM DOUG LAMB CONSTRUCTION IN THE AMOUNT OF $44,000 FOR THE BASE BID AND AN ESTIMATED 28 CUBIC YARDS OF CONCRETE INSTALLED AT $100.00 PER CUBIC YARD FOR A TOTAL BID OF $46,800 AND FURTHER TO WAIVE TECHNICAL BID

DEFECTS. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Williams Service – Change Order #4 – New Building - $4,665

SABATINI Mr. Sabatini provided background information regarding item B which referred to HVAC modifications to the new building in the amount of $4,665.

GURRERI Mr. Gurreri asked why there had been so many Change Orders.

SABATINI Mr. Sabatini explained that in the process of moving from one building to the other, particularly the police station did not have the degree of design necessary. It had been explained to the Board that there would be a number of Change Orders due to the under design. The R. K. & K. inspector had been reviewing the issues.

MR. SCHENCK MOVED TO APPROVE WILLIAMS SERVICE CHANGE ORDER #4 IN THE AMOUNT OF $4,665. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Williams Service – Change Order #5 – Police Building - $300

SABATINI Mr. Sabatini indicated this Change Order applied to additional grills in the existing building to improve the ventilation in the reception area.

GURRERI Mr. Gurreri asked whether this was a design flaw.

STERN Mr. Stern responded that in the lobby and reception area there was no grill or vent, and as a result it was much colder there than the rest of the building. The grill had been added for additional ventilation. He added that this problem had been present for years.

SABATINI Mr. Sabatini added that a wall had been added which further restricted the ventilation.

MR. GURRERI MOVED TO APPROVE CHANGE ORDER #5, WILLIAMS SERVICES, POLICE BUILDING FOR $300. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Frey Lutz Plumbing – Change Order #3 – New Building and Police Building - $6,949.56

SABATINI Mr. Sabatini stated that Change Order #3 from Frey Lutz Plumbing referred to water and sewer lines. A refrigerator and dishwasher

had been added in the new building, along with additional plumbing work in the police building.

MR. GURRERI MOVED TO APPROVE FREY LUTZ PLUMBING, CHANGE ORDER #3, NEW BUILDING AND POLICE BUILDING FOR $6,949.56. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Frey Lutz Plumbing – Change Order #4 – Police Building - $1,074.49

SABATINI Mr. Sabatini commented that Change Order #4 referred to relocation an existing water heater and piping in the police station.

MR. SCHENCK MOVED TO APPROVE FREY LUTZ PLUMBING, CHANGE ORDER #4 IN THE AMOUNT OF $1,074.49. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Shannon Smith Electrical – Change Order #12 – Police Building - $470

SABATINI Mr. Sabatini commented that Change Order #12 referred to receptacles for the reception area, demolishing existing wire molds, relocating two lights in the evidence room and installing an exhaust fan in the hall.

MR. GURRERI MOVED TO APPROVE SHANNON SMITH ELECTRICAL, CHANGE ORDER #12, POLICE BUILDING, $470. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. Shannon Smith Electrical - Change Order #13 – New Building - $2,843

SABATINI Mr. Sabatini stated that Change Order #13 referred to the addition of two exits signs and receptacles in the waiting room, adding recessed lighting fixtures in the casework area and in the meeting room.

MR. SCHENCK MOVED TO APPROVE SHANNON SMITH ELECTRICAL CHANGE ORDER #13 IN THE AMOUNT OF $2,843. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. East Coast Contracting – Change Order #8 – Police Building - $3,910

SABATINI Mr. Sabatini indicated Change Order #8 was for building up the shower area in order to create floor drainage.

GURRERI Mr. Gurreri asked whether the shower was there before.

STERN Mr. Stern indicated it was for the ladies locker room, which was new. In order to meet the ADA requirements, the floor had to be built up for drainage.

MR. SCHENCK MOVED TO APPROVE EAST COAST CONTRACTING CHANGE ORDER #8 IN THE AMOUNT OF $3,910. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

PASCH Mr. Pasch stated that there were a lot of Change Orders due to poor design. If this were in the original design the Township would have paid for it, but Change Orders always mean paying more than if it were in the initial design. Mr. Pasch emphasized that this matter must be more carefully reviewed in the future. The Township must be more demanding of any architectural or engineering firms. He recommended that the architectural firm be put on notice that, because this is costing the Township a lot of additional money, there would not be a very good recommendation made.

Consensus of the board members was agreement with Mr. Pasch's statement.

I. Sale of Surplus Vehicles

SABATINI Mr. Sabatini stated that item I covered the sale of surplus vehicles. This is the second round for some of the vehicles, and also for the replacement police vehicles. There were six vehicles sold for a total of $8,024. The only vehicle not bid was for the Dodge Aries K sedan. Mr. Sabatini recommended that this vehicle be donated to the fire school.

GURRERI Mr. Gurreri indicated that the Dodge Aries was worth below zero and would cost $500 to advertise to sell it.

SABATINI Mr. Sabatini responded that the advertisement would be done in a bundle and added that it was not inexpensive to sell vehicles. Mr. Sabatini recommended that the Board approve the sale of vehicles as outlined in the memorandum and to donate the 1982 Dodge Aries K car to the fire school.

MR. SCHENCK MOVED TO APPROVE THE SALE OF SURPLUS VEHICLES AS OUTLINED IN THE MARCH 15, 2001 MEMO AND FURTHER MOVE THAT THE 1982 CLASSIC ARIES K CAR BE DONATED TO THE FIRE SCHOOL. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

J. Purchase of Aerator Gear Reducer – Rexnord (Sole Source Vendor - $48,748)

SABATINI Mr. Sabatini commented that there are a number of aerators at the Waste Water Plant, and the system needed a backup. The gear reducer comes from Rexnord, which is a sole source vendor at a cost of $48,748. The rules governing bidding would not apply in this case. Staff requested the Board to approve this purchase as a backup was needed.

PASCH Mr. Pasch commented that the written information indicated that the lowest price came from the manufacturer saving the township about $5,000. He asked whether prices were obtained from distributors.

SABATINI Mr. Sabatini stated that was correct.

HODGKINSON Mr. Hodgkinson stated he priced the equipment at a distributor and the price was closer to $6,000. It proved to be cheaper to purchase directly from the manufacturer and not go through a distributor.

YOST Solicitor Yost indicated that Mr. Sabatini had discussed the matter with him. He was satisfied that if it was being obtained directly from the manufacturer, and it was the only gear box that would do the job, it would be satisfactory. If there were a number of distributors who sold the equipment, it could have been bid, but he was satisfied that by going directly to the manufacturer it would qualify.

MR. GURRERI MOVED TO APPROVE THE PURCHASE OF AERATOR GEAR REDUCER, REXNORD, $48,748. AND NOTE THAT THIS IS A SOLE SOURCE ITEM. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. Sewer Planning Module – Sprenkle – Springettsbury Township – A3-67957-310-3 (4,550 GPD)

STERN Mr. Stern stated that item A covered a Sewer Planning Module for the Sprenkle property located off Locust Grove Road for 4,550 gallons. Staff recommended approval for this 13-lot residential development.

PASCH Mr. Pasch indicated he had just learned that the Sprenkle property was his son, Tim Pasch's, development. He asked Solicitor Yost whether he should recuse himself.

YOST Solicitor Yost responded that he should.

PASCH Mr. Pasch indicated some frustration in that he was unaware of this fact until earlier during the evening. He posed a hypothetical scenario where he had voted on this and really didn't know that his son was involved. He asked whether he would have to get Tim to inform him of all the things he's involved in because Mr. Pasch could get into trouble.

YOST Solicitor Yost stated it would be a good idea because he did not think the Ethics Commission allowed for exception--not even good faith exceptions. He added that the Ethics Act is very clear that if there was any family member with an economic interest, the family member was required to excuse himself or herself.

PASCH Mr. Pasch requested Mr. Sabatini to advise him whenever his son, Tim, would be involved.

SABATINI Mr. Sabatini indicated he would be sure to let him know.

MITRICK Chairman Mitrick asked about the mention of the necessity of a pump station. She wondered whose responsibility that would be.

STERN Mr. Stern responded it would be the developer's responsibility.

LUCIANI Mr. Luciani added that it would be a public pump station once that would be dedicated to the Township.

MR. SCHENCK MOVED TO APPROVE SEWER PLANNING MODULE, SPRENKLE TRACT, 4,550 GPD. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO A FAMILY MEMBER INVOLVEMENT.

B. LD-97-19 Two Ton/Burger King – Action on Plan (3/22/01)
C. SD-98-06 Two Ton/Burger King – Time Extension to 4/26/01
D. LD-97-19 Two Ton/Burger King – Time Extension to 4/26/01
E. SD-98-06 Two Ton Burger King – Time Extension to 4/26/01

STERN Mr. Stern commented that items B through E could be removed from the agenda. He read a March 20, 2001 letter from Jerry Mitchell, President of Two Ton, Inc. which stated, "I wish to inform you on behalf of Twoton Incorporated that we are withdrawing our application for construction of the Burger King Restaurant on Whiteford Road. Reference Land Development 97-19 and SD 98-06. If you have any questions, please don't hesitate to give me a call."

MITRICK Chairman Mitrick indicated that because of the letter from Mr. Mitchell there was no need to refer to the correspondence from Mr. Luciani.

STERN Mr. Stern responded that the development was dead.

SCHENCK Mr. Schenck asked Solicitor Yost whether any action should be taken for the Minutes in consideration of the many years that the development had been in process.

YOST Solicitor Yost responded it would be a good idea to be part of the record.

GURRERI Mr. Gurreri commented that Mr. Stern had just done so with his commentary.

MITRICK Chairman Mitrick stated she would prefer it be mentioned in a motion.

YOST Solicitor Yost responded that a motion would not be necessary as long as the gist of the letter was recorded in the Minutes.

F. LD-00-10 Sheetz – Action on Plan (3/30/01)

G. LD-00-10 Sheetz – Time Extension to 6/28/01

STERN Mr. Stern provided information with regard to items F and G for Sheetz. Item F referred to a recommendation from staff to act on the plan with action in the form of a denial. Mr. Stern stated that, in the event the Board was not prepared to do that, then item G would cover a time extension until June 28th. As mentioned in his memorandum the plan was submitted on May 11, 2000 nearly a year ago. For most of that time period the plans sat idle with nothing happening. He had spoken with C. S. Davidson last week and indicated that the plan would be on the Agenda for action and that staff would recommend denial. Mr. Stern reported that he had been unable to contact a representative from Sheetz. He inquired as to whether anyone was present in the audience, and there was not. Mr. Stern continued that the main issue left outstanding was landscaping. The project location was in the Flexible Development Zone. The developer refused to add any landscaping to the property, and because it was in the Flexible Development Zone a variance would have been required from the Zoning Hearing Board as opposed to a waiver from the Board of Supervisors through Subdivision and Land Development. They refused to go that route. Mr. Stern understood from Mr. Fuhrman of C. S. Davidson that the reason nothing had been happening was that they were under the impression that if they withdrew they would not

have been able to re-apply. Mr. Stern stated that he had clarified that they could re-apply at any time, and as long as it was basically the same plan, Mr. Luciani and he would not start at the beginning and re-do the whole review and rebill them for everything. If it's the same plan it would pick up where it was, with a different number, and that one item will be the only thing outstanding. I'm assuming by their lack of presence that they concurred with that.

GURRERI Mr. Gurreri stated he would like to see it extended until the next meeting to determine whether they might have an answer.

STERN Mr. Stern responded that he had contacted the developer, with whom 99% of the contact had been. The telephone numbers Mr. Stern had for the owner had been disconnected. Mr. Fuhrman from C. S. Davidson had spoken with the owner and responded to Mr. Stern with the response he stated earlier. The owner still had not called him.

MITRICK Chairman Mitrick asked Solicitor Yost how he would guide the Board.

YOST Solicitor Yost responded he would proceed with denial, but added that it was necessary to indicate what section of the Ordinance was being violated and include that in the motion.

STERN Mr. Stern added that that information was indicated in the letter from First Capital Engineering.

GURRERI Mr. Gurreri asked whether it was just the plantings that was the major problem.

STERN Mr. Stern responded that was correct; the other items were more housekeeping items that could have been resolved.

GURRERI Mr. Gurreri again stated personally he would like to see it extended. He asked how long the plan had been in process.

STERN Mr. Stern indicated the date was May, 2000.

SCHENCK Mr. Schenck questioned one of the deficiencies was the security bond and added that would seem not to be a deniable item.

YOST Solicitor Yost stated he would be inclined not to do so.

SCHENCK Mr. Schenck stated he had no problem with staff's recommendation.

PASCH Mr. Pasch stated that the staff had taken all the steps that are required by the Township. The developer had chosen to ignore taking action,

which indicated to Mr. Pasch that they don't intend to go through with it. He asked whether Mr. LaCesa had mentioned that in any of the memos.

STERN Mr. Stern responded that at the last Planning Commission meeting they came forward with a plan that met all of our Ordinances. Mr. LaCesa showed it to the Planning Commission, indicated that it met the Ordinance. He then rolled it back up, put it in a tube and indicated he was not going to do it. He left and that was the last we've seen of them.

MR. SCHENCK MOVED TO DENY LAND DEVELOPMENT 00-10 FOR SHEETZ FOR THE FOLLOWING DEFICIENCIES, SECTION 307.E REQUIRING SIGNATURES AND SEALS, SECTION 307.2E REFERENCING A HIGHWAY OCCUPANCY PERMIT, SECTION 402 FOR MONUMENTATION AND SECTION 411 FOR BUFFER YARD. MR. PASCH WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

MITRICK Chairman Mitrick requested that Mr. Stern indicate in his letter to them that if they come back with the same exact plan, the process won't be as burdensome to them.

H. SD-01-01 – Sprenkle – Time Extension to 5/10/01

STERN Mr. Stern indicated item H referred to an extension of time for Subdivision 01-01 for the Sprenkle project.

MR. GURRERI MOVED TO APPROVE EXTENSION OF TIME FOR SUBDIVISION 01-01, SPRENKLE TO 5/10/01. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO A FAMILY MEMBER INVOLVEMENT.

I. SD-99-09 – Hunters Crossing – Time Extension to 5/10/01

MR. SCHENCK MOVED TO ACCEPT THE EXTENSION OF TIME GRANTED BY HUNTER'S CROSSING, SUBDIVISION 99-09 TO MAY 10, 2001. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO FAMILY INVOLVEMENT.

J. SD-00-09 – WaWa – Action on Plan (previously eliminated from the agenda)

STERN Mr. Stern indicated that due to an error on his part, SD-00-09 had been inadvertently left off the agenda. The plan would subdivide a 5.9 acre tract of land into two parcels. The subdivision line would be along the municipal boundary between York Township and Springettsbury Township. The division would create 2.3 acres on Springettsbury

Township's side and 3.61 acres on the York Township side. The 2.3 acres on the Springettsbury side is not proposed for development at this time and is currently zoned half Commercial and half Professional Office. The parcel created on the York Township side, 3.61 acres is being proposed as a WaWa. There is a Land Development Plan pending in York Township for that project. Staff recommended approval of the Subdivison plan with several waivers and conditions previously itemized in his March 20, 2001 memorandum.

STERN Mr. Stern introduced Mr. Dave Weaver from Bohler, representative from WaWa, along with Dan Thornton of TRG and Attorney Eveler present for discussion of the plan.

STERN Mr. Stern reported that during the Planning Commission process, discussion had been held with regard to the waiver request regarding curbs and sidewalks. The Township Ordinance prohibits the waiving of sidewalks within 600 feet of a church or school, and there is a day care in a church nearby. WaWa agreed to install them and remove that waiver request.

GURRERI Mr. Gurreri asked whether that item was new in the Ordinance or whether it had always been there.

STERN Mr. Stern responded he couldn't state that it had always been there, but probably since 1994.

PASCH Mr. Pasch commented about the no-left turn onto Carol Road from the driveway out of the drugstore. The traffic study indicated that the vehicles making the left turn are motorists going into the residential area. He asked how that was determined.

THORNTON Mr. Dan Thornton of TRG and Traffic Consultant for WaWa explained that the determination was based on his personal observation sitting in the WaWa driveway/parking lot observing vehicles making movement into and out of the Carol Road driveway. He had recorded 38 cars coming in, 14 of which did not stop at CVS and continued on to Route 24. He added that he had done turning movement counts at the intersection and determined that a large amount of the traffic coming out of the driveway was making a left to head back to the residential area. During the study for CVS it had been determined if a motorist were coming up this way it was assumed that they were returning back to their residential area.

PASCH Mr. Pasch stated that there was no known way to determine whether they were returning to residential neighborhoods. He added that those motorists could be cutting through.

GURRERI Mr. Gurreri indicated that he was one person who goes to his residence.

MITRICK Chairman Mitrick stated that there was a second person who uses it as a cut through. She continued that if her vehicle went through there it could not be determined where she was going.

WEAVER Mr. Weaver indicated that WaWa was willing to put a No Left Turn sign at the driveway. However, they felt that it would prohibit the residents from that area actually going to CVS and returning without having to go to 24 or 124 which is congested.

PASCH Mr. Pasch stated he was not opposed and thought it was a good idea. He added that it was Mr. Thornton's assumption with which he was disagreeing. He would like to see WaWa approve an origin/destination study and determine where the motorists are going.

GURRERI Mr. Gurreri agreed.

EVELER Attorney Eveler commented that when the no left turn was originally initiated there was a concern about people using CVS or using the WaWa as cut throughs. Perhaps they are customer who go into that store, come out and go to those destinations, but in reality you are not going to get people coming into that store just to make those cuts.

PASCH Mr. Pasch responded that with the addition of WaWa there is the convenience of the gasoline pumps and anything else.

THORNTON Mr. Thornton indicated that a light was being proposed for Chambers Road and Route 124.

SCHENCK Mr. Schenck commented that there had been much discussion when CVS was built concerning a no left turn. That had never been implemented. The question is why was it important enough originally. Mr. Schenck indicated it would seem foolish to put in a no left turn sign there. He added that even if with the addition of a sign or a pork chop, it would not prevent those left turns because it is not enforceable.

THORNTON Mr. Thornton stated that originally the Planning Commission determined that they wanted to see a sign put up there again and then further decided that it wasn't really necessary.

GURRERI Mr. Gurreri stated it was a real hazard going back out on Edgewood Road.

SCHENCK Mr. Schenck indicated he did recall that there was some neighborhood concern about the development and what it might do to traffic. Perhaps the neighborhood had since learned it was more convenient for them, that maybe the traffic wasn't a burden.

EVELER Attorney Eveler indicated that what was proposed for the York Township side was 95% certain.

SCHENCK Mr. Schenck interjected that on the Springettsbury side of the line the subdivision of this parcel is into two different zones.

STERN Mr. Stern responded that it was actually being subdivided into three zones, one in York Township and two in Springettsbury. Regardless of the subdivision, it would still be two zones, and regardless of what happened in York Township the problem would have to be dealt with whether or not the subdivison goes through. He did not think it was a problem.

EVELER Attorney Eveler asked what the Ordinance stated.

STERN Mr. Stern responded that the only item that applied would be a 50 ft. stop over clause. There's a zoning distance line and the use extends 50 feet over that line.

MITRICK Chairman Mitrick commented that within the two-zone parcel in Springettsbury Township one is land locked. She asked whether there was any way at this point to require or request that when the developer deals with the lot that is commercial that they take their access through their other commercial properties.

WEAVER Mr. Weaver responded that they are only creating one lot, which does have access through the private driveway to be used by WaWa and currently by CVS.

LUCIANI Mr. Luciani stated that WaWa was planning for access directly onto Carol Road as well as including another driveway.

SCHENCK Mr. Schenck recalled the controversy regarding CVS of the driveway going through an office zone for commercial use and added that the same condition exists on this lot.

STERN Mr. Stern responded that when that went to the Zoning Hearing Board originally, they had determined they couldn't do so. Then there was a legal review, the result of which indicated that they have to be able to access it.

SCHENCK Mr. Schenck stated that the only way to change this would be to rezone.

LUCIANI Mr. Luciani stated that might be the correct thing to do.

EVELER Attorney Eveler stated that in some municipalities there are ordinances which suggest zoning be handled by percentage. If it were split by zone and is over 51%, then that's the one that is used.

STERN Mr. Stern stated that Springettsbury does not have that in place.

EVELER Attorney Eveler indicated that it would be better to rezone.

GURRERI Mr. Gurreri asked about the current zoning.

STERN Mr. Stern responded that the northern portion along Carol Road was zoned Professional Office; the southern portion was zoned Commercial. .

MITRICK Chairman Mitrick asked Solicitor Yost how Springettsbury Township could protect that property so that it would not be developed as Commercial emptying onto Carol Road.

YOST Solicitor Yost responded that the residual lot would be virtually in the Professional Office zone. That would be a matter to address when any plans come in for that parcel.

MITRICK Chairman Mitrick asked why it would be necessary to wait for any plan to come into that parcel.

YOST Solicitor Yost indicated it could be rezoned at any time.

PASCH Mr. Pasch asked whether consideration had been given during the traffic study as to what impact this would have on Route 24 going north.

THORNTON Mr. Thornton responded that this had been included in the future proposed roadway improvements at the 124/24 intersections. WaWa will contribute some monies to York Township towards those improvements including dual lanes going north and southbound on 24.

He added that there would be two through lanes, one with a shared right turn and a separate left turn lane for both directions. He continued that those plans would be done in the future.

PASCH Mr. Pasch asked how far into the future and added that Route 24 North all backs up into Springettsbury Township.

THORNTON Mr. Thornton responded he was not sure as to the timing but reported that the plan is being considered by PennDot.

MITRICK Chairman Mitrick stated this was in the 12 year Plan but not in the first segment. She added that the Board has a responsibility to be protective of the safety in a residential zone. The future of that Land Development is going to change with the construction of the light system at Chambers Road. It was clearly stated in the traffic study summary that this development will have access to Carol Road. She asked Solicitor Yost whether there was a way to require or request the developer that after the project is developed and the intersection is developed at Chambers Road, they come back then and do an updated traffic study to really determine how much cut through traffic there is going to be.

YOST Solicitor Yost responded that it could be requested but not mandated.

MITRICK Chairman Mitrick indicated a concern due to the major changes with the traffic signaling. She anticipated that there might be a problem similar to Kingston Road.

WEAVER Mr. Weaver pointed out note 19 on the plan, which was a request that had been made. A No Left Turn shall be installed at the CVS driveway onto Carol Road if warranted in the future.

MITRICK Chairman Mitrick asked whether another traffic study would determine that.

WEAVER Mr. Weaver stated that WaWa was willing to so if Springettsbury Township thought it was warranted to do so on day one.

MITRICK Chairman Mitrick asked whether that would be enough to cover it.

YOST Solicitor Yost indicated that could be done. He added that the Township itself could always put up the sign.

GURRERI Mr. Gurreri stated it was a good point, but if it is a problem the only thing you can do is put a sign up. The people will just turn left anyhow.

MITRICK Chairman Mitrick stated that there would be other things that could be done such as a concrete median. She asked Solicitor Yost for assurance that a statement on the plan would provide enough clout to request modifications in the area.

YOST Solicitor Yost responded that the only thing WaWa said they would do was put up the sign. They didn't say they were going to put a pork chop in or anything else.

EVELER Attorney Eveler indicated that York Township wanted to see something in place to keep the motorists from coming out of Red Lion going north on 24 and making the left in there.

PASCH Mr. Pasch commented that he felt it was very important and agreed with the concept of the traffic study that probably a lot of the people who are using CVS are from that residential neighborhood. He added he thought people who use WaWa would be from that neighborhood and would be turning left on Carol Road, but without an origin and destination it would be impossible to know.

MITRICK Chairman Mitrick commented that, to be consistent with Mr. Pasch's concern that a note be placed on the plan that if, over a period of time Springettsbury Township suspects that there is a cut through problem, the Township could require them to do an orientation study.

YOST Solicitor Yost stated that it could be requested but not compelled. Legally we're required to address the plan today, but we cannot anticipate the future and provide for it today.

PASCH Mr. Pasch asked how the planning had been done with Home Depot and Mill Street and Eastern Boulevard. He added that Home Depot had to go back and do a traffic study.

YOST Solicitor Yost responded that the Township had a development agreement with them pursuant to which the Township requested it and they agreed to do it.

LUCIANI Mr. Luciani stated that when WaWa first came in the plan indicated they were going to change the circulation behind CVS. He had explained to WaWa that the Township was making an attempt to be inconvenient to cut through. By design the area is very narrow to permit one way so that could minimize traffic. Mr. Luciani's biggest concern was people coming up from the new signal light as far as cut through traffic. The way that CVS was laid out and the roads that tie in may minimize the cut through traffic.

PASCH Mr. Pasch agreed that was one of his concerns. It's going to be easier than making a left turn on 24, and that's what they do. Now what you're saying John is that there's enough obstacles that will make it tougher to do.

MITRICK Chairman Mitrick stated that the Land Development Plan was unfortunate for that location. WaWa is a very popular place and will generate a tremendous amount of traffic in an area where the traffic system is poor.

EVELER Attorney Eveler stated that the plan would also usher in the light at Chambers, which will improve the situation.

MR. SCHENCK MOVED FOR THE APPROVAL OF SUBDIVISION 00-09 FOR WAWA WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN.**
- **WAIVER FROM THE REQUIREMENT OF A BUFFER ALONG CAROL ROAD.**
- **WAIVER FROM SHOWING A PLAN AND PROFILE OF THE LOCATION OF STORMWATER CONTROL DEVICES.**
- **CONDITIONED ON THE COMPLETION OF ALL REQUIRED SIGNATURES, SEALS, AND NOTARIZATIONS,**
- **AND CONDITIONED ON THE SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER. MR. GURRERI WAS SECOND.**

PASCH Mr. Pasch asked Solicitor Yost whether the waiver from the requirement of a buffer on Carol Road should reference future discussion during the Land Development process.

YOST Solicitor Yost indicated agreement.

MR. SCHENCK ADDED THE FOLLOWING TO HIS MOTION:

- **WAIVER OF THE BUFFER YARD REQUIREMENT ALONG CAROL ROAD IS CONDITIONED WITH SUBDIVISION BUT WILL BE REVISITED IN LAND DEVELOPMENT. MR. GURRERI WAS SECOND.**

MITRICK Chairman Mitrick recommended that item No. 19 be highlighted on the Plan and that a notation be made in the Minutes that Springettsbury Township may not be so concerned with the No Left Turn sign, but rather once the project is completed and a given amount of time for traffic patterns to be established, that Springettsbury Township may request the cooperation of the developer to help remedy traffic through the residential neighborhood if that is a result.

MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATIONS FROM SUPERVISORS:

GURRERI Mr. Gurreri introduced Tom and Sue Lehr of 3400 Overview Drive, who attended the meeting with a concern about the traffic around the new Central School building. They wanted to go on record with their concern.

MITRICK Chairman Mitrick stated that the Board of Supervisors will be doing everything possible to address that issue as the project moves forward. A joint meeting will be requested with the Manchester Township Board because a lot of the traffic will be coming from that area. Chairman Mitrick thanked Mr. and Mrs. Lehr for coming.

MITRICK Chairman Mitrick asked Dori Bowders about the status of the newsletter.

BOWDERS Ms. Bowders responded that it was sent to the designer.

SABATINI Mr. Sabatini indicated the proof would be available before they send it out.

Eastern Boulevard and Haines Road - Litter

MITRICK Chairman Mitrick stated she had requested Mr. Stern to look into the property at Eastern Boulevard and Haines Road where residents have been complaining about the litter/trash/construction equipment left on the property.

STERN Mr. Stern indicated he was in the process of doing so.

Drive-In Theater

MITRICK Chairman Mitrick asked about the progress at the drive-in.

STERN Mr. Stern responded that he had a telephone conference with the real estate Vice President. They met with their maintenance people and walked the entire property. A letter had been written with a list as to what needed to be started by the end of March and completed. They have put the list out to bid to contractors, and by March 31st the Township should know what would be done.

MITRICK Chairman Mitrick asked how long they have to do the work.

STERN Mr. Stern responded that it depended upon what it is they agreed to do. Some of the items are easy, but some are more difficult. There are 900 ballards there which are steel encased.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost apologized for being slightly late with his written report. He spent two days at a municipal law seminar. He had four conversations with Attorney Karlushi at that conference and finally got the Resolution for the park reimbursement in the event a public financing of some type was done. He had reviewed the Resolution and felt it was appropriate and recommended it for action.

SABATINI Mr. Sabatini indicated that the mentioned $5 million is a standard IRS figure. There is no intention of the township to borrow $5 million.

YOST Solicitor Yost agreed that it was just a formality.

MITRICK Chairman Mitrick asked whether Solicitor Yost was recommending action.

YOST Solicitor Yost asked for action.

SABATINI Mr. Sabatini stated that this would refer to Resolution #01-28.

Consensus of the Board was to take action.

MR. GURRERI MOVED TO APPROVE RESOLUTION #01-28 RELATING TO CAPITAL PROJECT USE OF THE PROCEEDS TO REIMBURSE THE TOWNSHIP FROM SAID PROCEEDS. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Camelot Road Dedication

YOST Solicitor Yost reported that a Proposed Deed of Dedication had been received for Camelot Road with the advice that as soon as it is approved, it will be executed and delivered together with the $10,000 check. He requested a slight revision to the deed and stated he would probably conclude that some time next week.

Liquor License Transfers

YOST Solicitor Yost commented that at this time there are no hearings scheduled for the liquor license transfers. Solicitor Yost requested a hearing date be scheduled at a time convenient to the Board for two hearings.

MITRICK Chairman Mitrick stated that Solicitor Yost had indicated each hearing should take about 10 minutes.

SABATINI Mr. Sabatini commented that an event was already scheduled prior to the next Supervisors meeting.

MITRICK Chairman Mitrick asked whether there would be a problem to hold it off.

YOST Solicitor Yost responded it was no problem for him. When the legislation was adopted, they had not taken into account Supervisor's schedules, and they did not impose any. They mandated a hearing be held but did not say when it had to be held.

SABATINI Mr. Sabatini stated that the decision could be made 45 days after holding the hearing.

YOST Solicitor Yost stated it was actually 45 days after the request, but there is no deemed decision nor penalty for not having done so.

SABATINI Mr. Sabatini stated that the difficulty was there are no guidelines set. We are conjecturing from other language within the act of what is needed. It was tagged on at the very end with a last minute amendment.

YOST Solicitor Yost indicated the municipalities were not getting any cooperation. He felt if the transferees or transferors of the licenses really wanted to get it accomplished they would be proposing notices, application forms and everything else. They have not done so. Solicitor Yost had developed an application form, a questionnaire, a notice for posting and a form notice for advertising the hearing.

MITRICK Chairman Mitrick asked whether the Board would be prepared to have the hearings on March 26th at 7 p.m. and 7:15 p.m.

SABATINI Mr. Sabatini commented that it involved three liquor licenses.

YOST Solicitor Yost indicated that the third applicant just asked whether we had an application form.

MITRICK Chairman Mitrick asked Mr. Sabatini to let the Board know if that changed and whether to start at 6:45. Right now the hearings would start at 7 p.m. on the 26th.

YOST Solicitor Yost indicated there are only two for which to have hearings.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini reported that the York Water Co. is filing an 11.1% rate increase on all classes with the exception of hydrant services, which equates to .5-1/2% rate increase. This will cost the Township between $8,000 and $10,000 of additional monies if a full rate increase is granted by the PUC. He suggested that it might be worthwhile for a municipality to file formal challenge to a rate increase. Many times the result will be less of a rate increase.

PASCH Mr. Pasch commented that this rate increase would be a sizable one to the residents. Mr. Pasch indicated that the Water Company, like any utility, must justify what they are asking for.

SABATINI Mr. Sabatini will contact other municipalities and consumer advocates for their input but he would proceed with a formal challenge. The filing must be made within 30 days.

YOST Solicitor Yost indicated that a formal challenge would be better than a hearing. A letter of protest could be sent in as part of the record.

MITRICK Chairman Mitrick asked Mr. Sabatini to use his judgment in the matter.

SABATINI Mr. Sabatini stated he would get the Board's blessing on whatever he does afterwards.

MITRICK Chairman Mitrick stated he had the Board's blessing now.

Chapter 94 Report

SABATINI Mr. Sabatini commented that the Chapter 94 report must be filed by the end of March to DEP. It was not fully complete as of this meeting; however he requested the Board to pass a motion to authorize the staff to submit this by the deadline.

SCHENCK Mr. Schenck asked why it was necessary to bring to the Board.

SABATINI Mr. Sabatini indicated that in the past the Board had authorized the staff to submit the report.

MR. SCHENCK MOVED TO AUTHORIZE STAFF TO SUBMIT CHAPTER 94 REPORT BY THE DEADLINE PROPOSED BY THE STATE. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Community Map

SABATINI Mr. Sabatini commented that a final draft of the community map had been distributed to the Board. He asked for any changes to be made known by the end of next week (March 30, 2001).

SABATINI Mr. Sabatini reported that prior to the general meeting a meeting had been held regarding the On-lot Sewage Management Ordinance and did receive public comment. The text Ordinance and the Executive Summary was placed on the website. He requested the Board's permission to advertise the Ordinance.

On-Lot Sewage Management Ordinance

MITRICK Chairman Mitrick reminded the Board that they had passed an On-Lot Sewage Management Ordinance in November of 1999. When staff reviewed this, it was determined it was not Management or resident friendly. That was why they had an adjusted Ordinance at this time. What would need to be done is repeal the old one and approve the new one.

MR. SCHENCK MOVED TO AUTHORIZE STAFF TO ADVERTISE ORDINANCE 01-13 FOR FUTURE AGENDA PURPOSES FOR ADOPTION. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

YOST Solicitor Yost indicated he would handle the paperwork as it was a Summary Ordinance.

SABATINI Mr. Sabatini added that the purpose for the meeting earlier during the evening was to make sure that the public is aware and comfortable with what the Township is trying to accomplish and why. This is important because the Township will be visiting their property every three years and looking in their septic tank to make sure it is working properly.

MITRICK Chairman Mitrick commented that the meeting held at 6 o'clock (this date) was superb. Mr. Schober and the Township staff did an excellent job answering questions.

SABATINI Mr. Sabatini commented that an attempt had been made to make it more user friendly on both sides.

Absence from the Office

SABATINI Mr. Sabatini reported that he, the Police Chief and Human Services Director will be out of town beginning Tuesday night through Friday for the Public Employer Labor Relations Advisory Service Conference. Municipal labor attorneys will provide information.

Central School Building Project

SABATINI Mr. Sabatini suggested that Springettsbury Board of Supervisors meet with Manchester Township Board of Supervisors and representatives of the school board to discuss the project and its potential traffic

impact. Staff has had similar meetings with the school district. Mr. Sabatini felt it would be to the Township's advantage to have a meeting with the officials.

PASCH Mr. Pasch asked what information or material would be presented at the meeting in order to be productive.

SABATINI Mr. Sabatini responded that there was a sense to really discuss the traffic issues very seriously. It would be appropriate to invite a representative from York County Planning Commission, who would understand the traffic, not only in Springettsbury Township, but also in Manchester Township, and potentially even East Manchester Township because there is a Subdivision Plan nearby which could have an impact. He was hopeful that the Boards could have a concurrence on what their expectations are regarding traffic improvements, traffic control.

PASCH Mr. Pasch questioned whether there would be any presentation information as to projected traffic difficulties.

SABATINI Mr. Sabatini responded that would be requested. The traffic engineers for the project had begun the preliminary work. Mr. Sabatini indicated that it would be three weeks to determine the preliminary information.

STERN Mr. Stern responded that it was three weeks to determine the scope and the cost for the traffic study.

PASCH Mr. Pasch indicated that they would determine the scope that must be examined. He stated that Springettsbury Township should be involved in determining what that scope is.

LUCIANI Mr. Luciani commented that the Subdivision and Land Development Ordinance indicated that normally a scope for a traffic study was set prior to determining the project scope. That was why Manchester wants to be involved because some of the restrictions are on that side of the municipal boundary line.

STERN Mr. Stern stated that during a meeting held two weeks ago set up the basic scope. That was what Mr. Sabatini, Mr. Stern, representatives from Manchester Township and others did. The next step would be where they put the scope together and come back with the results on that scope to determine what will be done.

YOST Solicitor Yost added that they actually intend to acquire the property before receiving the traffic report.

MITRICK Chairman Mitrick asked whether that date was May 1st.

YOST Solicitor Yost responded that they intend to settle according to their own timetable on May 3 and will not have traffic study completed, but they intend to settle without it.

MITRICK Chairman Mitrick reported that the request for this meeting came to her. The request was that Springettsbury Township sit down with Manchester Township prior to that purchase date. Traffic concerns are so major that they wanted to be sure that the school district knows each and every one of our concerns before they sign that paper. The Planning Commission would also like to be involved.

PASCH Mr. Pasch indicated agreement; however he wanted to be sure that when the Board attended the meeting, the Supervisors would be prepared with information to indicate statistics behind the concerns. He wanted to determine what the Board would expect to accomplish, along with a statement and reasons for the concerns.

SABATINI Mr. Sabatini commented that a few things which had been discussed in staff level was preparation of accident statistics in that area. The exact areas must be laid out that are critical to the traffic patrol in that area. Manchester has issues that they would like to address in cooperation with the school district. The three governing bodies will have a direct impact on this project, and the Township needed to take an in-depth look at all the concerns. They would have had input into the scope prior to the school board acting on it. Having the Board give that final input into the scope will help the process move along.

PASCH Mr. Pasch asked for some kind of notes. He was aware of the personal concerns that had been presented to him, but there must be more concrete information. One of the major problems is Mt. Zion Road/Route 24, and he encouraged that an invitation be sent to the state representatives so that they could understand the scope of the situation.

SABATINI Mr. Sabatini indicate he would get in contact with the Planning Commission and the State Representatives and Senators, and if necessary, PennDot.

MITRICK Chairman Mitrick stated she would like to have the number of concerns of the residents who live in that immediate neighborhood on the check list. There are traffic concerns of fast-moving traffic on Paradise. Some of the local roads and neighborhoods are not built for traffic. Earlier there had been discussion about CVS and WaWa, and the Board knows that on Cortleigh and Kingston people will learn the

shortcuts and will take them, and in this case it probably will be through many of the residential neighborhoods.

SABATINI Mr. Sabatini commented that one of the discussions with school districts identified the fact that there is going to be parking in the residential areas across from the school and some on Mundis Mill Road. That concern needed to be addressed, along with pedestrian traffic as well.

PASCH Mr. Pasch indicated this meeting would have to be held prior to May 1.

YOST Solicitor Yost indicated that wouldn't be necessary, but to get your input in, whether it will mean anything, is unknown.

PASCH Mr. Pasch added that it would not mean anything after they purchase the property.

YOST Solicitor Yost agreed that once the property was purchased it wouldn't matter what the municipalities think. They will be substantially committed and the project would move forward from there. Many of the issues could be addressed in Land Development Planning.

MITRICK Chairman Mitrick stated that, if Mr. Sabatini could get together the information that Mr. Pasch would like to have with a check list of items for discussion, and Mr. Sabatini should take the lead in trying to establish a meeting before May 3.

SABATINI Mr. Sabatini indicated he would be in contact with Manchester Township and the school district and find the best date.

SCHENCK Mr. Schenck asked whether East Manchester was included.

SABATINI Mr. Sabatini indicated he had let them know about the project and encouraged them to provide input. He spoke with Terry Gingerich who indicated the impact is indirect on their township.

PASCH Mr. Pasch added that this would be a public meeting and advertised so that anyone who wanted to come to it could attend.

Lettering on the Building

SABATINI Mr. Sabatini discussed the lettering on the outside of the building.

STERN Mr. Stern provided drawings for the Board's review. He had reviewed information in the centennial book, which discussed the coat of arms and indicated it was not official. He stated that it seemed reasonable to

assume that the seal, while attractive and functional, was not the official coat of arms of Springetts Penn.

MITRICK Chairman Mitrick indicated she would be glad to make the decision.

SCHENCK Mr. Schenck commented that he would be satisfied as long as the materials would blend.

Consensus of the Board was that Mr. Stern should pursue information on one particular design with the result ready for the next meeting.

Open House

SABATINI Mr. Sabatini stated that the Open House was being planned for June 2, 2001.

GURRERI Mr. Gurreri asked why it was being held on a Saturday.

SABATINI Mr. Sabatini responded that it was felt more people could attend on a Saturday. It would be held from 9 a.m. until 1 p.m.

Consensus was that this should be strictly an Open House.

SCHENCK Mr. Schenck indicated he had full intentions of being present.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

SABATINI Mr. Sabatini commented that the following items refer to adoption of Ordinances to enact the various building and related codes for the Township.

A. Ordinance 01-05 – 2000 International Building Code

SABATINI Mr. Sabatini indicated that item A replaced BOCA and was in conformance with the requirements of state law. The only variance dealt with fire prevention such as sprinkler systems and the key boxes for the Township. He requested that the Board adopt Ordinance 01-05.

MITRICK Chairman Mitrick asked whether, since all of these had been reviewed at a special meeting, they all could be approved at once.

YOST Solicitor Yost suggested that each one be handled separately.

MR. GURRERI MOVED TO ADOPT ORDINANCE 01-05 – 2000 INTERNATIONAL BUILDING CODE. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Ordinance 01-06 – 2000 International Residential Code

SABATINI Mr. Sabatini commented that item B referred to the International Residential Code with revisions in design criteria for the local weather, snow load, earthquake, etc. He requested adoption by the Board.

MR. SCHENCK MOVED TO ADOPT ORDINANCE 01-06 ADOPTING THE INTERNATIONAL RESIDENTIAL CODE AS PRESENTED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Ordinance 01-07 – 2000 International Fire Code

SABATINI Mr. Sabatini stated that Ordinance 01-07 covered the International Fire Code. We have rules dealing with open burning. He requested adoption by the Board.

MR. PASCH MOVED TO ADOPT ORDINANCE 01-07, AN ORDINANCE ADOPTING THE INTERNATIONAL FIRE CODE AS PRESENTED. MR. GURRERI WAS SECOND.

PASCH Mr. Pasch questioned whether the previous ordinances had to be repealed during this process.

YOST Solicitor Yost responded that he assumed that they have a repealer.

SABATINI Mr. Sabatini quoted the following: "All Ordinances inconsistent or conflicting herewith are hereby repealed to the extent of such conflict or inconsistency."

STERN Mr. Stern commented that the effective date is June 1, which would provide time to be sure all the Ordinances are properly documented.

MOTION UNANIMOUSLY CARRIED.

D. Ordinance 01-08 – 2000 International Mechanical Code

SABATINI Mr. Sabatini indicated that Ordinance 01-08 was the International Mechanical Code. He requested that the Board adopt the Ordinance.

MR. GURRERI MOVED TO ADOPT 01-08 – 2000 INTERNATIONAL MECHANICAL CODE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Ordinance 01-09 – 2000 International Plumbing Code

SABATINI Mr. Sabatini indicated Ordinance 01-09 is the International Plumbing Code. There are consistent changes, and he requested adoption by the Board.

MR. PASCH MOVED THAT ORDINANCE 01-09 – 2000 INTERNATIONAL PLUMBING CODE BE ADOPTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Ordinance 01-10 – 2000 – 2000 International Property Maintenance Code

SABATINI Mr. Sabatini explained that Ordinance 01-10 was the International Property Maintenance Code. He requested that the Board adopt the Ordinance as presented.

GURRERI Mr. Gurreri asked about the Township Property Maintenance Code and whether it was much different from what had been in place.

STERN Mr. Stern explained that this Property Maintenance Code is different, but our property maintenance code deals with general property maintenance issues. This property code ties into the International Codes. One indicates the building must be built safely; the other indicates it must be maintained safely.

PASCH Mr. Pasch asked whether this would include what we already have.

STERN Mr. Stern responded that it would not completely. It had been discussed in the hearing about leaving them in tact for now. There will be matters that should be kept.

PASCH Mr. Pasch stated that would be difficult to administer.

SABATINI Mr. Sabatini responded that it repealed only the parts that are inconsistent.

YOST Solicitor Yost indicated if the new one did not cover it, the old one does. At some point he encouraged Mr. Stern to bring them into consistency for ease of administration.

MR. GURRERI MOVED TO ADOPT ORDINANCE 01-10 – 2000 INTERNATIONAL PROPERTY MAINTENANCE CODE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick asked that, as quickly as possible, review the old ordinance so that it could be made into one document for ease of administration.

G. Ordinance 01-11 – 2000 ICC Electrical Code

SABATINI Mr. Sabatini commented that Ordinance 01-11 – 2000 referred to the ICC Electrical Code. He requested the Board to adopt the Ordinance.

MR. SCHENCK MOVED TO ADOPT ORDINANCE 01-11 - 2000 ADOPTING THE ICC ELECTRICAL CODE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. Ordinance 01-12 – Join Other Political Subdivisions as a Member of the Susquehanna Municipal Trust

SABATINI Mr. Sabatini stated that Ordinance 01-12 authorizes the Township to join the Susquehanna Municipal Trust providing Workmen's Comp coverage. The broker's summary indicated that the Township holds a below .5 (actually .475) experience modification level, which is unbelievable for a municipality. This group insures municipalities in Lancaster and York County.

MR. GURRERI MOVED TO ADOPT ORDINANCE 01-12 TO JOIN OTHER POLITICAL SUBDIVISIONS AS A MEMBER OF THE SUSQUEHANNA MUNICIPAL TRUST. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

I. Trust Agreement – Susquehanna Municipal Trust (Worker's Compensation Insurance)

SABATINI Mr. Sabatini stated that the second portion of this is the Trust Agreement. This had been reviewed by Solicitor Yost and is a standard trust agreement.

MR. SCHENCK MOVED TO APPROVE THE SUSQUEHANNA MUNICIPAL TRUST AGREEMENT AS PRESENTED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

J. Resolution 01-26 – Authorizing Application to PA Department of Economic Development for Community Revitalization Act Grant

SABATINI Mr. Sabatini stated that the Township had been interested in submitting to the Department of Community and Economic Development a Community Revitalization Act Grant application in support of the park project. We are looking to submit three, one to each of our state lawmakers that serve the residents of the community. This requires us to have authorized approval by the Board.

MR. PASCH MOVED TO APPROVE RESOLUTION 01-26, A RESOLUTION AUTHORIZING GRANT APPLICATIONS TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT. MR. GURRERI WAS SECOND.

GURRERI Mr. Gurreri questioned a statement, "conditions will be bound by the grant." He asked what it meant.

SABATINI Mr. Sabatini responded that it was a typical statement indicating the Township was non-discriminatory, provide audit requirements, non-discriminatory of age or sex, Veteran or marital status, handicapped. The Township already meets those requirements and have already had a number of CRA grants awarded to the Township.

GURRERI Mr. Gurreri commented that the grants would not dictate how to build the park.

SABATINI Mr. Sabatini indicated it directs that the Township would meet all the requirements of a development code, public building code, etc.

MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Public Hearing – March 8, 2001

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS PUBLIC HEARING MARCH 8, 2001 MINUTES AS AMENDED. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED AS HE WAS NOT IN ATTENDANCE.

B. Board of Supervisors Regular Meeting – March 8, 2001

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE MARCH 8, 2001 BOARD OF SUPERVISORS MEETING AS AMENDED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

A. Consideration of Purchase of Vehicle

MITRICK Chairman Mitrick stated that Mr. Sabatini had recommended the purchase of a sedan from one of the state cooperative purchasing contracts.

SCHENCK Mr. Schenck asked whether the $20,000 figure had been checked and would produce the desired results.

SABATINI Mr. Sabatini responded that it was a not-to-exceed figure. He added that there were several vehicles, and he needed to check that the production runs were still good. Every indication was that a vehicle could be provided within a two-month period.

MITRICK Chairman Mitrick commented that Mr. Sabatini had covered his concern by indicating he could use one of the Code Department vehicles if there would be a delay.

MR. SCHENCK MOVED TO APPROVE THE PURCHASE OF A SEDAN FOR THE TOWNSHIP MANAGER ON A STATE CONTRACT BID NOT TO EXCEED $20,000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Other Items.

MITRICK Chairman Mitrick reported a letter had been written to her by Mr. Jeffrey Snyder regarding his appreciation for the assistance that Springettsbury Township Police Department had given him. He recognized the three police officers who had assisted him. She thanked Mr. Snyder for taking the time to write the letter, and also to express appreciation to the Police Department.

13. NEW BUSINESS:

A. Township Appointment to Springettsbury Township Volunteer Fire Company Board of Directors

SABATINI Mr. Sabatini stated item A referred to the appointment of a Board Member to the Springettsbury Township Volunteer Board of Directors. As part of the By-laws a representative needed to be appointed to the Board, and Mr. Pasch indicated he would like to serve on this Board.

MR. GURRERI MOVED TO APPROVE KEN PASCH AS A MEMBER OF THE BOARD OF DIRECTORS FOR THE SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Station Chief Qualification Summary Proposal

SABATINI Mr. Sabatini explained that as part of the Ordinance and By-laws that the Township needed to set the qualifications of the Station Chief and that the person, who met the standard, would be selected by the membership of the Fire Company to serve subject to approval by the Fire Chief. The Station Chief would be required to meet the Fire Officer #1 standard. At the present time no one fills this position. Mr.

Sabatini recommended that this goal be set and aggressive work begun toward training individuals to fill the position.

GURRERI Mr. Gurreri commented that he felt an Assistant Fire Chief should be hired. Knowledge and leadership was needed in that department, and he felt it was a mistake not to do that. The Station Chiefs have to take schooling. They are volunteers. It is difficult for them to give up the time. He asked whether it was practical for them to be trained. He added if an Assistant Fire Chief were hired it would be a big help to the Chief.

HICKMAN Chief Hickman responded that the training involved could be several months. Volunteers give up their time to do so, and they need to be trained for the position.

SABATINI Mr. Sabatini responded that the guide lines would still have to be set as that was mandated as part of the Ordinance and By-laws. He did not disagree with Mr. Gurreri, but indicated an expectation existed that there would be a Station Chief as part of the By-laws. That was not to say that a Deputy Chief would not be hired. He stated that this action would simply set the standard and does not appoint an individual.

PASCH Mr. Pasch stated agreement with Mr. Gurreri that it is a big commitment, but he felt that it was a part of what the Township had agreed to; it should be included, and the Board had a responsibility to encourage the volunteers to be a part of it. The volunteer company needed to have people who are striving for this. It would encourage enthusiasm within the department. If someone has the time to devote to it, he felt it would be an asset.

SABATINI Mr. Sabatini added as progress is made people would be attracted from other departments that have this training standard. He stated this was not an uncommon standard, and many departments have multiple people who have this qualification. People are still moving into the York County area, and it is hoped that people would be attracted to Springettsbury and the internal resources would be built up.

GURRERI Mr. Gurreri agreed with Messrs. Pasch and Sabatini that the volunteers be involved. He stated that it would take time to do this. If an Assistant Fire Chief were in place it would help the entire department.

SABATINI Mr. Sabatini mentioned that the next Agenda item relating to Shift Officer would be able to assist. His view on the Deputy Chief was that it would be a minimum of six-month recruitment process.

GURRERI Mr. Gurreri agreed that it would be hard to find someone but added there are individuals out there.

SABATINI Mr. Sabatini indicated that a candidate had surfaced when a previous recruiting effort had been made. By getting the internal house straightened out and building on the resources that we have they would be able to do that. The Station Chief, the Shift Officer or the Deputy Chief are not inconsistent with each other.

GURRERI Mr. Gurreri agreed the house was now in order and we want to keep it in order.

SABATINI Mr. Sabatini stated that they need to get it in order.

GURRERI Mr. Gurreri responded that now an Assistant Fire Chief might help and now that the department is nearly in order someone might be interested.

MITRICK Chairman Mitrick added that Mr. Gurreri brought up a good point. In the past there was a cloud over that position because of the confusion or the lack of organization with the volunteers and the Fire Chief's office. She indicated that now there is structure, and a position of Deputy Fire Chief might have greater appeal. In the past we encouraged in-house recruitment before we went outside. There may be someone in house now who is interested in that position.

SABATINI Mr. Sabatini responded that might be the case and could be a matter for discussion. He added that he needed to get the benchmark out for the Station Chief. He needed to move the department ahead, both the paid and the volunteers through the Shift Officer. In his opinion he would still have a difficult time recruiting an individual as a Deputy Chief. He requested more time as the department had not yet organized. He added that he did not disagree and indicated he could come back in two weeks with more of a recommendation on the matter. He urged action on these two issues at this time. Volunteers will not be attracted just on the basis of compensation. The best way to attract individuals is competency and clarity of mission, and the only way to do that is by setting the standards and putting people into the positions to start moving ahead.

GURRERI Mr. Gurreri added that was why an Assistant Fire Chief was needed to help do that. When we talked about an Assistant Fire Chief in-house, the only ones who might come forward are paid Firemen. Nobody would want to come out of the union to take this job, because tomorrow they could be fired. They don't have security, and in his

opinion, no one in-house would do so. A look needed to be done outside for someone who is already in a position like that or who aspires to be a Chief some day. There are plenty of guys in the paid department that could do it, but he asked whether Mr. Sabatini would come out to do a job where six months later you could be fired.

SABATINI Mr. Sabatini would defer that back to our paid Firefighters. He had not discussed this with any members of the union.

PASCH Mr. Pasch indicated there had been a change in the climate, and it will change even more as we go through and get everything worked out. The one thing that has to be insured is that the people who are paid are not excluded.

SABATINI Mr. Sabatini agreed that they would be the best resource.

PASCH Mr. Pasch stated that action on the Station Chief Qualifications it was part of the agreement. He asked what would happen when the Shift Officer would not be present.

HICKMAN Chief Hickman responded that when that Shift Officer is on vacation, the Sr. Firefighter on duty would assume that responsibility.

PASCH Mr. Pasch asked for clarification of the shifts.

HICKMAN Chief Hickman responded that it would be a 24 hour shift and one would be assigned to every shift.

GURRERI Mr. Gurreri asked Chief Hickman whether a paid fireman would be interested in doing the Assistant Fire Chief job.

HICKMAN Chief Hickman responded definitely not at the present time, but perhaps in six months to a year. He suggested to concentrate on what was necessary now and venture into that later. He added that the need is to fix the in-house structure very well first.

GURRERI Mr. Gurreri responded that he thought that would help fix the house. His idea was that the person would be trained as we go.

HICKMAN Chief Hickman stated it would be real hard to attract someone at the present time.

MITRICK Chairman Mitrick called for a motion to approve the Station Chief Qualification Summary.

MR. GURRERI MOVED TO APPROVE THE STATION CHIEF QUALIFICATION SUMMARY PROPOSAL. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Fire Department Shift Officer Proposal

SABATINI Mr. Sabatini requested approval.

SCHENCK Mr. Schenck had two concerns. He stated he had no problem with the naming of the Shift Officer position. However, he was concerned that the suggested language was trying to do something that perhaps is inconsistent with the agreement with the Volunteer Fire Company, and also I want to just be clear on the summary of duties outlined that they are consistent with what we're expecting out of the Station Chiefs. It says that the Shift Officers are second in command in the department to the Fire Chief. I want to make sure I'm clear and understand that that's not inconsistent with what the agreement with the Fire Company says about Station Chiefs.

HICKMAN Chief Hickman responded that it was his understanding we established the hierarchy of operations. Shift Officer can be whatever we want to name him so if we want to name him Deputy Chief, that would be consistent with our agreement with the Volunteer Fire Company.

SCHENCK Mr. Schenck asked whether Mr. Sabatini had the agreement and asked what it said about Station Chiefs.

SABATINI Mr. Sabatini quoted the following, "Station Chief shall be elected by the Fire Company pursuant to its By-laws and possess such qualifications as established from time to time that a Fire Chief may deem subject to his approval. If Fire Chief and Deputy Fire Chief are absent from the Township or are for any reason at any time unable to perform their duties and responsibilities, the Station Chief shall exercise the authority and perform the duties and responsibilities of Fire Chief as specified in Section 4.01."

SCHENCK Mr. Schenck indicated he just wanted to be clear as to the intent, which is to create a position of Deputy Chief Shift, which would fall in after the Fire Chief

HICKMAN Chief Hickman stated that he was correct.

MITRICK Chairman Mitrick asked who would be responsible when Chief Hickman was not on call.

HICKMAN Chief Hickman responded that it would be the Deputy Chief/Shift officer.

GURRERI Mr. Gurreri stated that in a sense it is an Assistant Fire Chief.

HICKMAN Chief Hickman stated that the title to be used is Deputy Chief. If another career member would be brought on to be my direct Assistant, that would be the Deputy Chief. Now the designation as it goes for Shift Officers would be Deputy A, Deputy B, Deputy C, so in the hierarchy of things there is a position there.

SCHENCK Mr. Schenck asked an additional question concerning Mr. Sabatini's memorandum and whether it would be the job description. The additional duties were more specific than he would put in any job description.

SABATINI Mr. Sabatini responded that any job description basically acts as a supplement to either the firefighter thing or as a stand alone. He added that he had not yet decided. He anticipated the stated duties, but would try to avoid the specific details.

MITRICK Chairman Mitrick asked for clarification as to how many Deputy Chief/Shift there would be.

HICKMAN Chief Hickman stated there would be three, one for A shift, one for B shift and one for C shift.

MR. PASCH MOVED THAT THE PROPOSAL AS SUBMITTED BY THE TOWNSHIP MANAGER REGARDING DEPUTY CHIEF/SHIFTS ESTABLISHING THREE DEPUTY CHIEF/SHIFTS BE APPROVED. MR. SCHENCK WAS SECOND.

GURRERI Mr. Gurreri indicated he did not exactly agree with it, but he would vote in favor because Chief Hickman was more knowledgeable in these matters than he.

MOTION UNANIMOUSLY CARRIED.

D. Volunteer Incentive Program Changes

SABATINI Mr. Sabatini stated that the Board had established a series of programs which are entitled, Voluntary Incentive Programs. These were administered and funded by the Township. We've had numerous discussions about how well this works and how it doesn't work. We'd like to flip it around and make the fire company responsible for it, let them establish and administer it. They can be a lot more creative than

we can. It demonstrates to us that we're going to treat them as full partners because we are able to see the policies and how they're implementing it from Mr. Pasch's position on the Board of Directors.

PASCH Mr. Pasch indicated Mr. Sabatini had discussed this with him. His opinion was it is a good idea to get the volunteers involved in making decisions as to what their volunteer incentive should be.

MR. GURRERI MOVED TO APPROVE THE VOLUNTEER INCENTIVE PROGRAM CHANGES. MR. SCHENCK WAS SECOND.

SCHENCK Mr. Schenck suggested restating the motion to be more inclusive.

MR. GURRERI MOVED TO APPROVE THE PAYMENT OF THE BALANCE OF THE BUDGETED VOLUNTEER INCENTIVE PROGRAM FUNDS TO SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY TO ESTABLISH A VOLUNTEER INCENTIVE PROGRAM SUBJECT TO THE GUIDELINES ESTABLISHED BY THE TOWNSHIP. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Expense Payment for Springettsbury Township Volunteer Fire Company

SABATINI Mr. Sabatini stated that item E referred to a change in policy also similar to the Volunteer Incentive Program changes. Mr. Sabatini indicated one half of the annual appropriation should be paid, which amounted to $37,500 to the Fire Company. They are responsible for paying their bills subject to audit provisions. Mr. Pasch would be sitting on the Board and reviewing the expenditures.

SCHENCK Mr. Schenck asked whether the Fire Company was equipped and ready to do that.

SABATINI Mr. Sabatini responded that the Township may have to do some support for them over a short period of time. They must organize and get ready, but this step will move the process ahead.

SCHENCK Mr. Schenck added that by approving that doesn't really set a date for implementation. He just wanted to be sure that it was not handed over until they are really equipped to handle it.

SABATINI Mr. Sabatini stated that there are some transitional issues. We are in the process of establishing a new bank account on behalf of the Fire Company for capital and operational expenses. Once all the funds are identified, those will be placed into the accounts on a temporary holding basis, from that point when the Board is established, they will

make the decisions as to where they want to do their banking. This gets the process started.

MR. SCHENCK MOVED TO APPROVE THE PAYMENT OF APPROPRIATED FUNDS TO SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY FOR THE PAYMENT OF OPERATIONAL AND CAPITAL EXPENSES. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick commented on the two previous motions. She stated that this was a demonstration of good faith on the part of the Board of Supervisors. She was confident that they will be successful.

F. Development of Fire Service Plan Request for Proposals

SABATINI Mr. Sabatini commented on item F referred to having a Fire Service Plan in place as part of the Ordinance. This will be a comprehensive study of the Fire Services in the community. A review indicated that staff would strongly recommend the Board of Supervisors authorize them to prepare the R.F.P. rather than try to do a study of this magnitude in-house. By using an outside resource this would be a truly objective study. We will have input from the management of the township, employees of the township, from the leadership and members of the Volunteer Fire Company. We need to establish the R.F.P. first and move ahead with this.

MITRICK Chairman Mitrick asked whether there was a price estimate.

SABATINI Mr. Sabatini responded he did not have a price estimate but added that much of that would depend on the scope of work. Once that was determined they would discuss it with one or two consultants and request a ball park price.

PASCH Mr. Pasch stated that this action would provide an independent outside presentation which is very important to the Township and the Fire Company.

GURRERI Mr. Gurreri indicated agreement.

MR. PASCH MOVED THAT THE BOARD OF SUPERVISORS INSTRUCT THE STAFF TO PROCEED WITH GETTING AN R.F.P. FOR THE FIRE SERVICE PLAN FOR OUTSIDE CONSULTANTS. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. Transportation Improvement Program Submissions.

This item was removed from the Agenda.

H. Other Items.

MITRICK Chairman Mitrick indicated that a few residents were in attendance. She stated she would like them to feel confident, based on their observation of the Board's combing through all the issues, that they will do the same with the Transportation Plan for the high school in Springettsbury Township. Every item will be reviewed.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10:45 p.m.

Respectfully submitted,

Robert J. Sabatini, Jr.
Secretary

ja

SPRINGETTSBURY TOWNSHIP **MARCH 22, 2001**
PUBLIC HEARING – ON-LOT SEWER MANAGEMENT **APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, March 22, 2001 at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania at 6:00 p.m.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Ken Pasch
Nick Gurreri

MEMBERS NOT IN ATTENDANCE: Don Bishop

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Donald Yost, Solicitor
Andrew Stern, Economic Development Director
Mike Schober, Environmental Engineer, Buchart Horn, Inc.
Ed Sowers, Sanitary Sewer Inspector
Brad Hengst, SEO
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order and explained that the meeting was an informational meeting on the On-Lot Sewage Management Ordinance in Springettsbury Township. Several specialists were available to respond to public questions.

SABATINI Mr. Sabatini explained the purpose of the Ordinance. The Ordinance reviewed last year had been placed on hold because the Township desired to make it work better for the needs of the community as well as the people who actually deal with this on a day-to-day basis. Mr. Sabatini introduced the staff personnel and hired consultants as follows: Ed Sowers, who is part of the Township staff assigned to the Community and Economic Development Department; Brad Hengst, Sewage Enforcement Officer, and Mike Schober, the Sanitary Engineer of Buchart Horn, Inc. Much of the work had been done through Buchart Horn, Inc. with significant impact from all the staff. The Ordinance had been made known to the public but had not been advertised or passed. The Township desired to have public input, to discuss it and explain why it was necessary and advise the rules governing it. Following review the Ordinance will be brought before the full Board of Supervisors for action. Mr. Sabatini turned the meeting over to Mike Schober of Buchart-Horn, Inc. for a presentation of the On-Lot Management Program.

Ordinance

SCHOBER Mr. Schober stated that he had assisted the Township in drafting the Ordinance. He indicated his presentation would last about 10 minutes and the majority of time would be allotted for questions and answers. He began with a brief history and discussed the Township's new sewage facilities plan. He planned to discuss the reality of on-lot management, what the public's responsibilities will be, what the program would cost, along with the schedule for inspections.

Sewage Facilities Plan

The Township embarked on a Sewage Facilities Plan about five years ago. The Plan enables the Township's review of all the sewage facility needs for the next 20 years, including the Waste Water Treatment Plant into the collection and into the on-lot system. The Township identified through inspections and well testing a number of on-lot systems that were considered to be failing or suspected of failure. There were 157 on-lot systems inspected out of the 450 in the Township. About 1/3 to1/4 of the lots were randomly selected to get an idea of the overall system. Out of the 157 there were 110 observed malfunctions, 10 suspected, and 37 (or roughly 25%) were confirmed malfunctions. The relatively high percentage got the attention of the Department of Environmental Protection, which resulted in requiring the Township to take action.

The Sewage Facilities Plan is required by the Department every so often to make sure the Township is providing an adequate sewage treatment. It evaluates all the sewage disposal needs and through that evaluation, the testing of wells, through the on-lot inspections there were seven areas identified as having marginal septic systems. There were pockets throughout the township where there was a higher concentration. He provided a map identifying those pockets.

There were a number of alternatives considered to address the problem areas. One was simply to extend the sewer system into those areas to pick up those homes to provide sewage treatment. That option was evaluated, and on average that option would have cost $23,000 per user. There was actually a range between $7,000 to about $10,000 and up to $48,000 depending on the area. Given the relatively high cost of extending the sewers to these areas, the Township investigated the cost of on-lot management as a more economical means of addressing the problems in those areas.

What Is On-Lot Management?

Mr. Schober explained that there are about 450 systems in the township. On-lot management is a systematic approach to making sure those systems are operated properly, which he intended to explain further. On-Lot Management attempts to keep systems working trouble free without the high cost of replacement or without the high cost of extending sewers if the systems fail. A typical on-lot system consists of piping that leaves the home and enters a septic tank. The septic tank is where most of the heavy solids are removed. The liquid passes through the septic tank into a below ground drain field. Some have a below ground drain field; some may have an above ground type sand mound. A slide of a septic tank was shown. One of the more important components is the baffle, and what the baffle does inside is keep the floating oily, greasy material independent and the solid material on the bottom and allows the clear liquid in between to go out through the drain field. That extends the life of the drain field to keep the solids out of it.

Why is an Ordinance Needed?

SCHOBER Mr. Schober explained that there are a number of laws the state Environmental Protection Agency has regarding protection of surface and ground waters, protection of public health and also to save resources. Mention had been made about the high cost of extending sewers and the high cost of replacing the systems, and on-lot management is an economical way to try and address these problems.

What are the Homeowners' Responsibilities?

SCHOBER Mr. Schober stated that the Ordinance requires a resident/homeowner to pump their septic tank once every three years. The resident contracts with the pumper of choice. The Township provided a list of 20 or so approved pumpers and then the resident sends the completed inspection forms to the Township. There are some other provisions made where, if your tank had been pumped recently, you would not have to have it pumped again. The Township will attempt to make this as easy as possible.

How Much Will This Program Cost?

SCHOBER Mr. Schober responded that the program cost to the homeowner not including the pumping or the administration for the Sewage Enforcement Officer and the staff would be $30.00 per septic system every three years.

RESIDENT **How do you arrive at that $30.00 figure?**

SCHOBER Mr. Schober responded that there are certain costs involved for administration and the Township SEO. He added that a review had been made at the costs around the County in other municipalities.

RESIDENT **Is the $30.00 figure the actual cost to the homeowner?**

SCHOBER Mr. Schober responded that was the actual homeowner cost.

RESIDENT **Does that figure include the cost to have the tank pumped?**

SCHOBER Mr. Schober responded that the $30.00 figure included the Township inspection fee and administration fee.

RESIDENT **Does the resident have to pay that plus whatever it costs to have the tank pumped?**

SCHOBER Mr. Schober responded that was correct.

RESIDENT **Who will do the inspection?**

SCHOBER Mr. Schober responded the Township SEO, Mr. Hengst, will be in charge of doing the inspections.

RESIDENT **What is the inspection going to consist of?**

HENGST Mr. Hengst responded that he had no plans for the inspection to be intrusive. He proposed that he would inspect with a walk around, a look at the septic tank and a look into the liquid levels in the tank to see if there is anything in the tank that looks abnormal. Also he would look for discharge from the house that is not going into the septic tank, a laundry pipe or some drain that's going to the road gutter or out onto a neighbor's property. Those are illegal and will need to be corrected. Also he planned to look at the absorption area, whether there is a drain field or a seepage bed or a sand mound or whatever that absorption field is, it will be inspected to see if it is functioning properly and that there is no visible malfunction. He did not plan to dig any holes in the ground and probably won't even need to enter a house. The only reason that would be necessary would be if there were an unusual situation where there's a discharge and a discussion would take place to work on what would be the best plumbing modifications for correction.

RESIDENT **Will the inspection need to be done while it's being pumped?**

HENGST Mr. Hengst responded that he would want to inspect prior to the pumping because he would want to see the system in use. The Ordinance will require a port to be installed prior to inspection. An inspection port is a 4" pipe above the inlet baffle. It also requires that the manhole be extended to within 12" of the finished grade so that when you have to pump every three years, digging deeply would not be required, and the pumper can

pump through that big manhole. The inlet baffle is where the 4" inspection extends to the grade. As long as that is at grade level, it's very easy to inspect, which involves opening the lid and looking in. The liquid level can be seen and readily determined whether there's a problem with that tank.

RESIDENT **Will I have to come in and get a permit first? I'm scheduled to have my septic pumped next month on an every two year schedule.**

HENGST Mr. Hengst indicated there would not be a permit needed.

RESIDENT **In this proposal I see that a homeowner could request to have an inspection done every six years.**

HENGST Mr. Hengst responded that was stated in the Ordinance.

RESIDENT **What written criteria do you have to follow to indicate a resident would not have to go for three but could go to six years. Is that just arbitrary at your discretion?**

HENGST Mr. Hengst indicated the Ordinance does not have a list of criteria in it. It suggests that you submit evidence in writing to request an extension of time. Penn State published a brochure that has a suggested scheduled pumping based on numbers of people in the family and tank size. That would be the criteria used. The system would be inspected, and some kind of evidence would have to be submitted. The sludge in your tank would have to be measured to prove that you don't have a sufficient amount. The Ordinance indicates when it's 1/3 full it needs to be pumped.

RESIDENT **What about some homeowners who haven't pumped their system in 15 years?**

HENGST Mr. Hengst responded that was like a ticking time bomb. They work for a while, but when they go bad then it's too late to pump. The system would have to be replaced

RESIDENT **If there's one person per household, will the tank still have to be pumped every three years?**

HENGST Mr. Hengst responded that it would depend how big the tank is, the condition of it, and how much is in it. With one person in the household, there would be a much better chance to get an extension than one who has four or five people in the household. All the suggestions across the state are to pump a tank every two to three years. Mr. Hengst recommended that criteria as well. It's wiser to just have it pumped than to try to get an

extension. There will be costs involved in getting the extension, but it is stated in the Ordinance.

RESIDENT **What happens if your septic tank is smaller than the state recommended minimums for the family size?**

HENGST Well in that case I probably would recommend that it not be extended and that it should be pumped.

RESIDENT **If the inspector comes and finds the tank is less size than what is recommended, what will take place?**

HENGST Mr. Hengst indicated he would not be concerned about the size of the tank on his inspection. He would not be able to tell how big the tank is because when he looked down the pipe, the tank is full of liquid. He stated that there was nothing in the Ordinance, and it was not his intent, to make people replace a tank just because it's undersized because many properties across the state have been built prior to regulations and their systems are still working. The intention was not to have people build new systems; just making DEP happy with finding malfunctions and correcting them.

RESIDENT **What can you advise as far as the use of enzymes monthly for keeping the systems from filling up?**

HENGST Mr. Hengst responded that the people who are telling you that are people who are selling enzymes. There is a flow going on through a septic system, and everything is going downstream. The septic tank purpose is to trap the sludge so it does not go downstream. If you put something in your tank that liquefies it, it's going downstream, and it might cause problems in your bed. A recent study on additives to septic tanks had been done in North or South Carolina University. The conclusion was that there was no proof that any of them provide any advantage or any good to a septic system. Bottom line, none of them work. They might have a little effect, but not enough, not nearly what pumping does. It's better just to pump it out. The additives are probably just a waste of money.

RESIDENT **We did a major re-build of our drain field and we were concerned as to whether we wanted to go as long as 3 years in a 3-year cycle. If we pumped every 2 years, how would that work?**

HENGST Mr. Hengst responded that would not be a problem. The Ordinance says the tank must be pumped every three years maximum. The pumping could not be delayed any longer than three years. If a resident pumps every two years that schedule will change. The inspection and the fee will be charged to the resident every three years. If the tank is pumped every

two your schedule will be ahead, and that's not going to hurt anything. When the document comes in that says it was pumped on a certain date that gets entered in and three years from that year is when you'd be notified again.

RESIDENT **If I want to pump it every two years, all I need to remember is when I pumped?**

HENGST Mr. Hengst responded that was correct. The Township would be sending out notices every three years. There could be some adjustments, as some residents pump every year and may not need to report every one of them. It will just be reported when The Township asks for documentation for the Township file. Just because a resident pumps their tank more often does not mean it would be inspected that often or that a charge would be made. It would still be every three years.

RESIDENT **How will the Township keep the record straight?**

HENGST Mr. Hengst responded that Ed Sowers would do that through the database.

GURRERI **Every three years you do an inspection. If you have it pumped every three years, why do you need to do the inspection?**

HENGST Mr. Hengst responded that things do break down, and malfunctions can happen.

GURRERI **Wouldn't the pumper tell you where problems are?**

HENGST Mr. Hengst responded that the pumper may not know. He added that the first three-year sequence would undoubtedly be the most important because no inspections have been made. It will take some time to get malfunctions corrected, but once they're corrected then we've got to keep them operating.

GURRERI Mr. Gurreri commented that he was sure a lot of tanks out there had not been pumped for 20 years. He had a tank pumped that wasn't pumped for a lot of years and the pumper said it wasn't bad, so apparently the system worked pretty well and they didn't have a problem.

GURRERI **Why does it have to be done every 3 years if you have a system that works well?**

HENGST Mr. Hengst responded that today's systems are required to have two of those septic tanks or one tank with two compartments, and they're also required to have a septic solids retainer at the outlet so that it retains most

of the sludge. A septic tank is about 85% efficient, and a septic tank is supposed to retain the waste for about three days so it's supposed to be three times the volume that is put in there. Some of the older systems have 300 gallon tanks, and they have no deflectors for septic solids. They're old, and they allow sludge to leave readily, and just because the system is working does not mean they shouldn't be pumped more often, especially the under sized ones. New systems with bigger tanks might be different, but the alternative to not pumping is devastating. Costs for pumping every three years at $150, along with paying the fee to the Township might total $200, and to do so every three years is pretty cheap sewer. The alternative to that is replacing it with a $10,000 septic system and possibly more.

SCHOBER Mr. Schober added that another thing to recognize is a lot of the systems fail, and the owner does not know it because they're not failing and coming up on the ground where you can see it. They are failing because the wastewater is not getting treated, and it is getting into the ground water and into your drinking wells. Part of what was done with the Facilities Plan was to test wells, and there were a number of them that had high choliform counts. Choliform is a bacteria which indicates there is fecal matter and human waste present so there is indication that these things were not just failing upward; they were also failing in a downward reaction. Your septic tank may work for 20 years and you may think it has been working for 20 years, but in fact it has been polluting the ground water, and that is a major concern.

GURRERI Mr. Gurreri indicated that was an important point because that was one of the reasons why the Township was doing this, to clean up the ground pollution.

RESIDENT **How often should you get your well water checked?**

SCHOBER Mr. Schober responded that it was good to do so once a year. It only costs about $10 to $15 to get a choliform test done.

RESIDENT **Can they tell you right away if you have a problem?**

HENGST Mr. Hengst responded that the test would indicate any problem immediately. Your well water could be tested for many different things, and it is not real expensive.

RESIDENT **I have a sand mound and I had a well within 100 foot. Why did I have to shut that off?**

HENGST Mr. Hengst responded that was a permit issue and a setback isolation distance matter.

SCHOBER Mr. Schober added that state law had certain isolation distances where a septic system could be placed from wells to property lines and streams. One of them is for the water supply at 100 feet regardless of whether or not the well is contaminated. The State says you can't have it there.

RESIDENT **Why didn't everyone who has septic tanks get one of the letters?**

SOWERS Mr. Sowers indicated that as far as the Township's listings, everyone that was on the list of 450 received a letter. Some of the letters came back, and some were re-sent to the same address but with different names. An attempt was made to mail them to everybody.

HENGST Mr. Hengst stated that with 450 properties there may be a property somewhere in the Township that we're not aware of, but as he walks over the Township in the next three years one may be found that is not on the sewer, and we're going to wonder why that house is there if we're not inspecting it. It would be to the resident's advantage to contact the Township.

RESIDENT **I'm just wondering who's going to pay for this. I'm on a fixed income.**

HENGST Mr. Hengst responded that, unfortunately, the answer is the homeowner will have to pay for it. Hopefully it will not be too excessive. If it's $180 in three years, that's $66 a year, and maybe that is not a budgeted item, but hopefully the resident will be able to do pay it. The alternative with a malfunctioning system would be very costly.

RESIDENT **I have a 35' X 10 and 6 ft. deep sand pit, and live by myself. There's never been any problem.**

SCHOBER Mr. Schober indicated it might be worthwhile pursuing getting an extension on how often you have to have it pumped. He added that after the first inspection, timing for the second one could be extended.

Proactive Maintenance

SCHOBER Mr. Schober stated that there are some things a resident could do proactively to maintain a system such as pumping on a regular basis. The other thing to remember is to try to keep all normal domestic sewage out of the septic. Don't pour oil in or caustics or heavy cleaning solutions in the septic. That septic tank is actually a colony of microorganisms working for you, and you don't want to kill them off. Minimize use of the

garbage disposal. That's a real heavy use of a septic tank. Take a look around your yard and try to eliminate rainwater that might flow into it, downspouts that might discharge right on your drainfield. Those are the types of things that overload the system. Always protect your drainfield. If you know where it is don't park on it, and don't drive trucks on it.

Schedule and Districts

SCHOBER Mr. Schober indicated that a schedule had been provided for everyone. The Township is divided into three districts. District one is north of Route 30 and west of Route 24; District two is north of Route 30 and east of Route 24; and District three is everything that's south of Route 30. Each of those districts are broken up into a year. District one will be this year; District two next year; District three in 2003, and then the process will be repeated.

RESIDENT **Have public sewers been considered for any areas such as a half mile strip of Druck Valley Road west of 24 near Northview?**

SCHOBER We looked at that, along with the costs, because the properties in most of these areas are so spread out, the cost per user to build the sewers would be excessive.

RESIDENT **There is a cluster of homes to the north, east and west in that one section. It sits right there on a sewer line. Why can't that be hooked up?**

SCHOBER Mr. Schober responded that they can be hooked up. Through the study phase we determined that they could be, along with what the costs would be. It would amount to about $10,000 per user up to the worst case of about $48,000.

HENGST Mr. Hengst stated that one of the results of on-lot management is that information will be gathered, and areas where there are pockets of malfunctions, the solution may be to extend the sewer. It may be more feasible to do that than to have that cluster of homes all replace their septic systems. When that happens and there are some serious needs, those needs can be presented to DEP and through PennVest and Federal funding, sometimes municipalities can get some grant money or some low interest loans to help to finance those kinds of projects. Mr. Hengst indicated that where sewers go and don't go often has to do with economics and not the need. Sometimes there are a little pockets where it would take an expensive pump station, and that's the case with Druck Valley. There are some places where it goes down, and it has to come back up, and it needs an expensive pump station.

RESIDENT **What about the area by the water tower?**

SOWERS Mr. Sowers responded that the problem involved with those few homes would be the distance to the point where a connection could be made to the existing sewer. It would involve traveling through thousands of feet before getting to that point and come to that pocket of homes. Somebody pays for the sewer extension that really does no good for the portion leading up to the homes. It gets very, very expensive. Again, we wait and maybe a developer or someone will pick up some of the pockets of land, put sewer in, and then we can hook onto the back side of that and make it more feasible to the residents.

RESIDENT **Based on what you're saying that section could never have sewer then because there is a park or something in there?**

SOWERS Mr. Sowers indicated he did not know about that, but there was land on the other side too, but not as much. Sewer is very expensive but there's a gap there of no use.

RESIDENT **Say you have a standard septic system, what percentage of septic would go to sand mounds? If your septic system would fail, would you be required to put a sand mound in?**

HENGST Mr. Hengst responded that the decision as to what type of system you have to use is based on the soil. There is a general rule in determining septic system drain fields. In Pennsylvania the law requires 48" of soil under a gravel pit and a bed two feet into the ground, and you still have four feet left. If it is measured and it's only three feet deep, then a foot of sand must be added, and that's what makes a sand mound. It's hard to say what percentages will and won't be. It's all conditioned on the soils. Soils in Springettsbury Township are not real good. When you get south of Route 30 they get a little better, and consequently a lot of the systems in Springettsbury have been sand mounds. There is some new technology today that allows you to build on the same kinds of soils without using a sand mound. That could be discussed at another time. There are not many sand mounds that have failed. Sand mounds are a good system. In Pennsylvania there is a rumor that every 10 years you have to dig them out and re-do them, and that's not true. Mr. Hengst indicated he had been permitting sand mounds for a lot of years, and if the PERK tests were done right, and if they're put on soils properly, they're installed and maintained properly they will outlast an in-ground system.

RESIDENT **As a homeowner I want to thank the Township and the gentlemen for their presentation tonight.** I like what I've heard. I like the approaches

that you're taking here to be user friendly to the residents. I really do appreciate this. Thank you very much.

RESIDENT **You mentioned new technology. I'd like more information on sand mounds.**

HENGST Mr. Hengst provided the following information. The way a sand mound works is the sewage leaves the house, goes through septic tanks where the solids are trapped and then it goes into a pump tank which lifts it up to the gravel bed and drains down through the sand. The sand is basically the filter. There's a new system out called Eco-flow, which is a peat filter. It's a big plastic shell about the size of a mini-van, buried in the ground with the door in the top. It's filled with peat moss. The sewage comes out of the house, through the septic tanks and then runs through the peat filter in the ground and out the bottom into a pump tank and up to a gravel bed, but the gravel bed doesn't need to lay on sand. It can lay right on the ground since the filtration has been done in the peat. So you have a mound, but it's only so high. There's no need for sand. There's one of those permitting to be built back on Druck Valley this summer. That's one technology. There's spray irrigation that can be used for shallow soils where it's filtered through a sand filter and then into a pump tank and a chlorinator. The chlorinated water is sprayed out on spray heads throughout the field in wee hours of the morning when no one is mowing lawns. There's one of those at the Morningstar Market by their entrance. That's a commercial one. There's also one which was approved just last year, another irrigation system, septic drip where a small tubing is buried under the sod about every two feet down the slope, and each two feet along that tubing there's a small emitter. When the pressure comes on drips come out the emitters and it irrigates under the sod. It can be put in the woods. In shallow soils it has to be filtered ahead of time with a sand filter. The big problem with all this new technology though is that it's expensive, and in most cases it's more expensive than to build the old sand mound.

RESIDENT **What about a system called biorobic where you switch from anaerobic bacteria to aerobic bacteria?**

HENGST Mr. Hengst responded that a normal septic tank works in what is called an anaerobic condition because it's underwater and has no oxygen. The bacteria are sluggish. They do their job. They feed on the nutrients that are put in there, but they are pretty slow. If oxygen is interjected into that atmosphere and bubbled, those bacteria get real excited because they get lots of oxygen, and they get hungry and they really grow and eat. They really break down the sewage, and it works real well. The effluent going out is better. In fact, the regulations will allow you to build a smaller size

absorption area if you use it. There have been some problems because the liquid amount doesn't change; just the quality gets better, and reducing it is concentrating it a little more tightly than it should be. The problem is if you don't need to do a reduced size is that they cost about $20.00 a month to operate because of the electricity. A pump runs almost continuously pumping oxygen into it. If you don't need it, it's foolish to waste that $20.00 and it's just another thing to maintain. The motors wear out and need maintenance.

SCHOBER Mr. Schober added that Mr. Hengst was well acquainted with these matters. If a resident would experience problems, he has a wealth of knowledge and is very helpful and can perhaps eliminate the need for replacement a system. He might be able to recommend something quickly that you could do to help the performance and save a few years on your system. Mr. Schober encouraged the residents to utilize the resource.

RESIDENT **Typically do you have any idea of what it's going to cost to restore or replace a system?**

HENGST Mr. Hengst responded that there was really no way of knowing. It depends a lot on what the system will be. He guessed that septic systems today range in price for a single-family residence from $5,000 to $15,000 depending on the conditions and the type of system. There's a wide window because there are so many different types of systems, some more sophisticated than others. They are more expensive. Some of those new technologies are rather expensive. If you have to build a sand mound, it would be probably in the neighborhood of $7,500. If you have to build an in-ground system it could cost in the neighborhood of $3,000 to $5,000. It could be that what won't pass inspection is as simple as a laundry discharge to the gutter, which may mean a little bit of plumbing in the house to correct it so it all goes into the septic tank. If the tank is not there and you don't know where it is, we'll have to help you find it. Then you'll have to dig down to it, and put that manhole and pipe in so that it can be inspected and pumped properly. Those are the kinds of things that would not pass inspection, at least the first time around. Mr. Hengst indicated he would work with the residents to help find a solution to get that up and running.

SOWERS Mr. Sowers added that the Township had invested in some camera equipment to find manholes with a unit at the end that can be put down the pipe and located, and that may be utilized on properties where it's just impossible to find the tank. Hopefully the tank will be found the first time.

HENGST Mr. Hengst added that he had an electronic septic tank finder**,** which has a little radio transmitter the size of an egg. It is tossed in the commode and flush it down. It floats, pops up in your septic tank. Mr. Hengst carries a receiver, and I just walk around your backyard and find the signal, and that's where it is. It works slick, and they can be found.

RESIDENT **Can't sand mound costs could go up to $10,000?** **Y**ou're a little low when you say up to $7,500 for a sand mound.

HENGST Mr. Hengst indicated they could go anywhere up to $12,000. It depends a lot on the size, the PERK rate and other variables. That's why it's hard to tie them down.

MITRICK **For the 2001 inspection schedule, when does that begin: 7 a.m. tomorrow?**

SOWERS Mr. Sowers responded that first the Ordinance must be adopted. After that is adopted letters would be sent out to all the residents in that section and we will begin at that point.

HENGST Mr. Hengst provided information regarding the procedure or routine of the inspections. After the Ordinance is adopted, Mr. Sowers will send letters, which will tell the resident that they are going to be inspected. He will give the list to Mr. Hengst, who will do the inspections. As the inspections are completed, Mr. Hengst will give them back to Mr. Sowers. He will then mail the notice that says the inspection was completed, and enclose the report and the form. Instructions will be given to pump it out, the resident attaches the pumper's form, and mails it in with the fee.

QUESTION **Will you have a schedule when you're going to come and inspect because if you would come to my house and inspect it, I know where my tank is, but I've dug it up three times in the last 20 years, and I know it's a job getting down there. I don't have a manhole extension.**

HENGST Mr. Hengst responded that in some cases he would be in contact with the resident. He explained that he would be looking for septic tanks, inspection ports and so forth. Some he would not see, at which time he would contact the resident and arrange an appointment to meet. If the resident tells him it is covered with four feet of dirt, he would then describe what will be needed as far as digging so that it can be inspected. He added he wanted to try to work together going through the summer to be able to get that accomplished in the first phase.

QUESTION **Will I know approximately when you're going to come to my area? I don't want my yard dug up waiting for you to come around and inspect.**

HENGST Mr. Hengst responded no that he should be able to come and inspect without digging. However, if it's not visible and must be dug, then communication will be necessary and appointments made.

SCHENCK Mr. Schenck commented about a property he owned in another municipality, which implemented the program two years ago. He stated that he did not want anybody to go away misinformed about the inspection port, the 20" manhole they're talking about and the 4" pipe. He was not sure when they started putting those in systems, but in the area of his property, very few of the systems had that. The first step, as indicated by Mr. Hengst was putting those devices in place. Once those devices are in, and they can be added to an old tank, then he can do his inspection without digging up your yard. They have to be added for him to do his inspection. It was around $300 in my case. The same company that did the pumping was familiar with adding these things. They came, dug it up and put a ring in the lid and the pipe, etc. The residents may proactively want to think about going ahead and getting that equipment added because it will be needed for the inspection. During the first inspection, Mr. Hengst is going to come, and if there's no port it can't be inspected. Then you're going to have to go back and add that. It is an expense, but once it's in it will be very convenient for the next inspection.

HENGST Mr. Hengst added that this was not only important for inspection but also it's also very important for the pumping, probably more so because if you visualize the septic pump operation, the guy has a truck and a 3" hose. It works by vacuum. If you only have a small pipe – maybe even a 6" pipe and you stick that hose down that pipe, he can't see past it to see what's going on. He can't move that hose so if there's sludge in that tank, he can't maneuver to be able to get it. All he does is take the water out of the tank. With a 20" hole or a 24" hole light goes in as he's pumping, he can see what's going on. He can tell when he gets down to the bottom whether he's got sludge or whether it's liquid, and he can then backflush if he needs to to break that up, or use a hoe or tool of some kind to break up the sludge so that he can then pump it out. Without that opening he can't do it.

RESIDENT **I have a septic tank and I don't have a pipe. I know I'm down to the top of that tank at least 6 feet.**

HENGST Mr. Hengst stated that the septic man won't complain, because if he would you'd ask him to dig that six feet. The Ordinance requires that on each

tank. Some of the older tanks do not have it, but they've been installing that on septic systems for years so some may have it on already. The six inch pipe is not adequate for pumping. The pumper cannot get around it. He can't see what's going on, and he can't pump your tank clean through that pipe. Today septic tanks are built with 24" openings and they're built with access for an inspection port above the inlet baffle. In the past they were built many different ways. Some had 12" holes; some had 16" holes. When we encounter those kind the only thing to do is to dig it up and see what's there, and make a decision what's going to work best to get the job done. You're certainly not going to be able to, and I'm not going make you cut a 24" if you already have a 16" hole.

RESIDENT **Mine is under concrete and I had it pumped out already and the guy got a hoe and a water hose in too to make sure he got everything cleaned out. The whole lid has about a 16" pipe.**

HENGST Mr. Hengst responded that would be okay. He would encourage the resident to put an extension on that. It's only a couple inches and when the three years come around again you don't need to dig all that again.

RESIDENT **If you have 12" on top is it okay?**

HENGST Mr. Hengst responded that the code says that the manhole can be no deeper than 12".

RESIDENT **What if it's 14"?**

HENGST Mr. Hengst responded if it's 14, it's deeper than 12". The code says 12". One of the reasons for that is it helps to make it child proof so that kids can't get that lid off and fall in there. We don't want that to happen.

RESIDENT **What is the requirement for the extension pipe as far as material is concerned?**

HENGST Mr. Hengst responded that a lot of different materials were being used these days. There are some manufacturers that make manhole extensions out of plastic. There are some very sophisticated ones made that are expensive. Some of the guys are using the smooth wall corrugated plastic pipe. It can be cut at any height. The tank manufacturers make them out of concrete and they're fine, but they're heavy and only certain increments in height. Sometimes the height doesn't work quite right for what has to be done. There's a lot of different material that's available and different ways of doing it. The object will be to get it done so it's big enough. The materials are an option.

RESIDENT Sounds like from what everybody's saying here tonight a lot of these homes are older. A lot of these people are going to spend several hundred dollars to get prepared to do the pumping. That's something that I'm in favor of protecting the ground water. **What other townships have an Ordinance like this?**

SCHENCK Mr. Schenck responded that we know that York Township recently implemented theirs for sure.

RESIDENT Peach Bottom implemented it, but they don't require to meet the state standards; they require a home with a septic system to have it pumped only on transfer of property.

HENGST Mr. Hengst added that there are several townships in southern York County that have that.

RESIDENT **Are we jumping in here and maybe going an extreme or maybe take a step at a time?** If it's suitable for other townships to have to have it pumped, yes you have septic systems that need pumped every year or two. That should be enforced, but where a septic system is working, **why should commissioners put burdens on the homeowners and make them pump every three years when they don't have to be?** Why can't it be like some of the other townships and pump them only when property transfers, or make it an extended period of time. My third question is **what will this do to effect residential real estate values of these homes because you're getting close to the border of a holding tank in a three year period**? That could be a concern regarding marketability and value of the home.

HENGST Mr. Hengst responded to his first comment about the extended period of pumping, the Ordinance has a mechanism in it for those that and deserve and are entitled to an extension.

RESIDENT **Is there a written guideline?** If I have a house with four baths and five bedrooms and I live by myself according to some of the guidelines, we'll have to have that pumped regardless.

HENGST Mr. Hengst responded that the table used is numbers of people. Numbers of bathrooms and bedrooms won't matter.

MITRICK Chairman Mitrick added that the Ordinance in Section 9 under Inspections in Item C does provide for some flexibility.

RESIDENT **Why do we have to start with three years. Why not start with the six, or like some townships, when property is transferred?**

GURRERI Mr. Gurreri responded that the Township was mandated by DEP to do this and it must be done within a three-year period.

YOST Solicitor Yost stated that property transfer situations are just something the municipality came up with. DEP standard is three years, which is their requirement for Sewage Management Ordinances. Most of the municipalities in York County don't have Sewage Management Ordinances, but as soon as they update their Sewage Facilities Plan as Springettsbury is doing now, they are going to have to have an On-Lot Sewage Management Ordinance very similar to this.

RESIDENT **Will it spell out three years?**

YOST Solicitor Yost responded that the Department of Environmental Protection mandates three years.

RESIDENT **Three year inspection, right?**

HENGST Mr. Hengst stated that the model ordinance recommends inspection and pumping every interval. There is no question there are different ordinances across the county. York Township just adopted an ordinance this year. Springfield Township has an ordinance that requires pumping every 4 years. That's been in place for 15-16 years now. Newberry and Carroll Township is 4 years.

RESIDENT **What about holding tanks and property values?**

HENGST Mr. Hengst stated that if anything this will enhance property values because it's not approaching a holding tank. People who have holding tanks need to pump them every three weeks or less. That's not good for real estate value. Regular maintenance on a septic system will maintain the system, and the real estate transaction is going to happen much easily.

RESIDENT **I own Master Appraisers, the largest residential appraiser firm in York County. I disagree.**

HENGST Mr. Hengst responded that the resident was entitled to his opinion. He added that those were the facts. If a holding tank is installed properly and used legally it's going to need pumped, and for residents with an average family it's going to need pumped maybe every month, maybe twice a month.

GURRERI Mr. Gurreri stated that the Township needed to do this inspection work within a three year time period for DEP. Pumping may not be necessary

every three years, maybe four. The situation needed to be done and cleaned up due to the fact that there were a lot of places running out on the ground and getting into the ground water. He added that it should have been done a long time ago, but now the state was forcing the issue.

RESIDENT **I agree with and am in favor of fresh ground water. I just feel that this township is maybe taking it a little extreme in pumping every three years. The inspection I'm in favor of. The pumping end of it I think it's to extreme.**

GURRERI Mr. Gurreri responded that it needed to be worked out, maybe a six year pumping. If a person or two live in a house, they may not need to pump every three years.

MITRICK Chairman Mitrick reiterated that there was provision and flexibility in the Ordinance.

MITRICK Chairman Mitrick thanked the residents for their attendance. She stated that it was always heart warming for the Supervisors to see citizens interested in the Township business.

2. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

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BOARD OF SUPERVISORS **MARCH 21, 2001**
PARK & RECREATION COMMITTEE - WORK SESSION **APPROVED**

The Board of Supervisors of Springettsbury Township held a joint meeting with the Park and Recreation Committee on Wednesday, March 21, 2001 at the Township office at 1501 Mt. Zion Road, York, PA at 7 p.m.

BOARD OF SUPERVISORS MEMBERS
IN ATTENDANCE: Lori Mitrick, Chairman
Nick Gurreri
Don Bishop

MEMBERS NOT
IN ATTENDANCE: Ken Pasch
Bill Schenck

PARK & RECREATION MEMBERS
IN ATTENDANCE: Dave Seiders, Chairman Park & Rec Committee
Bruce Bainbridge, Park & Rec Director
Gail Reed, Park & Rec Committee
Sherry Nichols, Park & Rec Committee
Steve Wolf, Park & Rec Committee

MEMBERS NOT
IN ATTENDANCE: Cindy Osborne, Vice Chair, Park & Rec Committee

ALSO IN
ATTENDANCE: Ann Yost, YSM
Andrew Mears, YSM
Bob Sabatini, Township Manager
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 7 p.m. She advised that Mr. Pasch was unable to be present and she unsure whether Mr. Schenck was able to participate. She stated that the architects are 90% complete with the park plans, which was the purpose of the meeting. There are two phases of the discussion: the deduct alternates and the financing. The deduct alternates were presented to the Board of Supervisors. Original project costs were close to $5 million. Following further discussion, the architects had been directed to bring the cost down, and they have attempted with the deduct alternates to bring the total project costs down to $3,700,000. Mr. Sabatini was prepared to discuss financing of the park.

GURRERI Mr. Gurreri asked whether any further work had been done with regard to other lots.

SABATINI Mr. Sabatini responded that purchase of additional lots had been placed on hold. A contact had been made with the owners; however, he had not had an opportunity to follow up with additional contacts.

BISHOP Mr. Bishop asked what he meant by stating a contact had been made.

SABATINI Mr. Sabatini responded that Mr. Bainbridge had indicated that the resident had talked with him about selling the property.

NICHOLS Mrs. Nichols asked where the property was located.

SABATINI Mr. Sabatini responded it was the property closest to the south west corner.

MITRICK Chairman Mitrick commented that the cost of property would be added to the cost of the park.

2. YOST, STRODOSKI & MEARS PRESENTATION

MITRICK Chairman Mitrick turned the meeting over to Ann Yost of Yost, Strodoski & Mears for her portion of the discussion.

YOST Ms. Yost stated she wanted to provide everyone with the alternates in order to prioritize the items. She had provided information in a handout to those in attendance listing the following Deduct Alternates:

- **Future Tennis Court Area** – Ms. Yost stated that the three tennis courts had never been in this job, and had never been in any cost estimate. This refers to the area in which the walkway on the west side would be eliminated, as well as the lighting. Ms. Yost stated that this would not reduce the number of courts; the base bid would be three tennis courts. The grading will be done as part of the base bid to set the path for future development. Total: $36,700

- **Picnic Pavilion and Walkway at Crest of the Hill** – Along with that would be the walkway from a point east of the parking lot. The parking lot and associated lighting, landscaping, concrete plaza, benches, pavilion and walkway lighting would make up the difference on that alternate. Total: $164,100.

- **Football Field and Little League Field** – These would remain in almost the same location as they are now. The park plan does as a base bid renovate this entirely, provide new dugouts, new fencing, new infield mix, revitalizing of the field, replacing new topsoil and slightly re-orienting the field. There are fields there now, which could

continue as they are. The alternate would involve eliminating the redoing and renovation of that area and save some dollars on seeding. Total: $65,900.

- **Pleasant Valley and Williams Roads Improvements** – This involves the restoration curbing and sidewalk from a point on the southeast corner along Williams Road and the full frontage of Pleasant Valley Road. Part of this road does have curbing so we will be running until hitting that curbing and then expanding sidewalks for the full length. That price is revised from earlier to include sidewalks and expansion to the corner of the light. Total: $82,260.

GURRERI Mr. Gurreri indicated that $82,260 is a lot of money for curbs and sidewalks.

YOST Ms. Yost responded that the figure came from C. S. Davidson, a firm which does curbing and sidewalks all the time.

- **Install Sports Field Lights in a Future Park Development Phase** – The deduct would eliminating the sports field lighting in the field areas including football, baseball, softball and the senior baseball field. This would not be eliminated in the future. Conduit would be provided so that those lights could be installed when the dollars are available, but at the time of bid, those items could be deducted from the project. Total: $330,000.

- **In-Line Hockey Rink** – Base bid had specified a dasher-board system, an expensive system, which the contractor would assemble on site. Other ways to handle that are to put up chain link fence and place pine boards around the bottom for children to hit pucks into, which would be a high end, low end decision. Total: $63,100.

- **Lighting** – Every walkway, parking area, and field is lit. If you look at just the walkway areas they have light fixtures on them that match the municipal campus, a standard box fixture on a typical post. Total: $150,000.

- **Township Complete Demolition** – Ms. Yost had spoken with Township officials with regard to utilizing Township employees for demolition purposes. Mr. Lauer provided a demolition estimate. Total: $91,922.

- **Ball Field Dugouts** – Baseball and softball field dugouts items were added to the project as the process evolved. They are nice to have but not typical, and an easy add in. When the dollars become available in

the future, the chain link fence could be dismantled, put up a small little split faced block dugout, and you have exactly what you could've had at this time. Total: $63,660.

Project Costs	**$4,782,067**
Deduct Alternates	**$1,047,642**
Reduced Project Total	**$3,734,425**

YOST Ms. Yost explained that the targeted number was to be $3,500,000. In the interim Ms. Yost had provided 90% specifications and drawings to Kinsley Contractors to provide some cost and market driven prices. Between the bond mobilization, layout and contingencies there is about $300,000. Ms. Yost indicated she was confident the projection target could be met, and receiving the figures from Kinsley will enable them to work more tightly on the numbers.

GURRERI Mr. Gurreri asked what Public Works could do.

YOST Ms. Yost responded that the figure of $91,922 includes removing the playground equipment, removing the signs, the bollards/posts along the roadway, taking down the chain link fence, etc. One thing that needs to be considered from the Township's point of view is the timing, i.e. when Mr. Lauer can do the work, along with the disruption to the park. She provided a new construction project schedule. The project schedule has been pushed ahead a month due to moving ahead with decisions on the alternates, but regardless she proposed she was looking ahead to a July Notice to Proceed. The earliest someone would see equipment on this site would be July. If Mr. Lauer takes the items out in April that could be something of which people need to be aware.

GURRERI Mr. Gurreri indicated Mr. Lauer would run out of time if the work couldn't be done in April.

YOST Ms. Yost commented that it would disrupt the park depending on his schedule.

GURRERI Mr. Gurreri wondered whether there's more that Mr. Lauer could do during the winter months.

SABATINI Mr. Sabatini commented that Mr. Gurreri would be referring to construction work rather than demolition work.

YOST Ms. Yost cautioned that if that were the case, it should be left until after the project is done. The Township should not run a publicly bid project and have the municipality doing work on the project. She suggested that

items could be reserved as alternates that the Township could do, indicate they are not part of the contract, and do them later.

GURRERI Mr. Gurreri interjected that Public Works could take the dugouts out and do the pavilions and possibly the trails.

YOST Ms. Yost added that a lot of communities do that.

SABATINI Mr. Sabatini commented that value decisions must be made as to whether to pursue the ambitious road project for this year or what the focus should be.

GURRERI Mr. Gurreri indicated some of the things could be reviewed to save money rather than put them out to bid.

YOST Ms. Yost stated that the trail needed to be done to meet ADA standards. She added that the more piece meal the project, the more difficult it becomes.

NICHOLS Ms. Nichols asked whether any part of the trail being eliminated at this point.

YOST Ms. Yost responded that one opportunity was to eliminate the trail at certain points. It was packaged with the pavilion.

MITRICK Chairman Mitrick asked about the location of the walking path.

YOST Ms. Yost responded that the path travels adjacent to the parking lot. The pavement had been narrowed to be a little more conservative, but the trail continues all along the top to a point where you can then disseminate into the amphitheater area or continue into the midway area. If the alternates are chosen, this trail will come out, meet the sidewalk and come back out again. There'll be a little pushing and shoving there.

MITRICK Chairman Mitrick expressed disappointment to see that uppermost trail with the pavilion eliminated, as that had been the talk of the prime location on the property to overlook everything.

YOST Ms. Yost responded that if a pavilion were to be eliminated, you could just as easily take another out and leave that one in. The whole package would have to be left. She added that one reason it's attractive from a construction staging standpoint is it is adjacent to the road. When that contract would be let that in the future, it's a nice easy little piece of work to come in and do. There would be no disruption to the site. Construction and safety fence can be placed around that, and the park can be usable. So

it makes sense from that standpoint even though it is one of the nicest spots in the park.

GURRERI Mr. Gurreri commented that there would not be much grading to do on the top.

YOST Ms. Yost stated that the most grading is coming in another way to meet ADA to keep all the slopes at 5%. There is some grading. The parking lot pushes into the hill and this area does function as overflow parking.

MITRICK Chairman Mitrick commented about not changing the in-line hockey rink.

YOST Ms. Yost stated that if she were prioritizing, her input would indicate that to be one of the lower priority items that you choose as a deduct.

MITRICK Chairman Mitrick asked whether the in-line skating rink in the city would have any impact on the use of the Township facility.

YOST Ms. Yost responded that it was a very popular sport and did not think it would have any impact.

MEARS Mr. Mears added that if anything, it probably will make the need greater for another one somewhere else. Two more ice rinks are needed, and the sport has really taken off. In-line skating has taken over and is the number one going sport everywhere. The City facility will be done by September. As more kids become involved and it becomes organized, they're going to be out practicing everywhere. Right now there are no facilities in York. A lot of the kids go to Mechanicsburg, and Harrisburg. There is no in-line facility in Lancaster. The need is already there.

YOST Ms. Yost added that this facility will be outdoors, which is an attraction that the city won't have.

GURRERI Mr. Gurreri agreed and indicated the better option should be installed. He added it would be used hard.

GURRERI Mr. Gurreri asked whether Public Works could do the pavilion.

YOST Ms. Yost responded that Public Works could do a lot of these things, but a design had been developed that works together, and there are some efficiencies by doing them as part of a larger project. Some communities do their own pavilions and put in their own trails. They're not typically like Springettsbury, which has many different projects going on.

MITRICK Chairman Mitrick asked Sherry Nichols whether she could foresee the pavilion being a community project, as she had worked on the Creative Playground.

NICHOLS Ms. Nichols responded that the project would be pretty small for a community project to really get a whole community behind.

MITRICK Chairman Mitrick commented that with the intention and hope that the pavilion at the top would go in, would it be wise for us to try and put the walkway in ahead.

YOST Ms. Yost responded that in the strictest interpretation you should put the walkway in because you need to provide like recreation opportunities. The only place you have that view in that park is up there.

SABATINI Mr. Sabatini added that if the pathway is done, the electrical would be needed.

MITRICK Chairman Mitrick asked whether the deduct costs for the site work would include the path.

YOST Ms. Yost responded that it would include the path. It would be bulk graded all at the same time.

SABATINI Mr. Sabatini stated that would be an advantage to only bring out the heavy equipment once.

BISHOP Mr. Bishop stated he thought the deducts made sense. He added that he could not agree with not building sidewalks. It would be pretty hard to face a developer in this Township if we develop a $3 million project and don't put sidewalks around it. And then we force others to put sidewalks on a piece of property. We should have sidewalks. Mr. Bishop added that the deducts for Township crews doing demolition work was questionable in his opinion.

YOST Ms. Yost stated that YSM would sit down with Township crews and re-do the base bids so that would not be reflected as part of the work.

SABATINI Mr. Sabatini indicated a lot of that depends on when the project is started. If it comes in June, it's too late.

BISHOP Mr. Bishop asked whether consideration could be given to eliminating the youth playground and the tot lot since they're contiguous to that area. That is something that could be placed in Phase II. He urged the Board to be thinking in terms of Phase II, rather than when Public Works could get around to it. Mr. Bishop would much rather think in terms of doing Phase I, finding out how much it really costs, finish the building and the one next

to it, and find out how much they really cost, then decide if we can do Phase II.

MITRICK Chairman Mitrick again commented on how much the corner property might cost.

BISHOP Mr. Bishop indicated he would be in favor of acquiring those properties, one or two of them. The corner one is huge and would provide another soccer field.

YOST Ms. Yost added that there could be a minor picnic site there as well. Playgrounds are very much an alternate. They are always – easily plucked from the project without taking away from the ability to do it in the future. We would coordinate the drainage so that you could hook that up in a future phase.

BISHOP Mr. Bishop stated that those would be great projects for service organization.

YOST Ms. Yost cautioned the Board on any playground design. YSM does not just take a plot of land and put down a bunch of sand and plop some things down. It's designed to maximize safety. We've designed that shape and everything that's done there fits what's been chosen.

BISHOP Mr. Bishop commented that the philosophy should be (a) This is the plan, (b) This is what we're building, (c) Here's the phasing of it.

YOST Ms. Yost stated that service organizations sometimes want things other than what is designed. It's a re-design to do that and is not that simple.

MITRICK Chairman Mitrick commented that would be true too of the top pavilion. The pavilion had been designed, and if someone wanted to build it and put their name on it, they must use the design. She added that she agreed with Mr. Bishop about the issue of sidewalks. They would be of value and make it a safer area.

GURRERI Mr. Gurreri stated that there are six month notes on plans. He asked whether the sidewalks have to be done at this time.

BISHOP Mr. Bishop indicated that if people were encouraged to go there, there would have to be sidewalks.

YOST Ms. Yost added that it speaks to the livability of the community. People should be encouraged to walk through the park.

STERN Mr. Stern added that the Ordinance states that curbs and sidewalks can't be waived within 600 feet of playgrounds, churches, and schools.

WOLF Mr. Wolf asked whether there were contingencies regarding the reductions. He asked whether there could be a fund raiser or something that could be done for Phase II.

SABATINI Mr. Sabatini responded that was his portion of the presentation.

MITRICK Chairman Mitrick directed that this portion of the meeting should be concluded. She asked that some direction be given to Ms. Yost and Mr. Mears as to the deducts with which to proceed. Chairman Mitrick indicated that what she heard was that the In-line Hockey needed to stay.

YOST Ms. Yost stated that when the contractor's information is provided, the information should be reviewed. The deducts should be included, and then manipulate the bid at will once they come in. If the dollars are there to keep the in-line hockey, then keep it. The bid form would describe the base bid in detail. That would be the entire designed project including all the deducts. There will be separate line items, and the dollar value would be included for each deduct. That would provide maximum flexibility.

GURRERI Mr. Gurreri cautioned that when projects go to bid and items are removed, they take their profit out of that. The Township ends up with a larger cost, such as what happened with the building.

SABATINI Mr. Sabatini questioned whether the process could begin with the base bid, and make additions rather than deducts.

YOST Ms. Yost responded that the dollars should be targeted so that the contractor is comfortable with the numbers he's getting on his bonding and other overhead costs. If the target cost is $3.5, the base bid should reflect $3.5, and then there could be adds and deducts on either side. The bid documents state specific instructions on what the final bid will be based.

STERN Mr. Stern commented that he had little doubt that the people who bid this building will be bidding this project. Everything is the lowest price and then additions are made.

YOST Ms. Yost stated that the best practice would be to keep to a minimum the number of deducts. This is a lot of deducts for a job. It makes the job more confusing to the contractor in terms of a large project.

BISHOP Mr. Bishop commented the reason for having Kinsley price it was to get us closer to a firm cost. He asked what the time frame was in terms of getting that information.

YOST Ms. Yost stated she had talked to them on Friday, and they did not have it completed. She thought it was something they were working on this week.

SABATINI Mr. Sabatini added that Mr. Kinsley had given him the impression that it would be done prior to the end of the month.

STERN Mr. Stern commented that items such as the electric lights on the sports field would be one of the first things that would be eliminated. If that's true, maybe you won't even put the sports field in at this time.

SABATINI Mr. Sabatini added that he had been approached by at least one of the sports organizations about paying for the lights.

GURRERI Mr. Gurreri stated that if a sports organization provided the lights, they could do so with some of their own people, thus costing much less money. He did not understand why the electric should be bid.

SABATINI Mr. Sabatini responded that the conduit would still have to be installed.

GURRERI Mr. Gurreri stated that if the top portion would not be included, why would it be bid. It seemed to him that when something is bid, it always costs more money.

MITRICK Chairman Mitrick explained that one way of reducing the deducts would be as Mr. Bishop suggested, to establish a Phase II because that would take some of them out right away, but the design would be intact.

BISHOP Mr. Bishop stated that the design definitely should be done.

MITRICK Chairman Mitrick asked whether the curbs and sidewalks and the in-line hockey should be put back into the bid.

BISHOP Mr. Bishop agreed that the curbs and sidewalks be placed back in the original bid and no deducts made. He suggested to simplify the process, state the plan specifically and indicate what is included in Phase I and Phase II.

STERN Mr. Stern agreed that it would be less confusing, and a contractor would be less likely to think that if they have all the deduct opportunities, they probably will be less likely to jack up the cost.

BISHOP Mr. Bishop suggested to remove the youth playground and the tot lot to try to get closer to the targeted $3.5 million, or state that as a deduct.

SABATINI Mr. Sabatini agreed that would be a good one to have a as deduct there would likely be some pretty good community support for those facilities.

NICHOLS Ms. Nichols commented about an organization that had an interest in putting volleyball courts in the Hallam area. She did not recall the specific organization.

MITRICK Chairman Mitrick indicated that perhaps someone in Hallam Township would be able to supply that information.

NICHOLS Ms. Nichols suggested it might be possible to have Phase II to be funded by various organizations.

BISHOP Mr. Bishop stated that if an organization came forward indicated they would like to provide something, and it is a reasonable mobilization, he would be in favor.

SABATINI Mr. Sabatini had a concern from the marketing side for fund raising. He would not want to remove too many items and reduce the traffic as it would reduce revenues from franchise arrangements and so forth.

BISHOP Mr. Bishop responded that one of the reasons he was in favor of taking out the youth playground and the tot lot, was because from a marketing standpoint the Creative Playground could be stated as many times as you want when you're meeting with Coca Cola. They get the idea because it's already a destination. It makes a strong argument for allowing that to fall to Phase II when money is available.

REED Ms. Reed stated that this particular park hosts activities for all ages and generates family activity. She felt that removal of the playground and teen area would remove 75% of the clients.

GURRERI Mr. Gurreri asked how much money would be needed for the concession.

YOST Ms. Yost responded that the building itself is $162,000, the concession, and HVAC is another $70,000, which totaled $230,000 for that item.

GURRERI Mr. Gurreri asked whether that was an item that could be built at a later time.

SABATINI Mr. Sabatini responded that the item had been previously discussed. The conclusion was that because the concession housed the restrooms it should not be removed.

BISHOP Mr. Bishop re-focused on the numbers. He asked for the cost of the In-line Hockey field.

YOST Ms. Yost responded that the In-line would cost $102,000. which included the $63,100.

BISHOP Mr. Bishop concluded that the cost would then be $3,875,000.

MITRICK Chairman Mitrick added that if those two items were put back, the In-line Hockey and Curbs and Sidewalks along with the other deducts listed, the price then is reduced to $3,875,000. All of the other deducts would be designed and listed as Phase II.

BISHOP Mr. Bishop stated that the only other deducts would be the youth playground and the tot lots, so we could take another $110,000 off there and get it back to $3,700,000.

YOST Ms. Yost indicated that some deducts should remain just to allow some flexibility of award. The market cannot be predicted, and flexibility is needed. She suggested that choices be made to find the line between flexibility and making a very confusing project.

SABATINI Mr. Sabatini stated that from a marketing standpoint, it would be better to have specific items for discussion with the community and different organizations. He mentioned specifically the picnic pavilion and the playground, which he termed 'hard items' that people would be able to see. There are several ways to do this marketing, such as making contributions, or earmarking funds for specific areas.

MITRICK Chairman Mitrick stated she had hoped that contributions to the park would reduce the $3 million that we had to invest.

BISHOP Mr. Bishop commented that there would be plenty of areas within the park to market. He stated that he was not sure how the project cost crept up over $3 million, as he felt it was a stretch to spend $3 million. He stated emphatically that it did not seem to matter how many times he mentioned the fact that the proposals do not have options that are anywhere near $3 million. The options are all closer to $4, $5 or $6 million. If someone can find where the Board of Supervisors agreed to spend more than $3 million on this project, he would like to be know that. He stated that perhaps he had missed a meeting somewhere where it was determined to spend a lot more than $3 million, but did not think he had.

NICHOLS Ms. Nichols asked for clarification that fund raising would be done in the community to help pay for Phase I.

SABATINI Mr. Sabatini stated that a variety of options for raising money had been discussed with the Board of Supervisors. He stated it would take about six weeks to build up community support.

MITRICK Chairman Mitrick suggested that once that amphitheater is under construction along with the concession area. people's interest will be heightened. She would prefer to have items like the tot lot and the teen area places where an organization could grab onto it and just do it. She stated again that general contributions received would help to reduce the basic cost of the park. She asked Ms. Yost to provide figures at this point, and asked Mr. Sabatini to discuss financing issues.

NICHOLS Ms. Nichols asked whether any of the walkways are brick work. Perhaps bricks could be sold.

YOST Ms. Yost responded that bricks were not chosen because of the budget. There is some stamped concrete with color, and the pathways will be bituminous. Brickwork is a more expensive installation and additional costs to maintain. If that were something to pursue, she would suggest the area in front of the amphitheater near the garden area.

BISHOP Mr. Bishop added it would not have to be brick; it could be a wall with brass plaques.

NICHOLS Ms. Nichols stated the Robert Leathers philosophy suggests not to just hand a playground to the people, but to have the people work for the playground, and they will bring the money in for that playground. The philosophy worked with the Creative Playground financially. She suggested a review of the plaque area to determine who contributed financially as a starting point.

SABATINI Mr. Sabatini asked whether the contributions were over $100,000 or below.

NICHOLS Ms. Nichols responded that the needed funds were $85,000, and more money was generated than was needed.

SABATINI Mr. Sabatini commented that his expectations were too low.

MITRICK Chairman Mitrick asked whether Ms. Yost could provide a synopsis of what had been discussed.

YSM Summarization of Discussion

YOST Ms. Yost stated that Phase I and Phase II will be established. Phase I will include everything not discussed as deducts. Phase I will include In-Line

Hockey and the sidewalks from the list provided. The deducts for Phase I will be the football field, the picnic pavilion and the playground. The other items are going to become Phase II items. They will be the area west of the tennis courts, picnic pavilion at the crest of the hill, sports field lighting, box lighting, and the dug outs. They all become Phase II. Demolition issues will be discussed with Mr. Lauer to define those further.

MITRICK Chairman Mitrick asked about the teen area.

YOST Ms. Yost reflected that the design had been changed to cut costs. The current plan includes pre-engineered retaining walls. We've made hanging out places, a little amphitheater that kids can sit on after they've played and hang out with their friends. This reflects what is heard from teens, they want a place to hang out, a place to be, but it's not expensive. Ms. Yost added some additional design in the playground with the concept of outer space. All the equipment is state-of-the art. And looks space-ship like. The size of the planets was researched and concrete structures were developed that will be spotted. That will relate to the size of the planets. Kids can crawl over them. The center part will be a Brazilian pavement like the sun. A sand box could be created that if a person were to dig, one could discover planets or asteroids or whatever in the sand.

GURRERI Mr. Gurreri commented that people who belong to garden clubs might become involved.

YOST Ms. Yost stated that the costs never included the cost to install flowers or annuals or perennials in this place. The landscaping is periphery and not interior space.

MITRICK Chairman Mitrick asked Ms. Yost whether she had clear direction.

YOST Ms. Yost indicated she was; however she needed to work toward the targeted costs.

GURRERI Mr. Gurreri commented that the Public Works department will run out of time if we don't get him to take the blacktop out and those things.

SABATINI Mr. Sabatini responded that he did not think it was wise to start demolition work until the Board made some final decisions.

3. FINANCIAL MARKETING

<u>Township Funds</u>

SABATINI Mr. Sabatini stated that the Township had committed $1.2 million over the course of 3 years as part of the Capital Reserve Budget. He provided the following methods of possible financing:

Borrowing – This project will have a useful life of 20 years or more. By borrowing at today's low interest rates and paying for it all up front, the burden is placed on the existing taxpayer rather than spreading out the burden for current and future tax payers. This method required a policy decision. Long term Capital Improvements are generally shared.

- There are two different ways of borrowing. First is a stand alone bond issue, but there are fairly significant fixed expenses for that for bond counsel, underwriter fees, printing which could cost $50,000. You're only borrowing $2 million, $50,000 is a good chunk of that. However, if you're borrowing $5 million your fixed fees stay relatively the same.
- The Township could tap into bond pools. Pennsylvania Local Government Investment Trust (PLGIT) works in cooperation with the Emmaus Pool, which would be able to lend the money.
- Preliminary discussions have begun to see if there is a way to go about tying into that project and spread the money issuance costs over more parties it reduces their cost for the issuance.
- Refinancing of existing bonds would be an additional operation. Money could be saved if a refinance is done. An analysis performed for by PLGIT or Public Financial Management shows that we could save ourselves about $140,000 if we do a refinance. If you combine the two together and spread those fixed costs over a larger pool of money a savings of $140,000 would exist, and primarily that is on the sewer side of the bond issue.

BISHOP Mr. Bishop asked what bonds Mr. Sabatini referred to as far as refinancing.

SABATINI Mr. Sabatini responded it was the 1997 bonds that were primarily sewer bonds.

Bank Borrowing

SABATINI Mr. Sabatini indicated the second method would be going directly to a bank and borrowing the funds for a fixed term at a variable rate or a fixed rate for that term. The interest rate charged for borrowing from the bank would generally be higher than from a bond issue.

Grant Funding

SABATINI Mr. Sabatini indicated the Township is actively seeking grant funds. A response was expected from the Growing Greener grant application for $150,000 for recreation. Another grant cycle coming up in the summer months. Even if the funding of $150,000 were received, another grant would be sought. Word should be received in several weeks.

- **Community Revitalization Act Grant** – These legislatively driven grant funds would be sought through our state lawmakers who limit that to a figure of anywhere between $10,000 and $25,000. Applications have been prepared, along with a Resolution to apply for this funding. The funds could be used for total construction costs.

- **Transportation Enhancement Program** – These are Federal funds passed on down the line to promote alternative forms of transportation, bikeways, rail trails, walking trails. It's both an active and passive recreation area. There is an August application process for funds which are available every two years.

- **Community Development Block Grant** – Springettsbury Township has a lot of handicapped accessible facilities. There may be the ability to basically isolate some of those costs and use these funds.

- **Miscellaneous Grants** - There are other miscellaneous grants, such as forestry, tree, community revitalization, recreational funding. Franchising arrangements with two soft drink organizations are being discussed, which could provide some significant cash flow.

- **Business Sponsorships** – Instead of pursuing philanthropic opportunities with the business community, a marketing opportunity would be provided for naming rights for specific facilities. The amphitheater would be a logical project to have naming rights to the hockey rink, concession stand, playgrounds, baseball fields, basketball, volley ball and tennis courts.

MITRICK Chairman Mitrick commented that she would like to establish control of these opportunities.

YOST Ms. Yost responded that a standard kind of plaque system could be provided.

Community Group Support

SABATINI Mr. Sabatini reported that the community based organizations would be solicited such as Rotary, Lions Club, Sertoma, Kiwanis, J.C.'s. He had met with one Rotary Club, and another one serves the community. Sometimes these organizations have money in the bank and would like to do some in-kind services. Many of these organizations include people who are key members of the community. They can help get the word out and generate support for the project.

YOST Ms. Yost indicated that most community sports organizations could come up with quite a bit of cash.

SABATINI Mr. Sabatini indicated he would be able to do the leg work but will need some guidance as to who would support the project. He felt it was possible expect a very significant outpouring by the community. Some people will go for specific items like the benches, trees, landscaping, bleachers. Others will contribute to general cost of the facility. Opportunities should be provided for both groups.

- **Business Support** – This support would be similar to residential support and would be handled similarly. Home Depot, Lowe's and Walmart are well known for sending in 15 or 20 people to work on something for a weekend. Habitat for Humanity has been very successful in tapping that resource.

- **Foundations** – This support would be similar to grants. There are a number of foundations for our businesses here in the community. GPU has a foundation, Walmart, Harley Davidson, Bon Ton, York Foundation, as well as nationally known foundations that can provide some assistance.

- **Advertising** - This type of support would pay for advertising on the outfield fences. York City is building two ice rinks and converting the existing ice rink to an in-line hockey rink. They're going to charge a fee for that access for the teams that are going to be utilizing it. The policy is generally that Springettsbury does not charge a service fee or a participation fee to access the facilities. It is something fairly common place in the region. I throw that out hesitantly but if you are putting out facilities that do not exist in the region that are fairly expensive you may want to consider league fees for in-line hockey and for league volley ball. That is enough to cover some of your costs associated with maintaining, operating and building the facilities. That's a policy decision that would take a little time to chew through and would be a significant shift.

SABATINI Mr. Sabatini provided handouts regarding rates from the beginning of March. He indicated that rates had dropped about 15 basis points from March 1 to today (March 21, 2001). He discussed some of the bank borrowing terms.

- **Annual Funding Scenarios** – Mr. Sabatini had reviewed the funding over a 10-year period. He suggested a figure of $4.9 million, which would include $2 million of bank borrowing and $1.5 million of Township Funds. The rest would come from franchise grants and community and business-based support as well as some of the other

advertising. This is a project that would garner a lot of community support. We can use some of the community support up front in reducing the amount that is borrowed, and then earmarked funds towards improving the park with the playground area, etc.

- **Line of Credit** – This type of borrowing is depleted as you build the project, and then you would refinance it at the end of the construction project. This spreads out the basis of community support, which is important because the more people believe they are involved in it the more the facilities will be used better and be treated better. People feel a sense of ownership for the project.

GURRERI Mr. Gurreri commented that the community support would depend upon how they are brought into the project.

NICHOLS Ms. Nichols suggested that the newsletter would be a possibility.

SABATINI Mr. Sabatini stated that there had not been a lot of discussion in the media or the newsletter about the specifics. He suggested that key participants be brought into the project for each of the classes of sponsorships. These are the people and groups, which have stepped up to support the project and would help in terms of building support through the community for the facilities.

BISHOP Mr. Bishop agreed; however, he was adamant that the Board be comfortable at some level of participation. He urged them to arrive at a number where there could be a starting point. He added that the discussion on grants and funding included moneys that couldn't be counted upon. He wanted to get started and have a park.

MITRICK Chairman Mitrick stated the cost figure was not low enough to start.

BISHOP Mr. Bishop added that no amount of talk about how to finance it doesn't make the number any smaller. He felt that the work should be done in phases.

MITRICK Chairman Mitrick added that when Mr. Sabatini had spoken at Rotary she felt there had been very good response. There were many good questions asked, which really showed interest in the design of what was to come.

BISHOP Mr. Bishop commented that that particular Rotary Club is within Springettsbury's constituency.

SABATINI Mr. Sabatini indicated he figured $2,000 at the most from any club.

NICHOLS Ms. Nichols stated that Sertoma had contributed $7,000 to the Creative Playground.

MITRICK Chairman Mitrick indicated that Sertoma was already preparing.

SABATINI Mr. Sabatini commented that the point had been well made to assume that the project would be built at an affordable cost. Any money that can be raised, whether from grants or other sources, could go to reduce the cost or to make additions.

BISHOP Mr. Bishop commented upon the purchase of the properties to add to the park.

MITRICK Chairman Mitrick directed Mr. Sabatini to contact the homeowners as soon as possible. She would like a full picture because those properties are an interest to this project.

SABATINI Mr. Sabatini responded that he would make a contact.

GURRERI Mr. Gurreri agreed.

BISHOP Mr. Bishop indicated it would be great to have those properties built into the whole park plan.

GURRERI Mr. Gurreri commented on Mr. Sabatini's proposal, which he thought was meaningful.

SABATINI Mr. Sabatini indicated he had a better understanding on the financing issues than he had in the past. He also understood the Board's concerns regarding being able to afford the base line.

YOST Ms. Yost stated that the information from Kinsley would be received soon. At that time the hard decisions could be made as to the deducts to get to $3.5.

MITRICK Chairman Mitrick commented that even $3.5 was high. Chairman Mitrick asked Ms. Yost for some recommendations on how to conduct a program for sponsoring the amphitheater or park benches.

YOST Ms. Yost responded that a nice example would be through a Gift Catalog, which is a glossy brochure that has elements in it like a bench, a tree or whatever someone might want to buy. There's a price with them, and they can be used as a mailer to the general population or businesses. It could also be used for memorials.

YOST Ms. Yost pointed out a few items in their packet, which she had presented to those in attendance earlier. One was an updated schedule, and she

commented that the schedule was being pushed a month. An estimated spread sheet on lighting costs had been provided by Brian Burhard of Barton Associates. He had established the cost per play per hour and some of the operations costs. She also commented on the sheet regarding color suggestions, which she indicated would need some discussion in the future.

SEILER Mr. Seiler asked about the Springettsbury Park Development Committee.

SABATINI Mr. Sabatini responded that this involved an idea for a 501 corporation. Some people and/or foundations will make donations to 501 corporations. He had asked for a mockup of a brochure and put a name on it.

MEARS Mr. Mears stated that he belonged to a group, which just did basically what Mr. Sabatini had mentioned. Part of the fund raising was trying to get dollars to replace benches in the downtown area. They raised $17,000 and half of that money came from our Board and the other half came from businesses. Some of them didn't want a plaque on the bench that said, "donated by so and so" but they donated the money to purchase the benches.

GURRERI Mr. Gurreri stated that the upkeep of this park will be much more costly. He added that the amphitheater would certainly be something that could be rented or leased.

SABATINI Mr. Sabatini suggested that if sponsorship of the amphitheater were made available, it would put a sense of ownership to that. A business event could be held there, or a concert for all the employees, or a private concert. That could be part of the marketing effort.

MITRICK Chairman Mitrick asked Ms. Yost if she had clear direction on how to proceed from this point.

YOST Ms. Yost responded that she did. She summarized that she needed to (1) get the costs from Kinsley, and then (2) utilize that information, (3) define Phase I and Phase II and (4) come back to the Board with a bidding cost of $3 and $3.5 so that the board could make the necessary decisions.

MITRICK Chairman Mitrick thanked Ms. Yost for her presentation. She asked that Ms. Yost keep in close contact with the Park & Rec Board. As soon as the information is obtained, another meeting will be scheduled in order that everyone would be included as the project moves ahead.

4. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:05 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **MARCH 8, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 8, 2001 at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania at 7:30 p.m.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Don Bishop
Ken Pasch
Nick Gurreri

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Buchart Horn, Inc.
John Luciani, First Capital Engineering
Mike Myers, R. K. &. K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Jack Hadge, Director of Finance
Michael Hickman, Fire Chief
Mark Hodgkinson, Wastewater Treatment Superintendent
Charles Lauer, Director of Public Works
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the general meeting of the Board of Supervisors to order. She welcomed the public. There were two Agenda item changes: (1) Ordinance 01-04 was brought to top of the Agenda, and (2) Item D was added with regard to the Springettsbury Park project. Chairman Mitrick announced there would be an Executive Session following the regular meeting regarding legal matters. She welcomed Mr. Gurreri back from vacation and asked that he lead the Pledge of Allegiance. She welcomed Mr. Pasch back as well.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge.

MITRICK Chairman Mitrick called for action on Item A. Ordinance 01-04 - Establishing and Re-establishing a Department of Fire and Rescue Services – Providing for the Incorporation of a New Volunteer Fire Company.

MR. BISHOP MOVED FOR ADOPTION OF ORDINANCE 01-04 ESTABLISHING AND RE-ESTABLISHING A DEPARTMENT OF FIRE AND RESCUE SERVICES AND PROVIDING FOR THE INCORPORATION OF A NEW VOLUNTEER FIRE COMPANY. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick stated that this was a momentous day for Springettsbury Township and for the fire companies. She requested representatives from Springetts Fire Company and Commonwealth Fire Company to come forward. Mr. Steve Musser, President of Commonwealth, Mike Kaufman, Representative from Commonwealth, and Mr. Bob Aster, Representative from Springetts came forward. Chairman Mitrick stated that the Settlement Agreement and documents establishing Springettsbury Township Volunteer Fire Company had been reviewed thoroughly, and she requested the representatives to affix their signatures. She executed her signature on behalf of the Board of Supervisors of Springettsbury Township.

MITRICK Chairman Mitrick commented on her appreciation for the fire service in Springettsbury Township, which had a long history covering decades. There have been numerous hurdles in the history; however, the hurdles had been overcome to complete a better service for the community. She stated that the fire service, as well as the Township had spent a tremendous amount of time, tackled the proposed changes, and combed through the documents to be sure the changes were good for the community. The result is a product of very strong will and commitment to Springettsbury Township, and the signatures prove the power of compromise. She thanked all those involved and stated they are ready to move forward. The transition team is underway and will be ready for April 1.

2. COMMUNICATIONS FROM CITIZENS:

There were no citizen comments.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

<u>Act 537 Application for Reimbursement</u>

SCHOBER Mr. Schober stated that he had three items to report. With regard to Act 537 the application for reimbursement had been completed and placed in the Township's hands for signature. Once signed and notarized, the application will be sent to DEP for consideration of a 50% reimbursement.

<u>Raw Pump Drive Contract</u>

SCHOBER Mr. Schober reported that the insurance bonds had been received and had been presented to Solicitor Yost for approval, which he had provided. The Raw Pump Drive contract will move forward with Notice to Proceed.

East/West Interceptor Project

SCHOBER Mr. Schober reported on the East/West Interceptor Project. The Highway Occupancy Permit had been received from PennDot to open cut Memory Lane and North Hills Road. An attempt is being made to accelerate a portion of that contract so that it can be done simultaneously with the railroad closing on North Hills Road on or about April 23rd. This project work will be advertised during the week of March 12th with opening bids on the 26th. This will require the Township to purchase the materials so that they are ready. The suppliers indicate everything can be ready on time.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani reported that the North Hills Road rail crossing had been anticipated last year, but Norfolk Southern decided that it was too close to the end of the year with weather delays. They had been working closely with them and had called Mr. Luciani to ascertain whether the roadway work could be done at the same time. It appeared that all the approval agencies were in agreement. In addition to the Township's purchase of the piping and rail crossing material, the detour will need to be paid. PennDot is currently preparing a detour plan, which will be provided to the Township.

Cortleigh Drive Project

LUCIANI Mr. Luciani indicated that with regard to the Cortleigh Drive pipe replacement, three bids had been received. One bid was lower than any other. Solicitor Yost was providing his legal opinion. The contract could possibly be awarded during this meeting.

Plymouth Road

LUCIANI Mr. Luciani added that Plymouth Road documentation had been re-submitted to PennDot. It will take about 30 days for a response.

GURRERI Mr. Gurreri asked how long it would take to do the work once the permit was secured.

LUCIANI Mr. Luciani responded that curbing and paving would probably take about three weeks.

MITRICK Chairman Mitrick asked whether he had any reason to delay that with possible lighting going in at Chambers.

LUCIANI Mr. Luciani responded that it would have no impact at all.

PASCH Mr. Pasch commented that there had been a lot of trouble on the Plymouth Road project, but commented that for the North Hills Road project, everyone had cooperated so that there is a win-win situation. Sometimes all the municipalities in the state work well together.

MITRICK Chairman Mitrick added that when the work had been done on Memory Lane, it was very efficient.

LUCIANI Mr. Luciani added that everyone on staff in the Township knows what's going on as well.

C. Design Engineer – Rummel, Klepper & Kahl

Pump Station

MYERS Mr. Myers provided an update on the pump station. The start up testing had been completed with the exception of the communications link. The punch list will be completed with their inspectors, Mr. Crooks, and Alan Myers. As promised Alan Myers will come back in the spring (April) to do the final paving, seeding and sod work. The communication system is awaiting modems to be delivered, which were scheduled to come from Seattle but were impacted by the earthquake. They should be installed and in place by the 21st of March, that being the last piece of work to be completed in the pump station. The pump station is operational, and everything is checking out.

PASCH Mr. Pasch stated that the project is coming to a conclusion. There will undoubtedly be some legal battle with the contractor. He asked for assurance that the documentation necessary on the Township's side would be secure and could be provided to the Solicitor.

MYERS Mr. Myers responded that everything had been kept in a very good filing system, not only because of that, but also because of the EPA Grant. All of the correspondence related to the potential claim had been forwarded to Solicitor Yost. Mr. Myers stated that they would be available to assist in any way needed.

D. Springettsbury Park Development – YSM

YOST Ms. Ann Yost of YSM provided an update on the Park Project status. She reported the construction documents are 90% complete and provided a full set for the Supervisors as well as the contractors to review with regard to the costs. Once the costs are determined some refinement could take place and decisions made on alternates. A meeting will be held later in March with the Township to coordinate the bid and pick final choices of

colors, etc. She projected a spring bid with an early summer Notice to Proceed. She asked for any questions on the costing. Costs remain similar to the costs provided at 60% complete even though there had been some reworking done. The numbers remained at about $4.8 million for the project. Ms. Yost provided detailed alternates, which had been discussed with the Supervisors in previous meetings together with the associated costs having a potential of reducing the project costs down to $3.8 million. She indicated some additional strategies may be available, which Mr. Lauer had reviewed regarding the Township doing some demolition and removal work.

GURRERI Mr. Gurreri asked where the deducts were placed in her documentation.

YOST Ms. Yost stated that the first page contained the summary of costs with the total cost of the four disciplines at $4.8 million. She detailed the deductions noted in her report. The alternates brought the total down to $3.8 million if all of the alternates and deductions were chosen. She added that there were some additional opportunities, which she detailed for the Board.

MITRICK Chairman Mitrick commented that, for Messrs. Pasch and Gurreri who had been away on vacation, the reason Ms. Yost had been asked to re-address this was at the last Board meeting, the three Supervisors discussed the almost $5 million project, which was not what the Board had in mind. Mr. Sabatini and Chairman Mitrick met with Ms. Yost and requested her to pull things from the project to bring the cost down. She added that Ms. Yost needed some answers quickly.

YOST Ms. Yost responded that there was a need to proceed with the items associated with the alternates.

SCHENCK Mr. Schenck asked for clarification that the alternates were those shown on the first two pages.

YOST Ms. Yost confirmed that was correct.

PASCH Mr. Pasch indicated that, as far as the lighting was concerned, the infra-structure of having all the lighting go to the fields would still be included, and it would just be a matter of putting the posts and the lights up.

YOST Ms. Yost responded that the service and all of the specifications of the service would meet the alternate design. Blank conduit with pull strings would be installed.

PASCH Mr. Pasch commented that there were be no need for digging at that point because everything would be in place for activation.

YOST Ms. Yost indicated that the service would be designed for a future soccer field if that were chosen.

GURRERI Mr. Gurreri asked whether there were two courts for in-line hockey.

YOST Ms. Yost responded no; it was just one court. There had been discussion that another court might be something for future.

SCHENCK Mr. Schenck asked about the tennis court area deductions and whether that included the walkway or the tennis courts themselves.

YOST Ms. Yost responded that was for the walkway and the associated lighting.

SCHENCK Mr. Schenck asked for clarification that three tennis courts would remain in the plan.

YOST Ms. Yost indicated that three tennis courts were base bid.

GURRERI Mr. Gurreri commented that he did not know what the items cost before they were taken out, but during the building project, sometimes when items such as the basement were taken out, there was not much of a savings. He would like something with which to compare.

YOST Ms. Yost responded that she really wouldn't have any examples. Sports lighting is a very large number. When some of the items are removed, there would be no opportunity to place them back in. The items she discussed were items that could be done at a future time.

SCHENCK Mr. Schenck questioned whether the football field and Little League fields would stay the way they are.

YOST Ms. Yost responded that was correct.

SCHENCK Mr. Schenck commented that as far as the dug outs were concerned, work would be done to rebuild and restore on the site.

YOST Ms. Yost indicated that work should be done to improve some of the esthetic issues.

MITRICK Chairman Mitrick commented that when she and Mr. Sabatini met with Ms. Yost and reviewed possible deduct alternates, one item that Ms. Yost mentioned was, if possible, she would encourage the dasher board system for in-line hockey.

YOST Ms. Yost stated that hockey was a very popular sport and tremendous use will be seen out of the system. She added that this comes as a package and is all one system.

SABATINI Mr. Sabatini indicated that they thought by doing a little positive marketing some of the full cost of that could be recovered from advertising.

YOST Ms. Yost added that user fees could be included as well.

PASCH Mr. Pasch asked whether lights were included with the hockey field

YOST Ms. Yost responded that was correct. Everything in the park would be lit with the exclusion of the Creative Playground.

SCHENCK Mr. Schenck commented that the deduction would included elimination of lighting only for the sports fields.

PASCH Mr. Pasch responded that the tennis courts, basketball, in-line hockey would still be lit.

YOST Ms. Yost responded that was correct.

GURRERI Mr. Gurreri commented that for the tennis courts, three would have lighting, but the three proposed would not have lighting.

YOST Ms. Yost responded that was correct but added that conduit would be placed for future use.

GURRERI Mr. Gurreri asked whether it would be practical to put in an in-line hockey rink where the tennis court is presently.

YOST Ms. Yost stated it was not impractical.

MITRICK Chairman Mitrick asked about the Pleasant Valley and Williams Road improvements, and the elimination of the curbs and sidewalks. She recalled during their meeting that she had asked Ms. Yost whether it would be possible to loop that walkway further north so that there would be no need for a sidewalk along Pleasant Valley.

YOST Ms. Yost responded that, as she had reviewed the matter, it would not work very well because of the function of not being connected to overflow parking. It's developed as a roadway and a walkway coming into the site.

BISHOP Mr. Bishop commented that for this discussion the cost was determined to be roughly $4.8 million. If the deductions are authorized, the cost would

be lowered to $3.8 million. He asked what would happen during bidding if the bids were significantly higher.

YOST Ms. Yost responded that there should be four alternates for flexibility in the bid. They will work with the contractors to get prices as well. The most effective means of targeting the price is working with the contractor to get the price prior to putting it out to bid. There will be four separate prime contracts, and a buffer is needed.

GURRERI Mr. Gurreri clarified that the add ins the Board would take out, could still be done but just at a different time. He added that it would cost more than $3.8.

SABATINI Mr. Sabatini stated that the Board would have to choose to proceed with those different things.

MITRICK Chairman Mitrick asked Mr. Sabatini how he would suggest proceeding. She acknowledged that two members of the Board had just returned from vacation; however, the schedule needed to be kept.

SABATINI Mr. Sabatini suggested that over the next several weeks a special meeting could be held with Ms. Yost, as well as the different individuals associated with the project to get a complete picture of what is being proposed, different cuts, what impacts they would have, and some alternatives. Mr. Sabatini added that there are marketing and financing issues that are being reviewed such as bank borrowing versus bond issues, pooling or utilizing other sources, issues relating to a franchise agreement with organizations, corporate sponsorships, individual sponsorships, cross marketing, community based support, business support, foundations plus state grants, state and local grants. A number of scenarios could be presented for the financing, which would have a mix of borrowing and utilizing some cash.

GURRERI Mr. Gurreri indicated he was in favor of a special meeting.

MITRICK Chairman Mitrick stated that a timetable had been presented with a Wednesday, March 21 tentative meeting date.

SABATINI Mr. Sabatini commented the 21st was the evening of the Park and Rec Board meeting, so it could be a joint meeting of both organizations.

Consensus of the Board was to meet with Ann Yost on Wednesday, March 21st at 7 p.m. at the Township Offices.

MITRICK Chairman Mitrick asked whether the Board could be provided with information as to bid options, which might come in higher than expected.

YOST Ann Yost responded they would do so.

MITRICK Chairman Mitrick commented that Mr. Sabatini spoke at the Rotary Club in East York. He had a tremendous amount of questions and interest about the park project. She felt it was very encouraging.

SABATINI Mr. Sabatini added that York Little League asked him to attend their meeting prior to the next Board Meeting to talk about some of the in-kind contributions and cooperative activities expected. He stated that meeting would be held on March 22nd at 6 p.m.

MITRICK Chairman Mitrick commented that one of the questions from Rotary was whether there would be naming opportunities.

York Waste

MITRICK Chairman Mitrick introduced Dave Claghorn from York Waste, who had come to the meeting to address any questions or comments regarding their service in Springettsbury Township.

CLAGHORN Mr. Claghorn reported to the Board that York Waste had some difficulties and challenges with the Monday, March 5th storm. They had not been able to complete collections in the northern and rural portions of the Township. They had telephoned the Township offices to advise of the difficulty and had put a message out on Operation Snowflake. They caught up with collections on Tuesday. He hoped that next month they would not have any of these problems. He stated he had been working during the past week as a residential dispatcher, so more of his time was spent inside in operations communicating with the drivers and the supervisors, but he will still remain as the main point contact for any service issues.

MITRICK Chairman Mitrick mentioned that she had seen at least one white pickup truck that had York Waste noted on the side. She asked whether that was someone out on the road just overseeing pickup activities.

CLAGHORN Mr. Claghorn responded that York Waste has two supervisors in designated different areas of York County. In the past two months they have definitely been out on the streets supervising. With his new position inside, this will allow further supervision.

MITRICK Chairman Mitrick thanked Mr. Claghorn for coming to the meeting and for his report.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of March 8, 2001.

B. Rummel, Klepper & Kahl – Progress Billing No. 27 – Diversion Pumping System and Parallel Interceptor - $21,041.33.

C. Springfield Contractors, Inc. – Pay Estimate No. 6 – Parallel Interceptor - $57,919.60.

D. Johnston Construction Company – Pay Estimate No. 4 – Diversion Pumping System - $21,670.31.

E. YSM – Invoice No. 1249 – Springettsbury Park Phase 1 Construction Documents - $32,788.65.

GURRERI Mr. Gurreri asked about the $13,678 noted for Norfolk Southern.

MYERS Mr. Myers of R. K. &. K. responded that it was for the diversion pumping station project.

GURRERI Mr. Gurreri asked about the amount noted for a cultural trip to New York.

SABATINI Mr. Sabatini responded it was a Park and Rec sponsored event.

MR. GURRERI MOVED TO APPROVE ITEMS A THROUGH E AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS:

A. Phillips Brothers Electrical Contractors, Inc. – Change Order No. 2 – PLC and Programming Changes – Diversion Pumping System - $9,401.70

B. Phillips Brothers Electrical Contractors, Inc. – Change Order No. 3 – Communications Modem and Programming Changes – Diversion Pumping System - $8,912.13.

SABATINI Mr. Sabatini stated that the Board had two Change Orders (2 and 3) from Phillips Brothers Electrical Contractors relating to the communication system between the Diversion Pumping Station and the Township Wastewater Treatment Facility. It was bid out with the 256K telephone line. Further evaluation indicated the engineers recognized that 256K may be too much, and that a straight dialup telephone service could be used with a monthly cost savings. It was approximately $300.00 a month for the dedicated line versus $30.00 for the dialup connection. These are two different Change Orders. Staff recommended approval for both.

MITRICK Chairman Mitrick requested that the Change Orders be handled separately and called for a motion.

MR. BISHOP MOVED TO APPROVE PHILLIPS BROTHERS CHANGE ORDER NO. 2, PLC AND PROGRAMMING CHANGES FOR THE DIVERSION

PUMPING STATION IN THE AMOUNT OF $9,401.70. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. BISHOP MOVED TO APPROVE PHILLIPS BROTHERS ELECTRICAL CONTRACTOR CHANGE ORDER NO. 3, IN THE AMOUNT OF $8,912.13. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. SD-00-17 – Grendell

STERN Mr. Stern provided background information for SD-00-17, which covered the Budget/Host hotel/motel behind the Exxon on Mt. Rose Avenue. They propose to combine two parcels of land as a reverse subdivision. One tract is 1.21 acres and the other is 2 acres with a stoned area for trucks. The plan had been approved in 1994 but was never recorded. A signed copy of the plan could not be found. As a result it needed to be re-approved. Planning Commission recommended approved at its February 15, 2001 meeting conditioned upon the setting of corner markers in the northeast corner. Mr. Jim Barnes was present to represent the plan.

MR. GURRERI MOVED TO APPROVE SD-00-17 GRENDELL WITH THE FOLLOWING CONDITION:
- **SETTING OF CORNER MARKER ON THE NORTHEAST CORNER.**

MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-00-19 – Misericordia

STERN Mr. Stern commented on the plans for Misericordia convalescent home. They propose to add 24 additional parking spaces. The facility currently has 36 spaces. Current zoning ordinance requires 40 spaces and the property owners feel that they need substantially more than that. The result would be 60 spaces. The plan had been reviewed by the Planning Commission at the February 15th meeting. They recommended approval of the plan with the waivers and conditions previously provided by Mr. Stern's memorandum. Some of those items had been addressed. Staff recommended approval with waivers and conditions. Mr. Stern commented on the waivers and conditions, particularly on the waiver from landscape and buffer yard to the side and rear of the property. He stated that the area in front of the new parking lot, which is along South Russell Street should be landscaped. They had not added landscaping to the plan for that. Because of the existence of the facilities there, which had a substantial amount of green area already, it was determined not to go back and further landscape those areas in front of the nursing home. Mr. Stern commented additional upon the condition of the submission of a stormwater pit test result. He stated that they had been unable to do that

test but that it had been scheduled for spring. Mr. Stern added that Mr. Jim Barnes was present to represent the plan.

SCHENCK Mr. Schenck asked whether the Township had always done a perk test for a stormwater pit.

LUCIANI Mr. Luciani stated that the problem was a one of a high ground water table and/or rock for digging a pit. Mr. Barnes had informed him that the perk test failed and a review of the property was needed to find an alternate way to do stormwater management.

BARNES Mr. Jim Barnes responded that in this particular case there were quite a few underground utilities in that location paralleling the southern property line of the K-Mart property. York Water Co. has a main that extends across 83 and over to Russell Street along the western property line. There are two underground utilities. One is a sanitary sewer that served the K-Mart property and also an underground gas main that belonged to the K-Mart property. The location of the parking lot is essentially in the area in front of the building, which was the only spot where they could place that improvement. The remaining area was not one which could be excavated for an above-ground system. There was really no way to collect water and try to pipe it somewhere because of the utilities that are there. The results of the test showed that the stormwater only dropped ¼" in a three-hour period. The Stormwater Management Ordinance allows for a payment of fees in lieu of doing this. Mr. Barnes indicated he did not think there would be any substantial impact on any downstream property owners with this parking lot.

GURRERI Mr. Gurreri asked whether Mr. Luciani agreed with Mr. Barnes' statement.

LUCIANI Mr. Luciani responded that he had not had an opportunity to review the alternatives but added that he had occasionally seen similar situations.

SCHENCK Mr. Schenck stated that the perk test failed so really there would be no stormwater plan. The stormwater issue for the whole project needed to be re-evaluated. He questioned whether it would be better to wait for that re-evaluation and a satisfactory stormwater plan, or whether it should be approved conditioned upon the completion of a stormwater plan. He added he did not think the Board had ever done so.

LUCIANI Mr. Luciani responded that 80% of the plans for properties under an acre quite often request for a waiver of stormwater management. He stated he'd like to take a look at the stormwater issues to make sure all of the options had been exhausted.

SCHENCK Mr. Schenck asked Mr. Stern for his opinion.

STERN Mr. Stern responded that he had just learned the information. He commented that the area was very small. If the Board were inclined to go along with Mr. Luciani's recommendation, he did not know whether it would be possible to indicate a waiver. If it were not Mr. Luciani's recommendation, then the owner still would have to come back for final approval.

MITRICK Chairman Mitrick asked Solicitor Yost for his opinion.

YOST Solicitor Yost responded that this action would not be done easily. He suggested that the owner follow Mr. Luciani's direction to review the matter further to ascertain whether there was any way to come up with a Stormwater Management Plan. Since Mr. Luciani had not had an opportunity for further review, an alternative should be sought. That failing, it could be waived and the fee secured.

SCHENCK Mr. Schenck added that the end result may very well be a waiver and receiving the fee. He stated that the action before the Board was conditioned upon assuming that the perk test was successful, and since it was not, the matter before the Board had changed.

SABATINI Mr. Sabatini stated that the Board could choose to table action in that the Land Development plan would not expire until next month. There would be three more meetings until the expiration. The developer would have an opportunity to step back from the table until Mr. Luciani's review and then bring it back for action.

LUCIANI Mr. Luciani stated there was an additional waiver for the landscaping on Russell Street.

MITRICK Chairman Mitrick questioned whether there was no interior landscaping at all.

BARNES Mr. Barnes responded that there are some existing ornamental trees in the island areas between the existing parking area and the drive up to the front door. He added that there was no proposal to place anything in the parking lot.

MITRICK Chairman Mitrick asked whether a particular area shown on the plan was grass and asked whether there would be a possibility for some landscaping there.

BARNES Mr. Barnes reported that a request had been made of the Planning Commission in the modification of the waiver for the landscaping on

Russell Street to take a look at the fact that this facility has been here for 35 years. It had co-existed in that neighborhood and to expand the plantings along the street right now did not seem to serve any purpose except for esthetics. The Planning Commission recommended that a review be done for some screening in the parking lot.

MITRICK Chairman Mitrick agreed that it would look better if something could be added that would just break up the parking lot.

BARNES Mr. Barnes stated that it was not that big of an area.

GURRERI Mr. Gurreri referred to a previous comment by Mr. Barnes that the home had received a million dollars. He stated he would love to see that go toward the sick people there, as they have had a rough time.

MITRICK Chairman Mitrick asked whether there was a consensus of agreement to table this until those two issues could be worked out.

MR. SCHENCK MOVED TO TABLE LAND DEVELOPMENT-00-19 FOR ACTION AT A FUTURE MEETING BEFORE THE PLAN DATE EXPIRES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop commented about the matter and wondered whether the Board would have moved forward with the waivers and conditions as delineated in Mr. Stern's memo where it says conditioned upon submission of stormwater perk test results, if they had not been made aware that the perk test failed.

PASCH Mr. Pasch responded that it was a good question because the memorandum does not indicate that.

BISHOP Mr. Bishop agreed and added that it state only that the test results need to be submitted.

SABATINI Mr. Sabatini commented that the words should be added "successful results."

BARNES Mr. Barnes stated that the request was not to waive the stormwater management. If, in fact, that scenario had been met, they would have had to come back and ask for the waiver.

BISHOP Mr. Bishop commented that it really had nothing to do with this particular scenario.

STERN Mr. Stern indicated it stated that it was conditioned upon receiving items.

MITRICK Chairman Mitrick asked that Mr. Luciani attempt to address the issues as quickly as possible in order to take action on the plan.

LUCIANI Mr. Luciani indicated he would proceed with an investigation of underground stormwater design and added that all of the alternatives had not yet been exhausted.

C. SD-00-14 – Greystone III/Norton

STERN Mr. Stern discussed the Greystone development. There are three plans with similar names; only one was being presented for action. This subdivision plan would adjust the lot lines in order for two future subdivisions could come forward. The two future plans would be Greystone III as its own plan, and Sarah Norton. This plan involved taking the entire property and rearranging the lot lines so that next two sets of subdivision plans will work. The other two sets of plans are not at a point for presentation. On February 25, 2001 the Planning Commission recommended approval with several waivers and conditions. Mr. Stern reiterated that the next set of plans would need to be approved.

MR. GURRERI MOVED FOR APPROVAL OF SD-00-14 – GREYSTONE III/NORTON WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM SUBMISSION OF A PRELIMINARY PLAN,**
- **WAIVER FROM SHOWING CONTOURS,**
- **WAIVER FROM SUBMISSION OF AN ENVIRONMENTAL IMPACT STUDY,**
- **WAIVER FROM CURB AND SIDEWALKS PER STANDARD SIX-MONTH NOTE ON THE PLAN,**
- **WAIVER FROM LANDSCAPE AND BUFFER YARD,**
- **WAIVER FROM STREET LIGHT REQUIREMENTS,**
- **CONDITIONED UPON APPROVAL OF HELLAM TOWNSHIP.**
- **MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

7. COMMUNICATIONS FROM SUPERVISORS:

SCHENCK Mr. Schenck reported that he had received a request from a group, which collects bikes, refurbishes and transports the bikes to Third World countries.

YOST Solicitor Yost indicated that the U. S. Marines refurbishes bikes and distributes them as well.

SCHENCK Mr. Schenck thought it was a good idea and will provide the information to Mr. Sabatini.

PASCH Mr. Pasch complimented Jack Hadge for the work done in the financial and checking accounts. He asked whether the checking accounts were interest earning accounts.

HADGE Mr. Hadge responded that interest was being earned. His department is in the process of moving money from checking into investments.

PASCH Mr. Pasch reiterated that he was doing a great job.

GURRERI Mr. Gurreri reported that the York County Assembly of Government would be having a meeting on March 29 at White Rose Bar with Senators Waugh and Gerlach.

SABATINI Mr. Sabatini indicated his office would make reservations if the Supervisors would notify them of their desire to attend.

GURRERI Mr. Gurreri reported that he and Mr. Pasch attended a Municipal Planning Workshop in York County on March 1.

PASCH Mr. Pasch reported they had learned of changes that had taken place and those which require some type of idea from the staff as to the direction to proceed.

SABATINI Mr. Sabatini indicated he had taken a look at the checklist for the Comprehensive Plan in the fall. There will be discussion during the PSATS meeting.

GURRERI Mr. Gurreri commented on the farmhouse. They had closed up some of the air holes, added insulation, and turned radiators off which should make a difference in the heating bills.

SABATINI Mr. Sabatini indicated no further improvements would be done until a review could be made of the bills.

MITRICK Chairman Mitrick commented on the temperature and the noise around the board table. Mr. Dittenhafer had been made aware of the difficulties and intended to do something about both.

STERN Mr. Stern indicated an acoustician was presently working and would be reviewing some concerns in the Board Room.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost thanked Mike Schober for his efforts in facilitating the closing of North Hills Road. This was a team effort, and Solicitor Yost appreciated his quick action.

Cortleigh Drive Project

YOST Solicitor Yost reported on the Cortleigh Drive Stormwater Project. His recommendation was to award the contract to the apparent low bidder, who had provided all the documentation required.

MITRICK Chairman Mitrick asked whether action should be taken now.

PASCH Mr. Pasch asked whether this could still be contested.

YOST Solicitor Yost indicated that the residents of Springettsbury Township could contest. He added that the key in the case was whether the bidding process had been compromised in any way. In this case, it had not been compromised.

Liquor License Transfers

YOST Solicitor Yost suggested that consideration be given to having a public hearing on the transfer of liquor licenses into the Township. He recognized that the Supervisors have a heavy meeting schedule; however, there was no specific time in the statute as to when any Public Hearing should be held.

PASCH Mr. Pasch wondered what would be within the Township's right to accept or reject.

YOST Solicitor Yost stated that it is actually a poorly drafted statute. The intermunicipal transfer was an after thought drafted in at the last minute. The statute indicates that a Public Hearing should be called in order to make a determination as to whether or not a transfer would be harmful to the health, safety and morals of the Township. It does not give any standard for the intermunicipal end. He suggested to check with other municipalities to learn what they are doing. He understood York Township had scheduled a Public Hearing.

PASCH Mr. Pasch asked whether a Public Hearing would have to be held on each transfer.

MITRICK Chairman Mitrick asked how long the public hearing would have to be.

YOST Solicitor Yost stated it would be no more than 10 to 15 minutes for each transfer unless there would be someone who had a reason to object.

MITRICK Chairman Mitrick suggested that Public Hearings be held prior to the next meeting.

SABATINI Mr. Sabatini indicated that the next meeting is with the Park and Rec Board on the 21st. One Public Hearing could be held at 6 p.m.; another at 6:15 and a third at 6:30 p.m. He agreed to do all the advertising.

MITRICK Chairman Mitrick asked Solicitor Yost to advise if he secured any information the Board needed to know.

YOST Solicitor Yost stated he would come up with an outline to follow so that all the hearings would be consistent.

Sewer Lien Policy

YOST Solicitor Yost reported that he met with Mr. Hadge's staff and reviewed the sewer lien policy toward having better success in the effort to collect liens in the future. He will draft an Ordinance authorizing the Township to collect sewer fees and attorneys fees incurred in connection with the enforcement of sewers. He will provide that prior to the next meeting as a Public Ordinance to Advertise for Adoption.

PASCH Mr. Pasch stated that there must be some type of penalty put in place.

GURRERI Mr. Gurreri commented that sewer bills cannot be sent to the tenant; they must be sent to the property owners.

YOST Solicitor Yost agreed and will be addressing that. He will provide a proposal indicating that the Township would not write off substantial sewer charges.

Consensus of the Board was to go ahead with the draft Ordinance.

PASCH Mr. Pasch commented that the only question he had was regarding a Resolution for reimbursement, and what action should be taken. He suggested that be done prior to getting into the park project.

YOST Solicitor Yost agreed. He stated that if there were any borrowing of money or grants obtained, a Resolution would be needed for reimbursement purposes.

SABATINI Mr. Sabatini commented that a review was being made of two versions being drafted by people interested in working with the Township. He expected to receive those drafts within a few days.

8. MANAGER'S REPORT:

SABATINI Mr. Sabatini reported that he had two additional items. The first item was a request for the Board to authorize the advertisement of the contract bid

which Solicitor Yost and Mr. Schober had mentioned for the cut across North Hills Road.

MR. SCHENCK MOVED TO AUTHORIZE THE STAFF TO ADVERTISE THE OPEN CUT PROJECT ON NORTH HILLS ROAD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SABATINI Mr. Sabatini stated that he received a resignation letter effective immediately from Pat Walters from the Historic Preservation Board. He will send a letter to her and begin work toward filling that position.

MR. SCHENCK MOVED TO ACCEPT THE RESIGNATION OF PAT WALTERS FROM THE HISTORIC PRESERVATION BOARD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Ordinance 01-04 Establishing and Re-establishing a Department of Fire and Rescue Services – Providing for the Incorporation of a New Volunteer Fire Company.

This item had been moved to the beginning of the agenda.

B. Collective Bargaining Agreement – Teamster's Union and Springettsbury Township.

SABATINI Mr. Sabatini commented that item B covered the Teamster's contract. The Board had received a copy of the draft agreement. The Township and the Union had reached a consensus of agreement on this contract. It would provide for a wage increase, but also some savings in health care. Staff recommended approval.

GURRERI Mr. Gurreri asked what the health care percentage would be.

SABATINI Mr. Sabatini responded it was a flat dollar figure based upon classification. He added it was slightly less than 10%.

MITRICK Chairman Mitrick asked whether there was any mention of the concept about a leave pool.

SABATINI Mr. Sabatini responded there was an item included for catastrophic leave. An employee may donate up to five days per year to a pool and only employees who have exhausted all sick, personal and vacation leave may benefit.

MR. GURRERI MOVED TO APPROVE THE AGREEMENT BETWEEN SPRINGETTSBURY TOWNSHIP AND TEAMSTER'S UNION 430 AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION CARRIED.

MITRICK Chairman Mitrick thanked Mr. Sabatini for his hard work and diligence in the agreement.

C. Ordinance 01-12 – Join Other Political Subdivisions as a Member of the Susquehanna Municipal Trust

SABATINI Mr. Sabatini explained item C as an Ordinance being proposed with regard to employee issues. They had reviewed a number of options. One of the best options would be to join with a pool called the Intermunicipal Trust to provide for Worker's Compensation. It is a mature trust having existed for a number of years. It is only for municipalities, has a very good rate and a very good loss history. Both he and Mr. Hadge had dealt with the trust in the past. He requested authorization to advertise the Ordinance and potentially act upon it at the March 22nd meeting. This is the best price found for the trust so far which had no increase in rate for the Township.

YOST Solicitor Yost reported that he had reviewed the Ordinance and the Agreement and both were in satisfactory form.

MR. GURRERI MOVED TO AUTHORIZE THE TOWNSHIP STAFF TO ADVERTISE ORDINANCE 01-12, AN ORDINANCE PERMITTING THE TOWNSHIP TO JOIN THE SUSQUEHANNA MUNICIPAL TRUST. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Cortleigh Drive

LUCIANI Mr. Luciani briefly explained how the contract was set up. He reported this was a two-part contract. The base bid was to concrete line the bottom. Because the water had eroded the bottom channel, also there was a unit price for concrete to fill that channel. The amount of fill to be used could only be an estimate. As a result there is a base bid and unit price, and based on our engineer's best guess, the low bid is $46,400, but that will vary.

SABATINI Mr. Sabatini explained that they were not prepared to award that bid tonight. Solicitor Yost had reviewed the documentation and made a determination; however Mr. Sabatini wished to hold this until the next meeting.

11. ACTION ON MINUTES:

A. Board of Supervisors Regular Meeting – December 14, 2000

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS MINUTES OF DECEMBER 14, 2000 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED AS HE WAS NOT IN ATTENDANCE.

B. Board of Supervisors Special Meeting – February 22, 2001

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE FEBRUARY 22, 2001 SPECIAL MEETING AS AMENDED. MR. BISHOP WAS SECOND. MOTION CARRIED. MESSRS. GURRERI AND PASCH ABSTAINED AS THEY WERE NOT IN ATTENDANCE.

C. Board of Supervisors Public Hearing – February 22, 2001

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE FEBRUARY 22, 2001 PUBLIC HEARING AS PRESENTED. MR. BISHOP WAS SECOND. MOTION CARRIED. MESSRS. GURRERI AND PASCH ABSTAINED AS THEY WERE NOT IN ATTENDANCE.

D. Board of Supervisors Regular Meeting – February 22, 2001

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE FEBRUARY 22, 2001 BOARD OF SUPERVISORS MEETING AS AMENDED. MR. BISHOP WAS SECOND. MOTION CARRIED. MESSRS. GURRERI AND PASCH ABSTAINED AS THEY WERE NOT IN ATTENDANCE.

12. OLD BUSINESS:

There was no Old Business for discussion.

13. NEW BUSINESS:

MITRICK Chairman Mitrick commented on the stone wall on the face of the building and asked the Board for consideration toward a decision as to what is going up on the wall.

PASCH Mr. Pasch stated that he had three or four comments regarding the wall as to what was to be done with it.

GURRERI Mr. Gurreri reported he had received two comments.

BISHOP Mr. Bishop received three or four comments as well. He added he hated the crest.

MITRICK Chairman Mitrick stated that the Board needed to provide some direction for Mr. Stern. She requested that the matter be placed on the agenda.

STERN Mr. Stern responded that he would provide drawings.

SABATINI Mr. Sabatini commented there could be a contest.

MITRICK Chairman Mitrick stated that whether or not we like the crest, it is historic in the township. She asked whether it could be determined where the crest came from or whether it did have some meaning.

STERN Mr. Stern stated that the only thing he had heard was that the crest was inaccurate.

SPEICHER Ms. Speicher commented that a contact could be made with Stu Olewiler, not the son, who had been instrumental in getting that as the logo.

MITRICK Chairman Mitrick asked that someone gather the history on it because if it were to be tossed aside, she wanted to be comfortable with doing so.

MITRICK Chairman Mitrick asked where the Time Capsule was located.

SABATINI Mr. Sabatini indicated it had been found.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:40 p.m.

Sincerely,

Robert Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **MARCH 8, 2001**
PUBLIC HEARING – INTERNATIONAL BUILDING CODES **APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, March 8, 2001 at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania at 6:15 p.m.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Don Bishop
Nick Gurreri

MEMBERS NOT IN ATTENDANCE: Ken Pasch

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Andrew Stern, Economic Development Director
Greg Henry, Plumbing Inspector
Michael Hickman, Fire Chief
Ron Simmons, Building Inspector
Ed Sowers, Sanitary Sewer Inspector
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 6:15 p.m. She stated that this was a special meeting called by the Board of Supervisors to offer an opportunity for Andrew Stern to explain the proposed Ordinances adopting the 2000 International Code series inclusive of the ICC Electrical Code. She stated that questions would be welcome.

2000 International Code

STERN Mr. Stern commented that over 300 notices had been sent out to builders, plumbers and a notice was placed in the newspaper as a way of invitation to the meeting. Mr. Stern advised that Springettsbury Township currently follows the 1996 BOCA Building Code, the 1993 BOCA Plumbing Code, 1996 BOCA Fire Code. Springettsbury Township has its own Property Maintenance Code, as well as the 1996 BOCA Mechanical Code. He explained that the purpose of the meeting came as a result of the staff, which consisted of Andrew Stern, Ed Sowers (Sanitary Sewer), Ron Simmons (Building Inspector), Greg Henry (Plumbing Inspector) and Mike Hickman (Fire Chief) having recommended to the Board of Supervisors an upgrade of Ordinances to the 2000 International Code series. That included the 2000 International Building Code, Residential Code, Fire Code, Mechanical Code, Plumbing Code, Property Maintenance Code, and Electrical Code. Mr. Stern

commented that the staff recommended that the codes be adopted with a minimum of local amendments. No local amendments would be adopted other than those already stated in Township codes. Thus there would be no additions or deletions of any particular ordinance. Within the Fire Code there are two amendments, one for open burning, which would bring the Township into compliance with state law. That local amendment is already in place. A Knox box requirement currently exists, which is a box for keys if there's an emergency no unnecessary structural damage would take place in order to gain entrance. The International books would include the same information as would be adopted in the Township. Mr. Stern asked Fire Chief Hickman to explain the Fire Code portion of the package.

HICKMAN Fire Chief Hickman explained the International Fire Code in comparison to what currently existed would strengthen the construction aspect as far as fire graded walls, etc. Chief Hickman provided the Fire Code material and asked whether there were any questions.

SCHENCK Mr. Schenck asked whether the local amendments that had been enacted previously, such as sprinklers, would be included.

STERN Mr. Stern stated that the sprinkler amendments were to the Building Code, rather than the Fire Code, which acted as a supplement to the Building Code. The Sprinkler amendments had been removed from the Ordinance two years ago. They are not proposed to be put back in the Ordinance. It is the Township's intention to follow the Building Code as written. The Fire Code included the Knox Box and the Open Burning, that being a state law. The Fire Code, with relation to sprinklers, states that a building that currently has a sprinkler system must maintain that sprinkler system in working order and be inspected, properly maintained and connections operating.

HICKMAN Chief Hickman commented that 65% of the sprinkler systems did not work during a previous review of sprinklers. This will address that concern.

MITRICK Chairman Mitrick asked whether there were any changes within the Fire Code, which would cause much of an impact upon the community.

HICKMAN Chief Hickman responded there were none.

STERN Mr. Stern stated that reason the adoption of the Codes was being proposed at this time was that the International Codes are proposed to become state-wide in Pennsylvania, one of the last states which have not adopted a state-wide code. Regulations are in effect through legislation, but enforcement was not in place. Mr. Stern stated that there was a lot of work to be done to prepare for the new codes, not just within the Township, but also by the contractors. It was Mr. Stern's hope that the codes could be adopted and the work done in order to be prepared for the time when the codes may become state-wide. The various other codes would be combined into the 2000 International Code. Mr. Stern asked Greg Henry to review the Plumbers International Code.

Plumbing Code

HENRY Greg Henry commented that a number of plumbers were in the audience. The International Plumbing Code was being adopted which dealt directly with the BOCA 90 and 93 Code, which had been utilized for the past 10 years. One of the requirements that will be kept is that house traps continue to be a requirement. That is beneficial to the Township and the treatment plant and addresses problems such as infiltration and good plumbing work so that there are no problems with the treatment facility. Everything else is the same. Billing will be done the same way for inspections. Inspections will be done of water lines as part of this code. In the past venting and drainage was the main focus. He asked for questions.

SANDERS Tom Sanders, Vice President of York County Plumbing, Heating and Cooling Contractors Association stated that this was the first meeting they had learned about, and he had come for information. He added that the code was somewhat confusing to read and understand. He stated they are the only licensed trade in York County. They want to see how they are being protected by what the code states and what the townships are going to change, keep or amend. He asked whether the Township would still require licensing of the plumbers and whether licensed plumbers would still have to pick up permits.

HENRY Mr. Henry responded that was his understanding, as well as the Board's. We have an Ordinance stating that, to perform plumbing work in Springettsbury Township, you must be a Master licensed plumber to apply for a permit. That would remain in effect as well for Journeyman Plumbers.

DICK Ms. Marlies Dick, Treasurer of Plumbing Association, of Axel Plumbing commented that there are many Mr. and Mrs.

Homeowners doing their own plumbing work. She asked whether there was any way to curtail this type of activity.

HENRY Mr. Henry responded that he had heard concerns of that nature. He stated that when Township personnel observe plumbing work going on either through the Building Inspector or through travels in the community, it was addressed. In times past the builder would come in only for a Building Permit. Currently builders are being asked whether any plumbing work is scheduled. A Plumbing Permit must be secured at that point. There is some policing done.

DICK Ms. Dick suggested that the homeowner would not be permitted to do their own plumbing for their own safety. She asked whether there were any ordinances or regulations that could stop the homeowner activity. She stated that she came from Germany, and people were fined for doing their own plumbing in that country as they have very strict plumbing and building codes.

HENRY Mr. Henry responded that one Ordinance stated that "all plumbing work must be done by a licensed plumber. For any work done, a permit must be issued." The wording is in place.

DICK Ms. Dick responded that she was thinking that when someone purchased plumbing items, such as bathtubs, toilets, they would have to have a permit before they could purchase that item.

GURRERI Mr. Gurreri indicated he was sure Home Depot would like that.

STERN Mr. Stern stated that becomes a point of education, which was a part of why the Township wanted to adopt the codes ahead of the state. While they could not prevent Home Depot from selling the fixtures, they could be educated.

DICK Ms. Dick stated that was why she had come to the meeting in order to voice her opinion.

DAMON Mr. Craig Damon of Damon's Plumbing, 4461 Pine Hill Road, Dover, Pennsylvania asked whether Home Depot or Lowe's have master lists of plumbers.

HENRY Mr. Henry responded that he had provided a list of Master Plumbers to Lowe's who were licensed in Springettsbury Township.

DAMON Mr. Damon stated that they are the contractor when they advertise installment. Mr. Damon indicated he had seen some subcontractors working who were not licensed plumbers.

STERN Mr. Stern indicated that many are independent contractors, and they do come in for permits. He added that for any plumber working in Springettsbury Township, they are required to be a licensed plumber. He added that there are probably people working without the license.

KNAUB Mr. Donald Knaub of 903 Cranberry Lane, Windsor Township, PA stated that the meeting was focused on adoption of the International Code. He had done work in Reading, a locality, which recognized his license from Springettsbury Township. He asked for specific wording in the amendment that strongly recommended a licensed plumber pick up permits rather than a building contractor.

STERN Mr. Stern stated that plumbers must pick up their own permits.

KNAUB Mr. Knaub stated that where he lived plumbers cannot pick up permits, as there is no plumbing code.

HENRY Mr. Henry responded that the Springettsbury Township code does address that. Mr. Henry commented that Mr. Knaub was inferring that what Springettsbury puts in its code, other townships or cities will follow. It's already in our code that you must be a Master Plumber to pick up a permit.

KNAUB Mr. Knaub responded that no permit is needed in his township.

HENRY Mr. Henry indicated that the wording is in Springettsbury's language. If another township copied Springettsbury's language word for word they would have it in theirs.

KNAUB Mr. Knaub indicated they were going by a National Code.

HENRY Mr. Henry stated that would be the International Code and added that there is no Springettsbury code per se. That would be in Ordinance form through the Township.

KNAUB Mr. Knaub stated that if Windsor Township wanted to adopt this International Code, then they would also have to be able to put that in an Ordinance form.

SCHENCK Mr. Schenck stated that the portion of Springettsbury's wording that provides licensed plumbers is an Ordinance, not the Code. Mr. Schenck suggested that a possible answer to his concern would be found in the preamble. A statement could be made as to the value of plumbing licensing. It could be suggested that Windsor follow the text and adopt Springettsbury's Ordinance during the time of code adoption.

Mechanical Code

STERN Mr. Stern stated that the Mechanical Code had been in place since 1996. The staff recommended an upgrade but added that there is no certified mechanical inspector or plan reviewer in place. The reason why we encouraged adoption in 1996 was that we wanted the BOCA Code to tie in and now the International Code referenced the Mechanical Code. During the prison project at least the BOCA Code had referenced the Mechanical Code. We had not adopted the Mechanical Code and this created loopholes. However, when architects or engineers design the projects, they know they need to follow this. There are no local amendments recommended to the Township.

MITRICK Chairman Mitrick asked whether the need for a Mechanical Inspector was a matter Mr. Stern felt the Board should consider in the future.

STERN Mr. Stern responded no, not at this point. He stated it was his goal that at least one person on staff would be knowledgeable enough in each code to have a basic understanding of any problems. Greg Henry recently attended a Mechanical class. At this point Mechanical has not been a problem for the Township. There have been no complaints or major problems in the inspection processes. Mr. Stern stated that perhaps some time in the future consideration could be given to the addition of a Mechanical Inspector.

ICC Electrical Code

STERN The ICC Electrical Code was the next topic for discussion, which Mr. Stern indicated was somewhat confusing. The industry standard for electric is the National Electric Code (NEC). The National Electric Code is not part of the International Code series so it is difficult to reference one to the other administratively. International Codes came forward with the International Electric Code, which they call the ICC. The only benefit is that it provides a bridge between the International Codes and the National Electric Code. It provides the administrative tools to use the NEC with the International Codes.

HENRY Mr. Henry interjected that the National Electric Code is part of NFPA, which is a separate entity from the BOCA and the other two entities that work together.

International Residential Code

STERN Mr. Stern stated that the next code was the International Residential Code. We've known it as the CABO Code to this point. CABO was one of the first International codes which specifically addressed one two-family dwellings and made it easier for someone who dealt with only single family dwellings or two-family dwellings to only have to learn one code and have one source to go to. The International Residential Code has a lot of information, such as different kinds of wood and spans and joists. The Building Code references other codes. There are also some sections, which address some electrical, plumbing and mechanical and other issues. Because the International Building Code also addresses single family houses, in the past it was the applicant or designers choice as to which code they wished to have their structure inspected. That will remain the case until the state comes out with the rules. When they implement the new state-wide code, we'll clarify which of these two should be used for single family dwellings.

Property Maintenance Code

STERN Mr. Stern stated that the last code would be the Property Maintenance Code. Mr. Stern recommended in 1997 to adopt the 1996 Property Code; however, that was never finalized. He recommended at this time to adopt the International Property Maintenance Code, and in addition keep the current Property Maintenance Code. Even though the Property Maintenance Code was written in the 1970's, there are some specific items that are useful in terms of weeds, grass, peeling paint and any type of property maintenance. The Property Maintenance Code ties into the all other codes and provides the Township the teeth to deal with ongoing problems.

MITRICK Chairman Mitrick indicated her question had been answered dealing with the Property Maintenance Code being built into International Code.

STERN Mr. Stern reported that there are some codes that were not being recommended for adoption at this time. There are other codes such as the Private Sewage Code, the Fuel Gas Code, the Energy Conservation Code, the International Zoning Code along with many others that are being reviewed.

DAMON Mr. Damon asked whether plastic plumbing would be allowed.

HENRY Mr. Henry responded that plastic would be permitted if it was stated in the code.

DAMON Mr. Damon commented that more and more people were asking for lead-free water systems.

HENRY Mr. Henry responded that he wasn't familiar with the piping they were talking about for service, but it's approved by York Water Company. He didn't feel it would be detrimental to use plastic as it had been used in other parts of the country. He added that he wanted to see the code adopted. He suggested that before they would get involved in a job to call him, and he would tell them what they can or can't do according to the code. That would be easier than addressing it.

COPENHAVER Donna Copenhaver, Secretary of York County Plumbing, Cooling Contractors Association asked for clarification of the 2000 International Code and whether it must be adopted by every township and municipality.

STERN Mr. Stern responded that the state of Pennsylvania legislation adopted the law that said the municipalities must adopt the state-wide code, which at this point is only the Building Code. He asked Mr. Schenck if the Plumbing Code had been included.

SCHENCK Mr. Schenck responded that at this time it's only the Building Code.

STERN Mr. Stern added that it included the Residential Code.

COPENHAVER Ms. Copenhaver re-stated then that the Building Code must be adopted. If a township like Windsor doesn't have a Building or Plumbing Code, they have to adopt the Building Code.

STERN Mr. Stern indicated that this would become the state-wide code; they are still in process of writing the rules toward carrying out the legislation. There will be some additional options coming from the state, which would include enforcement by the state, or by other municipalities for smaller townships.

COPENHAVER Ms. Copenhaver responded that Springettsbury could enforce it for Windsor as of the rules that are adopted by Springettsbury Township.

STERN Mr. Stern responded that it would be enforced in that manner only if the state required it; only if another township wanted us to do it, and only if the Board of Supervisors agreed with it.

COPENHAVER Ms. Copenhaver referred to one of their major concerns that within the code it stated that only builders would be picking up building permits and not the plumbers. She wondered whether Springettsbury's code would take precedence over the state code.

STERN Mr. Stern responded that she was correct that the state code made such a reference, but the township code would not take precedence.

DAMON Mr. Damon commented that according to this new code, the builders pick up a plumbing permit and could go in and do the whole job and have no restriction.

STERN Mr. Stern responded that the state is making the rules. If the state makes that a rule then there's nothing that this Board can do differently.

COPENHAVER Ms. Copenhaver stated that the plumbers need to get organized and fight to get that clause out of the state ruling.

STERN Mr. Stern agreed and suggested that they go to the state committees that could direct their efforts, or go to the state legislators.

COPENHAVER Ms. Copenhaver commented that the state legislators put this in to the rules.

SIMMONS Mr. Simmons commented that the matter would still revert to the International Plumbing Code, whether or not the municipality had adopted it. The wording is there. The only question would be in the plumbers licensure.

COPENHAVER Ms. Copenhaver stated that the fact that builders would be able to pick up permits should be a very big concern to this Township, to this Board because that means the plumbers will not longer buy the licenses. Right now every plumber here has to buy a license for every township and municipality, and there's something like 22 in York County. The Builders don't have to do that, but the plumbers do.

GURRERI Mr. Gurreri asked Mr. Sanders whether the plumbers have a state association.

SANDERS Mr. Sanders responded that they do have a state association, and they are working on this. Mr. Damon is the President of the state association.

COPENHAVER Ms. Copenhaver stated that the plumbers do not have the millions it takes to lobby like a Builders Association does, which is what it takes.

GURRERI Mr. Gurreri suggested they speak with Senator Mike Waugh.

COPENHAVER Ms. Copenhaver commented that Senator Waugh wrote the legislation.

GURRERI Mr. Gurreri indicated that perhaps Senator Waugh was not familiar with the problems, but he should be asked.

MITRICK Chairman Mitrick stated that the Township could send a letter indicating that the concern had been raised and request a response. She stated they would like to represent the plumber's concerns to their greatest ability.

STERN Mr. Stern responded that very early his office had sent a letter to the representatives indicating that if they had any questions they were welcomed to call or write. He added that they are probably just as confused, if not more so, about what the state is going to make the townships do or not do. That's one reason why the Township wanted to be ahead of the game so that it will only have to deal with its issues, and not the Township's as well as the state's.

Closing Comments

STERN Mr. Stern indicated that if there were further questions, they were welcomed to telephone any of the staff. The only other big thing was the recommended Ordinance has an implementation date of June 1, 2001. The Ordinance is on the Agenda for March 22 for adoption, but it will not go into affect until June 1. That will provide some time to study the new codes.

MITRICK Chairman Mitrick stated that, if there are further questions or concerns, she encouraged them to get them to Andrew Stern. They would appreciate the input.

SCHENCK Mr. Schenck still had a question about how the Township was handling permits in general. He stated that if the permitting process was not extremely easy, people are not going to apply for them. The group in attendance is licensed, and the Township had

caused them to be licensed. It appeared that they are being placed at a competitive disadvantage with people who choose not to obtain permits. He asked whether the process was made as smooth and easy as possible.

HENRY Mr. Henry responded that the available hours to obtain a permit is 8 o'clock to 5 o'clock. They come in, fill out an application for a permit and he reviews it. If he has any questions, he calls back, followed by the issuing of the permit. He added that e-mail had become popular and applications could be accepted via e-mail or fax. He agreed with Mr. Schenck that if it were too difficult a process, people would be deterred.

SCHENCK Mr. Schenck asked about the fees changing.

STERN Mr. Stern indicated that fees have not changed yet. We have some issues such as a failing computer permit system. There are DOS based programs which need upgraded. He hoped that the new system would allow for Internet access to apply for and obtain permits. He added that they are already accepting e-mail and fax applications and would like to become more similarly compatible. Mr. Sabatini has a consultant here working on some cost accounting for a different department, and that person will then assist our department in trying to get the fees and processes more level.

SCHENCK Mr. Schenck stated that there is a lot of work involved with becoming a licensed Master Plumber. In his opinion, that license should provide something, such as perhaps a simple phone call would be sufficient enough to say, okay, and a permit would be issued.

STERN Mr. Stern commented that his staff is working in that direction, and with Mr. Sowers in the department, it had made it a lot easier to get to that point.

DAMON Mr. Damon offered that the York County Plumbing Association has a company called 'permit.com,' which will come in and set up the permits; it costs the township nothing; doesn't cost anybody anything except when the plumber applies for the permit on the computer. He added that it was easy to use, approval is done by a credit card, and the township would be paid right away. The plumber gets the permit back quickly. Mr. Damon indicated he would drop the information off at the Township office.

MITRICK Chairman Mitrick thanked Mr. Stern and the staff. She was very pleased to hear that Mr. Henry feels that the Township has a good working relationship with the plumbers, and she hoped they felt the same. She encouraged them to think about what had been discussed, and if they had questions or concerns, to get in contact with Mr. Stern. The Ordinances are on for adoption during the March 22 meeting. If there is a tremendous amount of reconsideration, they can be delayed.

2. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 7:20 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **FEBRUARY 22, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 22, 2001 at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania at 7:30 p.m.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Don Bishop

MEMBERS NOT IN ATTENDANCE:
Ken Pasch
Nick Gurreri

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Charles Rausch, Solicitor
Jack Hadge, Director of Finance
Mike Schober, Buchart Horn, Inc.
John Luciani, First Capital Engineering
Mike Myers, R. K. &. K.
Andrew Stern, Economic Development Director
Dori Bowders, Manager of Administrative Operation
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Mark Hodgkinson, Wastewater Treatment Superintendent
Betty J. Speicher, Director of Human Services
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:35 p.m. She stated the meeting was a general meeting of the Board of Supervisors. She announced there would be an Executive Session following the general meeting regarding legal matters. She introduced Attorney Charlie Rausch, Solicitor for the Township and indicated that Supervisors Pasch and Gurreri would not be in attendance.

SCHENCK Mr. Schenck led the Pledge of Allegiance.

2. COMMUNICATION FROM CITIZENS:

There were no communications from citizens.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

East West Interceptor

SCHOBER Mr. Schober provided a few updates to his written report. The east/west interceptor upgrade permitting, the right-of-way from the railroad, had been received. Solicitor Yost had reviewed that and provided it to Mr. Sabatini for processing. Verbal discussions had been held with PennDot regarding the Highway Occupancy Permits. It appeared that they would allow the open cut even though it is not yet in writing. Bonds of Insurance had been received from the contractor regarding the raw pump drives. They had been reviewed, found acceptable and forwarded to Solicitor Yost. Upon his review and acceptance, the Notice of Award and Notice to Proceed will be issued.

Meadowland Pump Station

MITRICK Chairman Mitrick asked about the Meadowland pump station force main and the right-of-way issues.

SCHOBER Mr. Schober responded that they are resolvable, and they have been working with the property owners. They'd like to get some work done on all the roadway along Mt. Zion Road in that ditch. The Township had cleared that, and it looked a lot better so they are going to approach them to see if they'd be open to providing it at this point. It was not necessary to hear from them and can go a little bit longer way around and follow the existing right of way, which the gravity sewer follows, but it's going to require more effort.

B. Civil Engineer – First Capital Engineering

Corlteigh Drive Rehab

LUCIANI Mr. Luciani indicated he had two updates in addition to his February 14th written report. He reported that three bids had been received for the first of the Cortleigh Drive storm sewer rehabilitations, which he had discussed with Messrs. Sabatini and Rausch. The apparent lowest bidder is within the budget estimate; however, the contractor was missing some documentation, which, although not mandatory, he indicated he would provide. All documentation will be submitted to Mr. Sabatini with a request to ask the board to award the contract to the lowest responsible bidder.

Haines Road

Mr. Luciani responded that he met with PennDot, the County, Springettsbury staff and TRG traffic consultant to discuss Haines Road. The projected traffic on Haines Road will be 30,000 vehicles a day, which the road cannot handle, and the Township must force those cars to go other places. The next step for the Township is a Public Meeting to review the TRG report and perhaps answer some questions. This matter

needs to be kept moving forward. The documentation will be provided, which is the result of the OD survey that had been discussed and approved. In addition, a listing was provided of all the 10 individual PennDot projects that will occur in the next number of years on the 12-year program within Springettsbury Township. They include a widening of Mt. Rose Avenue, and improving the ramps at 7 and 8, etc.

C. Design Engineer – Rummel, Klepper & Kahl

Pump Station

MYERS Mr. Myers reported an update on the pump station. The pumps had been tested in their primary operating mode on Monday, February 12th. They checked out and Allan Meyers was granted a substantial completion following that. Since then we tested the variable frequency drives and the program logic controller, flow meters, and they've all checked out. Another test of the pumps in the secondary operating mode will be done next Monday in the wet well mode. The last item is to work out the communications from the pump station to the plant. There are a few punchlist items remaining.

MITRICK Chairman Mitrick asked about a date for the grand opening.

MYERS Mr. Myers responded that his suggestion would be to have a grand opening after the area is paved and seeded in the spring.

MITRICK Chairman Mitrick stated that one of her questions was about the paving and seeding because the area is a mess.

MYERS Mr. Myers responded that Allan Meyers will come back in April and do the final seeding and paving. They're going to put down a layer of stone and compact it for now. This plant is capable of operating now. The goal is not to turn it on because that's when the payment of money begins. It's designed to trim flows above what the plant can handle in the automatic mode. Once we turn it in to the automatic mode, anything above 16.75 mgd will shoot to the York plant.

BISHOP Mr. Bishop asked when it would be turned on automatic mode.

MYERS Mr. Myers responded that it would be turned on the communications with the plant are worked out. That level of security will be there.

BISHOP Mr. Bishop asked whether that time frame would be in a couple of weeks.

MYERS Mr. Myers responded that was correct.

MITRICK Chairman Mitrick asked Mr. Sabatini if he had plans for some type of formal notice to the sister municipalities that this project was complete and operational.

SABATINI Mr. Sabatini responded that unofficial notice had been provided during the last User's Group meeting in January. He met with a number of the users over the past month or so informally and advised them that it was proceeding. Once the final okay from R. K. & K. is received, then the official notification will be made to all the municipalities, as well as to DEP and EPA.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of February 22, 2001.
B. Frey Lutz – Progress Billing #12 - $8,745.52
C. Shannon A. Smith – Progress Billing #6 - $11,904.45
D. Buchart Horn, Inc. – Project Invoice No. 9 – Solids Handling Improvements - $18,108.88.
E. Norfolk Southern – Invoice No. 1101006042 – Flagging Services for Parallel Interceptor - $13,678.13.
F. Rummel, Klepper & Kahl – Progress Billing No. 8 – Biosolids Public Education Program - $538.61.
G. Springfield Contractors – Pay Estimate No. 5 – Parallel Interceptor - $51,298.86

MITRICK Chairman Mitrick questioned the Progress Report for the Biosolids Public Education Program, and whether R. K. & K. was proceeding with the computerized presentation and the video even though parts of the program had been placed on hold.

MYERS Mr. Myers responded that that billing dated back to July for previous work done, and that project had been on hold for some time.

MITRICK Chairman Mitrick asked for clarification that the whole program is still on hold at this time.

MYERS Mr. Myers indicated that was correct.

MR. SCHENCK MOVED TO APPROVE PAYABLE ITEMS A THROUGH G AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS:

A. Consideration of Bid for Purchase of Tri-Axle Dump Truck – Five Star International - $103,922.54

SABATINI Mr. Sabatini stated that the board had received a proposal for a Tri-Axle Dump Truck for the Wastewater Treatment facility. This had been bid out and two bids were received. The low bid was from Five Star International in the amount of $103,922.54. This was part of the 2001 Capital Improvement Budget of $107,000 for this vehicle. Staff recommended that the contract be awarded.

BISHOP Mr. Bishop asked whether this was a shared expense for the plants.

SABATINI Mr. Sabatini responded that it was to handle sludge.

MR. BISHOP MOVED TO AWARD THE BID FOR PURCHASE OF A TRI-AXLE DUMP TRUCK TO FIVE STAR INTERNATIONAL IN THE AMOUNT OF $103,922.54. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. LD-00-18 Fountains at the Heritage – Action (2-22-01)

STERN Mr. Stern discussed LD-00-18, which was a continuation of the current condominiums at Heritage project. There are 50 single family townhouse units being proposed, which will be condominiums. The project was recommended for approval on January 18th by the Springettsbury Planning Commission with numerous notes.

Mr. Stern provided background information regarding the waivers as follows:

- Waiver from Preliminary Plan – None of the proposed streets are going to be public. Fountain Drive and Fountain Drive North will be private streets of the condominium association.

- Modification to allow the installation of slant curbing - Our Ordinance requires straight curbing. The rest of the community currently has slant curbing. Since they are private streets Mr. Lauer agreed that slant curbing there would be appropriate.

- Modification from the Requirement for Sidewalks to allow sidewalks on only one side of the street among private streets – These are private streets with relatively few number of houses, and traffic would be reduced.

MITRICK Chairman Mitrick stated that on occasion private roads are later dedicated to the Township. She asked whether it would be wise to have that statement on the plan with a six-month notice related to sidewalks.

STERN Mr. Stern responded that in this case it would probably not apply. There had been discussion about that, and there is no way the Township could ever adopt them because they don't meet the requirements. They're too narrow and have slant curbing. Mr. Stern did not believe the streets themselves meet the requirements as far as construction design, and the Township could never adopt those streets.

BISHOP Mr. Bishop asked whether that is reflected in any way on the plans other than the fact that the roads clearly do not meet Township requirements.

STERN Mr. Stern commented that in order for them to be adopted by the Township, they would have to be noted that they are intended to be dedicated to the Township, and they're not. Mr. Stern did not know if there was a note that specifically indicated they are private. Mr. Stern continued his discussion on the waivers as follows:

- Waiver from the requirement to provide a four-foot wide grass strip between roadside curbing and the sidewalk. Mr. Stern stated that would continue along with what is already in existence.

- Waiver from requirement to separate intersections 600 feet from one another. Intersections must be 600 feet apart, which would require at least 300 feet in depth for each lot of those condominiums. They're not lots, but it is almost impossible in any neighborhood to separate intersections 600 feet from one another.

- Modification from buffering and landscaping – This focus would be slightly different because it is one parcel of land. There is no subdivision into individual lots. It is difficult to look at this in terms of one strict tree per house.

- Waiver from Section 502 per design streets with storm water pipe under the street. Since it is a private street they're asking to do some things that are not part of our construction specifications for a public street. Mr. Lauer reviewed this, and it is okay with him with the understanding that they will never be his responsibility.

- Conditioned upon submission of financial security.

- Conditioned upon traffic improvements at Mt. Rose and Hartford Road, which if you can picture that intersection right in front of the church there's a little tiny island, almost a pork chop. The Traffic Engineer recommended that there be some line striping to better delineate where a motorist is supposed to go. The applicant desires to make a contribution to our Public Works Department and have them do this in the course of the normal maintenance. Staff agreed.

- Conditioned on parking being limited to one side of the street - If you've been through this neighborhood you know that the streets are narrow. We would like the owners of the condominium association to post per their condo rules that parking would only be permitted on one side of the street. Otherwise it would be very difficult to get through.

- Conditioned upon submission of the recreation fee in lieu of which is approximately $600 per unit.

SHECK Mr. Jeff Sheck of David Miller Associates introduced George Kline, Bob Riotti, and Jeff Fedder of Millville Construction, all who represented the project. Mr. Sheck indicated Mr. Stern had covered nearly everything that had been done. He stated that there would be 50 units on either side of Brittany Springs Drive. There are 20 units proposed on the north side and 30 units proposed on the south side. He commented that there would be one tree per unit. Over the 11 acres there would be 50 shade flowering trees, screen plantings and heavy landscaping. Screening would also be done in the fairway.

MITRICK Chairman Mitrick asked about screening between the two zones on the right end of the development and whether that would meet Township requirements.

STERN Mr. Stern responded that it would for the most part. They have the right total number of trees but not necessarily the type of tree in the exact location. While it does not meet the Ordinance exactly, staff and Planning Commission felt it was appropriate.

SCHENCK Mr. Schenck asked a procedural question. He did not recall waiving so many things that are essentially interior components of a development.

STERN Mr. Stern responded that during the time he had been with the Township, he could not recall a plan that had interior roads like this one.

SCHENCK Mr. Schenck stated that he was thinking most recently of the Pleasant Valley situation. Maybe it had been worked out at staff level and he didn't know how.

STERN Mr. Stern responded that some of the things Mr. Schenck referred to were done because the developer chose to simply for the reason that they did not want to ask for waivers. In this case there are 126 units that are similar to this, about 75 in our Township so some of this falls into the planning for what's next door.

MITRICK Chairman Mitrick asked whether there was any part of this plan where the developer would have to get joint approval from York Township.

STERN Mr. Stern responded no and added that the municipal boundary line goes across from Springettsbury to York Township, which did submit comments via Doug Henry, who is their engineer who had reviewed the stormwater issue.

LUCIANI Mr. Luciani added that a letter was received from Windsor Township Sewer.

SCHENCK Mr. Schenck indicated his next question was about the sewage going to Windsor Township.

LUCIANI Mr. Luciani responded that it would be going to Windsor Township, but for conveyance only.

SCHENCK Mr. Schenck asked if they felt they could handle that.

STERN Mr. Stern stated that the Springettsbury Board of Supervisors had approved the sewer planning module and signed off on its portion of that for conveyance.

MITRICK Chairman Mitrick asked about the road improvements at Hartford.

STERN Mr. Stern stated that the road improvements include putting down lines to clearly delineate the right turns, left turns in and out. The estimate was $1300 included in their bonding that either they can do or Springettsbury can take the money and have Charlie Lauer do the work. It is relatively minor.

MITRICK Chairman Mitrick stated she read in the information that this development will generate 300 trips a day.

STERN Mr. Stern responded that would be correct based on the number of units at six trips per unit per day.

MITRICK Chairman Mitrick commented that the two access points basically are Hartford and Greensprings.

STERN Mr. Stern responded it would be Hartford at Mt. Rose and also Greensprings at Mt. Rose.

MITRICK Chairman Mitrick questioned that the only improvement would be painting of the lane.

STERN Mr. Stern responded that there are certainly other improvements. Their traffic engineer is the same engineer that did the Route 24 Mt. Rose study for York County so there are other projects in the pipeline for that area. Their engineer felt that these 50 units only represent a minor portion of the traffic that's contributing to the problems on Mt. Rose Avenue.

MITRICK Chairman Mitrick indicated that each project could claim that. She was concerned because she travels that roadway and knows the difficulty experienced at Hartford and Greensprings.

MR. SCHENCK MOVED TO APPROVE LAND DEVELOPMENT 00-18 FOUNTAINS AT THE HERITAGE WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM THE REQUIREMENT TO SUBMIT A PRELIMINARY PLAN;**
- **MODIFICATION TO ALLOW THE INSTALLATION OF SLANT CURBING;**
- **MODIFICATION FROM SIDEWALK REQUIREMENTS TO ALLOW SIDEWALKS ONLY ON ONE SIDE OF THE PRIVATE STREET;**
- **WAIVER FROM THE REQUIREMENT TO PROVIDE A FOUR FOOT WIDE GRASS STRIP BETWEEN THE CURB AND THE SIDEWALK;**
- **WAIVER FROM THE REQUIREMENT TO SEPARATE INTERSECTIONS 600 FEET FROM ONE ANOTHER;**
- **MODIFICATION FROM THE BUFFERING AND LANDSCAPING REQUIREMENTS;**
- **WAIVER FROM THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE DESIGN OF STREET, STORMWATER PIPE UNDER A PRIVATE STREET;**
- **CONDITIONED ON SUBMISSION OF PROPER FINANCIAL SECURITY;**
- **CONDITIONED ON THE TRAFFIC IMPROVEMENTS AT MT. ROSE AVENUE AND HARTFORD ROAD, FEES BE PROPERLY SUBMITTED TO THE TOWNSHIP TO COVER THE COST OF THOSE IMPROVEMENTS;**
- **CONDITIONED ON PARKING BEING LIMITED TO ONE SIDE OF THE STREET AND;**
- **CONDITIONED ON SUBMISSION OF THE RECREATION FEE IN LIEU OF IN THE AMOUNT OF $602 PER UNIT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

B. Giambalvo Motor Company, 1793 Whiteford Road – Land Development Waiver Request.

STERN Mr. Stern provided information regarding an application from Giambalvo Motor Company to waiver Land Development plans for an addition for a showroom for Hyundai's 1793 Whiteford Road facility. When this first came before the Board, the staff recommended that it not be acted upon or approved because the plans submitted were simply pencil sketches which did not provide enough information. Since then the applicant had submitted the plans, which had been reviewed by Messrs. Stern and Luciani. Comments were submitted to the applicant; the plans were revised, and Mr. Stuart Cluck of Yorkco Builders was present to represent the plans. For the record Mr. Giambalvo had been here earlier, was ill and had to leave. The plans now meet what Mr. Stern considered to be the minimum for the staff to recommend approval. Stormwater issues had been addressed; parking had been addressed. They have delineated which spaces are for customers; which ones were for inventory or display. He recommended approval.

SCHENCK Mr. Schenck asked whether more landscaping was being added.

STERN Mr. Stern responded that more landscaping was included. He stated he would not call it substantial. Given the limited area they have along the road, they are planning to plant 24" low shrubs. They are not proposing any trees. As you know if they were to meet the Ordinance, they couldn't be seen. It is not reasonable given the area they have and also the fact that they have stormwater going into that area too.

SCHENCK Mr. Schenck commented that there had been reference to supplying some materials even though they weren't meeting the requirements.

STERN Mr. Stern responded that he did not think it was necessarily appropriate to make that request.

SCHENCK Mr. Schenck stated that they certainly offered it the last go around, and he just wanted to know if there was documentation to support that offer.

CLUCK Mr. Cluck indicated that additional trees and shrubs had been offered in other areas in the township in a previous meeting.

MITRICK Chairman Mitrick stated that one of her concerns with the placement of the trees, was that there is nothing in the front. Explain to me again what the little dots.

CLUCK Mr. Cluck explained the 20 foot buffer zones. He showed the low 24" spreading shrubs to cover up the grass. The Ordinance required grass in

addition and also calls for trees, but trees wouldn't be appropriate because of the land.

SCHENCK Mr. Schenck asked where the dumpster would be located.

STERN Mr. Stern stated that regardless of whether the Board waived this or not they are still bound by the zoning ordinance requirements.

SCHENCK Mr. Schenck was assured that the dumpster issue would be addressed.

MITRICK Chairman Mitrick voiced concern regarding the overall bland appearance. The fact that 24" shrubs would be planted would not be eye catching, but simply to satisfy us. She asked whether there was any space in the front of this property – whether it's an island of significant landscaping – or something else. She was aware that they want the building and the vehicles to be visible, but there's nothing there right now. The 24" shrubs aren't going to do it.

CLUCK Mr. Cluck stated that there was a grass area where something could be added between the parking area and the street.

STERN Mr. Stern indicated he didn't know whether that would be appropriate for their business. There are other businesses that will ask for similar modifications to keep trees out of the front area. Their sole purpose is to display vehicles. He agreed that these aren't eye catching, but they want their cars to be eye catching, not the trees.

MITRICK Chairman Mitrick stated that her responsibility isn't to put the primary concern on the vehicles being catchy, but to view it from the Township's perspective. Knowing the property, she believed that there is something that could be put in that front area that would improve the look of the property without really damaging the view of the vehicles whether it's some deciduous trees or something that would make that property look better. There are other dealerships that have landscaping along the roadway. She would like to see something and asked if Mr. Glock was in a position to indicate what could be provided.

CLUCK Mr. Cluck responded that Mr. Giambalvo would offer something of value in another place, so instead something of value could be added there, too.

MITRICK Chairman Mitrick asked if he was saying that the landscaping could be altered in the front of the building along the roadway.

CLUCK Mr. Cluck responded that it could.

MITRICK Chairman Mitrick stated that the 24" shrubs are not going to enhance the appearance. She stated it was unfortunate there are no beds or anything in the front of their building, and she was not asking for that, but here there's a little bit of green space that might be able to maximize the appearance of the property.

SCHENCK Mr. Schenck stated that what was planned was basically ground cover even though it's called low shrubs.

MITRICK Chairman Mitrick asked what could be required along Whiteford Road.

STERN Mr. Stern responded that anything could be required. The Ordinance would require massive landscaping.

SCHENCK Mr. Schenck stated that he was not a landscape designer so I'm at a real loss to try to keep this moving forward and at the same time tell them what would look better.

BISHOP Mr. Bishop did not disagree with anything that Mrs. Mitrick said so far about doing something in there; however, he did not think that it was the board's responsibility to design landscaping. Mr. Bishop suggested that the most reasonable thing would be to ask them to come back with a plan that meets those needs. He added that there were some time constraints for Mr. Giambalvo.

SCHENCK Mr. Schenck asked whether it would be reasonable to move ahead with what we intended to do tonight.

STERN Mr. Stern suggested that the waiver needed approval. He suggested to deny the waiver for landscaping such that they would have to meet the ordinance and come back with specific landscaping.

SCHENCK Mr. Schenck indicated he would not be opposed to that. Let's move everything else off the table and come back with some more detail on the final landscape so he can at least move forward.

STERN Mr. Stern instructed the Board to approve the waiver for Land Development, but deny the waiver from landscaping requirements.

LUCIANI Mr. Luciani stated that the street tree ordinance indicates the lowest width would be about a tree every 20 feet. If you think about it they do mature.

BISHOP Mr. Bishop indicated it was not the Board's intention to require them to meet the landscaping requirements of the ordinance. The intention is to move forward and have them come back to us with a proposal that gets us closer but doesn't meet the ordinance.

CLUCK Mr. Cluck asked whether construction then could start. That's the most important as far as the timing.

MITRICK Chairman Mitrick stated that the only thing they would have to come back with would be the landscape plan.

STERN Mr. Stern stated he could then issue a permit; he could not issue an occupancy certificate until the landscaping were resolved.

BISHOP Mr. Bishop asked Mr. Stern for clarification that the request was for a waiver for land development.

STERN Mr. Stern responded that it was just to waive the process.

MR. BISHOP MOVED, WITH RESPECT TO GIAMBALVO MOTOR COMPANY REQUEST FOR WAIVER OF THE LAND DEVELOPMENT PLAN FOR 1793 WHITEFORD ROAD, THAT THE BOARD OF SUPERVISORS GRANT THE WAIVER FROM REQUIREMENT FOR LAND DEVELOPMENT PLAN WITH THE EXCEPTION OF THE REQUIREMENT FOR LANDSCAPING PLAN. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick asked that Mr. Cluck relay a message to Mr. Giambalvo that this is a far better plan, and it made it much easier for us to waive the requirement for Land Development because it really told us what they wanted to do. The first plan that came in didn't tell us enough.

7. COMMUNICATION FROM SUPERVISORS:

SCHENCK Mr. Schenck commented that Tuesday evening at the Boy Scout meeting, the Police Department sent a representative in to talk to the boys about citizenship. He provided a great presentation and brought along the mountain bike and big truck. He talked to the boys on their level and drew them in. Mr. Schenck was appreciative of the impact that could have on youth to have that early interaction with the police in that positive manner. He extended thanks to the Police Department for that program. Michael Keeny, a young man sitting in the back, said he thought they did a nice job.

MITRICK Chairman Mitrick asked Michael what he liked about it.

KEENY Mr. Keeny responded he liked everything.

MITRICK Chairman Mitrick stated that a few meetings ago she indicated that a teacher at East York Elementary School had contacted her voicing

appreciation for the response that the Springettsbury Township Police Department had with their school. They sent in someone to discuss the proper emergency responses that the teachers and administrators should take in case of an emergency. She heard later that, after the unfortunate incident in the southern part of the county, that same member of our police force went back to the school and talked further with the administrators and teachers about the best possible emergency response for their building. Chairman Mitrick stated that very important. She only knew about this occurring at East York Elementary but would hope that we have the same involvement with the other schools because the teachers are listening.

ESHBACH Chief Eshbach thanked Chairman Mitrick. The specific instance at East York Elementary was a drill prior to anything happening down in Winterstown as part of our Emergency Preparedness Plan. The Department also had another drill planned for the Middle School. It was planned before that incident happened, and since that incident we've also made arrangements and are working closely with the schools and have been for the last year and a half, including St. Joseph's. Most of that resulted after Columbine. We want to provide the safest environment for them.

MITRICK Chairman Mitrick thanked Chief Eshbach for this community involvement.

BISHOP Mr. Bishop stated that a lot of time had been spent with Central School District as to where they are going. It occurred to him that there would be an impact of having a high school within the Township. That was something the Board needed to be thinking about in terms of expense, etc. He was sure, in addition to the traffic concerns, there will be significant impact on the police department should they determine to build that large facility in our township.

SABATINI Mr. Sabatini commented that there had been lengthy discussions about that and some of the Federal grant program opportunities such as Cops and Schools, which are available. They do have a significant number of calls, and anytime there is a fight, their policy is to call a police officer. Office space within the school near the front in the common central area had been discussed, not only for a police presence for the students, but also potential access if this is going to be a community based facility a site for the township to utilize.

BISHOP Mr. Bishop stated that the overall expense should be considered up front before the Land Development is approved.

MITRICK Chairman Mitrick asked whether the spring Park Tour was on someone's agenda.

SABATINI Mr. Sabatini responded that he had sent that to Charlie Lauer; it will be taken care of.

BISHOP Mr. Bishop stated that he would not be available for the March 22nd meeting.

BISHOP Mr. Bishop made a general comment with respect to the large park project on the plate. He voiced concern with the way that project is moving forward and was not sure to what extent this Board really knows and agrees with how much it's going to cost, but it seems to have taken on a life of its own and is moving forward in its most expensive incarnation.

SABATINI Mr. Sabatini responded that the plan that had been approved was to be knocked $4 million with alternates built in. We will be discussing the Change Order that would allow us to prepare contract specifications and do the alternate design work for that to address that $1 million dollars worth of improvement reductions. We are still in the process of assembling the financing package for the board and how we plan to approach both banks or bond pools, the community based organizations and the community as a whole, as well as the township's resources and Federal, state and local resources. The intent is to hit that $4 million mark and then, if everything comes together the Board then can pick and choose where to go beyond that. That's the goal. If $2 million worth of outside revenues could be secured, that would be wonderful, but he did not think that could be assumed. That's why we're going with the $4 million mark.

SCHENCK Mr. Schenck stated that he did not believe that the Board ever said $4 million is the goal. Somewhere along the line it's an issue.

MITRICK Chairman Mitrick agreed. She added that when Mr. Sabatini indicated a $4 million price tag, she was wondering where the $4 million came from.

SABATINI Mr. Sabatini stated that they came in with the $5 million and at the Park and Rec meeting he had been given the task of coming up with $1 million worth of cuts in this. $986,000 was identified, or something along those lines, which seemed to be acceptable at that time.

SCHENCK Mr. Schenck stated that was why it is an issue in that somewhere in the process the scope of the design was to meet a particular budget, which wasn't $4 million. The documentation should be reviewed, but Mr. Schenck thought the architect had been given the task of coming up with a plan knowing the budget figure.

SABATINI Mr. Sabatini indicated that the numbers were just set because it was intended, at least from what he could tell in the Capital Improvement Budget, to do it over a three-year period with $1.2 million earmarked each year to do the work. There was transition in the spring of last year or in the summer months where the board thought it would be wiser to take the whole bite of it at a $3 million figure, and it has grown.

SCHENCK Mr. Schenck stated that was why the Board was concerned.

BISHOP Mr. Bishop indicated he though the $4 million figure looked a whole lot better than $5 million, but he did not recall that they ever decided that was the number.

MITRICK Chairman Mitrick stated that she recalled charging Ann Yost with the task of coming back and giving us what we could get for about $2.5 and then once we had the $2.5, how could we logically in the future add other components to the plan, and we did not get that. When we sat down at the public meeting, we started looking at the total plan and, of course, the Park and Rec Board was sitting there cheering it on, but we were sitting there wondering how it was going to be paid for. She indicated she did not know what the plan is today and what could be done to cut down to what we though would be spent. Another work session might be appropriate. She suggested that Mr. Sabatini meet with Mr. Hadge and pull together what should be done financially. Find out from the architects what might be able to be logically pulled from the plan and put in at a later date. Chairman Mitrick understood it costs more to put it in the future than it does right now. That's true of everything, but it needs to be brought back into reality.

SABATINI Mr. Sabatini responded that he would be coming back to the Board with some significant funding sources for the Township over the next 10 years. The general financial plan will be provided to the Board, or some options for it, at the March 8th meeting.

SOLICITOR'S REPORT:

RAUSCH Solicitor Rausch stated that he had nothing to bring before the Board.

8. MANAGER'S REPORT:

<u>Liquor License Transfers</u>

SABATINI Mr. Sabatini reported that three letters had been received from various businesses requesting approval to transfer liquor licenses from other parts of the county into Springettsbury Township. A change had been made in state law governing the disbursement of liquor licenses. We'll have some information to you but we will be coming to the board asking for an action

whether to approve or not to approve the liquor license transfers. He stated that three had been received in two days. He assumed there could be up to 10 or more in the next two to three months. The implications must be understood of what we're doing prior to making the first step.

Building Code

SABATINI Mr. Sabatini stated that prior to the next meeting on March 8 at 6:15 p.m. we will have a meeting to present the new Building Code. Three hundred letters had been sent to interested parties and personal contacts made to get people here to understand what the code involves.

MITRICK Chairman Mitrick thanked Mr. Sabatini for that. She felt this was very important and hoped for a good response.

On-Lot Septic Program

SABATINI Mr. Sabatini reported that the draft ordinance for the on-lot septic management program had been received. He had reported to the Board several months ago that the existing ordinance really had no input from staff, from our SEO or from anyone. This draft ordinance had been revised and much more workable. Mr. Sabatini would like to have a presentation to the people who this actually affects, which is about 400 people in the township. He would like to have an open meeting with Mr. Hengst and the people from Wastewater, himself and any board members who would like to attend to get input on the draft ordinance prior to it coming up to the full Board of Supervisors for action. He was tentatively looking at March 22, in order to have the ordinance to the Board of Supervisors in April and enacted then in order to proceed with this program. A definite date would be provided to the Board to meet with Mr. Hengst's schedule.

Fire Department Transition

SABATINI Mr. Sabatini indicated they are still in the process of dealing with the fire department transition. When Solicitor Yost returns, they will be wrapping up the legal parts of it, specifically the Articles of Incorporation and items that have to be done at the Department of State. They will be acting on the Fire Department Ordinance on March 8th also. All the documents need to be signed which is approximately 28.

Transportation Improvement Program

SABATINI The Township met with the County regarding the Transportation Improvement Program and will be making recommendations to the Board on what programs to be recommended or what projects within Springettsbury or affecting Springettsbury that the Board should support. The documents have to be in by the end of March; however, for other parts of its specific price issues they will accept addendums in the near future.

Change Order - YSM

SABATINI Mr. Sabatini discussed a draft Change Order from YSM for contract alternates. This is from the combined meeting of the Park and Rec Board and the Board of Supervisors where some alternates were proposed, which would reduce the costs by approximately $1 million. These alternates require essentially a Change Order to prepare the additional documents and the additional design work. One thing that we do want to point out is we have requested a proposal to YSM on construction management services. Construction management is essential especially in a project that is several million dollars and is a very public process.

SCHENCK Mr. Schenck indicated he did not understand the Change Order.

BISHOP Mr. Bishop indicated he thought the Change Order was stating that within one week they can stay on the schedule if we approve the Change Order within one week of our receiving it.

SABATINI Mr. Sabatini stated that there are at least three different views on the same issue and they will be addressed very carefully.

Old School Plaque

SABATINI Mr. Sabatini stated that when the old school building had been torn down, there had been a traditional plaque that listed everything. We received a letter from Worden & Shewell who was the mechanical contractor. They are still in existence, and they would like to buy it, or make a donation for it. If there's any interest, Charlie did locate it a couple of weeks ago. He asked whether the Board had any interest in retaining it as a artifact of the community.

Consensus of the Board was to give the plaque to Worden & Shewell.

BISHOP Mr. Bishop stated that a nice thank you letter from them would be appreciated.

SABATINI Mr. Sabatini requested time in the Executive Session.

MITRICK Chairman Mitrick requested that the Board members be made aware of any occurrences where it would send cards from the Board at the time of the occurrence.

Absence from the Office

MITRICK Chairman Mitrick advised the Board that she had asked Bob that when he is out of the office for a day taking the day off that he send us advanced notice as Mr. Amic had done just so that we're aware of his absence in the township. What brought that to mind specifically was recently when Bob

went looking around for a Supervisor and knew that three were out of town but couldn't reach somebody, so it would be helpful to Bob's office if we're going to be out of town to let him know. It would be good communication.

SABATINI Mr. Sabatini responded that an e-mail would be sufficient, and if the Board would like he would prefer to send his out by e-mail too.

9. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Consideration of Ordinance 01-01 Amending Zoning Ordinance Regarding Open Space Setback Requirements.

SABATINI Mr. Sabatini stated that item A covered the Open Space Setback Requirements, which Public Hearing had been held just prior to this Board meeting. Staff recommended proceeding with this Amendment.

MR. BISHOP MOVED TO APPROVE ORDINANCE 01-01 AMENDING THE ZONING ORDINANCE REGARDING OPEN SPACE SETBACKS. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Consideration of Ordinance 01-02 Establishing School Zone Speed Limits by St. Joseph School

SABATINI Mr. Sabatini stated the Ordinance 01-02 would adjust the times for the school zone at St. Joseph School between Kingston Road and Cortleigh Drive.

MR. SCHENCK MOVED TO APPROVE ORDINANCE 01-02 ESTABLISHING SCHOOL SPEED ZONE LIMITS BY ST. JOSEPH SCHOOL. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Consideration of Ordinance 01-03 Establishing No Parking Zone on Stonybrook Drive

SABATINI Mr. Sabatini stated that 01-03 would Amend the Code to address No Parking Zone on the south side of Stonybrook Drive between Silver Spur Drive and Heistand Road and establish that as a no parking zone.

MR. SCHENCK MOVED TO APPROVE ORDINANCE 01-03 ESTABLISHING A NO PARKING ZONE ON THE SOUTH SIDE OF STONYBROOK DRIVE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Consideration of Resolution No. 01-19 Authorizing Submission of Manhole Reimbursement Request – East Market Street

SABATINI Mr. Sabatini commented that Resolution 01-19 would authorize the submission of a request for reimbursement to PennDot for half of our costs of raising three manholes on Route 462, Lincoln Highway. Approval was recommended.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 01-19 AUTHORIZING THE REIMBURSEMENT FROM PENNDOT FOR THE COST OF RAISING MANHOLES ON THEIR ROAD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Consideration of Resolution No. 01-20 Amending Fee Schedule for Sewage Enforcement Officer

SABATINI Mr. Sabatini commented that Resolution 01-20 would amend the fee schedule for the Sewage Enforcement Officer. This also includes some of the additional costs that will be incurred under the on-lot management system. This Resolution had not been amended in three years. This reflects increased costs for the SEO.

MR. BISHOP MOVED TO APPROVE RESOLUTION 01-20 AMENDING THE FEE SCHEDULE FOR THE SEWAGE ENFORCEMENT OFFICER. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Consideration of Resolution No. 01-21 approving Right of Way License Agreement with Norfolk-Southern Railway Company – East/West Interceptor Project.

SABATINI Mr. Sabatini stated item F. involved Resolution 01-21 to approve the right of way license agreement between Norfolk-Southern Railway and the Township. In order to proceed with the design right of way work for the East/West Interceptor project. There is a one-time fee of $1,675. Staff and engineers have recommended approval.

MR. BISHOP MOVED TO APPROVE RESOLUTION 01-21 APPROVING THE RIGHT OF WAY LICENSE AGREEMENT BETWEEN NORFOLK-SOUTHERN RAILWAY. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY APPROVED.

10. ACTION ON MINUTES:

A. Board of Supervisors Special Meeting – January 29, 2001

MR. BISHOP MOVED TO APPROVE THE MINUTES OF THE JANUARY 29 SPECIAL MEETING OF SPRINGETTSBURY TOWNSHIP BOARD OF SUPERVISORS AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Regular Meeting – February 8, 2001

MITRICK Chairman Mitrick asked Mr. Sabatini about an item on page 9 of the Minutes where Mr. Gurreri discussed some concerns that he had discovered in the farmhouse. She asked Mr. Sabatini whether those concerns had been addressed.

SABATINI Mr. Sabatini responded that the concerns had been addressed with Mr. Stern, and some of the items were still in process. He will check on that work.

MR. BISHOP MOVED TO APPROVE THE MINUTES OF THE FEBRUARY 8 BOARD OF SUPERVISORS MEETING. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. OLD BUSINESS:

There was no Old Business for discussion.

13. NEW BUSINESS:

A. Consideration of Appointments to the Plumbing Board

SABATINI Mr. Sabatini reported that there were three names. The Board needed to appoint two people. The staff was comfortable with any of the three individuals.

MITRICK Chairman Mitrick commented on the third candidate in that he has made numerous calls to the Township. He is obviously interested in township business, and that is a good sign when someone will call regarding a variety of issues. He's an active resident.

MR. BISHOP MOVED TO APPOINT PHILIP KINSLEY AND DAVID YATES TO THE PLUMBING HEARING BOARD, MR. KINSLEY TO SERVE THE UNFINISHED TERM OF JAMES HENRY THROUGH JANUARY 1, 2002 AND MR. YATES TO A REGULAR FULL TERM. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Consideration of Purchase of Vehicle

SABATINI Mr. Sabatini stated the Capital Budget had a replacement vehicle for the Township Manager. Mr. Sabatini had reviewed several options and his needs, and he recommended to authorize the purchase of an Explorer through the state contract.

MITRICK Chairman Mitrick asked what would happen to the vehicle Mr. Sabatini was currently using.

SABATINI Mr. Sabatini stated that with the way it is driving, he would expect that would be put out for surplus. The transmission was pretty well shot. It's a 12 year old vehicle with 54,000 miles on it.

BISHOP Mr. Bishop asked what the operating expense would be for the Explorer.

SABATINI Mr. Sabatini responded that the information indicated that it runs about 16 to 18 miles per gallon. The existing vehicle is averaging 20 miles per gallon. In terms of insurance there is a differential between a sedan and a Taurus and Explorer. Other maintenance costs would probably be less with a newer vehicle for several years.

BISHOP Mr. Bishop asked how many miles he would anticipate per year.

SABATINI Mr. Sabatini responded it would average about 15,000 per year. Mr. Sabatini explained the process he had gone through to come up with his decision. He would prefer a four-wheel drive vehicle in order to ascertain what happens in the community especially during bad weather. He did not think it was appropriate for him to drive a fully marked fire vehicle.

BISHOP Mr. Bishop stated that one of his questions is why we have the Fire Chief vehicle sitting there doing nothing. It is a fully marked vehicle, and agreed with Mr. Sabatini in his assumption that is not appropriate for him to drive it. He suggested that the vehicle be unmarked.

SABATINI Mr. Sabatini agreed and stated he would be very happy with that vehicle. It was a vehicle donated to the Township for a purpose at one time or another. He was not sure of the political implications of transferring a donated vehicle from a department even though it is not being used. Pull the lights off and the sirens off, take off the markings and it's still huge. That's fine.

BISHOP Mr. Bishop stated that his opinion on that situation is that it was donated. It wasn't requested that it be donated, and it did what it was supposed to do when it was donated. I don't imagine that anyone would come forward and have problems with the Township using that vehicle as the Township sees fit.

MITRICK Chairman Mitrick requested Mr. Sabatini to research and it's costing us money for the vehicle to sit there without use. She asked him to come back to the Board at the next meeting with some information on it.

SABATINI Mr. Sabatini indicated he would be happy to do so.

SCHENCK Mr. Schenck asked if the two could be tied together.

BISHOP Mr. Bishop responded that he had suggested that as an option instead of buying a new vehicle.

12. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:10 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

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The Board of Supervisors of Springettsbury Township held a joint meeting with the Planning Commission and Central York School District on Thursday, February 22, 2001 at 6 p.m. at the Township Office at 1501 Mt. Zion Road, York, PA.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Don Bishop

MEMBERS NOT IN ATTENDANCE:
Ken Pasch
Nick Gurreri

PLANNING COMMISSION MEMBERS IN ATTENDANCE:
Alan Maciejewski
Larry Stets
Mark Robertson
Larry Gibbs

CENTRAL YORK SCHOOL REPRESENTATIVES IN ATTENDANCE:
Dr. Linda Estep
Mr. Don Hoke
Mr. Dave Shrader

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Charles Rausch, Solicitor
Andrew Stern, Economic Development Director
John Luciani, First Capital Engineering
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 6:05 p.m. She stated that the meeting was an informational Public Meeting between Dr. Estep and other representatives from Central York School District and members of the Board of Supervisors and Planning Commission. She stated that no decisions would be made during the meeting, as discussion would not relate to land development, but rather information which the school district would provide to the township regarding the conceptual plans for the new Central York High School. Some discussion would reference the proposed site. She acknowledged the public attendees and indicated that the meeting would conclude in one hour. She commented that she would make an effort to allow for public questions and asked that questions would refer to the

presentation rather than other information regarding the project. She asked those in attendance to identify themselves and apologized for Ken Pasch and Nick Gurreri who were unable to attend. Chairman Mitrick turned the meeting over to Dr. Linda Estep.

HOKE Mr. Don Hoke provided informational packets for the Board and Planning Commission.

2. CENTRAL YORK SCHOOL DISTRICT PRESENTATION:

ESTEP Dr. Estep thanked Chairman Mitrick for inviting Central York School to the meeting. She stated that she would focus on the educational program hoped for in the new facility in a partnership between the township, school district and the community at large. She introduced Mr. Don Hoke, School Board President and David Shrader, Architect of L. Robert Kimball and Associates.

Vision – Academy Format

Dr. Estep provided the vision for Central York High School and the district, which resulted from a strategic plan involving the community students, parents, and business representatives. The vision is to go to a career academy format. Their team had done a substantial amount of research with regard to implementing the career academy format in 9th grade and is attempting to determine what the educational program should be, what kinds of educational experiences and programs should be offered. Once that is finalized they will proceed with the design of the building. Four career academies will be offered: Business and Finance, Health and Human Services, Arts and Humanities and Science and Technology. Dr. Estep indicated that they wanted to have a community school.

Community Center

Central York School District does not have a main street nor a center of our community. It traverses Manchester Township, Springettsbury Township and North York Borough. The vision would be to have the high school become the center of the Central York School District community. The high school could be opened to the entire community far beyond what it would be used for while students are there. The sense is that it would be open early in the morning until late at night, and offer opportunities for lots of people at different hours of the day. In addition, there would be lots of interaction with the community members. The library would become a community library and the recreation facilities would be community facilities. The auditorium would be

for community use. Classrooms could also be available for community use.

Non-Traditional Time Schedule

The vision is that perhaps the students would not be on a traditional time schedule. In 11th or 12th grade, the students would have lots of opportunities to move outside of the school with internships, job shadowing and other experiences in business and industry where they may not be within the school the entire day. They might perhaps be out in the morning in the community, come to school in the afternoon and stay in school until early evening, or they may start in the morning and perhaps leave early afternoon and spend the rest of their time out in the community working and learning. It's a move away from what most of us have experienced as the traditional high school program.

Conceptual Design

Dr. Estep explained the conceptual design of the academy with one side for the gym, and recreational functions; two wings are for the academy wings with a wing going back for the 9th & 10th grade core areas; the academy wings have a downstairs and upstairs. Another wing would be dedicated to the performing arts and music. The entrance way would be a common area which would include student dining and a common community room to be used for community presentations, speakers, technology classrooms to offer technology classes both during the day and in the evening. In the second floor main entrance would be the media center (the library) useful for activities throughout the day and into the evening with story telling for younger children. The community would be invited into the school to make it a large area for learning for people of all ages.

SHRADER Mr. Dave Shrader stated that the previous year had been spent planning and looking for a site. The facility design began about a month and a half ago. The student commons is a house or core to a little town for the students. All of the spaces around that are on the first and second floor. Everything around that are student community functions with dining spaces, career and counseling, student government spaces. Out in the wings will be the specific areas.

Introduction of the Design Team

Architect and Building Engineering - Mr. Shrader advised that he represented the firm of L. Robert Kimball and Associates which will be doing the architecture and the building engineering.

Civil Engineering Team – L. Robert Kimball and Associates will be doing the design portion of the project. There will be a local engineer doing the land development approvals, and there will be a similar team as the one seen for the York County Prison.

Surveying and Geotechnical – There are RFP's sent to a variety of local surveyors and a variety of local geotechnical engineers. The proposals are due next week (week of February 26th). Those representatives will be introduced within the next several weeks.

Traffic Consultant – The traffic consultant's proposal is due today (February 22nd). That's an integral part of the whole project, and they will be on board shortly.

Environmental Firm – An environmental firm will be brought in as well.

Construction Manager - The project will be using a construction manager. There are proposals due February 22, and the board will be doing interviews the first week of March.

All of the team will be on board shortly and will be introduced to the Board and hopefully they'll form a good relationship to keep the project moving.

Project Organization

The way the school has to proceed is to follow the PLANCON format, which is the Pennsylvania Department of Education format. They have a series of processes that the school must follow to get reimbursement for the school district. It will be a process but the term PLANCON will be heard at times because the school must have some of your approvals to get the PLANCON or PDE approvals. That's the organization of the project from a design standpoint.

Project Program

Some information had been included in the Board packets, which items were a Preliminary Schedule, followed by a Proposed Building Profile. That proposed building profile outlined the intentions of the building. The building will probably be between 300 and 370,000 square feet depending on all the final amenities that the Board decided to include in it. The stadium is intended to go on the site. There is a potential for a pool facility, which is something that the Board is still discussing. The building will be designed as a two-story facility utilizing some of the integrated

design concepts and based around the academy structure. In terms of anticipated construction concepts it'll be a two-story steel structure with some kind of masonry exterior.

Site Selection

BISHOP Mr. Bishop stated that he really was not fully informed on the school project and asked whether the site selection had been finalized.

ESTEP Dr. Estep responded that the board approved a sales agreement, but it was contingent upon various approvals, first approval through PDE, and other contingencies such as the result of the geo-tech study, the environmental study, etc. There will be no closing until all the approvals are secure. Each one must be approved before proceeding to the next.

BISHOP Mr. Bishop asked whether those approvals could be considered formalities.

ESTEP Dr. Estep responded that there are requirements that have to be submitted and reviewed by the Department. If the requirements are met, then approval is made.

BISHOP Mr. Bishop asked whether the school board had made its decision as indicated by signing a sales agreement.

ESTEP Dr. Estep responded that was correct, but only if the various approvals can be secured. If not, then the deal is off.

MITRICK Chairman Mitrick agreed with Mr. Bishop in that all she knew was basically what she had read in the newspaper. She understood there were two other sites being considered. She stated that a lot of work had been put into this design and asked whether the design was such that work on it began before the sight selection so that if this site didn't work out it could be placed somewhere else.

ESTEP Dr. Estep responded that was correct. This is just the concept design without regard to the actual land. The process had to start somewhere, and so the design was done to fit the land. We knew 60 acres and hopefully 68 acres to include the pool were needed.

Design Sketches

SHRADER Mr. Shrader stated that the information provided to the supervisors included three sketches. One showed the outline of this piece of

property on which the district at this time has a sales agreement. The second two sketches are sketches that were submitted to Department of Education. All of the sketches show that all the pieces that the district intended to use fit on the property. Those sketches are not the design. A civil engineer will be brought on board and that civil engineer will actually start doing the design.

MITRICK Chairman Mitrick asked for an explanation of the circles shown on the sketches.

SHRADER Mr. Shrader responded that the circles show the sun angles. As part of a site analysis they need to show where the sun is on the property, as well as the northwest winds, and an analysis of the site showing the basics.

SCHENCK Mr. Schenck asked whether they would expect to continue with the schedule shown.

SHRADER Mr. Shrader responded that they had done a day-to-day outline showing what actually had to be done each day and who would be responsible. He felt that the Township would be most interested in 2002 where the project would go out to bid February 11th, receive bids March 25th of 2002 and then May 15th, 2004 construction complete.

SCHENCK Mr. Schenck questioned at what point in the schedule were they expecting the interaction between the township Planning Commission and the Board as far as the issues we're concerned with, which are traffic and all those other environmental issues.

SHRADER Mr. Shrader responded that they would begin with some schematic presentations in June. However, he realized after meeting with the township that those dates would not hold true.

SCHENCK Mr. Schenck indicated he understood that the normal submission would probably occur around June, and the initial information would start with the Planning Commission.

STERN Mr. Stern stated that he and Mr. Shrader had some discussions. The Planning Commission needed to provide some feedback as to whether they want a sketch plan or an elaborate plan and stretch it out over a time period. There are some issues to be worked through with Planning Commission. Hopefully they can be worked through in the next month or two for preliminary decisions, and as part of their time line actually make a formal submission before June or July.

SCHENCK Mr. Schenck added that they would be looking for completion in our process around October or November.

SHRADER Mr. Shrader commented that October would provide some extra room with an understanding that there would be some issues that come up. They have until February as a final approval process. We'd like to try to get it out of the way as soon as we can. Those are the time frames on which the school would like to work with the township.

SCHENCK Mr. Schenck stated that the project was a big one, and that he had never been involved in one of this scope. There are a lot of concerns and in holding this meeting tonight, to state some of those concerns would get some of the issues on the table.

SHRADER Mr. Shrader responded that was their hope. He pointed out one of the items as highway and traffic.

SCHENCK Mr. Schenck stated his comments would be fairly brief. His initial reaction to hearing about the site were as follows: 1) the area can't handle the traffic, 2) there is a sewer plant nearby that stinks, and that's not going to end soon, and 3) he had lived here in 1972 and know that the flood concerns of the area. Mr. Schenck added that in addition he recognized an opportunity for some cooperation with some of the facilities that we need. Mr. Schenck stated he hoped that was in their thought process too.

MITRICK Chairman Mitrick commented on the environmental concerns. Several years ago she had been involved with the Incinerator Task Force in Springettsbury Township. She recalled in the mid-90's where there was a lot of concern about the emissions from the incinerator, a fact which concerned her today. A study had been done and even when they were attempting to locate a site, it was a chosen site because the pollutants would leave that township and come into Springettsbury Township. The deposition area of most of the pollutants was going to go right in the area where the school is sited. I don't know if the incinerator had improved its system, but it was a cause of concern in the early 90's. She urged the school to investigate that concern if they had not already done so.

ESTEP Dr. Estep responded that they had done some investigation of that and discussed it with DEP. They had also discussed this with the local monitoring people, who do constant stack monitoring and who assured that all numbers are well within the ranges of acceptability. They invited the school to come in and look at all

their records. The inquiry process had been started because that was a concern of the Board and they will continue to work with them.

MITRICK Chairman Mitrick cautioned that a common environmental question would be whether an institution is in compliance with the law and with the regulations. Compliance is one thing, but something that the school district should be aware of is the history of violations because they may correct a problem and then all of a sudden they are in compliance, but then another violation might occur.

ESTEP Dr. Estep indicated that they had shown them those records.

BISHOP Mr. Bishop brought up the matter of the sewage treatment plant. Initially some 25 years ago the supervisors had placed it in that location in order that it would be as far away from anything as it could and still be in the township and close to the creek. Now you're going to build your "main street" right next to our sewage treatment plant. There are odors associated with that facility. The township does everything that it can to minimize that and there are people out there who do everything they possibly can but it's just a fact of life. Mr. Bishop indicated he did not believe anyone who operated a sewage treatment plant could do so without some kind of problem along the lines of odors. Mr. Bishop was personally concerned about the possibility of sitting in the supervisory chair four years from now having very angry parents and citizens who have now been forced to be exposed to our facility on a rather regular basis. It's something over which the township clearly will have no control. At that point the township will be in the role of being your neighbors. The facility can't be moved and will be expanded at some point in the future when it becomes necessary because it serves everyone on the east side of the York area in seven different municipalities. It is an important regional facility that must stay there. Mr. Bishop urged the school to really be convinced and to convince your constituency that it is a wise move to be close to the sewage plant. Mr. Bishop stated he was curious as to what had been done to analyze that situation.

ESTEP Dr. Estep responded that some discussions had been held with Mr. Sabatini and several other sources. There are odors from other sources too, such as Codorus Creek. She was aware that the township has been doing some things for odor control and was under the impression that that there would be more in the future. The school would continue to focus on that as a priority.

MITRICK Chairman Mitrick stated that she asked Mr. Sabatini to try and get a copy of the odor complaints received over the last five years in order to pass those on to the school for information because there are residents who live out there that have called in regarding heavy odor problems. Chairman Mitrick wanted to be sure that Dr. Estep was aware of the complaints that had been received. Also another point regarding odor was that in East Manchester Township there are plans to develop the farmland just north of the creek. There was a lot of discussion in East Manchester Township when they were going through the approval process and what was concluded was that there will be a notation in all of the deeds for the properties surrounding the golf course indicating that they are buying property next to a wastewater treatment facility where at times odor is a problem. So I believe with that notation East Manchester Township is recognizing it and taking it very seriously. Chairman Mitrick wanted to be sure that the school would not go into this blindly because the township admits there is a problem and it will never go away.

SCHENCK Mr. Schenck commented on the traffic concerns to deal with as part of the land development process with some assistance from the York County Planning Commission. He asked whether that was at least looked at as one of the criteria.

ESTEP Dr. Estep responded that anyone who is in Central School District knows here's a traffic problem no matter where you go. We started with about 12 sites. Those were provided based on acreage without regard to what was on the site. Very quickly the sites were eliminated to about six. A local engineering firm did a preliminary site study of those six, narrowed it to three, all three of those had traffic issues.

SCHENCK Mr. Schenck asked whether they were fairly equal.

ESTEP Dr. Estep responded that this was the best of the three sites. The other two had severe traffic problems and one had a limited access. The school district indicated that no matter where you'd put a high school this size, there will be some traffic issues. What we heard at the two Board meetings was that traffic is a problem now and has been for the last several years. Citizens are concerned with the present condition.

SCHENCK Mr. Schenck indicated that the township had been working with the state and is governed by a set of rules that the state dictates. School boards have the same things. The roads are state highways, and the township can suggest and twist arms, but can't necessarily

cause anything to happen. There will have to be a high level of cooperation. We have been talking to the state over the last two years on that whole corridor because it is becoming a major north/south corridor. Now we throw the school into the mix, and it will be a large undertaking.

ESTEP Dr. Estep stated that the school was hoping to be able to help with some leverage both in Springettsbury and in Manchester Township. She stated she had met with the Township Manager in Manchester Township and was aware of some of their frustrations.

SCHENCK Mr. Schenck added that he had held discussions with Manchester Township indicating that he personally did not view the traffic situation as a "Springettsbury Township only" traffic concern because it is much broader. We all know what happens there in Emigsville with the tunnel and that whole Industrial Park Development and it is a broad traffic issue. It will be a process this board had not been through before to pull the whole regional thing together.

MITRICK Chairman Mitrick commented that the north/south traffic going over the ridge was viewed as an extreme problem, and several years ago this was thoroughly discussed. The result was to put another roadway over the ridge. That's not going to happen because there's no place to put it. So it's just going to compound onto Mt. Zion and Sherman Street and the other major roadways through there.

MACIEJEWSKI Mr. Maciejewski questioned at what point traffic would become an issue as part of state approval to proceed with this planning.

SHRADER Mr. Shrader stated they generally want to hear that you're addressing it. The Department of Education focuses mostly on the building and the building site. The District does the traffic engineering with the two townships and any other participants that want to be involved beyond that is really working on the scope with DPE. Everyone is dealing with PennDot on those issues. Discussions held in bringing in a traffic consultant indicated that a traffic consultant should be pulled together with representatives from both townships and the district and any other constituents that feel that they need to be a part of this so that those folks can all talk about what the extent of the traffic study will be, so it's not a limited traffic study. The district is trying to step to the table to help that situation.

BISHOP Mr. Bishop asked for specifics as far as what was meant regarding helping the situation.

SHRADER Mr. Shrader responded that in order to have a building their intent is to do something about it.

ESTEP Dr. Estep commented about the building being worked on in Manchester Township that was located along a state road. They had dealt extensively with PennDot. A traffic study was done, and a left-hand turn lane was installed; the road was widened and turned into a right hand turn lane. The district was prepared financially, in cooperation with Manchester Township, to put in a stop light. But they ran into a roadblock there from the standpoint that with PennDot there were not enough traffic to justify a light. Part of the study was to count the cars on a regular basis and turn over the data to PennDot. They reviewed the information to determine if a light were required there. As it turned out it did not meet the minimum requirements for a light. However, the district felt that maybe in the future the wiring might be necessary, so electric was run down to the road so that as the traffic continues to worsen there we will be in a position to take the responsibility of installing the light there. Those are the kinds of things that we have done so far in working with PennDot and Manchester Township.

MITRICK Chairman Mitrick questioned whether, if this project moves forward on this site, there would be a need to wait for someone to be out there counting cars before traffic signals could be installed.

STERN Mr. Stern responded that the township would to the extent that there are minimal requirements as to what the state will allow.

MITRICK Chairman Mitrick commented that with a school there would be a given population. She asked whether there would be any way that PennDot would move ahead to help protect the community.

STERN Mr. Stern added that he could not say that they would not help if it did not meet the required warrants. We have asked, however, looking at the same problems over and over again would get the same answers whether it be PennDot's engineer or a local traffic engineer. The school district was asked to look outside the box and bring in a different traffic/transportation engineering firm from out of this area to come review it with a lot more force; they are looking for someone in the Philadelphia area.

MITRICK Chairman Mitrick encouraged not to wait until a problem exists as it may be a long time before a cure comes.

SABATINI Mr. Sabatini indicated that PennDot's policy had been that they can't issue a warrant based on expectations, only based physically on their counts. They will not be moved off that position. By doing the traffic study they will have the opportunity to tell if it does meet the warrant list and then move ahead.

MITRICK Chairman Mitrick stated that PennDot obviously had seen a problem out there now if they are considering putting a traffic signal at Mt. Zion and Sherman Street and re-designing that whole intersection. She asked when that work was scheduled.

SABATINI Mr. Sabatini responded that the final design would be done in 2001, and a signal could be expected along with an intersection realignment by 2003.

SCHENCK Mr. Schenck commented that the school project would not have been included in that work, and it will have a major impact. If the township does not review the re-design, Mr. Schenck could see major reconstruction of certain pieces of roadway and elimination of others that are going to be necessary to make a real working intersection out there. Knowing how PennDot works, he felt it imperative to stay on top of this.

SABATINI Mr. Sabatini commented that very early in discussions with the school district they had been advised to budget a fairly significant investment in transportation improvements no matter where the school building was placed because, of the number of cars having a major impact. He assumed that a sufficient amount had been budgeted within the project to handle this.

SCHENCK Mr. Schenck indicated that final settlement on the property had been slated about May 1st and he wondered whether that was the date to determine the site location.

ESTEP Dr. Estep responded that the date would be on or before May 1st.

SCHENCK Mr. Schenck commented that the township had gone through a similar process with the post office on Concord Road. The prison could have taken the option but didn't. Mr. Schenck believed the school district also was in that same category of the way they can or cannot choose to deal with local agencies. Mr. Schenck indicated he felt the school district was not being arbitrary about its decision.

RAUSCH Solicitor Rausch stated that the school district had the right to site a school building. He indicated it was a plenary power issue within the local school board's discretion, but they are subject to the township's land development.

SCHENCK Mr. Schenck stated that zoning is of no issue with where they choose to site a school.

RAUSCH Solicitor Rausch commented that they are free to place a school wherever they see fit within their powers.

STERN Mr. Stern interjected that the property is zoned properly for a school.

SCHENCK Mr. Schenck commented that township zoning follows what the state dictates, which is to allow a school wherever desired. Mr. Schenck stated he wanted the comment as part of the record and out on the table if the township was hoping that zoning protection somehow would affect where this school will be built, it was his opinion that would not happen.

RAUSCH Solicitor Rausch agreed that it would not apply.

MITRICK Chairman Mitrick asked about ag security. She wondered what Solicitor Rausch's opinion would be regarding the issue.

RAUSCH Solicitor Rausch responded that the ag security law would do several things. It mainly was to protect the farmer from nuisance laws if they were in an ag security area, such as in an instance where residents complained about tractors starting up at 5 o'clock in the morning or spreading manure or other nutrients on the land. Solicitor Rausch was not certain how that would impact a school and did not think that was an issue. He assumed that would have been addressed before the school went this far with the site in the determination that they were not in violation. He added that they had run into a condemnation issue, but that was a separate issue on what happened when the property is in ag security and whether it can be removed by condemnation. That was an issue that they had to address, but they are not prohibited from placing a school there.

MITRICK Chairman Mitrick asked for comments from the Planning Commission.

MACIEJEWSKI Mr. Maciejewski stated that all of the comments made would be issues that will be visited again. His concern was how much our

hands will be tied with transportation issue. He did not view anything but the transportation issue being an issue now of great concern solely because very little will change anything especially in dealing with the state. He had some great concerns seeing children going through those intersections. He had no assurances that that would change for the school. Mt. Zion and Sherman Street hill are not any place to be putting school buses and children's parks the way it's currently positioned right now. Mr. Maciejewski had yet to hear anything that would guarantee any changes that would be any different when the high school is built. At that point he would ask whether the problem would be a township problem, a state problem, or is it a school district problem. He would question that about the state's approval of the property and serious traffic is part of their issue. As stated earlier he heard that traffic was nothing to be concerned about, and the school will get approval for this property with no thought whatsoever of traffic. The township would not stop the development of the high school there, but certainly when the problems do come and there is no relief for them, who is going to stand up for this site. He will be anxious to learn who will do the traffic study, but it has to go beyond that and what discussions state legislators have had with you about getting financial improvement for Mundis Mill Road and Emig Road and the George Street intersection with Emig Road. If they are not going to be fixed, traffic can't get through. That needs to be stated up front indicating he did not have an answer. It's something to ponder that which indicates a failing highway system and a brand new main street school.

SABATINI Mr. Sabatini commented that there had been a series of meetings including one last week with the Transportation coalition, which is responsible for assigning priorities for Federal funding. Some of the discussions were specifically on the underpass, the Emig Road underpass, and Manchester Township had expressed significant concern and had applied for funding to get that replaced. It's $600,000 to complete that project. That proposal will be brought to the Board of Supervisors to support their efforts to get this on the 12-year plan specifically in the first two years to address the issue. Irregardless of the school being there, it is critical ultimately for the township itself because of the growth on that end on that side of the hill in Springettsbury and people's desire to access I83. We have also spoken briefly with Representative Saylor on that issue of transportation improvements because they will be necessary. The people at the state level are very aware of it, as are the people at the county level. The worst case scenario had been laid out and the Board will be asked to strongly support

Manchester Township's application for funding for the railroad bridge widening and to have it in the first two years of the TIP program. It's significant for the township irregardless of the school district.

BISHOP Mr. Bishop stated that it sounded as though Mr. Sabatini's position was that this is not particularly the school district's responsibility.

SABATINI Mr. Sabatini responded that the subject had been indicated to Dr. Estep. If the township would become involved in any type of activities, there will be at least three parties and probably four or more. Springettsbury will not take the lead. In that issue it would be Manchester Township and the school district because the school district overlaps and a good many of their students will be going home that way. Springettsbury Township has a strong voice, which can be of help in the issue.

MITRICK Chairman Mitrick indicated some concern with the Transportation Coalition and getting something on the 12-Year Plan. She recalled seven or eight years ago when there was Windsor Township, York Township and Springettsbury Township all of which were extremely concerned about the Longstown Intersection. That had progressed very slowly. Six years ago Springettsbury Township was concerned about the extension of Concord Road and linking it into Memory Lane, and that moved slowly. She commented that to be placed on a 12-year plan was one thing, but to ask that it be in the first quarter would be extremely wishful.

SABATINI Mr. Sabatini responded that it might be wishful, but at this point it was still under discussion. Anything that Springettsbury does in support of Manchester Township would be Springettsbury's voice and the school district, because in part of the placement of the high school, there would have to be county involvement. It is an important project for the area.

3. PUBLIC COMMENTS:

MITRICK Chairman Mitrick opened the floor for comments from the guests.

ECKERT Mr. Don Eckert of Merion Road stated that a lot of things had been said, but his biggest concern was the traffic problem. He had discussed the underpass with Senator Mike Waugh, who serves on the County Transportation Coalition. The discussion brought forward the issue of the seriousness of that end of Emig Road. Mr. Eckert also had a discussion with Dave Raver, Manager of Manchester Township and what they had accomplished so far was

to get PennDot to put that subject of the one lane railroad underpass on the first of the three-year segment of the 12 year plan to do a study. Mr. Eckert stated that a study had been done in 1973, and the problem was still there and getting worse. He commented on the site of the school and voiced his support of the project. However, he was very concerned about the seriousness of the traffic and failing intersections, as well as the time needed to accomplish the necessary work.

KATHERMAN Attorney Bob Katherman attended the meeting in his capacity as an attorney for Bill Carter. He thanked the Board for the opportunity to attend. Mr. Carter and some of the other citizens in the area will be forming a group which would like to go on record that it would like to receive whatever communications might be coming from the township to the school district and vice versa. He made one comment with regard to the timetable and stated that they were not opposed to the project and wanted to see the project done correctly. Attorney Katherman commented that it would be extremely ill advised to close on the land before the school district would know what the total ticket costs are for off-site improvements. He was certain that the district would not use this site if the costs for off-site improvements were known to be $10 million. He stated that probably it would if the improvements were $500,000. He submitted to the school district that on May 1 the price would not be known. He and his client had spoken to an engineering firm, which estimated the cost for the railroad underpass and the George Street/Emigsville intersection to be $1.5 million, which would involve condemnation in order to make that intersection adequate. Attorney Katherman stated that if that were true and if there are other intersections with concerns, he suggested that the school might want to postpone the real estate closing until it had the total cost of the project. He spoke not only for Mr. Carter, but also as a property owner in the township. For all of the property owners in Central School District who ultimately will be paying this, it would be better to know what the total project cost is before the land is purchased.

4. ADJOURNMENT:

MITRICK Chairman Mitrick stated that the meeting needed to adjourn. She hoped the information discussed had not discouraged the school district. She added the Board of Supervisors was not here to stand in the way. The township wants to work with the school, but needs to be forward thinking, forward planning and let the school know what our concerns are. She suggested to Dr. Estep that another forum like this be scheduled, which had been very beneficial for

all. She was certain that all of the issues had not been discussed; however, the two major focuses were environmental concerns and traffic.

MITRICK Chairman Mitrick adjourned the meeting at 7:10 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

ja

SPRINGETTSBURY TOWNSHIP **FEBRUARY 22, 2001**
PUBLIC HEARING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, February 22, 2001 at 7:15 p.m. at the Township Office at 1501 Mt. Zion Road, York, PA.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Don Bishop

MEMBERS NOT IN ATTENDANCE:
Ken Pasch
Nick Gurreri

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Charles Rausch, Solicitor
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the Public Hearing to order and stated that the meeting would focus on Ordinance 01-01, Amending the Zoning Ordinance Regarding Open Space Setback Requirements. She asked Mr. Stern to explain the Amendment.

STERN Mr. Stern stated that the Ordinance change was for Section 1933.4 of the Zoning Ordinance to allow lot sizes to be reduced. That particular section allowed the lot sizes to be reduced up to 80% for the residential open space development plan; however, no provision had been made to reduce the setbacks. If the lot size were reduced 80%, the Ordinance still required meeting the normal setbacks, which would be impossible. Thus, it would be difficult to do a residential open space plan. In December the Planning Commission met and recommended approval of an Amendment to allow a reduction of setbacks for front yard, rear yard and side yards for residential open space development. Those setbacks will be reduced by the same percentage as the average lot size reduction for the development, so if a lot is reduced 50% in size from what is normally required, then the setback too would be allowed to be reduced up to 50%. However, there would be a minimum of 5 foot for side setbacks, 25 foot for front, and 15 foot for rear, and those would be the bare minimum regardless of the percentage reduction that would be allowed.

MITRICK Chairman Mitrick confirmed that York County Planning had approved the Amendment.

STERN Mr. Stern responded that York County Planning recommended approval of the adoption of this Amendment. They also pointed out a few other minor issues for review, but they had recommended approval of this specific item.

MITRICK Chairman Mitrick asked for any other comment on the Amendment proposal. Hearing none, she advised that the Amendment appeared on the Agenda for the Regular Meeting scheduled for 7:30 p.m. (2/22/01) for action.

2. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the Public Hearing at 7:25 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

ja

SPRINGETTSBURY TOWNSHIP **FEBRUARY 8, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 8, 2001 at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania at 7:30 p.m.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Nick Gurreri
Don Bishop

MEMBERS NOT IN ATTENDANCE: Ken Pasch

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Don Yost, Solicitor
Jack Hadge, Director of Finance
Mike Schober, Buchart Horn, Inc.
John Luciani, First Capital Engineering
Mike Myers, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Mark Hodgkinson, Wastewater Treatment Superintendent
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

SCHENCK Mr. Schenck called the meeting to order at 7:35 p.m. He stated that Chairman Mitrick would join the meeting later. (Stenographer's note: Chairman Mitrick arrived at 7:45 p.m.) He welcomed the attendees to the meeting.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

2. COMMUNICATIONS FROM CITIZENS:

A. Presentation of Resolution No. 01-16 Recognizing William H. King, Jr. for Township Service.

MR. BISHOP MOVED TO ADOPT RESOLUTION 01-16 IN RECOGNITION OF WILLIAM H. KING, JR. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop presented Resolution 01-16 in Recognition of William H. King, Jr. Mr. King began his duties with Springettsbury Township in the Wastewater Treatment Department as a laborer on October 12, 1958. He served as plant operator, foreman and crew leader within Wastewater Treatment. Mr. King served a total of 32 years, and his official retirement began on January 10, 2001. Mr. Bishop presented Mr. King with a watch and congratulated Mr. and Mrs. King on a healthy and happy retirement.

KING Mr. King expressed his thanks to everyone.

B. Presentation by Springettsbury Township Historic Preservation Committee.

JORDAN Mr. David Jordan of the Springettsbury Township Historic Preservation Committee stated that the Committee had been charged with being the advisory board to the Township in matters related to historic preservation. One assignment given to the Committee by the Supervisors was to develop a list of the 100 most significant historical sites and structures in the township. Mr. Jordan stated that the assignment had been completed. The Committee presented the list of 100 to the Board of Supervisors and citizens of the Township, along with the details of the classification system. In order to facilitate the development of the list of 100, a system had been developed for use in classifying all sites and structures prior to compiling a list of 100. All sites and structures on the list of 100 have been deemed Class I, meaning they are listed on or are eligible for inclusion on the National Register of Historic Places, or are deemed significant to the township. This list also makes notation of those properties located in the east of the two historic districts, in the Township. Mr. Jordan stated that the Committee looked forward to continued service to the Township as members of the Historic Preservation Committee. He thanked the Board for the time and opportunity to serve Springettsbury Township.

SABATINI Mr. Sabatini thanked Mr. Jordan for the list.

SCHENCK Mr. Schenck also thanked Mr. Jordan and noted that a due to the Historic Committee's activity the Township had been able to name some historic districts in the Township. He stated that it was a great effort, and the Board was grateful for all the work involving a lot of detail and time.

C. Other Items

SCHENCK Mr. Schenck requested that Mr. David Claghorn provide his report.

CLAGHORN Mr. Claghorn reported that he was very pleased and felt they had a positive month since he had last visited the Township. Monday had presented some snow and ice weather conditions, and the routes were not completed until Tuesday, but the employees really hustled and got caught up. In general Mr. Claghorn felt they were back on track, and the extra truck really helped.

SCHENCK Mr. Schenck confirmed that he had heard no complaints.

SABATINI Mr. Sabatini stated that the Township had received a telephone call from York Waste asking if it would be possible to pull the trucks off and, based upon the weather, it was agreeable as long they completed the runs on Tuesday. There have been no complaints.

CLAGHORN Mr. Claghorn added that in the future, if the weather conditions should prevent their scheduled pickups, the radio station WARM 103-Operation Snowflake would advertise it, and it would be communicated with the Township office as well.

SCHENCK Mr. Schenck thanked Mr. Claghorn for his report.

Citizen Comments

SCHENCK Mr. Schenck asked whether there were any citizen comments. Hearing none he proceeded to the next Agenda item.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported on the East/West Interceptor project. A right-of-way agreement had been received from Norfolk Southern and forwarded to Solicitor Yost for his review. Upon his review it should be signed and returned to Norfolk Southern. With regard to the raw pump drives, the award of that project had been received, and the Notice of the Intent to Award the contract had been sent. They are waiting on the lines of insurances. The Act 339 Application had been submitted, and a response should be received within a few months.

B. Civil Engineer - First Capital Engineering

LUCIANI Mr. Luciani reported that Mr. Sabatini had contacted him with regard to the railroad crossings at North Hills Road. Mr. Luciani had discussed the crossing with PennDot and Norfolk Southern, which is in the midst of some financial difficulty. They advised, if the railroad crossing could be

completed before April, they would order the material and accommodate the request. The Township will work with PennDot.

BISHOP Mr. Bishop asked about a meeting with regard to Haines Road, which had been canceled. He wondered whether the project would be kept on schedule.

LUCIANI Mr. Luciani responded that PennDot and York County Planning Commission are two groups that should be involved. Mr. Luciani was hopeful that the meeting could be rescheduled during the week of February 12th.

GURRERI Mr. Gurreri asked about Plymouth Road and the 15-inch stormwater pipe.

LUCIANI Mr. Luciani responded that his discussion with PennDot indicated they had forwarded the project to a consultant in Philadelphia, who viewed the project as though it had never been submitted. What Tom Foglesanger, the permits officer, indicated was he had the authority to stop them. Unfortunately, the project was 99% completed, and now it would be started over. Mr. Luciani indicated they planned to have a field meeting. When the project was built, the repaved in 1992 and left pipes there. Now they are indicating new pipe must be installed. Because of the cost and open cutting of Prospect Road, that was not a desirable plan.

GURRERI Mr. Gurreri stated that blacktopping would begin in April. He urged that the project be completed in advance of any new blacktop.

MITRICK Chairman Mitrick asked about the incomplete exit from CVS onto Carroll Road. There were still items which had been brought up several times by Mr. Bishop, i.e., a pork chop and a “no left turn” sign. She asked who would be taking the lead.

STERN Mr. Stern responded that the pork chop had been eliminated. However, the no left turn sign would be installed by WaWa on or about Thursday, the 15th.

MITRICK Chairman Mitrick asked why WaWa would be responsible for erecting the sign.

STERN Mr. Stern responded it was because their plan is the current plan. The Township could insist that either WaWa or CVS put up the sign.

GURRERI Mr. Gurreri asked whether WaWa traffic would still come through.

STERN Mr. Stern responded that it could go through there, but it will have to go around the front of CVS.

GURRERI Mr. Gurreri commented that it was a real inconvenience for the residents who live there who can't make a left-hand turn. Anyone who goes in the store comes out and makes a left-hand turn. He would not go there and make a right-hand turn and go back out on Edgewood Road.

LUCIANI Mr. Luciani stated that he had attended a meeting with WaWa. They did a traffic study, which will be discussed in detail at the Planning Commission meeting. They found that vehicles coming in from Plymouth Road go right back out, and that turn would be prohibited. The remaining question to be answered was whether it would become a cut through for people avoiding the light.

GURRERI Mr. Gurreri stated that already it was a problem with people going through and down to Plymouth Road. With the addition of the turn exit at Plymouth Road, he felt more people would do the same. Mr. Gurreri added that he wanted the turn exit.

LUCIANI Mr. Luciani stated that the project ties in with a larger traffic picture. With regard to Plymouth Road and the Cambridge Road signal the golf course development would present a good chance for an additional signal placed at Plymouth Road. The traffic would then move up Edgewood Road, right on Plymouth. Motorists may tend to cut through and avoid the intersection at 124 and 24; they'll go down to Plymouth if they're going eastbound. That's something that we have to weigh.

GURRERI Mr. Gurreri asked why we allowed WaWa to come through there in the first place. A lot of traffic will go through there, and motorists are still going to cut through to go over to Plymouth Road. That will not be eliminated.

LUCIANI Mr. Luciani added that was one of the items they had been reviewing, such as how much cut through would be expected.

GURRERI Mr. Gurreri asked whether there would be a light at the WaWa.

LUCIANI Mr. Luciani responded that there would be a light at WaWa.

GURRERI Mr. Gurreri commented that most motorists would probably go back to the light because it would be easier to get out.

C. Design Engineer – Rummel, Klepper & Kahl

MITRICK Chairman Mitrick apologized for being late but advised that she had an important engagement with her son.

MYERS Mr. Myers provided a few updates regarding the completion of the pumping station. Equipment testing had begun last week and is proceeding. The pumps will be tested manually on Monday (February 12th). Provided the pumps operate Allan Myers will be granted substantial completion of the pump station. They are working on a few punch list items and finishing painting, putting furniture in, and the last item remaining is programming the PLC, which should take place over the next two weeks. He forecasted that everything should be completed by the end of February. The pump station will be operational after the pumps are tested.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of February 8, 2001.
B. East Coast Contracting – Progress Billing #13 - $49,778.39
C. Shannon Smith Electrical – Progress Billing #14 - $29,629.55
D. Shannon Smith Electrical – Progress Billing #5 - $6,085.70
E. Frey Lutz Plumbing – Progress Billing #11 - $2,397.56
F. Rummel, Klepper & Kahl – Diversion Pump System and Parallel Interceptor – Progress Billing #26 - $29,019.63
G. Phillips Brothers Electrical Contractors, Inc. – Diversion Pump System – Pay Estimate #9 - $56,904.89

MR. GURRERI MOVED TO PAY ACCOUNTS PAYABLE A THROUGH G. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & CONTRACTS:

A. East Coast Contracting – Change Order #6 - $16,043

SABATINI Mr. Sabatini provided background information with regard to Change Order #6. During the design phase of this project, there were some slopes around the garage bays and some drainage issues. A Change Order was authorized in the amount of $16,043, and the work had already begun. Mr. Sabatini requested the Board to ratify the Change Order.

GURRERI Mr. Gurreri asked for further information.

SABATINI Mr. Sabatini requested Mr. Stern to respond.

STERN Mr. Stern stated that the original plans showed the garage area to be flat, however, there was a substantial slope to it. The choices were either to cut the garage doors at an angle or scrape enough ground to permit stormwater drainage away from the garages.

MR. SCHENCK MOVED TO APPROVE CHANGE ORDER #6 FOR EAST COAST CONTRACTING IN THE AMOUNT OF $16,043. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. East Coast Contracting – Change Order #7 - $2,558

SABATINI Mr. Sabatini explained that Change Order #7 covered tearing out the existing shower room ceilings and replacing the ceiling with moisture resistant material. This was not addressed adequately in the design work. Staff had recommended approval, and Mr. Sabatini requested Board concur.

GURRERI Mr. Gurreri asked Mr. Sabatini where this bathroom was located.

SABATINI Mr. Sabatini explained that this referred to the shower area downstairs.

STERN Mr. Stern stated that the shower area in the basement called for some duct work above the ceiling to be replaced.

BISHOP Mr. Bishop asked if anything was being done to address the deficiencies in whoever had been paid to design this in the first place.

STERN Mr. Stern responded that R. K. & K. had been hired to do some project management, and they had been requested to go through all the Change Orders and identify the responsible party.

BISHOP Mr. Bishop asked whether that would be accomplished before making payment to those who designed the project.

STERN Mr. Stern responded that the Township holds a retainer, which involves several hundred thousand dollars.

SABATINI Mr. Sabatini stated that Mr. Bishop was asking whether there were issues with the design personnel.

STERN Mr. Stern stated that there was no money owed to the design personnel; their only obligation was to attend the construction meetings.

BISHOP Mr. Bishop responded that was a bad situation in which to be.

MR. BISHOP MOVED FOR APPROVAL OF CHANGE ORDER #7 IN THE AMOUNT OF $2,558 FOR EAST COAST CONTRACTING. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. Greystone/Norton – Sewer Facilities Planning Module – A3-67957-205-3

STERN Mr. Stern explained that item A covered a Sewer Planning Module for the Greystone/North subdivision for 22,050 gallons per day. Staff recommended approval.

MR. GURRERI MOVED TO APPROVE SEWER FACILITY PLANNING MODULE A3-67957-205-3 FOR 22,050 GPD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. SD-01-01 – Sprenkle: Time Extension to 3/22/01

STERN Mr. Stern stated that item B covered a Time Extension until 3/22/01.

MR. GURRERI MOVED TO APPROVE TIME EXTENSION FOR SD-01-01 – SPRENKLE TO 3/22/01. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. SD-99-09 – Hunters Crossing: Time Extension to 3/22/01

STERN Mr. Stern stated that item C covered a Time Extension for Hunters Crossing until 3/22/01.

MR. SCHENCK MOVED TO ACCEPT THE TIME EXTENSION SUBDIVISION 99-09 – HUNTERS CROSSING TO 3/22/01. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. SD-98-06 – Two Ton Burger King: Time Extension to 3/22/01.

STERN Mr. Stern commented that SD-98-06 covered a Time Extension to 3/22/01.

SCHENCK Mr. Schenck asked Solicitor Yost whether Items D and E could be handled with one motion.

YOST Solicitor Yost responded that would be acceptable.

E. LD-99-19 – Two Ton Burger King: Time Extension to 3/22/01.

MR. SCHENCK MOVED TO ACCEPT THE TIME EXTENSION FOR SUBDIVISION 98-06 AND LAND DEVELOPMENT 99-19 TWO TON BURGER KING TO 3/22/01. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

YOST Solicitor Yost suggested that items F through K were time extensions for the same date and added that as long as they were identified they could be handled with one motion.

BISHOP Mr. Bishop asked Mr. Stern whether there was anything out of the ordinary to be considered in Items F through K.

STERN Mr. Stern responded there was not anything unusual.

F. SD-00-14 Greystone III: Time Extension to 4/26/01
G. SD-00-15 Sarah Norton: Time Extension to 4/26/01
H. SD-00-16 Norton/Greystone: Time Extension to 4/26/01
I. SD-00-17 Grendell: Time Extension to 4/26/01
J. LD-00-19 Misericordia: Time Extension to 4/26/01
K. SD-00-10 Sheridan Manor: Time Extension to 4/26/01

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR SD-00-14 GREYSTONE III, SD-00-15 SARAH NORTON, SD-00-16 NORTON / GREYSTONE, SD-00-17 GRENDELL, LD-00-19 MISERICORDIA, SD-00-10 SHERIDAN MANOR, ALL TIME EXTENSIONS GRANTED TO THE TOWNSHIP TO 4/26/01. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATIONS FROM SUPERVISORS

GURRERI Mr. Gurreri stated that, even though he said he would not bring up the farmhouse, earlier discussion indicated some design flaws. There was a radiator in the bathroom that had been installed backwards and could not be bled. Copper pipe had been installed in a steam system, and that should not be done. Those items should be put on the punch list.

GURRERI Mr. Gurreri commented that York County Pleasant Acres opened a senior apartment complex, Elm Spring Residence, for which they had received a $1 million grant. This was a part of the facility that had been vacant and was recently refurbished. Mr. Gurreri reported that he and Chairman Mitrick had attended the opening.

GURRERI Mr. Gurreri reported that the Township News magazine featured a nice article about Springettsbury Township.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost stated that the only supplement he had to his written report was that he continued to work on the Wyndamere case, attempting to work out an agreed upon statement of facts in order to simplify the litigation.

9. **MANAGER'S REPORT:**

SABATINI Mr. Sabatini reported that Commonwealth Fire Company had approved the agreements that the Board of Supervisors addressed a few weeks ago regarding the fire company. A vote of confidence had been received from Springetts as well. He reported that they will proceed with getting all the documents signed and making sure that the Ordinance is passed at the next meeting, as well as working on the transition issues.

SABATINI Mr. Sabatini reported that the Township had received the 1998 Liquid Fuels Audit from the Commonwealth of Pennsylvania. There were no findings.

SABATINI Mr. Sabatini announced that a resignation effective April 7, 2001 had been received from Bruce Bainbridge, Park and Rec Director for the past 42 years. Mr. Bainbridge began the Park and Rec program in 1958 and had shepherded it since its beginning. Mr. Bainbridge indicated he would assist in the transition process.

MITRICK Chairman Mitrick stated Mr. Bainbridge had contributed greatly to the Township over the years.

SABATINI Mr. Sabatini requested some time in Executive Session to discuss litigation and negotiation issues.

MITRICK Chairman Mitrick announced that an Executive Session would be held immediately following the general meeting.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Consideration of Resolution No. 01-17 Granting Ad-Hoc Cost of Living Adjustments for Police Department Retirees.

SABATINI Mr. Sabatini stated that Resolution 01-17 covered the annual ad-hoc cost of living adjustment for retirees. Three officers would be eligible. The actuary indicated there would be little impact upon the fund balance. Board approval was recommended.

MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 01-17 AUTHORIZING AD-HOC POLICE PENSION COST OF LIVING INCREASES FOR 2001. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Consideration of Resolution No. 01-18 Appointing Sewage Enforcement Officer

SABATINI Mr. Sabatini reported that Resolution No. 01-18 was an obligatory resolution appointing the Sewage Enforcement Officer, an Act 537 requirement. Brad Hengst is the current SEO; his alternate is David Brown. Adoption was recommended.

MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 01-18 APPOINTING A SEWAGE ENFORCEMENT OFFICER. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Consideration to Advertise Ordinance No. 01-05 to Adopt International Building Code.
D. Consideration to Advertise Ordinance No. 01-06 to Adopt International Residential Code.
E. Consideration to Advertise Ordinance No. 01-07 to Adopt International Fire Code.
F. Consideration to Advertise Ordinance No. 01-08 to Adopt International Mechanical Code.
G. Consideration to Advertise Ordinance No. 01-09 to Adopt International Plumbing Code
H. Consideration to Advertise Ordinance No. 01-10 to Adopt International Property Maintenance Code.
I. Consideration to Advertise Ordinance No. 01-11 to Adopt ICC Electrical Code.

SABATINI Mr. Sabatini indicated he would address Items C through I together. The Commonwealth of Pennsylvania last year adopted a law requiring new building construction to conform with the International Building Codes. The Township had been operating with BOCA as well as a number of other codes as well. Staff recommended that, because of the structure of the codes where one cross referenced the other, all the codes be adopted at once. Mr. Stern had reviewed all the codes, and there are significant front end requirements including training, purchasing books, setting fee schedules and redoing forms. The state promised to have this passed this summer; the Township would have a head start on where it needs to be. Staff recommended the Board authorize advertisement of these Ordinances and have them prepared for the March 8, 2001 meeting.

MITRICK Chairman Mitrick asked about the Property Maintenance Code. She had read about the changes to be included. She asked whether they are radical changes from the original code.

STERN Mr. Stern responded that they are radical changes but only because the township code had been written in 1971. The statements are vague and general.

MITRICK Chairman Mitrick asked whether some publicity might be given to the businesses and residences in Springettsbury Township concerning the strictness of the codes.

STERN Mr. Stern responded that he would hope to do so and added that had been part of the goals and initial work.

SCHENCK Mr. Schenck stated that over the years a list of deviations from the standard codes had been created. He asked whether a review would be made of those exceptions.

STERN Mr. Stern responded that the goal would be to limit the exceptions.

MITRICK Chairman Mitrick indicated she was aware there was a series of deadlines for the upcoming newsletter. She suggested that some information be included in the newsletter with regard to the codes changes.

STERN Mr. Stern commented that he wanted to be sure the Board agreed with the direction prior to advertisement.

MITRICK Chairman Mitrick asked Solicitor Yost whether Items C through I could be acted upon together.

YOST Solicitor Yost responded that was acceptable.

MR. SCHENCK MOVED TO ADVERTISE THE ORDINANCES TO ADOPT INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL FIRE CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL PLUMBING CODE, THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND THE ICC ELECTRICAL CODES WITH THE INTEND OF ADOPTION AT THE MARCH 8, 2001 MEETING. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop asked whether there would be a Public Hearing regarding the codes.

SABATINI Mr. Sabatini responded that the Township was under no obligation to do so, however, he added it would be a good idea to have an open discussion.

BISHOP Mr. Bishop indicated he would prefer to have some sort of presentation.

SCHENCK Mr. Schenck agreed and added that he would like to be comfortable knowing that he understood the changes.

BISHOP Mr. Bishop stated that would need to be accomplished prior to March 8th.

SABATINI Mr. Sabatini stated that there could be a presentation similar to what had been done for the fire services, and issue public notices and publicity. Mr. Stern could walk the staff and Board members through the codes prior to the March 8th meeting. Mr. Sabatini indicated he would attempt to schedule the meeting on a separate night other than the Board's regular meeting. This would not be an official meeting of the Board of Supervisors, but rather in a non-official capacity, since there would be no official action to be taken.

MITRICK Chairman Mitrick asked whether Mr. Sabatini would like some suggested dates convenient for the Board members.

SABATINI Mr. Sabatini stated he would discuss this during Executive Session.

11. ACTION ON MINUTES:

A. Board of Supervisors Regular Meeting – January 11, 2001

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING MINUTES JANUARY 11, 2001 AS DRAFTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Work Session – January 17, 2001

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS WORK SESSION MINUTES OF JANUARY 17, 2001 AS DRAFTED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT IN ATTENDANCE.

C. Board of Supervisors Regular Meeting – January 25, 2001

BISHOP Mr. Bishop wondered whether it mattered whether, when the Board acted upon the Register waiver request, the Minutes show that as being denied without any kind of reason in the motion.

YOST Solicitor Yost commented that the reason was not actually stated.

MR. BISHOP MOVED TO APPROVE THE MINUTES OF THE JANUARY 25, 2001 MEETING MINUTES OF SPRINGETTSBURY BOARD OF SUPERVISORS AS DRAFTED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

There was no old business for discussion.

13. NEW BUSINESS:

There was no new business for discussion.

14. ADJOURNMENT:

MR. GURRERI MOVED TO ADJOURN. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick adjourned the meeting at 8:18 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **JANUARY 29, 2001**
FIRE SERVICE – SPECIAL MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Special Meeting regarding fire service issues on Monday, January 29, 2001 at 7 p.m. at the offices of the Township, 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Ken Pasch
Don Bishop
Nick Gurreri

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Don Yost, Solicitor
Michael Hickman, Fire Chief
Dave Eshbach, Police Chief

I. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7 p.m. She stated the meeting was an advertised special meeting for reviewing the proposals on fire service issues and for other business of the Board of Supervisors.

MITRICK Chairman Mitrick stated that an Executive Session had been held on January 15th regarding legal matters.

2. FIRE POLICE:

A. Resolution 01-14 – Appointing Fire Police Officers for 2001

MITRICK Chairman Mitrick stated two major items appeared on the Agenda. The first related to Resolution 01-14 – Appointing Fire Police Officers for the year 2001. This Resolution was adopted January 25, 2001, and the Board has the privilege of swearing in eleven Fire Police Officers. She asked if those Fire Police in attendance would come forward. She also called Fire Chief Mike Hickman and Police Chief Dave Eshbach to participate. Chairman Mitrick led the Fire Police in the Loyalty Oath.

HICKMAN Chief Hickman commented that the services the Fire Police provide are invaluable to the Township. They provide a gap between the Police Department and the Fire Service, protection during traffic accidents, and security in fire scenes. He thanked them for their service to the community.

ESHBACH Chief Eshbach commented that the function of the Fire Police is vital in the performance of emergency services. He and his officers would have a much more difficult job clearing and controlling traffic without their help. He stated that he and his department couldn't thank them enough.

3. PRESENTATION OF NEW ORGANIZATION PROPOSAL, SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY

MITRICK Chairman Mitrick thanked everyone present for their interest and participation regarding the fire service proposals. Copies of three documents had been presented to all participants. She advised that Township Manager Robert Sabatini would provide an overview highlighting the proposals.

SABATINI Mr. Sabatini stated that the Township had been working on the proposal for several years. He introduced, along with the Board of Supervisors, Township Solicitor Donald Yost, Doug Wolfberg, Attorney retained by Springetts Fire Company to represent them in the lawsuit and their interests, Ken Myers and Steve Musser of Commonwealth Fire Company. He stated that everyone had worked together over the past few months in securing a compromise package.

- Purpose - Mr. Sabatini indicated that the purpose of this meeting was to provide an update to the membership of Springetts, Commonwealth and the general public. He commented that the Board of Supervisors would vote on the settlement agreement, and also vote to advertise the Ordinance, copies of both which had been provided. He added that the Ordinance would not be voted on in its final form until February. In addition, this meeting was intended to provide some direction on what needed to be done by the individual fire companies in order to make the program work.

- Mr. Sabatini provided background information as to the sequence of events leading up to the present. Through the efforts of the Emergency Services Commission, studies and recommendations had taken place for a period of three years. In August of 2000, the Township passed an Ordinance forcing a merger of two fire companies along with proposed by-laws and other various legal documents. This had been challenged by Springetts Fire Company in September and brought before the Court of Common Pleas. The Judge forced the Township to put any further action regarding the issue on hold. Settlement negotiations began in November between legal counsel for the Township and legal counsel for Springetts. Negotiations ensued until two weeks ago. A five-hour meeting provided a final series of documents. Because the Township and Springetts are in litigation

with one another, part of this whole process is a Settlement Agreement, which closes all the legal loopholes and issues. This would have to be entered into not only by Springetts and Springettsbury Township, but also by Commonwealth. The Bylaws are the working structure for the administration of the Fire Company. The Ordinance, which is an enabling Ordinance for the Township, would define the rules and responsibilities of the fire company, fire department and Fire Chief.

- Mr. Sabatini announced that a new organization called the Springettsbury Township Volunteer Fire Company had been created. This recognized the integral part of the volunteers in the provision of fire services and emergency services for Springettsbury Township. Volunteer is the central word, and this fire company will be the sole provider of fire service by volunteers in Springettsbury Township with the exception of mutual aid agreements. Springetts will no longer be a fire service provider, nor will Commonwealth. Springetts and Commonwealth are subsidiary companies of Springettsbury Township Volunteer Fire Company.

SABATINI Mr. Sabatini provided information covering the details as spelled out in Bylaws of the Springettsbury Township Volunteer Fire Company, and the Ordinance.

- An item of significance included that of the Transition Team, which had been established for all three groups, Springetts, Commonwealth, and the Township. With the recognition that there would be many issues relating to this merger, such as vehicle titles, equipment inventory, insurance policies, property titles, bank accounts, checking accounts, telephone bills, accounting systems, financial management systems, a transition team had been established composed of representatives from Commonwealth, Springetts and the Township to make the transition work.

- Recruitment of volunteers, for a variety of reasons, had been very low. A number of incentives are being reviewed to bring people back into Springettsbury Township Volunteer Fire Company. The focus would be to be a competent organization with a clear vision of its vital role in the community.

SABATINI Mr. Sabatini stated that the Board of Supervisors and the members of the two fire companies would be requested, following the question and answer period, to approve the Settlement Agreement and vote to advertise the Ordinance for Adoption on February 22nd. Secondly, both fire companies have to approve the Bylaws and the Settlement Agreement by February

15th. Springetts has its meeting on February 5th, Commonwealth on February 7th, and the Board of Supervisors will hold a meeting on February 8th. An official decision by both fire companies would be needed by February 15th. Assuming everything goes well the Ordinance would be approved on February 22nd along with the appointment of the transition team.

4. QUESTION AND ANSWER PERIOD:

SURTASKY Mr. Tony Surtasky asked whether one of the seven-member Board of Directors could be a paid person. He added that the Bylaws did not mention that point.

SABATINI Mr. Sabatini responded that there are a number of paid personnel who are also volunteers; they act in a non-firefighting role. If the membership chose to place someone on the Board of Directors, only one of the Township employees could be on the Board representing Springettsbury Township Volunteer Fire Company.

SURTASKY Mr. Surtasky asked what would happen if one from each station were recommended.

SABATINI Mr. Sabatini responded that the membership would have to make that decision. If there were eight people running for six offices, the membership would make the decision. He stated that the Township does not want to be seen as taking control of the organization. That was a flaw or a perception pointed out by the volunteers several months ago where people said that the Township was taking over the organization. The Township has a role in it but is not taking it over. In addition, and the Township does not want to make sure that you elect six of our firefighters who receive a paycheck from us as your representative. It's a volunteer organization. There must be enough arms length distance to make this work.

SURTASKY Mr. Surtasky asked whether the Bylaws actually stated that it could be a paid person from the Township and whether that person would have to belong to the fire company.

SABATINI Mr. Sabatini indicated he could be the representative, but did not think the language indicated that.

LAKE Mr. Dick Lake asked a question about the transfer of funds concerning the new fire truck. He had received notification from the state that they are going to have to verify the funds in different investments and bank accounts. He asked how the mechanics would be done for that as he

expected that to take place some time in late February when they come for verification of the Springetts account.

SABATINI Mr. Sabatini stated that such issues would be generally covered by the transition team.

YOST Solicitor Yost indicated that it was intended that the Ordinance would have a date of April 1. There are 60 days allowed for the transition.

LAKE Mr. Lake asked about the term of office and what would take place if, at the end of three years, there is no one to replace them.

SABATINI Mr. Sabatini responded that this would be developing leadership skills, which was very important. This forces a person to develop leadership skills within the ranks. This new organization forces everyone to think ahead.

ECKERT Mr. Don Eckert stated that Mr. Sabatini made it clear that the existing members become members of the new volunteer fire company. He asked about the classification of Life Members, which had not been mentioned.

WOLFBERG Attorney Wolfberg responded that presently there is no provision for that in Bylaws.

ECKERT Mr. Eckert stated he did not think that was fair.

SURTASKY Mr. Surtasky asked why he should have to pay to belong to the fire company. He would be doing a service for the Township.

SABATINI Mr. Sabatini indicated that Mr. Surtasky could discuss that with the Fire Chief. Dues are not a substantial financial burden. In terms of Life Membership, he thought the classification had just been overlooked, and it had not been brought up in any of the discussions. He stated that would be addressed prior to adoption in the forming of the final draft.

SURTASKY Mr. Surtasky asked whether the present life members would stay in that category.

SABATINI Mr. Sabatini stated that a correction would be made in the membership categories for life members.

YOST Solicitor Yost stated that would not be a problem.

WOLFBERG Attorney Wolfberg responded that one possibility would be that whoever had been given life member status by one or the other fire company would

have that status honored by the new company. Then, after it organizes, the new company would determine the criteria.

YOST Solicitor Yost added that the dues would be such that the Board of Directors shall from time to time establish.

HOSTETTER Mr. Hostetter commented that the Bylaws mentioned three standing committees: Membership, Long Range Planning, and Capital Equipment. It states that the Chairperson of each of those committees shall be a member of the seven Board of Directors. He expressed concern that those seven persons would have so much to do that they might be overwhelmed.

SABATINI Mr. Sabatini responded that the fact had been discussed as part of the negotiations as to whether or not a Director would be chairing one of the committees. It had been concluded that it was important to have direct involvement of elected leadership. Each of the directors would be elected with responsibility to people reporting back to the Board of Directors of the activities of that committee. Mr. Sabatini commented that ordinances are not carved in stone, nor are Bylaws. The Township wants to make sure this works. If it isn't working or if it isn't a fundamental shift in the rights and responsibilities, it would certainly be appropriate for leadership to discuss with the Township. There would be no desire by the Township to not be willing to discuss one single thing. Many resources had been committed to drafting the agreement towards making this work. Not every opportunity could be anticipated. After this has had a chance to work through very carefully, changes could be reviewed. .

PASCH Mr. Pasch indicated that Mr. Sabatini made an important statement in that neither the Ordinance nor the Bylaws were cast in a way that never could be changed. What had been agreed to on all sides during negotiations was that changes to the Bylaws or changes to the Ordinance could be made with approval of the other side, and that the other side would not unreasonably withhold or stop those changes.

SABATINI Mr. Sabatini stated that what would be preferable would be to allow this new organization to settle in and begin working before changes are made. He suggested that three, six or 12 months would be enough time to determine how things are working.

ECKERT Mr. Eckert stated that he would like to hear from either Ken Myers or Bob Aster as they had been involved in an on-going basis during the negotiations. Mr. Eckert indicated he had read the present proposed ordinance and had only seen subtle changes.

SABATINI Mr. Sabatini indicated that from the Township's perspective, he thought this Ordinance was more workable. It does not put Springettsbury Township in charge of the fire company. The Township has a role to play because of the personnel exposures and money involved. It also provides a structure on how the operation forces the membership and the Board of Directors to plan ahead and make decisions on where the organization is going. Mr. Sabatini believed this was a good compromise. If it were not he would not be recommending it to the Board of Supervisors. Attorney Wolfberg would not be recommending it to his clients.

MYERS Mr. Ken Myers stated that as far as the Ordinance was concerned he agreed that it does not significantly change the role of the Fire Chief and the fire operations segment of the organization. From his view as a company, it does dramatically change how the fire company administrative operations are done by the members of the fire company. First in the make up of the Board of Directors, and the other board two supervisors, Fire Chief and one employee and three other persons of the volunteers. There could easily be a 4/3 vote. The way it is now you have a member of the Board of Supervisors, one career person and one Township employee and five other persons elected from the membership. What the fire companies wanted to have happen was that the fire companies would have direct input into the actual administrative operations of the company, and this does that. As far as the specific question of what input we have on how the Fire Chief functions, he's a Township employee, not ours.

WOLFBERG Attorney Wolfberg commented there is a difference between a volunteer fire company and a Township fire department. The Township, as an entity of local government, has a right to hire a Fire Chief and establish a fire department. They can do that in a township with two fire companies or more. They have the right to form a fire department and employ whomever they want in that department. They have the right to employ a Fire Chief, and that Fire Chief, whether Springetts or Commonwealth or anybody likes it or not is the Fire Chief of the municipality. When he began his counsel to the fire company, he advised them of that legal right. Through this settlement, the ability had been achieved of putting two positions, two Station Chiefs from the volunteer fire company into the command structure at basically a Deputy Chief level. There will continue to be a recognition of volunteers into the command structure. Attorney Wolfberg stated that the Township had not been obligated to do so but did, and they should be commended for that.

Attorney Wolfberg stated that the process Mr. Sabatini outlined concerning the Long Range Planning Committee, Capital Equipment and Facilities Budgeting Committee, is to be a cooperative process between

the Township and the fire company. As the Fire Chief prepares his budget, he has to seek the input and coordination of the fire company, and the fire company must provide its input into that budgeting process. Those are things that are very significant, to which the Township has agreed.

Attorney Wolfberg provided a quick reference document for the members to take home and review. He had attempted to address some of the concerns of the membership. The members still get the right to elect the directors; members still get the right to approve expenditures of $3,000. Members and directors get input into the Township budgeting process. Attorney Wolfberg stated that he unhesitatingly recommend that this should be adopted by the members of Springetts. He hoped that the members of Commonwealth could see it the same way. He added that every word in the documents had been poured over literally for hours and was chosen extremely carefully. He asked the membership, from having seen the process, to put some faith in the Township Supervisors. He added he knew it would be hard for some to accept that, given the history that has gone on for several years, but he had seen that they were willing to come to the table in good faith. The important thing is that this settlement is finalized; this litigation has to stop. Everybody agrees that the litigation has to conclude and the business of fire protection has to gone on. Attorney Wolfberg stated that the Township is willing to come to the table when this settlement agreement is executed, and the new corporation is formed. It had already been recognized that as the wheels get turning there needs to be some oil applied to some of the gears, and they are going to be very willing to do that. As Mr. Pasch stated that approvals won't be withheld unreasonably. They are very sincere about that. We have had five months and a lot of acrimony last time we were all together, and threats were flying both direction. A lawsuit got filed. Both positions are seen a lot more clearly now. Attorney Wolfberg, as the lawyer for Springetts, unhesitatingly recommended that this Ordinance be adopted by both fire companies. Over several months of negotiations, he felt the township would continue to work with the fire company in good faith. There has to be a little trust. Attorney Wolfberg stated he hoped the fire company would see that in action, because he had seen it in the negotiation process. This time the parties are very sincere in doing this right.

SABATINI Mr. Sabatini commented that several months ago Springettsbury Township had been cited as a leader in different things in the region. Springettsbury is attempting to become the leader with a volunteer organization that is the model for the region. The Board and the administration is very committed to supporting the volunteers, the paid personnel, and most importantly committed towards making sure that the

residents and businesses get what they need. The parties really did not understand the end relationship between Springetts and Commonwealth and the Township firefighters. This addresses those issues. Effective communication is key, and he asked for their support to make this happen. Mr. Wolfberg indicated he would be available to meet anytime, and Mr. Sabatini offered to be available if there are questions.

WILSON Mr. Tom Wilson stated that the organization chart shows lines of authority between the Board of Directors and Fire Chief as it relates to members. He asked what the line of authority would be to the Board of Directors.

SABATINI Mr. Sabatini responded that there are dotted lines between the Board and the Fire Chief. The Board doesn't report to the Fire Chief. The Fire Chief doesn't report to the Board. There has to be a line of communication.

WILSON Mr. Wilson asked about the two levels of membership.

SABATINI Mr. Sabatini responded that the two levels are Supporting and Active.

WILSON Mr. Wilson commented that there was a direct line to the Board for Supporting and a direct line from the Chief to Active.

SABATINI Mr. Sabatini responded that there was a direct line from the Board to the Active. The Fire Chief is clearly in charge of operational issues, but if it's a non-operational issue, that's the responsibility of the Board of Directors.

WILSON Mr. Wilson asked whether township residents, who are not members of the fire company, would be volunteer members. He stated that sounded like a supporting member and not an active member.

SABATINI Mr. Sabatini responded that the intent of the Township is not to tell the fire company how to set up the social or how to conduct fundraisers. That's clearly within the Board of Directors. The Township's concern is the operational side, fire police, your acting fire company. A focus was made on the items in which we had a legal obligation to have full involvement and not to be involved in any degree with the supporting membership. There is a caveat in that people do need to go through background checks.

WILSON Mr. Wilson commented that if someone volunteered their time to run the kitchen, the supporting members would report to the Fire Chief.

SABATINI Mr. Sabatini indicated that from the Township's perspective they are not going to tell anyone how to do the dishes or whether to run vending machines. If there is a supporting member who is on a committee that

reports to the Fire Chief, such as the Long Range Planning Committee for example, responsible for establishing the fire services. There would be that reporting relationship.

SMITH Mr. William Smith asked how the Relief Association would be affected.

SABATINI Mr. Sabatini stated that the Relief Association serves both fire companies. He did not have the Articles of Incorporation with him, but stated that there is just one Relief Association. As part of the transition team they would review those Articles and make appropriate adjustments to make sure that the Fire Relief Association has the necessary verbiage in it. He added that with regard to the PEMA loans, the cost of the loans drop from 3% to 1% due to the merger, which is a state-provided incentive.

5. ACTION ITEMS:

A. Settlement Agreement

MITRICK Chairman Mitrick asked whether there were any further questions. Hearing none, she thanked Mr. Sabatini for the excellent presentation. She thanked Attorney Yost for his representation of the Township in the negotiation process, and also Attorney Wolfberg for representing Springetts Fire Company. Chairman Mitrick commented that earlier during the meeting Mr. Sabatini had recognized some significant upcoming dates. Springetts Fire Company has its membership meeting on the 5th of February, Commonwealth has its membership meeting on the 7th of February, and then the Board of Supervisors meets on the 8th of February. The action that will be taken during the fire company meetings will be very important to the future of Springettsbury Township. On behalf of the Board she requested everyone to very seriously consider the documents which had been presented to them. Attorney Wolfberg had indicated that his recommendation for Springetts Fire Company would be to support the documents, and the Board of Supervisors had been strongly urged by Solicitor Yost to support the documents as well. She requested the Board of Supervisors to consider taking action with regard to the Settlement Agreement presented.

MR. BISHOP MOVED THAT THE BOARD OF SUPERVISORS ACCEPT THE SETTLEMENT AGREEMENT AS DRAFTED AND DIRECT THE CHAIR TO EXECUTE THE DOCUMENT ON BEHALF OF SPRINGETTSBURY TOWNSHIP. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Ordinance No. 01-04 – Advertise and Establish the Date for Action on February 22, 2001.

MITRICK Chairman Mitrick asked the Board of Supervisors to consider taking action on Ordinance 01-04 to Advertise the Ordinance and to Establish the Date for Action on February 22, 2001.

MR. SCHENCK MOVED TO AUTHORIZE THE ADVERTISEMENT OF ORDINANCE 01-04 WITH THE INTENT OF ACTION DURING THE MEETING ON FEBRUARY 22, 2001. MR. GURRERI WAS SECOND.

BISHOP Mr. Bishop asked for the effective date of the Ordinance.

SABATINI Mr. Sabatini responded that the date would be April 1, 2001. A previous draft had indicated a February 1 effective date.

YOST Solicitor Yost added that there had been an additional draft with an effective date of April 1, 2001.

SCHENCK Mr. Schenck added to the motion as follows:

THE ORDINANCE IN QUESTION IS TO BE EFFECTIVE APRIL 1, 2001. MR. GURRERI, AS SECOND, AGREED. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick, on behalf of the Board of Supervisors, sincerely thanked individuals for their interest and participation. She stated that this action was very significant in determining the success of the fire service in Springettsbury Township.

6. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **January 25, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 25, 2001 at the Township Office, 1501 Mt. Zion Road, York, Pennsylvania at 7:30 p.m.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Ken Pasch
Nick Gurreri
Don Bishop

ALSO IN ATTENDANCE:
Robert Sabatini, Township Manager
Don Yost, Solicitor
Mike Schober, Buchart Horn, Inc.
John Luciani, First Capital Engineering
Mike Myers, R. K. & K.
Dori Bowders, Manager of Administrative Operations
David Eshbach, Police Chief
Jack Hadge, Director of Finance
Michael Hickman, Fire Chief
Mark Hodgkinson, Wastewater Treatment Superintendent
Betty J. Speicher, Director of Human Services
Jean Abreght, Stenographer

NOT IN ATTENDANCE: Andrew Stern, Economic Development Director

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:45 p.m. She stated the meeting was a General Meeting of the Board of Supervisors. She announced that there would be an Executive Session immediately following this meeting regarding legal matters.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

MITRICK Chairman Mitrick requested the Board's consent to move item 12A to the top of the Agenda.

12.A. Consideration of Waiver of Right of Way Agreement – Vernon Register

REGISTER Mr. Vernon Register appeared before the Board and provided further information to the Supervisors concerning the sewer right of way and his property. He thanked the Board for moving this matter to the top of the Agenda. Mr. Register thanked the Board for further consideration. He stated he had appeared on January 11th and emphasized the uniqueness of the matter concerning the sewer right of way, which passes through their property. He reported that Mr. Crooks indicated it was not unique because he has had to remove plants in the right of way in several instances. Mr. Register stated that the removal of plants was not what makes the situation unique. The uniqueness lies in the diminished safety and security of his family and home. In another exchange with the Board Mr. Bishop emphasized that Mr. Register had signed the right of way agreement and knew of the prohibition of plants and structures. He provided two additional thoughts for consideration. First, everyone whose property the right of way passes through was to have signed the agreement whether they wanted to or not. He added that, even if the agreement was not signed by a property owner, the provisions of the right of way agreement would still apply. Secondly, his recollection was that he had signed the right of way agreement before the right of way was cut through our property. He had not understood it would be as large nor that the right of way would create a wide and open path to the rear of our home. He called upon the Board's discretionary powers to grant a waiver in the matter.

GURRERI Mr. Gurreri responded to Mr. Register and stated the Board was fully in favor of shrubbery. Mr. Gurreri complimented Mr. Register on his meticulous care of his property. Mr. Gurreri did not understand the safety issue.

REGISTER Mr. Register directed Mr. Gurreri to the diagram he had provided. Quail Run Road runs behind their property, and a clear cut had been made 30 feet wide from the cul de sac. What had been hardwoods and pines is now wide open. He had planted the shrubs for a visual barrier, which are not a real physical obstacle.

GURRERI Mr. Gurreri asked if anyone could see his house from the cul de sac.

REGISTER Mr. Register responded that his concern related to the rear of the house.

GURRERI Mr. Gurreri asked how big the bushes would grow.

REGISTER Mr. Register responded that he maintained them as a visual barrier no higher than his shoulders and added that the roots are no more than 2 feet deep.

GURRERI Mr. Gurreri commended Mr. Register for taking care of his property and indicated that he wished that something could be worked out.

SCHENCK Mr. Schenck stated he wanted to try to understand about Mr. Register's concern for safety. He asked whether it was a concern that someone would drive down to the rear of the property, or just see the rear.

REGISTER Mr. Register responded he was concerned about people driving there. If a visual barrier existed, it would not be as apparent.

SCHENCK Mr. Schenck asked whether there was that kind of activity.

REGISTER Mr. Register responded that there are people walking through it all the time. There is a service road where it would be very easy for a van to turn up into the rear of his home and never be seen.

SCHENCK Mr. Schenck stated that the issue of the shrubbery and the right of way is clear. The agreement that Mr. Register had signed and the intent of that agreement is clear to not have shrubs there. Mr. Register's interpretation is that it is a minor inconvenience if the Township needed to get in there as they can be easily removed. If everyone on that right of way took that position, the Township would have a minor inconvenience times 100. Mr. Schenck commented that if Mr. Register's concern is vehicles coming down that right of way, he would not be opposed to considering some type of poles or some device that is a barrier if the concern is traffic.

REGISTER Mr. Register stated that would work, but it might be more maintenance for the sewer workers.

SCHENCK Mr. Schenck indicated that the shrubs are a black and white issue. They should not be there. When people talk about safety and visual things, the police have always stated that they would much rather have complete visibility to a property so that they can do a better job.

REGISTER Mr. Register stated most of the large bushes around the property had been removed.

GURRERI Mr. Gurreri asked Mr. Hodgkinson whether he had visited the property.

HODGKINSON Mr. Hodgkinson responded he had not.

SABATINI Mr. Sabatini stated he had visited the property.

REGISTER Mr. Register advised that from Quail Run Road up to the rear of his home there is a 35-foot elevation.

GURRERI Mr. Gurreri asked Mr. Hodgkinson if it was really a big problem to take them out when you need to get in there, if they're only small bushes.

HODGKINSON Mr. Hodgkinson responded that to some degree it was easier to take them out than trees. The problem is magnified when attempting to locate the correct sewer areas. If the area is hidden from the view of the general public, it is hidden from the view of the sewer workers.

SABATINI Mr. Sabatini stated that the Board would be making a long-term rule, and Mr. Register may decide to sell his home at some point in time.

REGISTER Mr. Register commented that he had been told that the root systems are the major concern. He indicated he intended to stay in Springettsbury Township. He added that the wild bushes are more of a problem.

MITRICK Chairman Mitrick stated that she felt the Board all had an ample perspective of the situation.

PASCH Mr. Pasch commented that Mr. Register had stated that after he had signed the right of way agreement he had not realized that the right of way was that big. He asked whether the width of the right of way not been included in the agreement.

REGISTER Mr. Register responded he thought it had been 20 feet but it's more than 30 feet.

PASCH Mr. Pasch stated that would be a question if, in fact, there is a difference in the right of way in the agreement and the right of way as it now stands. The right of way in an agreement is normally spelled out in terms of width.

REGISTER Mr. Register responded he would have to check.

PASCH Mr. Pasch asked why these shrubs couldn't be at the edge of the right of way.

REGISTER Mr. Register responded that one reason why he had placed the bushes in that location was that he wanted the esthetics to coincide with the rest of the property.

MITRICK Chairman Mitrick stated that the Board had attempted to understand the situation. She added that it was a difficult situation because agreements have to be abided by.

SABATINI Mr. Sabatini stated he had looked through the agreements, but did not locate Appendix A which would included what would typically be the right of way. At a minimum it would be 20 feet, 10 feet on center. He did not believe it would be a 50-foot width across and added that 30 feet would be a more appropriate sized right of way in that area.

SABATINI Mr. Sabatini asked whether it would make any difference if there was a gate back there to prevent vehicles from going through, while still providing the Township with the full access to the right of way.

REGISTER Mr. Register responded that he could work with that and it made sense in terms of security.

MITRICK Chairman Mitrick asked Solicitor Yost how he would advise the Board to respond to this request for a waiver, given Mr. Sabatini's suggestion.

YOST Solicitor Yost responded that, if there were some type of barrier or gate located down on Quail Run Road, that would not affect the waiver request. If the gate was provided as a substitute for the bushes, the bushes go.

SCHENCK Mr. Schenck stated that was his original position.

REGISTER Mr. Register stated that the gate would answer his concern. It would also eliminate problem with wild growth.

MITRICK Chairman Mitrick suggested that Mr. Register work out the details with Mr. Sabatini's office. She stated this was a difficult decision for the Board, but the Township staff is ready to work with the Registers. She entertained a Motion regarding Item 12A.

MR. BISHOP MOVED TO DENY THE WAIVER REQUEST IN THE RIGHT OF WAY AGREEMENT FOR VERNON REGISTER. MR. SCHENCK WAS SECOND.

MITRICK Chairman Mitrick provided a comment pertaining to that Motion that Mr. Sabatini and staff feel they can work out something reasonable that will help to satisfy the Register property. Township staff will get in contact with the Registers.

MOTION UNANIMOUSLY CARRIED.

2. COMMUNICATION FROM CITIZENS:

There were no communications from citizens.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober provided an update his written report. Regarding the East/West Interceptor, another application had been submitted to PennDot for Highway Occupancy along with paperwork from the previous interceptor installation 12 years ago. Mr. Schober expected to have a reply within the next several weeks. They had submitted a number of additional permit applications for by-pass pumping. A response had not yet been received from the railroad; indications are that the permit had been obtained, but it had not been received to date. With regard to the raw pump drives, bids had been received, and the results were provided to the Township. The Act 339 application had been signed by Chairman Mitrick and submitted.

PASCH Mr. Pasch asked about the York City siphon comment in Mr. Schober's report. He read from the report, "York City siphon is a pipeline under the Codorus Creek that carries sewage from the Yorktowne Paperboard Company to the York City Wastewater Treatment Plant. The City is concerned of potential infiltration in the pipeline….." Mr. Pasch asked whether that infiltration would be coming from the Township.

SCHOBER Mr. Schober responded that the site is owned by the Township, but is used by Yorktowne.

PASCH Mr. Pasch questioned the fact that it is actually the Township's pipeline and they are concerned that there's infiltration from the creek itself into it. He asked how it could be established as to whether there is or not.

SCHOBER Mr. Schober responded that some pressure tests had been done a number of years ago which indicated that two out of three pipelines that make up the site had failed, and the third was marginal. There is some concern that there is infiltration.

PASCH Mr. Pasch asked how something like that would be corrected.

SCHOBER Mr. Schober responded it would not be done easily and would be very expensive. They are looking into the possibility of having Yorktowne tie directly into Springettsbury's line and just cap off the old line.

PASCH Mr. Pasch commented that it would take hundreds of thousands of dollars to do that.

MYERS Mr. Myers of R.K.&K. commented that a stub had been designed in one of the new manholes in the parallel interceptor should that site be taken out of service. They would have to pump it to get it to the site because of gravity.

SCHOBER Mr. Schober added that Yorktowne would incur some costs.

YOST Solicitor Yost commented that Yorktowne is in Spring Garden Township.

PASCH Mr. Pasch requested that the Township be kept informed.

SCHOBER Mr. Schober responded that they would do so.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani provided three updates. An advertisement had been drafted for a bid package regarding Cortleigh Drive Storm Sewer Rehabilitation. A pre-bid conference will be held on January 31, 2001. The contractors had been provided with the plan and a videotape of the line. The scope of the project at this time starts at the stream near St. Joe's on Cortleigh and extends up the hill. Depending on the prices that come in will depend how much of that pipe will be replaced. A copy of the video tape will be provided to the Township Manager. There really is no bottom to the pipe, as it is in bad shape. They would like to do as much of the line as possible.

BISHOP Mr. Bishop asked about the location as to which side of Cortleigh.

LUCIANI Mr. Luciani responded it would be on the west side. They had looked at removing and replacing the pipe. They felt that the work being planned would be the minimal interruption to all the utilities, driveways, and curbing.

LUCIANI Mr. Luciani continued his report with the comment that they had received information from PennDot regarding the Concord Road Extension and the scope of work that they require to connect Mt. Zion to Industrial Highway.

SABATINI Mr. Sabatini interjected that was one of the projects funded as part of the TIP Program.

LUCIANI Mr. Luciani mentioned that one of the items in the scope, Archeological and Historic Resources, was removed. The Phase II Environmental Study into the Chromium Plate item on the Caterpillar site is required.

LUCIANI Mr. Luciani commented that PennDot's comments on Plymouth Road had been received, and many of the comments are a rehashing of traffic comments. They wanted a mounted curb and a right-in, right-out at the beer distributor. Earlier there had been comments regarding the truck traffic not being able to exit because of the mounted curbs. Work continues on that project. The plan had been provided to an outside consultant.

GURRERI Mr. Gurreri stated that this project had been on-going for two years.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers provided updates regarding the pump station. GPU had provided the power poles, which are now set. The pump station is powered, and they have scheduled energizing for Monday, January 29th. That allows start up procedures to begin. The first items for testing would be the generator and the flow meter; Phillips Brothers, the electrical contractor will be in to program the PLC. Testing will begin within the next few weeks.

MYERS Mr. Myers reported that the last item to be done, with regard to the parallel interceptor, is to make the final connections to the existing interceptor and then there are some smaller ones that tie in. That should be completed within a week after the last remaining units are tested. Some erosion had been discovered which had taken place within the last few months in the farthest manhole near Interstate 83. It is in very close proximity to the existing interceptor, and a new manhole is being set on top of these for that final connection. There had been a concern that they would be doing some construction in the creek, which the permit really didn't provide for, so DEP came out and it was worked out with them to stabilize it with rip wrap. The exiting interceptor will have to be addressed.

MYERS Mr. Myers commented that, when the Corps of Engineers study of Mill Creek comes out, some more permanent stabilization will be done.

PASCH Mr. Pasch asked for a target date to be on line.

MYERS Mr. Myers responded that, provided start up goes right without too many "bugs," a target date would be middle to third week of February.

MITRICK Chairman Mitrick asked whether there were problems concerning the Mt. Zion/Overview project.

MYERS Mr. Myers responded that in the stream crossings there were some flat slopes that the contractor installed, and we had Jim Crooks people TV it

and decided it was too flat to tolerate. They are to come back when the weather conditions permit. When those corrections are made, the project will be completed.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 01/25/01
B. Johnston Construction Company, Inc., Pay Estimate No. 2, Utility Water System Improvements ($7,916.92).
C. Johnston Construction Company, Inc., Pay Estimate No. 3, Diversion Pumping Station ($65,560.93).
D. Allan A. Myers, Inc., Pay Estimate No. 9, Diversion Pumping System ($196,793.89)
E. Springfield Contractors, Inc., Pay Estimate No. 4, Parallel Interceptor ($253,575.59)

MITRICK Chairman Mitrick asked for questions regarding Items A. through E.

PASCH Mr. Pasch asked for an explanation of the determination of First Capital Engineering's breakdown of Engineering Services, Professional Services, and Administrative Services. He specified Engineering Services, which would be re-billed to a developer. He asked how it is all determined.

HADGE Mr. Hadge responded that the bills are re-billed to the developer of the project. Mr. Luciani's bills are categorized in a breakdown, and the description is followed within the Township in order to correlate for presentation on the bill list. Mr. Stern then bills the developer for engineering services.

PASCH Mr. Pasch stated that when he sees Professional and Engineering Services he understands that, but asked what is meant by Administrative Services.

LUCIANI Mr. Luciani responded that when they do a review letter, the typist would be the administrator; when someone does court house research, that would be administrative.

PASCH Mr. Pasch understood.

MITRICK Chairman Mitrick stated that she had asked Mr. Hadge about a similar question, and she, too, now had an understanding. She added that she had seen in the Payables where the services for police vehicles had been returned to Cloister Car Wash. She commented she was glad the work had been brought back to the township.

MR. GURRERI MOVED TO APPROVE ITEMS A. THROUGH E. AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & QUOTES:

A. Raw Sewage Pump Drive Bid – Robert Lepley Electrical Contractors ($249,411.00)

SABATINI Mr. Sabatini commented that the Board of Supervisors had approved a CIP line item for raw sewage pump drive bid. It had been approved the previous year as well. The bid pack was moved ahead and a bid had been received in the amount of $249,411.00 from Robert Lepley Electrical Contractors out of Lewistown. They had done work for the Township in the past and met the standards. This item is below the $250,000 budget. Staff recommends that the Board of Supervisors authorize the award of the raw sewage pump drive and direct that staff execute the appropriate documents to move ahead.

MR. PASCH MOVED TO AWARD THE RAW SEWAGE PUMP DRIVE BID TO ROBERT LEPLEY ELECTRICAL CONTRACTORS IN THE AMOUNT OF $249,411.00 AND DIRECT TOWNSHIP STAFF TO EXECUTE THE NECESSARY DOCUMENTS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. Other Items

SABATINI Mr. Sabatini stated that at this moment there were no issues for Subdivision and Land Development discussion.

<u>Zoning Hearing Board</u>

SABATINI Mr. Sabatini reported that the Zoning Hearing Board met and made a decision on their Solicitor and a backup. Attorney Gavin Markey was selected as their Solicitor, and as a back up the individual, Attorney Steve Hovis, rather than his firm. Mr. Sabatini will issue the necessary letters to the appropriate parties on behalf of the Zoning Hearing Board.

MITRICK Chairman Mitrick thanked Zoning Hearing Board member John Schmitt and asked that he extend the Supervisors' thanks to the rest of the Zoning Hearing Board.

MITRICK Chairman Mitrick pointed out that Mr. Stern was not in attendance inasmuch as item 6 was empty on the Agenda.

7. COMMUNICATIONS FROM SUPERVISORS:

BISHOP Mr. Bishop observed that the carpeting had been installed on the front of the Board table. He wondered whether the Open House plans could begin.

SABATINI Mr. Sabatini responded that the issue with the on-going building project next door was a consideration. The project was picking up time, and he projected a time line in June. He would like to have an Open House prior to the start of the Park renovation.

BISHOP Mr. Bishop wanted to make sure it appeared on someone's agenda.

GURRERI Mr. Gurreri asked whether something could be done about the cold air coming in.

SABATINI Mr. Sabatini responded the air has to do with the HVAC system.

SCHENCK Mr. Schenck asked whether all of the final work had been done in the entire building.

SABATINI Mr. Sabatini indicated that work was still on-going, and the two rooms which are difficult to regulate are the Conference Room and the Board Room. The rest of the building is fairly comfortable.

GURRERI Mr. Gurreri announced that the York County Nursing Home would open up a new project, Elm Spring Residence, at 11:30 a.m. The Board was invited to attend.

<u>Farmhouse Inspection</u>

GURRERI Mr. Gurreri reported he had gone through the farmhouse with Charlie Lauer of Public Works. Several items were found which needed to be done:

- In the lunchroom it was 81 degrees, and the thermostat said 60. There are too many radiators in the room, which cannot be turned off because of the old (bad) valves. He recommended that new valves be placed on the radiators in order to turn them down.
- Weather strips were placed around the front doors to eliminate the cold air coming in.
- The doors upstairs were closed as all the heat was going upstairs. The doors were all open, and one wouldn't close so that was fixed.
- The cellar door was covered, which is temporary, which stopped a lot of cold air from coming in.
- There was a window missing in the basement in the crawl space, and the basement was ice cold.

- All the windows in the basement were insulated.
- The radiators were on upstairs, and it was determined they cannot be shut off. They can be disconnected/capped, which should be done.
- The windows are tight and do not need storm windows, but the stairways need to be closed, because even with the doorways closed, a lot of heat is going up there. Perhaps insulate the second floor ceiling.
- Steam heating system is very inefficient; should have had a hot air furnace installed.

Mr. Gurreri stated that the simple things, which were done, should help a lot. He added that the gas bill for December was $573, - $400 more than his personal home, so a lot of heat was being lost.

SABATINI Mr. Sabatini added that some of the measures already taken should help considerably. They will watch for a month or so and continue with repairs if necessary.

MITRICK Chairman Mitrick thanked Mr. Gurreri for following through.

MITRICK Chairman Mitrick reported that she had received a letter from the Historic Preservation Committee, requesting a brief time on an Agenda to present their list of the top 100 historically significant structures and sites in the Township. That had taken a great deal of their time to compile, and she would request that the Board consider putting them on an upcoming Agenda.

PASCH Mr. Pasch indicated approval with some reservation. He would not want a long commentary on each of the 100.

SABATINI Mr. Sabatini responded that a list would be requested from them for the Board prior to that.

PASCH Mr. Pasch stated that a general presentation would be great, but not with an one hour to two-hour presentation.

MITRICK Chairman Mitrick did not think that was what they had in mind, simply to present the list so that it becomes part of the public record. She asked Mr. Sabatini to add this to one of the next Agendas which would not be heavy.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost stated that he had nothing to add to his written report. He had two litigation items to discuss in Executive Session.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini reported that a letter had been received from York County Planning Commission asking for input into the 12-year Transportation Plan. The Township had been successful in earmarking projects two years ago. A recommendation for the Board will be made by meeting with staff in different departments. The submission must be completed by the end of March, 2001.

SABATINI Mr. Sabatini reported that a meeting had been scheduled with Tom Austin of TRG for February 5. He has the preliminary information on the Memory Lane/Haines Road Corridor Study. Copies of that information will be provided a week prior, and will be provided to the Board of Supervisors.

SABATINI Mr. Sabatini reported a meeting would be held with York County regarding the West Nile Virus and municipal response. There will be people from Wastewater, Public Works, Economic Development and Management who will attend and provide the County with ideas.

SABATINI Mr. Sabatini reported that there is a desktop exercise upcoming for Three Mile Island. Further information will be provided.

SABATINI Mr. Sabatini reported that a refund ($6700) had been received from the bonding company on the truck ordered but not delivered because of bankruptcy of the company. That project will be re-advertised.

SABATINI Mr. Sabatini will attend training on funding sources for fire departments through the Manager's Association.

SABATINI Mr. Sabatini stated that some residents had commented about speeds on Kingston Road. Some enforcement action had been taken there, and even though vehicles were traveling through there at excessive speeds, they were not in the 60-70 miles an hour range, but rather 37 to 48 miles an hour.

ESHBACH Chief Eshbach added that out of 11 vehicles cited, all were in the 40 to 49 miles an hour range. The department will continue with enforcement. Eight details had been planned, both morning and afternoon/evening.

PASCH Mr. Pasch asked whether there was a particular area on Kingston.

ESHBACH Chief Eshbach responded that they are looking at all of it.

PASCH Mr. Pasch commented that he was concerned for several reasons, such as along Cortleigh there's a park, First Church of the Brethren with pre-school, and St. Joe's too.

ESHBACH Chief Eshbach responded that was why they had spread the enforcement details out in order to look at the different sectors of that road in specifics.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Consideration of Advertisement of Ordinance No. 01-02 Revising School Zone on Kingston Road

SABATINI Mr. Sabatini requested that the Board authorize advertisement of an Ordinance revising the school zone on Kingston. Complaints had been received that the signs do not match the St. Joseph's school current school time schedule. The Ordinance had been reviewed and recommended with revised times from 8 to 8:45 a.m. and 2:45 to 3:15 p.m. This Ordinance would be Adopted at the February 22, 2001 meeting.

MR. PASCH MOVED TO ADVERTISE FOR THE FEBRUARY 22, 2001 MEETING ORDINANCE #01-02, AN ORDINANCE REVISING THE SCHOOL ZONE DESIGNATION ON KINGSTON ROAD AND CORTLEIGH DRIVE AT ST. JOSEPH'S SCHOOL. MR. GURRERI WAS SECOND.

BISHOP Mr. Bishop asked where the times come from and how much flexibility is available. He voiced some personal observances about activity in the time frame prior to 8 a.m.

ESHBACH Chief Eshbach responded that was the issue, and buses had not been observing the school zones. School zone times are set by those who walk there and what time walkers are set to enter and leave the building.

MOTION UNANIMOUSLY CARRIED.

B. Consideration to Advertisement of Ordinance No. 01-03 Restricting Parking on Stonybrook Drive

SABATINI Mr. Sabatini provided commentary regarding Item B. He stated that complaints had been received regarding parking on Stonybrook Drive. There are a number of recreational and athletic activities at the elementary school, and the people are using both sides of the road causing significant traffic concerns. Staff recommended that the Board authorize this Ordinance to be advertised for Adoption at the February 22, 2001 meeting.

SCHENCK Mr. Schenck had personally observed this difficulty and commented that at times a single car could not get through. He added that the Township had set up places for kids to play soccer with a fine parking lot that no one uses because they have to get out of their car and walk. There is plenty of parking.

BISHOP Mr. Bishop asked whether the "no parking" was on the school side of the road.

ESHBACH Chief Eshbach responded that they recommended it for the other side so that the children would not have to cross the street to get to the cars.

MR. GURRERI MOVED TO ADVERTISE FOR THE FEBRUARY 22, 2001 MEETING ORDINANCE #01-03, AN ORDINANCE ESTABLISHING A NO PARKING ZONE ON STONYBROOK DRIVE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Consideration of Resolution No. 01-14 Appointing Fire Police Officers

SABATINI Mr. Sabatini explained Item C as a Resolution appointing Fire Police Officers, which Resolution the Board must approve each year. Background exams have been completed, and the officers would be sworn in during a meeting on Monday, January 29th with Board approval.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 01-14 APPOINTING FIRE POLICE OFFICERS FOR SPRINGETTSBURY TOWNSHIP. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick asked Mr. Sabatini whether he intended to request Judge Kessler to do the swearing in ceremony. It might be short notice for him as well as the Fire Police Officers.

SABATINI Mr. Sabatini indicated he would do so.

D. Consideration of Resolution No. 01-15 Appointing Stambaugh-Ness to Audit Township Funds

SABATINI Mr. Sabatini indicated that Resolution No. 01-15 would appoint Stambaugh-Ness to audit Township funds in accordance with Second Class Township Code requirements. Staff recommended that the last three-year agreement with Stambaugh-Ness be completed. The cost would be $33,950.

PASCH Mr. Pasch pointed out that he had a number of questions voiced in the December 7th meeting Minutes where the auditors should have found certain things; those items should be discussed.

SABATINI Mr. Sabatini responded that the staff had met with Stambaugh-Ness and will be meeting again. Mr. Sabatini had expressed some questions to the auditors. Proposals will be sought for auditing services starting in 2001, but those questionable items (shown in the Minutes) will be addressed. The Finance Department professional staff and Mr. Sabatini will be looking at the processes used.

PASCH Mr. Pasch stated that he would like to see an engagement letter which would be specific in terms of the services expected. As far as Mr. Pasch was concerned he was not convinced that the services received was what should have been provided.

MR. GURRERI MOVED TO APPROVE RESOLUTION 01-15 A RESOLUTION APPOINTING STAMBAUGH-NESS AS THE TOWNSHIP AUDITOR FOR THE YEAR 2000. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Budget Work Session #3 – December 7, 2000

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS BUDGET WORK SESSION #3 – DECEMBER 7, 2000 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Reorganization Meeting – January 2, 2001

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE JANUARY 2, 2001 BOARD OF SUPERVISORS RE-ORGANIZATION MEETING AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

A. Consideration of Waiver of Right of Way Agreement – Vernon Register

Action regarding Item A. had been taken earlier during the meeting.

B. Consideration of Grants and Communications Coordinator Job Description

SABATINI Mr. Sabatini stated that as part of the budgetary process, discussion had been held regarding the benefits of a grants officer. A review indicated that he would prefer to expand the position into a Grants and Communications position. Both have fairly similar skill sets in that this individual would have to be able to research, to write and convey a message. Primary emphasis will be on the grant side. He has drafted a job description and a short outline of the focus for the position. He stated that this would be a self-funding position within a year. Because of the job market, flexibility would be important as to whether this would be full time, part time or a shared position. He requested that the Board authorize the creation of a Grants and Communications Coordinator and authorize the Township Manager to move ahead with filling that position.

PASCH Mr. Pasch asked Mr. Sabatini whether this employee would have such a high multiple in terms of return on the position.

SABATINI Mr. Sabatini responded that the grants environment is better than he had ever seen it before. There are multiple programs geared towards communities that have specific needs. Those needs include many of the issues that they had talked about, such as traffic as it relates to economic development, recreation, garbage collection.

PASCH Mr. Pasch stated this position would be a revenue producing individual who will pay for six or seven other positions within the township.

SABATINI Mr. Sabatini acknowledged that was correct and that it would be a good opportunity. We have identified needs across the spectrum, and there are funding sources available. At this point in time to have a strong directed effort by the Township and specifically the Manager and current management employees to seek and package this together is out of our time ability. By having a directed employee, it would make a substantial difference.

MITRICK Chairman Mitrick asked whether his recommendation would be a full time or part time position.

SABATINI Mr. Sabatini responded that he would be seeking a full time position; the market place may dictate otherwise. He would envision a person who has experience in non-profit and college development programs. Those would probably be the people showing the most interest in it.

PASCH Mr. Pasch indicated that the accountability should be easy as it would be apparent.

SABATINI Mr. Sabatini indicated that goals would be set and expected with full reimbursement of costs in the first year. This would move up progressively to the higher level.

BISHOP Mr. Bishop indicated he did not disagree at all with this particular position. He agreed with Mr. Pasch's comments that this is probably something needed. He stated a bigger picture concern in that he did not really understand the organization of the Township as it currently exists and a firm picture of where the Manager wants to take the Township organizationally over the next few months/years. Mr. Bishop would like to understand the big picture before authorizing new positions because new positions are forever.

PASCH Mr. Pasch agreed with Mr. Bishop's comment. He would consider a normal administrative type position to be purely overhead. To Mr. Pasch this new position would not be an overhead position, but one which should generate benefits for the Township. Every day that goes by that someone isn't in there actively soliciting the money that's available is a wasted day. Mr. Pasch added that he did not agree with all this money being available. It's another part of government that he couldn't agree with, but it's there, and if our Township does not take advantage of it someone else will.

BISHOP Mr. Bishop agreed 100% and stated he would vote for this in a minute if it were to authorize to spend the money on a contract basis to get this work done. This is creating a position, and there's no way to maintain the accountability of that position long range.

PASCH Mr. Pasch responded that the accountability is a very simple thing. There are certain costs and costs of the individual and any expenses and wages and benefits would be compared to the grants and the money that is brought in. He thought it would be very simple, and if it did not produce in a short period of time, six, seven or ten times, the position would be eliminated.

BISHOP Mr. Bishop indicated that sounded easy, but he did not see it happening. He was never aware of any positions that had been eliminated.

GURRERI Mr. Gurreri asked whether a part time position would be better because it would use someone that is at home who could work several hours a day and still be home with their children.

SABATINI Mr. Sabatini responded that had been hinted to him by other municipalities who have these grants positions. He understood Mr. Bishop's question about the big picture. He stated he had only partially completed getting a scope of the big personnel picture. A draft of the personnel part would be presented in several weeks for information purposes. How we proceed there is the Board's consideration. He would like to start the recruiting process as the time line is 90 days or more. By that time the bigger picture as it relates to personnel will be provided.

PASCH Mr. Pasch asked Mr. Sabatini whether he thought he would be able to satisfy Mr. Bishop's request in 90 days.

SABATINI Mr. Sabatini responded that he would not. He would like to present an idea of where the Township stands now in terms of personnel, and where it is going. There are issues to be addressed. He would like to see the organization move ahead with good people who can be provided with authority, who have responsibility and can be accountable. The personnel question goes full circle from job descriptions to the Fair Labor Standards Act and employee communications. The Grants person would be part of the broad spectrum since it is a cash generator.

BISHOP Mr. Bishop stated he was not looking for a review of job descriptions of every position in the Township, but he could not today draw an organization chart of the top two levels of management of this township. He assumed Mr. Sabatini could do that. Personnel and positions had been discussed, but Mr. Bishop would simply like to know where Mr. Sabatini stands on some of the big picture. He would like to know whether three new department heads are needed or no new department heads or where the Township would be going.

SABATINI Mr. Sabatini responded that there are a number of unfilled positions that have been long term. He had purposely not brought those to the Board because he had not worked out all of the financial details. This position as envisioned and which will be held accountable is going to be a revenue center.

BISHOP Mr. Bishop asked whether Mr. Sabatini could move forward with interviewing, etc. without there actually being a position created.

SABATINI Mr. Sabatini indicated he could.

MITRICK Chairman Mitrick commented that it was interesting that Mr. Bishop had suggested this be done on a contract basis. She asked whether that was a reasonable approach to this position, which would then give the Board an opportunity to see if it works.

SABATINI Mr. Sabatini responded that the Township had been in a contract position with Reed Smith. They had been successful but they also had been very directed. This approach would be different in that the person would be interactive with the department heads; matching up needs with funds available.

PASCH Mr. Pasch agreed with Mr. Sabatini. The Township had gone after Reed Smith for a particular project. He commented that he had a weekend visit with his niece who had recently taken a position working for George Washington University for grants. His niece indicated that there is so much money out there that it's unreal. She could work 60 hours a week and never catch up with all the money available.

GURRERI Mr. Gurreri had talked with the Chairman of the Board of Dillsburg, and he said the same thing; there is so much money out there, and they go after it and pursue it heavily.

HICKMAN Chief Hickman stated that an article in the Pennsylvania Fireman, January edition, indicated that there are 47,000 private foundations that donate almost $23 billion in grants mostly to health education in communities.

PASCH Mr. Pasch commented that there are some nuggets to be mined and he has a problem with leaving them lay there.

SABATINI Mr. Sabatini stated that philosophically he agreed. Because of the needs of the community and the very ambitious list of projects that the Board had decided to undertake, it would be appropriate to look at this program and hold it accountable.

GURRERI Mr. Gurreri asked whether he thought it could be done on a part time basis with someone four hours a day.

SABATINI Mr. Sabatini responded that he did not know as it would depend upon the market and who is available. He wanted to be sure he could provide someone who could do the job whether full time or part time.

MITRICK Chairman Mitrick called for a Motion for Authorization to Proceed.

MR. PASCH MOVED TO APPROVE THE GRANTS AND COMMUNICATIONS COORDINATOR JOB DESCRIPTION AS PRESENTED AMENDED AND DIRECT THE TOWNSHIP MANAGER TO FILL THE POSITION.

SABATINI Mr. Sabatini recommended that the motion be amended to subject to concurrence based on the overall personnel strategy.

PASCH Mr. Pasch stated that he was thinking of the procedures where you are indicating subject to the concurrence by the Board and he had a problem with that.

BISHOP Mr. Bishop commented that it really would not mean anything. If a position was created, you've created the position.

SABATINI Mr. Sabatini stated that it would not be authorized to fill. He felt that the Board, after they see where it's proposed to go, that they're going to feel very comfortable that this fits within what would be recommended for the Township.

MR. SCHENCK WAS SECOND.

BISHOP Mr. Bishop commented that the position is a great idea. He did not care what the position would be; he would be uncomfortable at this time authorizing any new positions in the Township without having his comfort level improved that he understands where the Manager is going with respect to personnel. It had not been discussed it at all since the Manager had been hired.

MOTION CARRIED. MR. BISHOP VOTED NO.

C. Other Items:

SABATINI Mr. Sabatini commented that a memo had been provided from Mr. Stern. Three candidates had been secured for positions on the Plumbing Board.

13. NEW BUSINESS:

A. Discussion on Pleasant Valley Road/Williams Road Improvements

SABATINI Mr. Sabatini reported that at the last Board meeting it had been directed to continue the dialog regarding Williams Road and Pleasant Valley Road improvements. The necessity for road improvements had been requested by Attorney Solymos in order to meet the current and future traffic needs. Mr. Sabatini offered two concepts for consideration:

- Being able to work with Mr. Kinsley and the developers to have them do the physical improvements and either reimburse or establish other restitutions to them. It was determined that Mr. Kinsley and the developers could perform this work more cheaply and quickly than the Township could do.
- Staff to be authorized to proceed with at least determining what property needs to be taken, if any, and begin making contacts.

He recommended improvements be programmed for 2002, thereby providing lead time to properly plan for the funding.

PASCH Mr. Pasch stated that in consideration of the comments made by the residents in the area, along with the Board regarding understanding of the situation, the work must be done in harmony with the development.

MITRICK Chairman Mitrick stated that the Board made a commitment to the residents to be in harmony with this project in order to avoid a larger traffic problem at the end of the condo construction.

SABATINI Mr. Sabatini stated the staff had recognized that, and requested formalized direction by the Board to begin moving ahead, and that it would appear on the record thereby notifying the residents that the Board heard what had been said and would be moving ahead to address the issues.

MR. GURRERI MOVED TO DIRECT THE TOWNSHIP MANAGER TO PREPARE NECESSARY DESIGN IMPROVEMENTS AND FINANCIAL INFORMATION FOR IMPROVEMENTS AT WILLIAMS ROAD AND PLEASANT VALLEY ROAD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Consideration of Approval of Vehicle Purchases

SABATINI Mr. Sabatini commented that the Board had directed a policy regarding purchases above $10,000, whether or not they appeared on the Capital Budget, be approved by the Board. This funding had been approved for replacement of two police cars. Staff recommended that the state contract be utilized through Warnock Automotive for which, including the accessories, the cost would amount to $44,442.96.

MR. SCHENCK MOVED TO APPROVE THE PURCHASE OF POLICE VEHICLES FROM WARNOCK AUTOMOTIVE IN THE AMOUNT OF $44,442.96. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Consideration of Approval of Reduction in Retainage – Allan A. Myers, Inc.

SABATINI Mr. Sabatini stated that the Agenda item had been incorrectly identified as Allan A. Myers, Inc. It was actually Springfield Contractors. A request had been received from Springfield to reduce the retainage from 10% to 5%. R. K. & K. concurred with the recommendation. Springfield had

been very cooperative, and authorization of that reduction was recommended.

MR. SCHENCK MOVED TO APPROVE A REDUCTION OF RETAINAGE FOR SPRINGFIELD CONTRACTORS FROM 10% TO 5% FOR THE PARALLEL INTERCEPTOR PROJECT. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Other Items

MITRICK Chairman Mitrick requested Mr. Sabatini to be sure to send Mr. Tim Pasch a thank you note for the lovely clock, which had been hung in the Board Room.

SABATINI Mr. Sabatini responded that he would be taking a photograph and thanking him as well.

SCHENCK Mr. Schenck asked whether the Keystone opportunity would be discussed in the Executive Session.

YOST Solicitor Yost responded that he had just mentioned it, but he wanted the Board to know that he had been contacted by the Solicitor for the Authority.

SCHENCK Mr. Schenck commented that he was concerned with the combination of the Flexible Development Zone and the associated opportunities. The Zone could allow a lot of retail opportunity, and add to the traffic nightmare that would not have any mechanism to contribute back through the Mercantile Tax to support it. He stated that perhaps there would be a way to work around it. Reviewing the criteria he would be surprised if it were eligible. On the other hand he would never be opposed to anything that would encourage manufacturing or industrial type jobs because they are generally good for the community as far as the overall wealth and do not carry the impact that retail and other things bring with them.

SABATINI Mr. Sabatini indicated that he and Mr. Stern had a meeting with the new owners of the Caterpillar tract. He added it had been a very comfortable meeting and the new owners had a very good understanding of the opportunities as they exist. There was some discussion about that. No additional information had yet been received.

SCHENCK Mr. Schenck stated that he had only commented to start the ball rolling from his perspective.

PASCH Mr. Pasch added that he agreed with Mr. Schenck. It could be a potential expensive traffic infra-structure with no funding source.

SABATINI Mr. Sabatini stated that the Board (WS was not available that night) had been approached with concern, but we believe that in the interests of the community a need exists to allow exploration of this a little more because the clock is ticking.

BISHOP Mr. Bishop added that something could be thrown on the Board indicating that it must be done immediately or somebody is going to come through saying Springettsbury's going to mess up the whole deal.

SABATINI Mr. Sabatini responded that the facts were emphasized very brutally.

YOST Solicitor Yost stated that February 28th is the deadline or it won't happen. That's how tight it is.

SABATINI Mr. Sabatini stated that on the staff level they had made it brutally clear to the principals that the Township would not to fall into situation where it's expected because everything else has been lined up. Or that the Township would have everything show up on our desks on the 27th with the expectation that the Board would chose to move on the 28th without knowing the full impact. Without having a real strong analysis of all of the parties and all of the proposals, this would not be brought before the Board. If that would be the case, it would be done with a negative recommendation.

MITRICK Chairman Mitrick asked about the criteria that Mr. Schenck had referenced and Solicitor Yost had provided. Mr. Stern had stated that basically there is really a different perception there now of the Keystone plan. She requested that Mr. Stern would provide information to clarify the project.

SABATINI Mr. Sabatini responded that there is the legal version and what is currently being practiced. He will have Mr. Stern write an essay on the whole concept of KOZ and how it impacts upon this project and have it in writing to the Board so that you have the chance to review it.

GURRERI Mr. Gurreri asked whether anything needed to be done with regard to the Camelot Road matter.

SABATINI Mr. Sabatini indicated that would be discussed in Executive Session.

14. ADJOURNMENT:

MR. GURRERI MOVED TO ADJOURN. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick adjourned the meeting at 10 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

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BOARD OF SUPERVISORS **JANUARY 17, 2001**
PARK & RECREATION COMMITTEE **APPROVED**
WORK SESSION

The Board of Supervisors of Springettsbury Township held a Work Session with the Park & Recreation Committee on Wednesday, January 17, 2001 at 7:00 p.m. at the Springettsbury Township Administration Building, 1501 Mt. Zion Road, York, PA 17402. The purpose of the Work Session was to discuss the proposed renovations to the Springettsbury Township Park.

BOS MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Ken Pasch

PARK & RECREATION MEMBERS IN ATTENDANCE:
Cindy Osborne
Sharon Nichols
Louis Skeparnias
Dave Seiler

ALSO IN ATTENDANCE:
Robert Sabatini, Interim Township Manager
Andrew Stern, Economic Development Director
Bruce Bainbridge, Park & Recreation Director
Charlie Lauer, Public Works Director
Ann Yost, Yost, Strodoski, Mears
Andy Mears, Yost, Strodoski, Mears
Brian Burkhart, Barton Associates
Barry Harding, Hamme Associates
Josh George, C.S. Davidson

1. INTRODUCTION:

Chairman Mitrick called the Board of Supervisors/Parks & Recreation Work Session to order at 7 p.m. She indicated that the purpose of this meeting was to discuss the proposed renovations to the Springettsbury Township Park.

2. DISSCUSSION:

- Ann Yost opened the meeting by introducing the project team.
- Ann Yost stated the purpose of the meeting and presented a brief overview of the project development including:

BOARD OF SUPERVISORS **JANUARY 17, 2001**
PARK & RECREATION COMMITTEE **APPROVED**
WORK SESSION

1. Work completed to date
2. Overview of the park facilities – teen area, retention pond, tennis courts, picnic areas, volleyball courts, soccer field, youth baseball and softball fields, senior baseball field, lacrosse field, and parking areas.
3. Revisions to the program – Midway, additional basketball court, In-Line Hockey Rink, Bosque,
4. ADA accessibility
5. Decorative paving
6. Overflow Parking areas
7. Open Lawn Area
8. Opportunities for passive recreation
9. Accommodations for Seniors
10. Youth Playground and tot lot
11. Redesign of the entry drive along Williams Road
12. Amphitheater and retaining wall system
13. Exploration subsurface conditions
14. Curbing and road restoration along Pleasant Valley Road and Williams Road

- Discussion, concerns, and questions regarding the design included the following:

1. There are approximately 320 parking spaces provided within the park. Overflow parking (approximately 220 spaces) can be accommodated within the open area north of the amphitheater.
2. All facilities including the pathways will be lighted.
3. Coin operated lighting is being proposed for all courts.
4. Bleacher areas have been designated on the plan but have not included in the cost estimate.
5. The proposed retention pond will have an aerator.
6. Concerns for the adjacent residents and the proposed lights were discussed.
7. The senior baseball field is designed with a 320’ outfield and 350’ center pocket.
8. It appears that the volleyball courts are in close proximity to the amphitheater. Noise within the park from adjacent facilities could present a problem for performances, especially if facilities will be lighted.
9. Additional overlapping fields cannot be accommodated. However, the outfield of the proposed ball fields could be utilized as training areas.
10. The proposed soccer field is 195’x330’.
11. Maintenance concerns for the overlapping soccer field were discussed.
12. Outfield fencing is not proposed for the ball fields.
13. Portable fencing should be considered for outfield fencing.
14. Penn State has done extensive research on grass seed mixes and should be utilized as a resource in developing the athletic field mixes.
15. The entry point along Pleasant Valley Road aligns with the existing entrance to the Townships maintenance facility.

16. It was noted that the intersection of Mount Zion Road and Pleasant Valley Road could be redesigned.
17. Bus parking is provided within the turn-around of the parking area at the amphitheater. Specific bus parking spaces are not designated.
18. Engineered wood fiber mulch will be utilized in the playground and tot lot.
19. The tennis court area is slightly lower than the midway elevation.
20. Over-excavation of the retention pond could result in an extremely deep pond, which is not desired by the Township.
21. The proposed play equipment could encourage over utilization.
22. The little league will remove the existing concession stand at the Shipley field.
23. Landscaping including trees and shrubs will be provided as part of the project.
24. Based on NRPA guidelines for park development (1/space/4 seats) there is adequate parking provided to serve the amphitheater. Additional shared parking should be explored with the surrounding business for special events.
25. The park is currently a focal point in the Township and could function as a "town center" and destination point.
26. The little league tournament scheduled for the Shipley Field will end on July 22nd, 2001

- Barry Harding presented the designs for the Amphitheater and Concession building including.

1. 800 SF Office space
2. Approximately 800 SF Stage area with dressing rooms.
3. Metal standing seam roof
4. Awning window type
5. Toilet rooms
6. Diaper changing areas
7. Use of glazed concrete blocks for bathroom walls
8. Concrete floor
9. Tile ceiling
10. Counter space for concession area, receptacles spaced every 24"
11. Clock tower on concession building

- Brian Burhart presented a brief overview of the proposed lighting design.

1. Lighting for the fields will be specified with glare control for fixtures that will face Route 30 or the adjacent properties.
2. Key switches located in the electrical room of the concession building will control field lighting. The township questioned if an override control could be applied to turn the lights off after a certain time. Brian advised that something could be provided but cautioned that if the lights are turned off prematurely, it takes 15-20 minutes to bring them back up to full brightness. The township will consider what override controls are desired and will direct the design team.

3. Site lighting has been designed using fixtures that match the existing fixtures at the township building. Fixture spacing will provide lighting levels that meet IES recommended levels. People using walkways after dark should feel comfortable with the light levels provided. The fixtures are circuited so that every third fixture could remain on all night to discourage loitering in the park after hours. The site lighting will also have an override feature to keep the lighting on if an event runs past the normal park closing time.
4. Vandal resistant lighting will be provided in the public areas of both buildings.
5. Receptacles will be provided at the base of lighting fixtures along the midway to that power will be available to groups using that area.

- Additional discussions regarding the building and lighting included the following:

1. The amphitheater building should be designed to provide easy access from the dressing room to the restrooms without steps.
2. Is it necessary to have a separate restroom for the proposed office at the amphitheater?
3. Will glazed tile be used in the concession building?
4. How much counter space will be required for the concession building?
5. Will the concession building service performances at the amphitheater?
6. Adequate power supply has been provided in the concession building for vending equipment.
7. Vandal resistant coin operated fixtures will be utilized.
8. Security lighting within the park is proposed. The design provides the Township with the flexibility to control timing of the lights. Currently the design allows for every third light to remain on during the night to provide adequate lighting for security and surveillance of the park.
9. Solar lighting was considered but is not recommended in a public setting.
10. Athletic field lighting will not be timed. Keys provided to representatives of the various user groups will operate athletic field lighting.
11. Heating is proposed for the concession building. Air conditioning is proposed only for the office in the amphitheater.

- Ann Yost reviewed the project cost and presented strategies for reducing. Bob Sabatini led a discussion on financing options for the development of the park. This discussion led to the following suggestions:

1. Remove steps between the stage and the support/dressing rooms.
2. Revised the proposed doors to swing into the support and dressing rooms.
3. A façade or wall should be designed at the rear of the stage to facilitate movements from one side of the stage to the other.
4. The proposed buildings should reflect and compliment the new municipal building.
5. YSM to meet with Charlie Lauer and the Chief of police to review the design and address any maintenance and security issues.

6. YSM to provide the Township with information and cost for temporary outfield fencing for ball fields
7. Barton Associates shall provide the Township with operating costs for proposed lighting.
8. Township will provide recommendations to YSM concerning the development of the retention pond.
9. Township will discuss curb and sidewalk improvements to Pleasant Valley and Williams Road and direct YSM to include/exclude as part of the project.
10. YSM to work with Charlie Lauer to identify and outline items that can be demolished by Township crews.
11. Separate restroom shall be provided within the office located at the amphitheater.

The Design team shall complete the construction documents with the following considerations:

- The 800 SF office space within the amphitheater will be developed at this time.
- Township staff to provide demolition of existing facilities.
- Complete development of the construction documents for the entire park and designate the following items as add/deduct alternates in the bidding package:

1. Future tennis court area
2. Picnic pavilion and walkway at crest of hill
3. Football field and little league field east of the amphitheater
4. Pleasant Valley and Williams Roads Improvements
5. Sports fields lights
6. Wood boards in lieu Dasher Board System on the in-line hockey rink.
7. Box light fixtures in lieu of fixtures which match the municipal building at parking areas/walkways

3. ADJOURNMENT:

Chairman Mitrick adjourned the meeting at 10:45 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/as

SPRINGETTSBURY TOWNSHIP **JANUARY 11, 2001**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting at Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Don Bishop
Ken Pasch
Nick Gurreri

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Donald Yost, Solicitor
Mike Schober, Buchart Horn, Inc.
John Luciani, First Capital Engineering
Mike Myers, R. K. & K.
Dori Bowders, Manager of Administrative Operations
David Eshbach, Police Chief
Jack Hadge, Director of Finance
Michael Hickman, Fire Chief
Mark Hodgkinson, WWT Superintendent
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:35 p.m. She welcomed the attendees to a general meeting of the Board of Supervisors.

MITRICK Chairman Mitrick announced that an Executive Session would be held following the regular meeting related to personnel and legal matters.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

2. COMMUNICATION FROM CITIZENS:

A. Presentation of Appreciation Awards

ESHBACH Police Chief David Eshbach announced that several awards of appreciation would be presented to members of the community who had contributed graciously to the Police Department during the year 2000. The funds provided unbudgeted items to aid investigations, provide control, and enhance the effort put forth in the in-school programs. Chief

Eshbach indicated he would call upon individuals to accept awards of recognition. Chief Eshbach introduced Sergeant Timothy Harvey, who is in charge of the Community Oriented Policing Unit, as well as the patrol platoon. He introduced Corporal Jason Coyle who is very involved in the Community Oriented Policing Unit and Patrolman Rebecca March who also is involved in the Community Oriented Policing Unit. Patrolman March also goes into the schools and does some of the in-classroom teaching for the children. He introduced Detective Robert Drawbaugh, one of the most tenured members of the Police Department who is very glad to see the equipment obtained through some of this local gratitude.

Pleasureville American Legion Post 799.

ESHBACH Chief Eshbach called for representatives from Pleasureville American Legion Post 799. No one was able to attend, but Chief Eshbach listed what had been contributed. They provided quite a substantial amount of money to the department, which enabled another patrol bicycle to be placed on the street. They outfitted several officers in bicycle type uniforms and provided leather gear for them, along with the bicycle, lights and all associated equipment. Chief Eshbach thanked them for their gift and read the plaque being presented with the Township police patch on it.

Springettsbury Sertoma

ESHBACH Chief Eshbach introduced the next group to honor, which was the Springettsbury Sertoma. He called Andrew Stern forward as the representative of Sertoma. Sertoma had been kind enough to donate a substantial amount of money, which enabled the purchase of materials such as anti-drug and safety materials items, which could be handed out in the classroom to the school children. He added that the department was doing a lot of educating with 4th and 5th graders, as well as middle school students. The money that Sertoma provided went directly to purchase materials, which could be kept and taken home to share with parents for review together. Chief Eshbach presented the award to Mr. Stern for Springettsbury Sertoma Club in appreciation for its generous donation and commitment to the North Hills Elementary School Community Policing Partnership

Target Store

ESHBACH Chief Eshbach stated that the Target Store located by the Galleria Mall had contributed to the department as well. He asked Mr. Will Fenton to come forward. Mr. Fenton's store contribution enabled the department to purchase additional handout materials to do more and reach even more children. Chief Eshbach presented Mr. Fenton with a plaque in appreciation for the generous donation in support of North Hills Elementary School community policing partnership.

Rutters Stores

ESHBACH Chief Eshbach asked that Jerry Matthews and Tim Rutter come forward. He stated that Rutters was very kind in that they wanted to donate money to buy some type of equipment that would benefit the department. The department was in need of some investigative equipment and with the money they donated purchased a metal detector to look for gun shell casings, discarded weapons and anything that is metallic that ordinarily could not be easily found if there was a high grass area or a dark area. In addition, a wand was purchased which blows out super glue fumes to develop fingerprints. The fumes adhere to the fingerprints; they develop the print and make the print hard so the police can lift it several times. It is a very useful tool and a real sophisticated item that helps us out a lot in criminal investigation. Thanks to Mr. Matthews and Mr. Rutter for their very generous contribution in the support of our Police Department in the community that we serve.

MITRICK Chairman Mitrick stated that as a Board we understand that there are many organizations in the community that may be interested in also considering showing support. On behalf of the full Board of Supervisors she thanked these organizations for choosing Springettsbury Township.

B. Presentation by David Claghorn, York Waste Disposal

MITRICK Chairman Mitrick called upon Mr. David Claghorn from York Waste Disposal.

CLAGHORN Mr. Claghorn thanked the Board for the opportunity to address the Supervisors. He presented a letter to the Board. There were several items he discussed:

- He offered sincere apologies to the Township and to the residents of Springettsbury. They realized they had some very major problems during the holiday schedule. Prior to having received the contract extension, discussion had been held with Mr. Sabatini regarding several issues and service-related problems. Mr. Claghorn indicated he was aware that coming into the holiday schedule it was totally unacceptable. Phone calls to Township staff were made. He added that they are aware they are on a precarious ground right now.

- Mr. Claghorn stated that several major changes had been made within the company. Their General Manager had resigned, and Mr. John Yinger had taken over. Earlier today Messrs. Claghorn, Yinger, and Sabatini met to discuss the existing situation. All the correspondence from Mr. Sabatini's office had been shared with Mr. Yinger. Corrective action will be taken immediately. There

are three collection days where an additional truck will be added, which will cover 150 to 200 homes; that will be a big help.

- Mr. Claghorn indicated he would be stopping in weekly to talk with the office staff and indicated a desire to be present at least for the next three months at the Supervisor's first weekly meetings to provide the status.

SCHENCK Mr. Schenck asked Mr. Claghorn whether he, personally, was located in York.

CLAGHORN Mr. Claghorn responded that his location is York. He added that he was on the road a lot. His main territory and responsibility is York County, Cumberland and Adams County; everything west of the Susquehanna River. There is another gentleman in the same capacity who works east of the Susquehanna River. Right now two supervisors work in York County. One of the main factors that came to play over the holidays was that there were a high number of employees who unexpectedly took off. When that happens naturally everything is thrown off of normal schedule. Trash is heavier than normal, and the pick up had been moved back a day. John Yinger is the General Manager of York, Mechanicsburg and Lancaster. His office is here in York as well.

SABATINI Mr. Sabatini commented that he had worked with Mr. Yinger. In a previous municipality where he had been a manager, Mr. Yinger was General Manager of the waste disposal company servicing that area. His dealings with Mr. Yinger and the company that he had worked for were very professional and certainly light-years ahead of the situation that we have had to experience over the past six months. Mr. Sabatini was very happy to hear that Mr. Yinger had come aboard for York Waste Disposal. This is a good first step for the company and for their ability to address this issue without us having to take additional action per the contract.

CLAGHORN Mr. Claghorn stated that Mr. Yinger had twenty years experience in the waste removal and recycling business. He is from the local community and the company had taken a positive step in hiring him.

PASCH Mr. Pasch asked whether Mr. Claghorn thought Mr. Yinger would have internal controls in place to alert him to problems. When it gets to the point of the Board of Supervisors being told by many individuals within the community of the problems, then it is going a little too far. Internal controls are necessary to determine why and where the problems are coming from simply through a roving supervisor, who is taking a look at what the drivers and associated people on the truck are doing. One of the things that Mr. Schenk brought up was recycled materials. A lot of time is spent on our Recycling Committee, and this community is very active in

terms of recycling, but the recycling materials were being thrown into the regular garbage bin and not recycled.

CLAGHORN Mr. Claghorn stated that that issue had been brought to our attention in Mr. Sabatini's letter and also during the meeting. He agreed 100%. There is no excuse for this, and he appreciated the efforts to recycle.

MITRICK Chairman Mitrick thanked Mr. Claghorn for the apology from York Waste. She stated that it was very appropriate particularly to the residents who have been inconvenienced and was glad to know that he would be coming to the meetings so that first-hand discussions could take place if there are additional problems.

MITRICK Chairman Mitrick asked for any further citizen comment.

REGISTER Mr. Vernon Register and his wife, Carol, of 2221 Rocky Ridge Court, provided information with regard to a situation on their property. They asked for a waiver or stay of Mr. Crook's directive, which the Board had been provided, to remove eleven bushes from the sewer right of way, which cuts through their property. He had provided in written form the information read to the Board concerning the plantings in the right of way. Some of the main points were:

- The bushes planted improved the appearance of the right of way on the land and hopefully sustained the aesthetics and value of their property.
- To discourage any potential use of this 30 foot wide path by unauthorized personnel and improve the security of their home, which the hardwood and the pine trees provided, they had planted the bushes.
- Consider the safety of their family, the security of their home, value and aesthetics of their property as the primary concern.
- The Township workers have to spend several man hours clearing his neighbor's portion while he maintains their portion.
- The position of the plants relative to the access point pose no obstacle to the inspection of the sewer line.
- Repairs to this 50 foot section of the line is remote in the overall length of the entire sewer is considered.

The agreement, when written and adopted could not have foreseen this unique situation. This is also a clear example that one rule may not be best for all situations. Mr. And Mrs. Register had raised several issues, and hope the Board would consider the safety and security of their home. They requested that the Board grant a waiver or stay to Mr. Crook's directive. They thanked the Board for their time and attention.

MITRICK Chairman Mitrick asked Mr. Sabatini whether he had an opportunity to address the matter with Mr. Crooks and Solicitor Yost.

SABATINI Mr. Sabatini responded that he had spoken with Solicitor Yost and Mr. Crooks, who was in the audience and could speak regarding the situation. He and Mr. Crooks had visited the site and observed the area both from property and also from the back end. What it is as described is a clear-cut right of way extending essentially from the end of his property to the cul de sac behind the home. The township had entered into agreement with Mr. Register in 1995 and Mr. Register does quote the language from the right of way agreement, a copy that had been provided to the Board. The agreement specifically says. "The owner shall not erect or construct any buildings or bushes of any kind nor install any plant any trees, bushes or other obstructions on the surface thereof."

REGISTER Mr. Register asked him to read the last sentence.

SABATINI Mr. Sabatini read from the agreement, "In the event that owner violates this covenant, they shall not be entitled to any damages occasioned by the authority removing such things." Mr. Sabatini stated that his view in recommendation to the Board was that it was not an implied liability. That is specific saying that there is no permission to put that within that right of way, any structures or plantings in that right of way. This did come up and he had to ask a lot of questions of Mr. Crooks and staff. He asked Mr. Crooks to address this as why Mr. Register's property came to be observed by the Township and the other things that had been done over the past several months in addressing right of way concerns that are similar to this situation.

CROOKS Mr. Crooks stated that the situation should be put into context. Mr. Register's case is really is not unique. Sewer easements across private property are a chronic problem of the department. He stated several reasons why the problems are troublesome and costly to the Township. Mr. Crooks sighted his most immediate concern centered around maintenance and emergency response. Sometimes his department is called out in the wee hours of the morning ahd has to flush lines due to sewer blockages to prevent basement flooding and that sort of thing. They need to be able to find these easements quickly. In Mr. Crooks' opinion in the case of Mr. Register's situation was that the view of the easement would be blocked and we could not pick it up quickly in the middle of the night leaving a situation where the people might be a little excited or tense. We need to have quick access at all times. He likened the situation to a fire lane. Cars are not permitted to park in a fire lane, which is not needed often. However, when it is needed, cars must not be parked there. Another instance is an emergency exit on a building. Most of the time it is

locked, but if you have a situation where you have to get out in a hurry, you don't want to have a locked door.

REGISTER Mr. Register responded to Mr. Crooks' comments in that his primary concern was the safety and security of their home. The visual barrier that the bushes provide gives importance to block the true visual access from Quail Run Road to the rear of the home. He stated that it is a unique situation.

BISHOP Mr. Bishop asked Mr. Register whether something significantly had changed on your property since you signed the easement agreement that would make it different now. He asked whether the safety concern had not been present when he had signed this agreement.

REGISTER Mr. Register responded that he had not understood the fact that small bushes could have an effect. He had thought of trees and structures. The bushes he referred to grow no higher than three feet.

BISHOP Mr. Bishop stated that nothing had changed, but that Mr. Register had not understood the implication of the agreement he had signed.

REGISTER Mr. Register responded that was correct for the most part. He thought bushes were okay.

SCHENCK Mr. Schenck asked Mr. Crooks about the sketch provided by Mr. Register. Some discussion was held, but no decisions were made.

MITRICK Chairman Mitrick stated that in fairness to Mr. Register and to the Township's concern some input would be needed from the Solicitor. She asked Mr. Register if he would allow the Township to hold this matter for further review and then if he would like to come to the next meeting, it would be placed on the Agenda.

REGISTER Mr. Register agreed and thanked the Board for their consideration.

MITRICK Chairman Mitrick asked Mr. Crooks if that would be agreeable with him. She added that information would be needed from Solicitor Yost as well.

CROOKS Mr. Crooks was in agreement.

MITRICK Chairman Mitrick asked whether there was anyone else who would like to address the Board. She recognized there were many people present for the Pleasant Valley Condo Development. She stated she would hold public comment regarding that project until it came up on the Agenda.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober stated that he had a few items for update from his written report. He reported that reimbursement was the only on-going matter regarding the Act 537 Plan. Checks had been received from Jack Hadge, and some of the Township costs needed to be incorporated for the sludge study that had been done in order to get the check off for reimbursement. Regarding the East/west Interceptor the upgrade design had been completed. Everything had been done with the exception of two permits. B-H is still working with PennDot to allow open cut of those areas. They are attempting to schedule a meeting with them to come to some understanding; however, they are not very receptive. He will keep working on that. The other is the railroad, which verbally advised B-H that a permit was being written without any problem, so it is just a matter of time until those come in.

PASCH Mr. Pasch asked about the difference between the open cut and the punch in underneath. He wondered whether it was primarily a cost issue.

SCHOBER Mr. Schober responded that it was not for PennDot and added that it would not cost them anything either way.

PASCH Mr. Pasch commented that it would cost the Township.

SCHOBER Mr. Schober responded that was correct. The boring would take longer and more right-of-way for the location would have to be secured

PASCH Mr. Pasch commented this could not only be costly, but also delay in getting the right-of-way.

SCHOBER Mr. Schober stated that was correct. B-H would be sure to contact the Township in an attempt to accurately bore across Mt. Zion Road.

SABATINI Mr. Sabatini added that accuracy was a concern as well.

SCHENCK Mr. Schenck asked whether it was a straight crossing.

SCHOBER Mr. Schober responded that they are both pretty straight except along Memory Lane. There is a manhole in the middle, so a hole will be excavated in the middle of Memory Lane regardless to insert the manhole. They will be boring into that from both directions; two borings there and one over on North Hills.

PASCH Mr. Pasch asked whether going back to PennDot would delay the project significantly.

SCHOBER Mr. Schober responded that it would not. The design of the Solids Handling Project was complete with the exception of the electrical design, which usually lags behind. With regard to the process design, B-H was looking at bidding for that, but not until close to the end of this year and the beginning of next year to fit in with the Township's financial schedule. The Raw Pump Drive project was supposed to be bid today (1/11/01); however, an addendum was released earlier this week. This will now be bid on Tuesday morning (1/16/01) at 10:00 a.m. The contractors need a few more days to digest the late change made. The plan is still to have the recommendation to use during the next Township Supervisors meeting in two weeks. Mr. Schober thanked the Board for its support in reappointing Buchart-Horn again as Environmental Engineer. He stated that it was appreciated, and he looked forward to working with the Township again for another year.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani stated that he had submitted a written report on January 3, 2001. He had one addition for modification on that report. Cortleigh Drive Storm Sewer Rehab will be advertised in the next few weeks. A pre-bid conference will be held with the contractors on January 31, 2001 and bids accepted on February 21, 2001. That project will be moving forward. He advised that he had heard nothing on the Plymouth Road project.

GURERRI Mr. Gurreri asked about the WaWa project.

LUCIANI Mr. Luciani responded that the WaWa project will not be presented to the Board next month. Some traffic issues had been raised with the WaWa plan, which is separate from the Edgewood Road and Mt. Rose Avenue plan. York Township desires to have a traffic signal placed at Chambers Road, with a signal at 124 and 24, which is Edgewood and Mt. Rose, and then about 800 feet west of that area, a second signal will be placed at Chambers Road. York Township wanted that because the residents in the vicinity can not get out and make a left hand turn. It is very dangerous, and PennDot had agreed to place a signal light there. When the signal light was put there, WaWa saw an opportunity to put in a convenience store, and that will be connected both to Prospect Road and to the internal road that connects CVS up to Carroll Road. First Capital Engineering had raised some traffic issues, and they will be working on addressing those. They will not make this month's Planning Commission meeting, but it will be on the March Planning Commission meeting agenda. Mr. Luciani assumed that they would be able to resolve those issues. He stated that the Board would see the WaWa plan some time in late March or April.

GURRERI Mr. Gurreri asked why the traffic would be allowed to come back on Carroll Road, and why they had to attach that road to CVS.

LUCIANI Mr. Luciani stated that was one of the issues, which will be reviewed as the plan goes through. The design for CVS was to make sure traffic goes all the way around CVS where there wouldn't be a short cut through CVS to get up to Carroll Road. An effort is being made to avoid the motorists that are congested on Prospect Road and cutting through the development.

GURRERI Mr. Gurreri stated that when a motorist cuts through Carroll Road to get back onto Edgewood Road, the same problem exists at the other end.

LUCIANI Mr. Luciani indicated that was correct, and they are working to get a handle on it, which is why it had been delayed.

MITRICK Chairman Mitrick stated that a very strong stand should be taken on that, because when CVS went in, there were suspicions voiced in Mr. Luciani's memo. There is likelihood that this would occur unless it is obstructed.

BISHOP Mr. Bishop responded that was true, especially given the fact that the Township still had not done everything that had been stated back then that it was going to do.

LUCIANI Mr. Luciani commented that the issues being raised at this time are the right in, right out at CVS.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers reported a few additions to their written report. With regard to the construction status report, Allan Myers will be requesting approval for substantial completion some time next week. There are some remaining punch list items to do, mostly painting, spackling of the drywall and, of course, the start up and testing of the pump station. The issue right now is surprisingly not related to the contractors, but related to GPU power. They have to come and set their power pole so that power can be accessed to the station in order to test the pump station. They've been delayed, and they have given us several reasons why. The main reason is the recent ice storms and issues that they had to attend to a couple of weeks ago. The power should be there next week, and the final connections made and then the start up, which is anticipated to occur a couple of weeks into February, 2001. When the pumps are first started up, there are a few bugs to get out of the equipment. The parallel interceptor is essentially complete and all the main line pipe is set. The large manholes are set. There are some smaller connections that need to be made. Liners are placed in the manholes, and the seals need to be welded and then the pipe joints tested. That is the status of the two large projects.

PASCH Mr. Pasch asked whether both projects would be finished at approximately the same time.

MYERS Mr. Myers responded that they would be at approximately the same time. The parallel interceptors should be complete by the end of this month; start up of the pump station next month.

MITRICK Chairman Mitrick indicated that the start up and testing would take a while; she asked what that time span would be.

MYERS Mr. Myers responded it would not be just a one-day start up item; usually a week or so. Sometimes manufacturers representatives and equipment have to be brought in to make sure things are operating correctly.

GURRERI Mr. Gurreri asked when the completion date would be.

MYERS Mr. Myers responded that the official completion date was back in November. He projected it to be mid-February, 2001 to get started up, running and operational. We will probably grant Allan Myers substantial completion next week provided we agree with their letter that they sent to us.

BISHOP Mr. Bishop asked whether everything was set with the city. Mr. Bishop clarified that his question perhaps was not for Mr. Myers to answer. He stated that much work had been done to make sure everything would finished on this end. Mr. Bishop was referring to everything involved with the project. He wondered whether there was anything that could possibly go wrong.

MYERS Mr. Myers responded that he could not answer everything, but the things in the contract to satisfy York City were things like the flow meter that they could report flow. That has been installed in their facilities. We had to install a communications cable so that signals can be met. The things in the contract are covered.

BISHOP Mr. Bishop asked whether there had been communication with the City as to when to start using it.

MYERS Mr. Myers responded that they had many meetings with the City.

SABATINI Mr. Sabatini added that they had been in touch with York City. He personally had two contacts with them. Yesterday he and Mr. Crooks had some discussions about some routing issues of information from the chatter box and the telecom system. They and our staff are working to make sure they are in touch frequently.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 01/11/01
B. Buchart Horn, Inc. – Solids Handling Improvements – Project Invoice #7 - $15,953.29
C. Philips Brothers Electrical Contractors, Inc. – Diversion Pumping System – Pay Estimate #8 - $121,569.70
D. Murphy & Dittenhafer – Architectural Service 10/1/00 to 11/30/00 - $485.62
E. East Coast Contracting – Progress Billing #12 - $86,059.62
F. Rummel, Klepper & Kahl, LLP – Diversion Pumping System and Parallel Interceptor – Progress Billing #25 - $24,778
G. Rummel, Klepper & Kahl, LLP – Overview/Mt. Zion Road Sewer – Progress Billing #9 - $10,428

MR. GURRERI MOVED TO APPROVE ITEMS A THROUGH G AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS AND QUOTES:

A. Market Street Manhole Rehabilitation Contract ($26,400.00)

SABATINI Mr. Sabatini commented that in December action had been deferred on this bid for Market Street manholes. A question had been raised by a member of the Board that if the Township was purchasing manhole rehabilitation equipment, why couldn't it be used for the Market Street manholes. Mr. Sabatini reported that the equipment that to be used sprays the inside of the manhole with a slurry to keep water out. According to Mr. Crooks there are a couple of additional issues with the manholes that are going to have to be done. One would be the replacement of existing dirt base on one of the manholes. That must be done, and the equipment that we have will not handle it plus the traffic control issues. We believe that the bid we received is competitive, and the work that being done is pretty much beyond the scope at this point of our capabilities. Mr. Sabatini and staff recommend that the Board accept the bid from TRB Specialty Rehabilitation in an amount of $26,400.00.

SCHENCK Mr. Schenck thanked Mr. Sabatini for the additional information.

PASCH Mr. Pasch commented that the Township does not have the capacity to do the work, but he wondered whether there would be much of a difference between contracting the work out or doing it internally and that perhaps the equipment should be purchased.

CROOKS Mr. Crooks stated that all of the manholes need to be over excavated, and channels graded in them. About six manholes are very deteriorated to the first three feet from the bottom. The only way the Township could do this satisfactorily, would be to excavate and replace the inner holes. We really would not want to do this on the relatively newly repaved Market Street. The cost would be greater than $26,000.

MR. GURRERI MOVED TO ACCEPT THE BID FROM TRB IN THE AMOUNT OF $26,400 FOR THE REHABIALITATION OF EAST MARKET STREET MANHOLES AND DIRECT THE TOWNSHIP MANAGER TO EXECUTE THE CONTRACT. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-00-13 – Sweitzer – Action (1/11/01)

STERN Mr. Stern commented that Subdivision 00-13 for Mr. & Mrs. Sweitzer, 3861 Trout Run Road is for a six acre parcel of land proposed to be sub-divided into two parcels, one being 3.8 acres, one being 2.2 acres. The properties would be served by private on-lot septic systems and private wells for water. A small portion of the property is located in Hellam Township, which would not have an impact on the plan, but Hellam Township would have to approve it as well. The staff had recommended approval.

PASCH Mr. Pasch asked whether Mr. Stern had any comments or difficulty with this plan as far as Ordinances were concerned.

STERN Mr. Stern responded that he had no problems with it.

LUCIANI Mr. Luciani mentioned one minor point. It had been mentioned they are dividing thirty feet in the center line of Trout Run Road, but they haven't labeled it as dedicated right of way. They had indicated the lots are smaller, and one would assume they are dedicating that right of way. Mr. Luciani stated he would like to see a label or notation that it is dedicated driveway.

PASCH Mr. Pasch indicated he agreed and would like to see that too.

SWEITZER Mr. Sweitzer commented that the line would be identified.

MR. GURRERI MOVED TO APPROVE SD-00-13 – SWEITZER – WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN,**

- **WAIVER FROM REQUIREMENT TO INSTALL CURBS AND SIDEWALKS AS PER SIX MONTH NOTE PLACED ON THE PLAN AS PER THE POLICY,**
- **WAIVER FROM LANDSCAPE REQUIREMENTS,**
- **WAIVER FROM SHOWING PROPOSED CONTOURS,**
- **CONDITIONED ON THE PAYMENT OF A RECREATION FEE IN LIEU OF.**
- **CONDITIONED ON THE SUBMISSION OF APPROVAL OF A STORMWATER MANAGEMENT PLAN PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR THE HOUSE THAT'S BEING PROPOSED.**

MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-00-05 – Pleasant Valley Condos – Action (2/22/01)

MITRICK Chairman Mitrick addressed the individuals in attendance who had an interest in the development. She provided direction as to how the matter would be handled. She stated that the staff would be permitted to present the development plan to the Board of Supervisors. The developers would be permitted to come forward and answer any questions or comments, and before any action would be taken on the plan it would be opened up for public comment.

STERN Mr. Stern presented background information regarding the project. He stated that it consisted of 60 single family attached townhouses on approximately sixteen acres of land and is a continuation of the original 170 condos which were part of Shelly's Condominium project at this property. The project had been abandoned, and Mr. Kinsley and other owners have taken over the remaining sixteen acres of the property that had not been yet developed. Sixty new townhouses are proposed. Mr. Stern had provided his comments and recommendations to the Board. Staff recommended approval of the project with several waivers and conditions. Traffic improvements and recreation need to be resolved. The plans had been recommended for approval by Springettsbury Township Planning Commission on November 16, 2000 with nine conditions. Those conditions had been met.

FRANCIS Mr. Paul Francis represented the project. Mr. Francis provided paperwork showing graphics. He briefly described the location of the project along Pleasant Valley Road behind York Technical Institute and just north of Route 30. Sixty single family attached dwellings are planned. Mr. Francis addressed the concerns posed by the Planning Commission, and the major points centered around Traffic, Recreation and Stormwater.

<u>Stormwater</u>

FRANCIS Mr. Francis discussed the storm water concerns. Some of the major points mentioned follow:

The Corps of Engineers had stopped the previous developer from constructing a storm water basin due to a violation of wetlands regulations in 1990. Since taking over the project, those violations have been mitigated, and the Corps is now satisfied. Prior to Mr. Kinsley's involvement in the project, the storm water management basin for the Springetts Oaks had not been constructed. The storm water from the whole development had been running off into a land basin just north of Route 30. Mr. Kinsley has provided for a larger basin, and it is "over managed" ten times larger than required. With regard to Springetts Oaks storm water, an area was granted to allow construction of a future basin. While the developer was not required to do this "over management," the time and effort was spent to do design work and set aside some land in order to achieve that at some point in the future.

Recreation Issue

FRANCIS Mr. Francis presented the recreation options. He provided the following: The Township Park and Recreation Commission had been contacted and they initially recommended putting in a soccer field in the far eastern portion of the property and connect it with a potential other passive recreation option. A second alternative was provided for a foot trail all the way around the non-developed portion of the site. This would allow for some passive recreation with park benches, picnic tables which were discussed by the Park and Recreation Commission. A decision must be made as to which alternative is preferred. The developer is required by the Ordinance to dedicate 20% of the land and provide for recreation facilities. As opposed to the 3.2 acres that would be required for the 20%, Mr. Kinsley will dedicate 6.2 acres, nearly twice as much. The Planning Commission required the developer to get feedback from the community as well regarding their preferences.

Traffic Issue

FRANCIS Mr. Francis described a number of issues. One of the things that the township engineers requested them to do was to project area traffic to the design year 2012 rather than 2002, which was what the Ordinance stated. Another item addressed was whether students would utilize these buildings. The projected usage would be four students, if any. The buildings are about 1,000 square feet, and there are three bedrooms in them. The Planning Commission requested that traffic be analyzed two ways. The first was to be completely independent of the students all together. The second one alternative was the worst case scenario from the Planning Commission's standpoint to view the effects on both Mt. Zion Road corridor as well as the Williams Road intersection with Pleasant Valley. He asked Mr. Luciani if there was anything he missed.

LUCIANI Mr. Luciani responded that about the only thing he had not touched on with storm water was the direction to the drainage system at the intersection of Deamerlyn and Pleasant Valley.

FRANCIS Mr. Francis responded that one of the issues that the Planning Commission required that we look at Deamerlyn Road. There is an existing storm drain systems that drains about 25 acres or so. Currently there is a pipe and a drainage ditch where the runoff flows from the piping to the ditch. The problem is that the ditch has never been constructed properly so one of the things that the Planning Commission requested that we do it to address that issue even though it is off of our property. It is really on off site issue, but in the spirit of public welfare the developer decided "let's do something about it" which is shown on our drawings and that is to repair this drainage swale and drain it correctly to the creek. He asked Mr. Luciani whether there were any traffic aspects he had neglected. Mr. Francis introduced Mr. Jon Seitz with TRG, who is the traffic expert.

SEITZ Mr. Seitz indicated he would go over the findings and recommendations of the traffic study.

MITRICK Chairman Mitrick responded he could provide an overview, as the Board had the material to read.

Traffic Study

SEITZ Mr. Seitz provided a report on the discovery and conclusions in the traffic study. TRG had been working with the Township Engineer to provide answers to all items that were in the Township Ordinance. As a result, at the last Planning Commission meeting there were a few things outstanding. They had done nearly a total revision of the traffic study with new traffic counts and completed a 2012 analysis. Trip generation rates assuming 240 vehicles were reviewed. Extra steps were taken to perform things that were even above and beyond what was called for in the Township Ordinance. It was their desire to make sure that what was done was complete and that there were no questions unanswered.

- Mt. Zion Road and Pleasant Valley Road signalized intersection is currently operating at a failing condition on southbound approach during the a.m. peak hour. During the p.m. peak hour the westbound and southbound approaches are operating at a level of service "d". At the Pleasant Valley Road and Williams Road unsignalized intersection, the westbound approach we found that there was a maximum cue of two vehicles and an average delay of 5.53 seconds. On the eastbound approach we showed a maximum cue of seven vehicles once again during the p.m. peak hour which is the worst case scenario and an average delay of 10.34 seconds. In the future years 2002 and 2012 a separate analysis had been for

both of those years. Mt. Zion Road and Pleasant Valley Road will further deteriorate operating at unacceptable levels of service at that intersection.

- To achieve acceptable levels of service in 2002, the signal timings at that intersection would need to be optimized. By the year 2012 an advance phase would be required, along with a separate eastbound and southbound right turn lanes. This analysis was performed with two different scenarios, one assumed 60 condominiums which was analysis one; the second analysis assumed 240 vehicles at the site. The results and conclusions from both of those scenarios were the same.

- In the year 2002 with full buildings and condos to mitigate the traffic impacts, signal timings would need to be optimized at the Mt. Zion Rd. and Pleasant Valley Rd. intersection. To improve the intersection to acceptable levels of service and advance westbound phases required, at the signalized intersection at Route 24 and Pleasant Valley Road a five section signal head would go up with a left turning arrow so that if a motorist was heading westbound the traffic signal would have an arrow.

- In the year 2012 the condo project would be built out to mitigate the traffic impacts in an advanced westbound phase as required and to improve the intersection to acceptable levels of service; separated southbound, eastbound, right turn lanes would be required. The improvements in 2012 would be an exclusive right turn lane to the traffic heading down the hill making a right. There would be a new travel lane there. Traffic that is heading away from the mall turning right onto Mt. Zion Road would also have an exclusive right turn lane. These improvements would be necessary to bring the intersection to an acceptable level of service regardless of whether this development goes in or does not go in. The proportional impact which means the amount of traffic that the site development would contribute to this intersection ranges in the area of 1% to 3% in the future. At the Pleasant Valley and Williams Road intersection the traffic would increase anywhere between 5 and 16%. Pleasant Valley Road and Williams Road was evaluated as far as a four way stop sign and a four way stop sign would be possible. It would work, however, by keeping the stop signs as they are right now, which is on Pleasant Valley Road and is the optimal and the preferred method using engineering guidance, common standard practices, taking a look at the flow of traffic and what causes the least delay to the majority of the motorists. Site distance was also observed, and the site distance currently is deficient at that intersection.

Site Distance/Visibility

KINSLEY Mr. Kinsley spoke about the inadequate site distance at the Williams Road and Pleasant Valley Road intersections. There is a very large mound that prevents a the driver of a vehicle from seeing this intersection. There is a seemingly short period of time that drivers coming over this rise have to react to a car that would be coming across the intersection. Mr. Kinsley proposed to cut that hump, which is about four feet, down. He proposed to back up about 400 feet up Williams Road and cut that mound down. He stated that a second item pertains to coming out of this development. The thing that is preventing motorists from seeing is an existing tree hedge row. Mr. Kinsley proposed to cut that down as well. The township would have to procure additional rights of way in order to cut this down so that when you are stopped here someone back as far as 400 feet can see you.

Five Year Accident Report

SEITZ Mr. Seitz added a comment that the situation existing on the Township roadway now. It is an existing situation that must be dealt with, and is not in essence caused by this development although certainly there will some additional traffic. Safety at that intersection had been studied, as well as a five-year accident study, which is really not indicative if you look at a case history of an accident problem. Only two reportable accidents occurred over those five years.

No Parking

SEITZ Mr. Seitz reported that they had reviewed a no parking study at the request of the Planning Commission and made recommendations that no parking be established on Pleasant Valley Road between Williams Road and Deamerlyn Drive. A connector road will exist between the condominium project and the parking lot of York Technical Institute. The traffic circle would allow interaction directly between YTI and Bradley Academy and the condominium project. Because of that connector, in driving back and forth, it would not be necessary to drive through the Pleasant Valley/ Williams Road intersection. Additionally, it would be more convenient for the residents to walk, bicycle, ride a scooter or whatever between the two sites.

Public Comment

MITRICK Chairman Mitrick commented briefly prior to the public comment period. She requested that each speaker provide a name and address for the record and that they would please come forward and speak into the microphone so that everyone in the room can hear. She asked that a question not be repeated unless it were absolutely necessary. She stated that she was under the impression that some residents have representative agents to speak.

SOLYMOS Attorney Peter Solymos, with offices at 110 S. Northern Way, appeared as representative of William Klauber and the Springetts Oaks Neighborhood Association, who had asked him to come before the Board tonight and speak. He stated that the room was full interested citizens who care about their community, about the quality of life, about the orderly development of their neighborhood, and such things like traffic and congestion. Attorney Solymos stated that his clients had been made aware of their rights, as well as the rights of the applicant, the aspects of zoning, comprehensive plans and subdivision and land development ordinances. He stated that his clients requested, in your granting of the approval of the matter, that the Board follow the recommendations of staff and engineers in detail. He stated that they had done a thorough study and thanked the staff for providing all the records of these proceedings. That was very helpful in evaluating this situation. What Attorney Solymos and his clients want is the assurance that the applicant will do what he says. He added that he had dealt with Mr. Kinsley many times and believed him to be an honorable man. Attorney Solymos indicated that the main and most serious concern of the citizens was the regulation and management of traffic. Pleasant Valley and Mt. Zion is a mess now. He requested the Board of Supervisors to make a commitment with Mr. Kinsley's contribution to have those road improvements done upon the projected date of the completion of this project 2002. No decision would be necessary tonight. There is time to think about it. Make a decision carefully, and consider these people. Attorney Solymos suggested that the Board do the right thing.

RICHARD Nancy Richard of 3632 Hope Lane stated three concerns. The Planning Commission had originally stated that the plan allowed for 60 units. She thought the plan called for 58 units. Tonight the number was quoted as 60 again. She stated that the Planning Commission was concerned with the number of parking spaces, and she thought they had re-arranged the parking spaces.

KINSLEY Mr. Kinsley responded that there are 60 units. He added that at one time they had discussed 58 units. The Planning Commission asked them to redesign the project with four parking spaces per unit, which had been done. In addition, they also asked for 5% of the parking to be landscaped, and they had done that.

RICHARD Ms. Richard asked about the issue of storage. She commented about the covenant, and asked whether provisions would be made to have a manager on site.

KINSLEY Mr. Kinsley responded that if students were living there, it would be controlled.

RICHARD Ms. Richard asked whether that would be in the Township agreement or not.

KINSLEY Mr. Kinsley stated it would be one or the other, and it would be managed.

RICHARD Ms. Richard asked who would manage the property.

KINSLEY Mr. Kinsley responded that he was not exactly sure whether he, personally, would manage it or just who might manage it.

RICHARD Ms. Richard stated that there would be a dormitory, which had been stated that would not be in the Township.

MITRICK Chairman Mitrick stated that part of Ms. Richard's question was whether someone would be on site.

KINSLEY Mr. Kinsley responded that if the condos were rented to individuals who are not students, that whole project will have a manager, and it is most likely, probably about 90%, that we would have a manager on site as most condo projects do. There would be a condo association, and there would be covenants.

RICHARD Ms. Richard asked about the field for recreation and parking There is no access to that field. The condos have a private road, and she did not know how the parking issue would be addressed for the people coming in to see the children play soccer or football or whatever recreation planned.

MITRICK Chairman Mitrick stated that it had not yet been determined for the use of that recreation area.

KINSLEY Mr. Kinsley stated that access had been provided. Frontage had been provided on the street, and also frontage in several other areas. Parking would be available. It could be discussed as to where it would be. This depended upon whether it is a neighborhood park or a soccer field.

KAHLBAUGH Anne Kahlbaugh of 1700 Deamerlyn Drive asked about the basins, which had been discussed. She had lived at her property since 1989 and had observed the water coming off the mountain and ending up in the yard. She asked for clarification of the situation. She recalled that the matter had been an issue when the plan was started, and Mr. Luciani had mentioned that the basin was not big enough to capture all the water now. She asked what it would be like with the addition of the new plan.

LUCIANI Mr. Luciani responded that there is an existing storm water problem in that area. In June he had investigated and he noticed there was standing water in the pipes and in the inlets that connected to Pleasant Valley Road.

He stated that Ms. Kahlbaugh was correct in that the water comes off the hill and out of the Springetts Oaks development and flows through Mr. Kinsley's land, but it is really defeated by the fact that the swale to convey the water from the inlet side of Pleasant Valley down to the stream going south will not let that water get out, so you had water laying there. As part of this development, Mr. Kinsley had agreed to provide a swale to convey up to a 100 year storm. Hopefully, the problem that was previously reported will be remedied and the water will be able to be conveyed down to the stream at the rear of the property. That would be one improvement the Township was looking for in an effort to avoid that problem.

KAHLBAUGH Ms. Kahlbaugh asked whether that was a correction which would alleviate the problem or a 10% solution. She added she would like to leave the meeting knowing that down the road this would not be a patch job.

LUCIANI Mr. Luciani indicated he had walked the area and investigated. Simply stated, the water can not get out. It follows a path where it is not intended to go and sometimes ends up in someone's yard or driveway. Right now the inlets that were designed as part of the Springetts Oaks development and also with Pleasant Valley condos, couldn't do their job because they weren't 100% constructed. Mr. Luciani could not assure her that this would alleviate 100% of the problem but he suggested she would see a significant improvement. It was important enough to ask the developer to make sure that was secured.

KINSLEY Mr. Kinsley added that he had his engineers design the swale, and they advised him it will do the job; it is on the drawings and is part of the project.

KAHLBAUGH Ms. Kahlbaugh again questioned whether it will alleviate the problem.

LUCIANI Mr. Luciani stated it would correct a very bad problem. Springetts Oaks had been designed and constructed and had been functioning for over 10 years. Due to the lack of a drainage ditch the pipe is preventing the flow. About 10 feet away from the end of the pipe, there's a big pile of dirt, and it doesn't end until the creek. That pile of dirt will go all the way down to the creek so that you have a free outfall.

PRITCHARD Mr. Jack Pritchard of 3621 Hope Lane stated that, if the Township indicated it wanted to put a soccer field in, it would be in the people's front yards. The residents would be looking straight out the front door at a soccer field. Another thing is that people would come down this road and try to park here, and it would create a problem for the residents. He asked whether there was a 35 foot setback line all around the property from Mr. Kinsley's line.

FRANCIS Mr. Francis responded it was 35 feet all the way around.

PRITCHARD Mr. Pritchard stated that the cul de sac belongs to Mr. Kinsley. It's paved and is the only extra parking the residents have. If that is turned over to the township, would the Township allow us to use that or give us an easement on it.

FRANCIS Mr. Francis responded that there are actually two encroachments here. There is also a parking area that Mr. Kinsley alluded to earlier.

KINSLEY Mr. Kinsley responded that he had suggested some time ago that the condo association should be deeded a strip of land where the pavement is already over the property line. This would be worked out when we decide whether or not this is a recreation field. Mr. Kinsley indicated he would have no problem working with the Township and with the condo association to get them this cul de sac. This was built as a temporary measure, and the project was never completed and, of course, the zoning has changed so there were less condos. We are willing to work with the township and the condo association to get them what they need here.

PRITCHARD Mr. Pritchard asked whether the Board of Supervisors could get together with him or the condo association to work something out in the event this development would be approved.

SCHENCK Mr. Schenck commented that whatever way it goes, the question is, do we even want the land. If the Township took the land, that little piece could be carved off. Mr. Schenck did not view this as a serious problem.

KINSLEY Mr. Kinsley commented that there is a note on a plan that land would be donated or eased or subdivided - whatever it would take to straighten that situation out. That is something that should happen all at one time. When we went to the Planning Commission the soccer field was close to you, and after the residents went to that meeting, it was turned. Now the soccer field is almost 200 feet from this property line.

PRITCHARD Mr. Pritchard stated that would still cause a problem with people trying to park around that area. He acknowledged that the situation could be resolved.

KINSLEY Mr. Kinsley stated that on the plan marked Plan CS1 there is a statement that talks about the Springetts Oaks condo parking lot. Mr. Kinsley will grant access and also maintain a mow strip and reserve a track as a natural area. They had addressed the matter and would have no problem in deeding it to them. It is actually moving those property lines, in any event whether the Township takes it or not.

KLAUBER Lauren Klauber of 3775 Springetts Drive asked whether she could read a letter from one of her friends, Patti Zeigler of 3644 Pleasant Valley Road. The concept of the letter follows: Gentlemen and Ladies. I live at 3644 Pleasant Valley Road. My ex-husband owns that home, but I live in the home. We bought the home because there was a bath and bedroom on the first floor. I have a ten year old son who likes to play and ride bike. I pray for god's protection, but with the increased traffic I would have to pray harder. He also likes to go to the park because it is close. I only see my son two days a week and every other weekend. If anything would happen when he is in my care, I do not know what would happen. I use a walker so I can not run like I would like to. I like the peace and quiet. My parents live on Colonial Avenue near York College. They did not have any problems until the college purchased the Country Club Apartments. We had problems with things being taken. Please for my sons and my sake reconsider the proposal. Thank you kindly.

KLAUBER Ms. Klauber spoke against the plan and stated that she did not understand how this would be for the good of the neighborhood. She asked how this would lend itself to the neighborhood. She added that this is a single family neighborhood, and all the residents know this will be a dormitory. The neighborhood had been having a terrible time since the beginning of this project with cooperation with staff of Springettsbury Township in getting information. The whole time the residents have felt on the defensive and you are our Board. The residents put the Board in office, and she wanted to remind them of that because it concerned her. She thanked her neighbors for coming and for their concern. She asked the Board for their consideration as to what this would do to the neighborhood and to please make sure the traffic conditions are taken care of up front. The conditions exist now, and waiting until 2012 would be a big concern.

WADKA Mr. Tom Wadka of 1715 Deamerlyn Drive stated that he looked at the project from a different perspective. He knows the kids as he had just graduated from YTI. His concern was one of the safety of his children, ages one and four, who are unable to defend themselves. He would like to be satisfied of police cooperation and school official cooperation, along with anyone else involved. His biggest concern was that they would have someone to call immediately if problems arise. He referred to 3 a.m. parties with associated situations. He hoped that could be addressed.

ROLAND Ms. Cheryl Roland of 1765 Deamerlyn Drive expressed concern with the safety and traffic, as well as conduct issues. Once these students are living there and problems arise with drinking and theft it would be too late. She was not sure what Ordinances will be effective to protect the residents. She would not want the neighborhood to become a branch campus of YTI and Bradley Academy.

MITRICK Chairman Mitrick asked Police Chief Eshbach to come forward to respond to several questions about safety in that area and inappropriate conduct that may occur there. The question is what would Springettsbury Township be able to do to protect the people.

ESHBACH Chief Eshbach responded that there are laws on the books right now to deal with people all the time whether in single family homes or apartments. If a resident calls with a problem, the Police Department would take care of it. There are laws dealing with speeding traffic, disorderly conduct, and the department would come out and deal with it.

ROLAND Ms. Roland indicated that was not the truth; she had called and no one responded.

ESHBACH Chief Eshbach asked that she discuss that with him at the end of the meeting. It is absolutely true that the department responds to any 911 call that it receives.

MITRICK Chairman Mitrick asked Mr. Kinsley about an on-site manager. She asked whether there would be some response that could be expected from his management team and whether there would be something written to give to the tenants.

KINSLEY Mr. Kinsley responded that those issues would be covered in their condo association documents. When they go in, they know they will be evicted if they do not conform to the Township laws and the condo restrictions. Our condo association has more strict rules than what you have in the Township.

MITRICK Chairman Mitrick stated that if Springettsbury Township was having a recurring problem, then the Township could contact the management or contact Mr. Kinsley personally, and an eviction would be considered.

KINSLEY Mr. Kinsley responded that was correct.

MITRICK Chairman Mitrick asked whether there were any further questions for the Police Chief.

HENRY Ms. Cathy Henry of 3645 Hope Lane asked Chief Eshbach about an existing stop sign coming out of the school lane. She stated that the sign is not obeyed and she did not believe it was being enforced. She added that there is a park across the street, which means children, and the Township is spending a lot of money to make a really nice park, and that stop sign should be enforced before there is tragedy.

ESHBACH Chief Eshbach indicated that the driveway coming out of York Technical School is a private drive, and the Police Department cannot do anything about that stop sign which is on a private road.

HENRY Ms. Henry commented that she considered it to be a tragedy waiting to happen and something to seriously consider.

ESHBACH Chief Eshbach understood what she was saying, but stated that he could not enforce traffic laws on private property. They have no jurisdiction.

HENRY Ms. Henry stated that the property owners need to consider that.

KAHLBAUGH Keith Kahlbaugh of 1700 Deamerlyn Drive asked whether the zoning rules could be checked. Perhaps the stop sign was not even a legal sign.

ESHBACH Chief Eshbach responded that on private property any sign could be erected. Because it is on private property, the Police Department cannot enforce traffic laws. When motorists enter the roadway and they cause an accident, the violation is not a stop sign violation. The violation is entering the roadway without yielding the right of way.

KAHLBAUGH Mr. Kahlbaugh observed that if he went through that stop sign, the police would not stop him.

ESHBACH Chief Eshbach responded that the police could stop the motorist for going through the sign, but it would not be a citable offense.

MITRICK Chairman Mitrick asked whether there were any further questions for Chief Eshbach.

STOLTZ Mr. John Stoltz of 3667 Coventry Court stated that with that logic then the stop sign on Pleasant Valley Road exiting the condos would not be enforceable either.

ESHBACH Chief Eshbach responded that was correct if it was on a private drive.

STOLTZ Mr. Stoltz asked whether the drive exiting onto Pleasant Valley Road was a private drive.

KINSLEY Mr. Kinsley commented it would be private, but the sign would be within the Township right of way.

ESHBACH Chief Eshbach reiterated that if the sign is on a private driveway it is not enforceable as a stop sign. It is enforceable if there is an accident there and if that person who came off that road was actually on that roadway.

STOLTZ Mr. Stoltz commented that basically cars could leave there one after the other.

ESHBACH Chief Eshbach stated they could not enforce stop signs on private driveways.

SCHENCK Mr. Schenck stated that there could be a lot of discussion about the matter, but there is no jurisdiction; no legal action that the police could take. It is no different than if you enter a street from your driveway. The police can not make you stop at the end of your driveway. Once you are on Township roadways and do something stupid and cause a wreck, then you are under our jurisdiction.

STOLTZ Mr. Stoltz asked whether there would be a requirement to provide access to Pleasant Valley at that location. What is demanding that a road be placed there. There are other concerns about traffic exiting.

SCHENCK Mr. Schenck stated that there must be a point of entry road, and an exit from the property.

MITRICK Chairman Mitrick asked about some traffic calming measures that could possibly go in there that would help the situation and thus prevent problems.

LUCIANI Mr. Luciani responded that they had reviewed how the roadway should go and where the driveway is located, there is currently 500 feet of frontage on Pleasant Valley Road. The driveway is located about 320 feet or so to the west of their property. It is not as close as it possibly can be to the residents. It is not as far west as it can go, but the structure is on the west side of their lot. It really is as far west as they can go. As far as traffic calming measures, there was a concern about possible vehicles coming from York Tech going through the condominium facilities and then exiting out onto Pleasant Valley Road. The traffic study and the discussion with the developer resulted in it not being a very convenient access. In other words if you are at York Tech and you want to go home and go out the intersection of Mt. Zion and Pleasant Valley, if you are a student, you probably will not want to drive through this winding road, and that is one of the reasons why it has the bends and jogs, which in effect is a traffic calming measure. We tried to make it a little circuitous so that people wouldn't try to take a short cut through the development and then we have increased traffic at Pleasant Valley Road. That was a consideration, so there is some traffic calming measures in the way the roadway was designed.

MITRICK Chairman Mitrick stated that was for the vehicles from the school area out onto Pleasant Valley. She asked what about the residents that live there.

They get in their car and they want to get out onto Pleasant Valley, the quickest thing they can do is to go through the stop sign. She asked whether a speed bump could be added.

KINSLEY Mr. Kinsley stated they would have no problem with that and will definitely build in speed bumps within the project. Additionally they agreed to build one or two speed bumps at the entrance. His feeling was that if a motorist raced through there, it would be careless driving.

LUCIANI Mr. Luciani added that if the concern is not running out into traffic carelessly, the speed bump would be a good deterrent, but certainly in a development they would be an appropriate measure and Mr. Kinsley has made the commitment that he would put them in, which is sufficient.

MITRICK Chairman Mitrick asked how close to that intersection a speed bump or two could be placed.

LUCIANI Mr. Luciani responded that it could be within 20 to 25 feet of the intersection.

KINSLEY Mr. Kinsley added that it could go to one more; put two in.

LUCIANI Mr. Luciani responded he would have no problem with that.

STOLTZ Mr. Stoltz asked about the issue of no more than four unrelated people per unit. He indicated he owned some property within York City. No more than two unrelated people can live in a rental property in the City. He was not sure whether the Springettsbury Township Ordinance would limit it to four or two. We have a much more liberal number of unrelated people that can live in a rental property.

SABATINI Mr. Sabatini referred to the current Fair Housing Act. There had been some internal discussion about that and in some cases Federal law supercedes any local or state ordinance as it deals with groups of people who are unrelated occupying housing, and there is a little bit of a gray area within that, but certainly for a municipality to challenge the Fair Housing Act, he had never heard of a municipality that ever won an issue. That would be very difficult if not impossible for the Township to enforce legally. Practically he was not in favor of some practices in this area of search warrants for non-criminal offenses. Federal Law has a very strong impact on our ability to tell who can live together.

STOLTZ Mr. Stoltz asked whether the properties would be for sale or whether the partnership would own all of them.

KINSLEY Mr. Kinsley responded that the units can be for sale.

STOLTZ Mr. Stoltz stated that if they never go on the market for sale there is probably no likelihood that a single family will ever live in the houses. They had been referred to as single family houses.

KINSLEY Mr. Kinsley responded that they are designed that a single family could live there. They are condominium units.

STOLTZ Mr. Stoltz asked Mr. Kinsley if it was his intention is to put them on the market for sale.

KINSLEY Mr. Kinsley responded that there was no For Sale sign up yet.

STOLTZ Mr. Stoltz stated that there is not much of a likelihood that these will ever be owned by anybody other than the existing partners of this development.

Speed Limits

HOLTZ Mr. Eric Holtz of 3605 Pleasant Valley Road commented on the speed of traffic. He stated that the main school bus stop is in front of his home. His small son is five years old. He was concerned as to the speed of traffic and commented there are no posted signs for speed limits in his neighborhood. He passes other developments with 25 mile an hour limits. His second point was that he would like the Board to really look out for their development and the quality of life; look at every aspect of concern.

MITRICK Chairman Mitrick asked whether there could be speed limit signs posted.

ESHBACH Chief Eshbach indicated speed limit signs could be set for either 25 or 35 miles an hour.

PASCH Mr. Pasch stated that it was important to point out that a lot of that is not at our discretion.

ESHBACH Chief Eshbach stated that the Police Department does not do traffic and engineering studies; York County Planning Commission does. That roadway may or may not be in the study. That study starts with a formal request from the citizen to the Police Department, and then they would take a look at that. There are many streets within this Township that don't have speed limit signs on them. There still is an established speed limit. In an urban district the speed limits are set at 35 miles an hour.

HOLTZ Mr. Holtz asked whether a petition would help to get a sign on that road.

ESHBACH Chief Eshbach stated that all he would need was to talk to one of the residents that would like to look at it and then we could decide from there.

HOLTZ Mr. Holtz indicated he had come to Chief Eshbach's office in late September of 2000 and filed an official report regarding the speeding and not knowing what the speed limit is. All of this together causes a threat to the residents who live there.

BISHOP Mr. Bishop asked whether the gentleman's appearance and discussion could be considered as a formal request to do such a study.

ESHBACH Chief Eshbach stated that could be done.

NEMSHICK Ms. Jan Nemshick of 3780 Springetts Drive stated she was very relieved tonight because the residents finally know that these units will be college dorms. She stated that she was well acquainted with the traffic problems as her mother died after a car accident at Pleasant Valley and Mt. Zion Road where a man ran a red light. She realizes what a problem that intersection is and she was well aware of problems by her house located across from the park. She had observed police cars there at 3 a.m. where high school kids have parties over the weekend. Now it will be added to with college students with a footpath coming over to join in them. The residents know what is to be going on in those dorms and are concerned about it. They are concerned for their children's safety, number one, and for the property values as well. We are concerned for ourselves and what we have put into this neighborhood. We are all very happy with what we have now. We had a choice and we chose to build a home in Springetts Oaks. Now we don't have a choice as to what is going to happen to our homes and to us after this building is erected.

KEFFER Ms. Rebecca Keffer, 3665 Pleasant Valley asked about the formal request made of the Police Department as far as the speed limits being posted. She wondered whether that could include Pleasant Valley and if so, she would make that formal request.

ESHBACH Chief Eshbach responded that they would look at the whole neighborhood.

MITRICK Chairman Mitrick asked whether there were any questions that had not previously been addressed.

GLATFELTER Mr. Scott Glatfelter of 3636 Coventry Court stated that he did not think it was necessary to cut away the hill on Williams Road coming in to Pleasant Valley. He suggested a four way stop. He suggested a widening in the layout of Mt. Zion and Pleasant Valley. He stated that some home buyers would not want to purchase a home in the area of college dormitories. He asked where the commitment was to the people at Springetts Oaks and Century Woods. He concluded that the land should be condemned and trees planted there for the best use of the community.

KAHLBAUGH Mr. Keith Kahlbaugh of 1700 Deamerlyn Drive stated that he and his wife had lived at that address because they believe it is a beautiful community. He suggested an alternative to the entrance in the area of the tree growth on top of Williams Road. He asked if that were to be cut off to make it more visible for traffic, could it be made a second alternative entrance.

KINSLEY Mr. Kinsley indicated that he did not own that land. He added that the whole hedge row would not be cut down, it would be just to cut down to improve visibility. We don't own that land in the back of Bradley Academy. Mr. Kinsley stated that the records in Springettsbury Township indicate that we sell very few properties when we develop here.

KAHLBAUGH Mr. Kahlbaugh could encouraged him to continue that practice. Depending on who you rent the property out to, it could turn out to be a slum area.

KINSLEY Mr. Kinsley stated that if he thought he would have problems with this project due to the people living there, he wouldn't be doing it.

MITRICK Chairman Mitrick stated that it had been an extremely long evening for all of you as well as for the Board. She added she was grateful for the questions and input, but the Board needs to put themselves in a position to take action. She indicated the public was welcomed to stay as the Board goes through this process, and invited them to stay.

MITRICK Chairman Mitrick stated that the Board needed to decide first whether or not to act in favor of the conceptional plan. If so, then the Board would need to move forward on the items where there are questions or concerns about with the Land Development. Chairman Mitrick asked for a consensus from the Board as to whether they were in favor of looking closely at the details of this plan. If so they would address those items.

SCHENCK Mr. Schenck expressed interest in discussing outstanding issues regarding recreation and traffic improvement.

MITRICK Chairman Mitrick stated that the public had asked the Board to basically outright turn down the plan, and therefore, we would not need to address the issues. There were several residents that had asked the Board to do what they thought would be best.

BISHOP Mr. Bishop agreed with Mr. Schenck's suggestion to address the recreation and the traffic concerns. At that point it could be determined whether to decide on the rest or give the staff some time to do what else needs to be done to finalize it.

Recreation

MITRICK Chairman Mitrick called for focus on the question of recreation. She indicated that the Park and Recreation Board had provided input which indicated they would like the Township to assume that property and have a soccer field created. She asked Mr. Stern for confirmation.

STERN Mr. Stern stated that was correct.

MITRICK Chairman Mitrick indicated it was Mr. Stern's recommendation that the property be assumed and put it into passive recreation.

STERN Mr. Stern indicated that was correct.

MITRICK Chairman Mitrick stated that those are the items to be discussed at this time.

SCHENCK Mr. Schenck indicated there was a third option, which is to not take the land at all. Mr. Schenck indicated he was in favor of the Township taking the land; however, he was not in favor of a soccer field. Mr. Schenck indicated the problem would be parking. Mr. Schenck liked the proposal of passive recreation and stated it would keep the space open and preserve it with more walkways.

PASCH Mr. Pasch commented that he wondered whether the Township would want the land. If we have the paths and passive recreation, the Township would not get a lot for the buck in comparison with the maintenance that has to be done on that size of piece of property.

SCHENCK Mr. Schenck stated that one thing that might take place is that no one knows what might take place 50 years from now. The condos in front of it could be burned to the ground and the owners or developers decide not to rebuild. There may be ownership changes, zoning changes, Township Board changes. Now is an opportunity to take a little space there for the future.

BISHOP Mr. Bishop agreed. By taking the land now and doing a passive recreation option, nothing would preclude using the land later for a soccer or Lacrosse field.

MITRICK Chairman Mitrick stated that, if the Board agreed that we should take the land and use it for passive recreation, and we have two in support of that and I do support that myself, what can the Board request regarding the different uses that would exist such as passive recreation and the residential yards. She asked whether there could be a type of buffering that could be put in there so that the residents wouldn't need to be in full view of a walking path.

STERN Mr. Stern responded that a buffer would not be required for open space. He added that the question could certainly be asked.

BISHOP Mr. Bishop stated that, if the Board accepted this land it would make sense to do whatever was needed in the short run to facilitate getting that piece deeded to the condo association. Mr. Bishop was unsure of the mechanics of that, but some time could be utilized to offer it to the condo association.

PRITCHARD Mr. Pritchard stated that the majority would want it for parking. It's within three feet of the Building 5. He asked whether the Township would be willing to give them a little land around that.

BISHOP Mr. Bishop stated that the Board would have to figure out how to get to that first and who would negotiate it.

PASCH Mr. Pasch indicated he was not adverse to doing that. He stated it is a relatively small piece of land, which would not mean much to the Township, but it would mean more to the condo association.

SCHENCK Mr. Schenck indicated that the Township would have no interest in the parking lot.

GURRERI Mr. Gurreri commented that Mr. Kinsley said he was going to do that.

KINSLEY Mr. Kinsley agreed that they would do so and stated that it was shown on the drawing. He indicated that they would meet with the condo association leaders and the Township. He added that where the property line was too close to the building, there's no setback. That line would be moved at least to the setback to give them ample to the edge of the parking lot and more. This action would bring everything into conformance.

PASCH Mr. Pasch stated that that action did not have to be a three-way agreement; it could be just between you and the condo association.

KINSLEY Mr. Kinsley responded that it would be between Kinsley and the condo association as long as the Township approved it. It can be a very simple streamlined process that should work out for everybody.

MITRICK Chairman Mitrick observed that as the Board reviewed the passive recreation, it seemed to her that the area might become a wet area with significant rain. She suggested that the walking path should be elevated so that the stone would not wash out.

LUCIANI Mr. Luciani responded that there are some concentrated flows coming across that walking path. A swale exists from the condomiums at the cul de sac which would travel down through there and any walking path

would wash out after a rain storm. Provision would need to be made to accommodate a suitable path that wouldn't wash out.

PASCH Mr. Pasch added that care needed to be exercised not to create stagnant water.

MITRICK Chairman Mitrick asked whether the developer would construct the pathway, if the Township accepted the land with the passive recreation option.

LUCIANI Mr. Luciani responded that his interpretation of the Rec 2 Plan was that the developer had bonded about $40,000 for improvements. That path would be approximately 2,100 feet. A picnic table and benches along with some type of grill was included in those plans. Mr. Luciani was unsure of the state of the ground cover, but how the facility would be maintained may be a consideration.

MITRICK Chairman Mitrick added that the walking path would go out to Pleasant Valley Road as well as into the development.

LUCIANI Mr. Luciani responded that was correct.

SCHENCK Mr. Schenck asked Solicitor Yost whether sufficient information had been secured based on the discussion if a motion were to come forward. He asked whether any agreements were needed. He added that plans are often approved conditioned upon completion of agreements.

YOST Solicitor Yost responded that there is a Passive Rec Plan which could be incorporated. If that Plan were not deemed adequate, then it should be conditioned upon something else.

SCHENCK Mr. Schenck asked about the subdivision and recovery of the land.

YOST Solicitor Yost responded that it would be appropriate to include in the motion a condition upon the property owner and condo association effecting a subdivision plan upon which the Township would look favorably.

BISHOP Mr. Bishop asked Solicitor Yost whether the Township would be better served acting on the plan with conditions, or not acting on the plan tonight and continuing it to next meeting in order to get some of these other things in writing.

YOST Solicitor Yost responded that he did not think it would make much difference.

SABATINI Mr. Sabatini added that the plan is an alternate plan. If the Board were to make a motion, condition that motion with the alternate which had been presented to be considered recreational or open space use.

YOST Solicitor Yost added that was what the developer was offering.

PASCH Mr. Pasch asked whether one alternate or the other was approximately the same cost to the developer.

LUCIANI Mr. Luciani responded that, whether this would be Rec Plan one or Rec Plan two, the other one is the Soccer Field Plan, he would estimate they are probably pretty close in cost as far as grading the site and putting in the facilities. There would not be much grading as it is a fairly level tract of ground. His only question related to the type of surface left on Rec Plan two for Passive Recreation. This would be an seeded area that Charlie Lauer would have to mow, and if that's what we're envisioning, it should be specified as a grass seeded area. The path is defined, the amenities are defined, but the type of surface is not defined.

PASCH Mr. Pasch commented that there would be a lot of difference in cutting grass or cutting brush and weeds and whatever is there.

MITRICK Chairman Mitrick added that it is passive recreation in a community. It's not passive recreation such as at Rocky Ridge. The presence of walking paths is a wonderful idea, but something would have to be done to the land. She added that she was not looking for something highly landscaped. She had visited the property with Mr. Luciani and stated that it looked pretty rough.

KINSLEY Mr. Kinsley volunteered to seed the area in order that it could be mowed with the present equipment. When the paths are created they will be elevated and the surrounding areas would be evened up. All excess topsoil from the condo project will be spread and seeded. He added that the Township may want to consider letting some of the areas around the pond grow up because they are nice nature areas and interesting.

SCHENCK Mr. Schenck commented that it would be similar to what had been done at Stonewood Park where the lane was prepared to look grown.

Traffic

SCHENCK Mr. Schenck indicated that he would like to have a better understanding on the traffic issues.

LUCIANI Mr. Luciani indicated he, too, had some questions. He stated that, despite comments indicating the hump in Williams Road was not the problem, he believed to the contrary, i.e, that it is part of the problem and presents an

unsafe intersection. This is not an easy thing to fix because some property would have to be condemned, which takes time and money. Turning that intersection into a four-way had been the focus for a long time and had been the initial plan. However, in reviewing that area, cars would be cueing up at the stop sign waiting to turn left on Pleasant Valley and there would still be children getting out of school, turning right, going up Williams Road. There have been two accidents in that area in five years. Background growth on Pleasant Valley Road is developing. Mr. Kinsley had agreed to pay 20% of the improvements on Williams Road. That number is clear. St. Onge, York Tech, Bradley Academy may be back to do more improvements as they are growing schools. There may be other opportunities for people to invest into that. The park is expanding although that traffic will be generated during off peak times. The bulk of activities will occur on Saturday and Sunday. It will be of benefit. Mr. Luciani commented that he did not have a clear understanding of the contribution on Pleasant Valley and Mt. Zion. Even though Mr. Kinsley had agreed to put the left turn phase in and optimizing the light, when we generally talk about going westbound, part of the problem is that the people are waiting to turn left. Mr. Luciani stated that an advanced left turn would mitigate that problem. The only thing he questioned was the long-term improvements at Mt. Zion and Pleasant Valley and what percentage was being proposed.

MITRICK Chairman Mitrick asked if the hump were taken out sufficiently so that there was a clear sight for the students coming out of the buildings, then they would see that the traffic backed up.

LUCIANI Mr. Luciani indicated that was correct.

MITRICK Chairman Mitrick added that in her opinion a four-way stop would be the safest condition that could be placed at that intersection.

LUCIANI Mr. Luciani stated that the question, which always comes up when discussion focused on four-way stop signs. Will it meet the warrants, probably not. Typically the higher volume traffic road gets the right-of-way or green light. Clearly the traffic reports show that there is a lot more traffic coming out of Williams than on Pleasant Valley.

MITRICK Chairman Mitrick commented that if she lived there she would want a four-way stop, and she would want the students to be able to see clearly at that intersection, taking the hump out and she would ask for a four-way stop sign.

LUCIANI Mr. Luciani responded that the problem is without taking out the hump, there could not be a four-way stop, so if you want to stage that, you

prioritize improving sight distance on Williams and then evaluate the intersection at that point to see if it is warranted.

PASCH Mr. Pasch asked whether the Township would have sufficient justification to condemn property, if it would be necessary to do so in order to take the hump out.

YOST Solicitor Yost responded that there would be sufficient justification, and no fee would be taken; it would just be a grading easement to enable the Township to take the hump out.

SCHENCK Mr. Schenck asked how the plan under discussion would line up with the plans for the future park.

KINSLEY Mr. Kinsley responded that it would be at the crest of the hill.

PASCH Mr. Pasch commented that some negotiations must be done with regard to what the developer's contribution would be and when it would be received. The Township must face the fact that this must be done. Some of the indications are, even though it's showing at $2,012, unless this phasing on the light and everything else is done and handles the problem, the Township may be faced with this sooner than we think. He added that some type of agreement would be necessary between what the contribution is going to be and what the Township would be willing to accept. This will become a budgetary item.

BISHOP Mr. Bishop asked Mr. Pasch to clarify his comments in terms of the mechanics of the current items being discussed.

PASCH Mr. Pasch responded that it would not really have anything to do with it other than that the Board would recognize what the cost is going to be.

BISHOP Mr. Bishop commented that his thoughts were then to act on the plan tonight and then leave that as an item to be negotiated.

YOST Solicitor Yost stated it would be conditioned on a fair share agreement.

Structures

MITRICK Chairman Mitrick questioned a comment made about second floor balconies.

KINSLEY Mr. Kinsley responded that the balconies had been removed.

KINSLEY Mr. Kinsley stated that, as far as the traffic issue was concerned, he was willing to be very fair. He stated that according to the traffic study and the pricing, they had been at about 3-1/2% of the SR 24%. He was willing to

owe the Township $13,560 for Williams Road and further that he was willing to state $25,000.

MITRICK Chairman Mitrick clarified that would be a $25,000 total contribution.

BISHOP Mr. Bishop asked whether that included the immediate work to be done.

KINSLEY Mr. Kinsley indicated the immediate work (the light) they would do.

MITRICK Chairman Mitrick asked Mr. Luciani whether $25,000 was a reasonable figure, given what the contribution is for Pleasant Valley and Williams, and a future contribution for Mt. Zion and Pleasant Valley.

LUCIANI Mr. Luciani indicated it was, and in addition, Mr. Kinsley had agreed to pay another $7,000 for the advanced left turn phase. Given the scope of the problem, the volume of traffic, that amount should be sufficient.

PASCH Mr. Pasch agreed that it was reasonable.

SCHENCK Mr. Schenck agreed that looking at the percentage of the total and the big number, the percentage that Mr. Kinsley was offering, it was definitely fair.

MITRICK Chairman Mitrick asked whether the Board was clear enough to move forward. She asked Solicitor Yost whether he would advise the Board to move forward with some of the outstanding issues and indicate it is conditioned upon the agreement.

YOST Solicitor Yost stated that was correct.

MR. BISHOP MOVED TO APPROVE LD-00-05 – PLEASANT VALLEY CONDOMINIUMS WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM THE SUBMISSION OF A PRELIMINARY PLAN**
- **CONDITIONED ON THE SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER**
- **CONDITIONED UPON THE COMPLETION OF THE RECREATION IMPROVEMENTS AS DEFINED IN REC PLAN 2**
- **CONDITIONED ON COMPLETION OF TRAFFIC IMPROVEMENTS AS DEFINED IN JOHN LUCIANI'S LETTER OF JANUARY 4, TRAFFIC STUDY CONCLUSIONS AND RECOMMENDATION ITEMS 1 – 7 WITH THE UNDERSTANDING THAT THE APPLICANT WILL CONTRIBUTE $25,000 TOWARDS OTHER TRAFFIC IMPROVEMENTS TO BE DONE AT A LATER DATE.**
- **AND CONDITIONED UPON THE APPLICANT AND THE CONDO ASSOCIATION COMING TO AN AGREEMENT CONCERNING SUBDIVISION OF THE LAND IN VERY CLOSE PROXIMITY TO THE**

CONDOS BEFORE THAT RECREATION LAND IS CONTRIBUTED TO THE TOWNSHIP AND

- **CONDITIONED UPON THE APPLICANT INSTALLING AT LEAST TWO SPEED BUMPS THAT THE ENTRANCE TO THE PROPERTY.**

MR. SCHENCK WAS SECOND.

PASCH Mr. Pasch stated that there had been a lot of discussion tonight with Mr. Kinsley centering around a condo agreement. Some of the items the residents and the Township was concerned with would be involved. Mr. Pasch suggested that a copy of the condo agreement should be a condition upon approval.

BISHOP Mr. Bishop asked Mr. Yost whether the Township could condition that.

YOST Solicitor Yost stated that the Township could make any condition that Mr. Kinsley would agree to.

KINSLEY Mr. Kinsley responded that the leases and the condo documents would state the following:

- Type of conduct that would be expected. If the conduct would be otherwise, the lease would be terminated.
- There will be a limit of unrelated people to four persons per unit.
- Speed bumps will be installed, two at the entrance and others where appropriate.
- Posted speed limits will be placed within the area and at the entrance which will state 10-15 mph and added in the leases.

Mr. Kinsley agreed to provide the documentation. He advised he had reviewed them about 90%.

PASCH Mr. Pasch reminded Mr. Kinsley that he had agreed to no outside storage.

KINSLEY Mr. Kinsley agreed and stated that he would work on a solution to that situation. He also advised that his intention was to have an on-site manager.

MR. BISHOP AMENDED THE MOTION TO READ:

- **CONDITIONED ON THE UNDERSTANDING THAT THE APPLICANT INTENDS TO DEVELOP AND ADOPT A CONDOMINIUM AGREEMENT WHICH ADDRESSES NUMEROUS ITEMS, INCLUDING:**
  - **NO MORE THAN FOUR UNRELATED PERSONS WILL BE PERMITTED TO RESIDE IN EACH UNIT.**
  - **NO OUTSIDE STORAGE WILL BE PERMITTED.**
  - **INTERNAL SPEED LIMIT SIGNS WILL BE ERECTED AND MAINTAINED.**

- **AN ON-SITE MANAGER WILL BE PROVIDED**
- **LEASES WILL INCLUDE RULES OF CONDUCT AND VIOLATION OF THESE RULES OF CONDUCT WILL RESULT IN EVICTION FROM THE PROPERTY.**

MR. SCHENCK SECONDED THE AMENDMENT.

SCHENCK Mr. Schenck requested Mr. Kinsley to attach the documents being prepared to the plan for a record.

KINSLEY Mr. Kinsley responded that they had his word to do so.

MOTION UNANIMOUSLY CARRIED.

KLAUBER Mr. Klauber asked for clarification based upon the motion as far as traffic improvements and whether the improvements would be done in conjunction with the completion of the project.

BISHOP Mr. Bishop responded no.

KLAUBER Mr. Klauber stated that the Board had not complied with what their representative had asked.

BISHOP Mr. Bishop responded that he had not included it in the motion because it had nothing to do with that motion. He stated that Attorney Solymos had not asked the Board to agree to do that portion of the approval of the project, because the Board could not do that.

KLAUBER Mr. Klauber stated yes that the Board could do so as in making this capital improvement in conjunction with this project.

SCHENCK Mr. Schenck agreed that Mr. Klauber was absolutely right; however, it would be an entirely separate action.

SABATINI Mr. Sabatini stated that the subdivision Ordinance that the Board deals with does not accept, and we cannot attach that type of motion, as part of the approval of the subdivision plan itself. It's a separate issue, and the Board may give direction right now or in 30 days or whenever to do that as a separate action in conjunction with what was discussed by Attorney Solymos as part of the approval of his plan. It is not the Township's plan; it's Mr. Kinsley's plan. We cannot bundle that with his approval.

BISHOP Mr. Bishop stated that he had personally listened to what Attorney Solymos said, and he agreed with every request that Attorney Solymos made of this Board. Mr. Bishop stated that he, personally, would do anything that he believes is appropriate at the appropriate time for this Board to do exactly what Attorney Solymos asked this Board to do.

MITRICK Chairman Mitrick stated to the public that before they left, she was aware that if they were not leaving upset they might leave with mixed emotion about the approval of this plan. She assured the public that this plan had been studied in detail to the furthest extent, and they really had an impact on that development. She complimented the developer, because the developer was extremely cooperative in the requests that came forward from the residents over the last several months, and if one would go back and re-examine what really occurred tonight, other than eliminating the plan in the Township, the residents really did receive most of the items that were requested throughout this process. She complimented them for coming forward and staying with the Board so that this plan would be the best plan that could exist in that area. She also complimented the developer because the developer really responded to the issues that you brought up. She stated she just wanted them to know that it is a far better plan at this point because of their input.

PASCH Mr. Pasch added that he agreed with the gentleman that the traffic improvements, especially on Williams Road and Pleasant Valley must be done so that it's in conjunction with the completion of the project. The traffic problem is there now, along with the concerns of the residents. This Board must arrange to have that done at the same time, and must take action to do that.

MITRICK Chairman Mitrick agreed with Mr. Pasch and suggested that the Board needed to take the lead on it. It would seem that the developer would be there then to help with it.

PASCH Mr. Pasch expressed doubt that what was needed in terms of condemnation and everything else that it could be done before that. .

MITRICK Chairman Mitrick asked Mr. Sabatini to place the matter on the next Agenda.

SABATINI Mr. Sabatini agreed to do so.

C. LD-00-18 – Fountains at the Heritage – Time Extension to February 22, 2001

MR. BISHOP MOVED TO ACCEPT THE TIME EXTENSION FOR FOUNTAINS AT THE HERITAGE TO FEBRUARY 22, 2001. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. LD-00-10 – Sheridan Manor – Time Extension to February 22, 2201

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION – LAND DEVELOPMENT 00-10 SHERIDAN MANOR TO FEBRUARY 22, 2001. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. LD-00-17 – St. Joseph Church – Time Extension to April 25, 2001

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION LAND DEVELOPMENT 00-17 - ST. JOSEPH'S CHURCH TO APRIL 26, 2001. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATIONS FROM SUPERVISORS:

BISHOP Mr. Bishop provided a report for Mr. Gurreri, who had very little voice due to laryngitis. Mr. Bishop stated that Mr. Gurreri planned to attend the 79th Annual State Convention of the Pennsylvania State Association of Township Supervisors in Hershey on April 22 to 25, 2001. He invited all the Supervisors to attend with him. Mr. Gurreri cautiously stated he wanted to send in the reservation right away so the room reservations could be made.

SABATINI Mr. Sabatini stated that Mr. Hadge should be consulted with regard to the financial arrangements to be made. He added that the process had begun.

MITRICK Chairman Mitrick reported for Mr. Gurreri that there would be a Full Committee Dinner Meeting of the Local Government Advisory Committee on February 7 at 6:30 p.m. at the Yorktowne Hotel Lafayette Room. Chairman Mitrick indicated she would attend along with Mr. Gurreri and Mr. Schenck.

MITRICK Chairman Mitrick commented that she appreciated Mr. Claghorn's visit from York Waste. She felt they heard the calling and realized that their contract may be threatened. She was optimistic that the service would improve.

SABATINI Mr. Sabatini indicated that Mr. Claghorn stated that Springettsbury's was one of the more polite but effective letters concerning the situation.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost reported that he had nothing to add to his written Solicitor's Report, as supplemented by his letter updating the Board on the negotiations with Springetts Fire Company. In view of the content of that letter, he needed time in an Executive Session.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini reported the Recreation and Park drawing had been provided to the Supervisors, along with costs which he determined would be substantially cut. He reported that a meeting will be set up with Chris Risetto of Reed, Smith, Shaw and McClay regarding funding possibilities for 2001. He stated that the Ordinance Codification project was continuing. Copies had been circulated to the Board and Solicitor. Mr. Sabatini expected that, once some of the fairly complex projects had been completed, the Codification project would be a fairly substantial priority of staff. He suggested that it would have to be addressed by the Board in a special session. Changes will be recommended to a significant number of ordinances to bring it to current standards. He requested time in Executive Session.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Resolution No. 01-12 – Approving Signatures on Checks

SABATINI Mr. Sabatini provided background information regarding Resolution No. 01-12. This item had been deferred during the Reorganization Meeting and sets approvals for signatures on checks by policy that at least one Board member must sign checks.

GURRERI Mr. Gurreri asked whether the Resolution actually stated that fact.

BISHOP Mr. Bishop responded that it does; as long as the Assistant Treasurer is a Board member, the effect is the same.

SABATINI Mr. Sabatini commented that it is now the directive of the Manager that one Board member signs checks.

MR. PASCH MOVED THAT RESOLUTION NO. 01-12 APPROVING SIGNATURES ON CHECKS BE APPROVED AS SUBMITTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Ordinance No. 01-01 – Residential Open Space Setback Ordinance (permission to advertise and set public hearing)

SABATINI Mr. Sabatini informed the Board that Ordinance No. 01-01 requested permission to hold a public hearing date and to advertise the Board Minutes of the Zoning Ordinance setting Open Space Setbacks and the reduction thereof and the setback requirements reducing those within open space. There are two different versions; one is the Planning Commission's recommended version; one is the original version both of which had been prepared by Mr. Stern, both of which are acceptable to staff. The original version tends to be much more conservative. Planning Commission's version is somewhat more liberal. Mr. Stern could respond to questions as

to specific language and stated he would use the Board's direction on which one to advertise.

MITRICK Chairman Mitrick asked Mr. Stern what is in the version that came from the Planning Commission with which he differed.

STERN Mr. Stern responded that he had no objections to either version. The original version provided for reducing setbacks by five feet, which would hopefully help, but there are no guarantees. Planning Commission's version says 8% of its size, and five feet would not be sufficient. Why not make the reduction in the setback the same as the reduction in lot size. He added that the second version is more flexible.

SCHENCK Mr. Schenck focused on the Planning Commission version and asked whether Mr. Stern had actually run the percentages to make sure he did not obtain something less than what he thought. Would reduction in the lot size of 10% be enough to make a real difference.

STERN Mr. Stern responded that he had not done a spread sheet. Generally speaking if you reduce the lot size 10%, the site setback reduces to 15 feet.

MITRICK Chairman Mitrick stated that the Board needed to choose one in order to advertise this.

MITRICK Chairman Mitrick asked to what degree Mr. Stern was suspicious that the Planning Commission's version could come back to haunt us.

STERN If you're committed to true open space development it has to be flexible. If you're not committed to true open space development this will be one of many.

SCHENCK Mr. Schenck stated that he was in favor of the Planning Commission's version.

MR. SCHENCK MOVED THAT THE TOWNSHIP MANAGER BE DIRECTED TO ADVERTISE A PUBLIC HEARING ON PROPOSED ORDINANCE 01-01 VERSION RECOMMENDED BY THE PLANNING COMMISSION FEBRUARY 22, 2001 AND DIRECT THAT THE ORDINANCE BE ADVERTISED FOR ADOPTION AT THE SAME MEETING. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Right of Way Agreement – Verizon, Inc. (GTE): Diversion Pumping Station

SABATINI Mr. Sabatini presented item C pertaining to a right-of-way agreement for the new pump station.

MR. BISHOP MOVED TO APPROVE THE RIGHT OF WAY AGREEMENT WITH VERIZON, INC. FOR TELEPHONE SERVICE TO THE PUMPING STATION. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Work Session (Budget Session #1) – November 30, 2000

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 30, 2000 WORK SESSION AS AMENDED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Work Session (Budget Session #2) – December 5, 2000

MR. BISHOP MOVED TO APPROVE THE DECEMBER 5, 2000 BUDGET WORK SESSION MINUTES AS PRESENTED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Board of Supervisors Special Meeting – December 21, 2000

MR. BISHOP MOVED TO APPROVE THE DECEMBER 21, 2000 SPECIAL MEETING MINUTES AS AMENDED. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED AS HE WAS NOT IN ATTENDANCE.

12. OLD BUSINESS:

A. Ordinance No. 00-10 Revoking Status of Springetts Fire Company No. 1

SABATINI Mr. Sabatini stated that at a previous meeting the Board of Supervisors directed that Ordinance No. 00-10 be tabled or allowed to lapse. This involved Revoking the Status of Springetts Fire Company No. 1. Mr. Sabatini brought it forward under Old Business as negotiations continue with the fire company. This matter was scheduled to be discussed later during Executive Session. Mr. Sabatini did not recommend any action be taken at this time. He asked Solicitor Yost for his opinion.

YOST Solicitor Yost responded that he would not recommend any action at this time.

BISHOP Mr. Bishop asked Solicitor Yost whether the Board could adopt a motion to authorize the manager to advertise a proposed ordinance at his own discretion.

YOST Solicitor Yost responded that there was no reason why the Board could not do so. Advertisement does not mean adoption. The Manager is not exercising discretion over the Ordinance; he is just making it available should the Board elect to consider it.

BISHOP Mr. Bishop stated that he was simply looking for middle ground. He sensed that the Board does not want to go full throttle ahead; however, he felt a need not to hold back.

GURRERI Mr. Gurreri agreed.

SCHENCK Mr. Schenck's was concerned about that action.

BISHOP Mr. Bishop stated that he was looking for a halfway position that would not take another two weeks, without knowing what Solicitor Yost would be advising in Executive Session.

SABATINI Mr. Sabatini stated that there was a possible meeting next week. His personal feeling was that an Ordinance needed direction from a board. That generally goes beyond the discretionary responsibility of the Manager. He stated it would be better directed by the Board that it would be advertised on a particular date.

YOST Solicitor Yost stated that discussion would be held in a proposed meeting at which he hoped the Chairperson and one or more Board members could attend. The proposed meeting had been scheduled for Monday, January 15th, following which there should be a better idea of the status.

PASCH Mr. Pasch agreed with Mr. Sabatini in that this matter is too critical to leave at the discretion of the Manager to decide to advertise it. The Board should direct that.

BISHOP Mr. Bishop asked whether the decision could be left to the discretion of the Chair.

SCHENCK Mr. Schenck responded that it would put a great burden on the Chair.

BISHOP Mr. Bishop added it would be what burden one would make of it. He was simply looking for a way to move forward without doing nothing for two weeks.

SABATINI Mr. Sabatini suggested an option that the Board of Supervisors could consider as recessing this meeting (this date) until after the meeting with the fire company representatives on Monday. A second recommendation was to immediately go into an Executive Session on this one issue and then come back and make a decision on it.

MITRICK Chairman Mitrick asked for a consensus of the Board.

Consensus of the Board was not to adjourn for Executive Session at this point in time.

MITRICK Chairman Mitrick stated that even though there had been discussion about the message that even if it were advertised, the Board would not have to act on it. That might be true in the Board's awareness and possibly those sitting on the other side of the table on this issue. But advertising that Ordinance gives a message to the public that may not be as well understood as the Board would want it to be. The significance of the Ordinance is such that if it is ready to be advertised, then the Board should be ready to follow through. Chairman Mitrick stated that she, personally, was not at that point. It was her opinion to hold it.

GURRERI Mr. Gurreri stated he was ready to move and added that the Board needed to do this.

SCHENCK Mr. Schenck indicated he was not ready to advertise it.

PASCH Mr. Pasch stated he would not advertise with a meeting coming up on Monday.

BISHOP Mr. Bishop asked about the meeting scheduled for Monday (1/15).

SABATINI Mr. Sabatini responded that the Board had been asked to meet with representatives of the fire company. This meeting is no longer just Solicitor Yost and Attorney Wolfberg. They have requested principles of both organizations.

BISHOP Mr. Bishop agreed.

Consensus was to hold any action regarding Ordinance No. 00-10 until after the meeting on Monday, January 15th.

13. NEW BUSINESS:

A. Consideration of Use of Federal Wastewater Grant Funds

SABATINI Mr. Sabatini stated the Board had been provided a memorandum regarding the use of Federal Wastewater Funds previously discussed. There were two options for consideration: (1) to earmark the entire $1 million towards the Diversion Pumping Station, (2) stick within the requirements of EPA that the Federal funding would not exceed 55%, thereby reducing $330,000 earmarked toward the Diversion Pumping Station. The remaining amount $670,000, could be earmarked toward other projects. Discussions had been held during the budget process regarding the time line and the funding timeline for the Solids Handling Program. Mr. Sabatini stated that this would be an appropriate use for it because the cost for obtaining this fund had been shared by all member municipalities and should go into something that would benefit all. It could potentially move up the timeline for the project, and the sooner the project is completed the more will be saved. Staff and the engineers recommended that the Board direct to request EPA that the excess funding ($670,000) be earmarked for Solids Handling.

PASCH Mr. Pasch questioned, in meeting the no more than 55% requirements, when our share was being established, are fully burdened overheads for all the people involved and all the engineering included.

SABATINI Mr. Sabatini responded that it would be included. Out of that $1 million will be attributed until it meets 55% on the existing project, and the remaining amount overlaps.

PASCH Mr. Pasch indicated that it would then be more or less. He asked whether there would be any difficulty in shifting the funds over.

SABATINI Mr. Sabatini agreed and added that it would not be a problem.

MR. PASCH MOVED TO AUTHORIZE THE TOWNSHIP MANAGER WITH A REQUEST THAT ADDITIONAL FEDERAL WASTEWATER PROJECT FUNDS BE USED FOR OBTAINING THE BIO SOLIDS HANDLING PROJECT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Consideration of Grants and Communications Coordinator Job Description

MITRICK Chairman Mitrick requested that Mr. Sabatini hold item B until the next meeting.

SABATINI Mr. Sabatini indicated agreement.

Meeting Schedule Dates

MITRICK Chairman Mitrick asked for the Board's availability for the Park meeting and the Fire Company.

SABATINI Mr. Sabatini recommended to the Board, in an effort to get as many people together at the same time, that they proceed with the Park and Rec meeting on the 17th. This meeting would encompass two different boards with outside contractors and a good number of people who had been previously contacted. The meeting had been advertised.

SABATINI Mr. Sabatini also advised when the schedule had been set for January 18 for the general Fire Department meeting, it was prior to Solicitor Yost's last interaction. Mr. Sabatini recommended that the Fire Department be postponed until Monday, January 29th.

MITRICK Chairman Mitrick advised she had a conflict on Monday, the 29th. Because some of the other members had conflicts for other dates, Chairman Mitrick indicated she would change her schedule for the 29th.

SABATINI Mr. Sabatini recapped the changes. The meeting on the 17th regarding the Park meeting would be held as scheduled. The meeting, scheduled previously for the 18th with the Fire Department, was postponed until Monday, January 29th.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 12:05 a.m. January 12, 2001.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **JANUARY 2, 2001**
BOARD OF SUPERVISORS **APPROVED**

The Board of Supervisors held a Reorganization Meeting on Tuesday, January 2, 2001 at 7 p.m. at the Township Offices at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Ken Pasch
Nick Gurreri
Don Bishop

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Dori Bowders, Manager of Administrative Operations
Betty J. Speicher, Director of Human Services
Jack Hadge, Finance Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

A. Pledge of Allegiance

MITRICK Chairman Mitrick called the meeting to order at 7:05 p.m. She stated that there would be a brief Executive Session regarding legal matters following the Regular Meeting. Chairman Mitrick announced that this meeting was the annual organization meeting for Springettsbury Township.

GURRERI Mr. Gurreri led the Pledge of Allegiance.

2. ELECTION OF OFFICERS:

A. Chair of the Board of Supervisors (Current Chairman – Lori Mitrick)

MITRICK Chairman Mitrick called for nominations for the position of Chair of the Board.

GURRERI Mr. Gurreri nominated Lori Mitrick as Chair of the Board.

MITRICK Chairman Mitrick called for any other nominations. Hearing none, Chairman Mitrick called for a Motion to elect Lori Mitrick as Chair.

MR. SCHENCK MOVED TO ELECT LORI MITRICK AS CHAIR OF THE BOARD OF SUPERVISORS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Vice Chair of the Board of Supervisors
(Current Vice Chairman – William Schenck

MITRICK Chairman Mitrick called for nominations for the position of Vice Chair of the Board.

GURRERI Mr. Gurreri nominated Bill Schenck for the position of Vice Chair of the Board.

MITRICK Chairman Mitrick called for any other nominations. Hearing none, Chairman Mitrick called for a Motion to elect Bill Schenck as Vice Chair.

MR. BISHOP MOVED TO ELECT BILL SCHENCK AS VICE CHAIR OF THE BOARD OF SUPERVISORS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Assistant Secretary/Treasurer
(Current Assistant Secretary/Treasurer – Don Bishop)

MITRICK Chairman Mitrick called for nominations of the position of Assistant Secretary/Treasurer.

MR. SCHENCK MOVED TO ELECT DON BISHOP FOR THE POSITION OF ASSISTANT SECRETARY/TREASURER. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

3. APPOINTMENT OF DELEGATES:

A. Appointment of Delegates and voting Delegate to the PSATS Annual Convention (Current Voting Delegate – William Schenck)

BISHOP Mr. Bishop stated everyone is elected as a delegate and that Bill Schenck was already a delegate for York County, so someone else should be elected as delegate.

SCHENCK Mr. Schenck responded that was correct and indicated that Mr. Gurreri had shown an interest in being delegate.

MR. BISHOP MOVED TO APPOINT ALL FIVE SUPERVISORS AS DELEGATES TO THE PSATS CONVENTION AND MR. GURRERI AS VOTING DELEGATE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. RESOLUTIONS:

MITRICK Chairman Mitrick opened Resolutions A through O for public comment. Hearing none she proceeded.

A. Resolution 01-01 – Appointing the Solicitor for Springettsbury Township (Current Solicitor – Donald Yost)

BISHOP Mr. Bishop asked whether the Supervisors had been provided the actual Resolutions.

SABATINI Mr. Sabatini responded he would have them all typed with the names inserted.

BISHOP Mr. Bishop stated that in the past the firm of Blakey Yost had been appointed as Solicitor for the Township.

SABATINI Mr. Sabatini indicated the minutes he had read indicated Don Yost of Blakey Yost.

BISHOP Mr. Bishop stated the Board had discussed having Charlie Rausch be more involved.

SABATINI Mr. Sabatini indicated it would be appropriate to appoint Don Yost of the firm Blakey, Yost, Bupp and Hershner.

PASCH Mr. Pasch added this is an at-will appointment, which could be changed at any time.

MITRICK Chairman Mitrick indicated there had been a written agreement with them that, in the absence of Don Yost, Charlie Rausch would fill in.

SABATINI Mr. Sabatini indicated there also had been reference of a transition plan in place. Don Yost will be retiring at the end of 2001.

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 01-01 APPOINTING THE FIRM OF BLAKEY, YOST, BUPP AND HERSHNER AS SOLICITOR FOR SPRINGETTSBURY TOWNSHIP. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution Appointing the Solicitor for the Zoning Hearing Board of Springettsbury Township.

SABATINI Mr. Sabatini stated some additional research had been done regarding the appointment of Zoning Hearing Board solicitor by our Solicitor's determination of that current case law indicates it is up to the Zoning Hearing Board to appoint a Solicitor. The Township Supervisors may

make a recommendation; however, they are not legally able to make that appointment according to the Solicitor.

MITRICK Chairman Mitrick asked whether that appointment would be made prior to their February meeting.

SABATINI Mr. Sabatini responded that they could make the appointment at their meeting in February. Mr. Sabatini will advise the Zoning Hearing Board that it will be their responsibility, based upon the reading of the Municipalities Planning Code, to make the appointment. A number of attorneys had expressed interest in being appointed to the Zoning Hearing Board.

MITRICK Chairman Mitrick asked whether Mr. Sabatini would be asking them for a recommendation.

BISHOP Mr. Bishop commented that he felt it was very important the Board of Supervisors devise some mechanism to make a recommendation to the Zoning Hearing Board prior to their February meeting.

SABATINI Mr. Sabatini indicated that by a motion, the Board could recommend Attorney Buzzendore since he had attended the majority of the meetings. Mr. Stern indicated he was comfortable with his work.

GURRERI Mr. Gurreri stated that Mr. Buzzendore was with the Hoffmeyer firm.

BISHOP Mr. Bishop stated that presently there is no Solicitor for the Zoning Hearing Board because the previous appointment was a one-year appointment.

SABATINI Mr. Sabatini responded that there would not be another meeting of the Zoning Hearing Board until February.

PASCH Mr. Pasch stated they could appoint him at the beginning of their meeting before they go into any other business.

BISHOP Mr. Bishop stated they could do so, but his concern was that the attorney who would be at that meeting, would not be the one he would choose. Mr. Bishop was doubly concerned that the Board would allow a person to be appointed by default simply by being chosen by another attorney. He added that the Supervisors never picked the attorney in the first place.

MITRICK Chairman Mitrick asked Mr. Bishop whether he had other recommendations.

BISHOP Mr. Bishop stated that there had been a number of applications reviewed, and there were some excellent candidates. Gavin Markey was the only one he knew personally, and he had come before the Board a number of times.

SABATINI Mr. Sabatini indicated there are three Board meetings prior to the next Zoning Hearing Board. Mr. Sabatini presented several operations: (1) make some contacts and review their work for a half hour prior to a Board meeting or two; then make a recommendation to the Zoning Hearing Board. (2) make a recommendation or ask Attorney Hoffmeyer's associate to come in and make a presentation and recommendation to the Zoning Hearing Board or (3) do nothing and leave it to the Zoning Hearing Board.

PASCH Mr. Pasch stated that if there was a presentation from more than one individual whether or not it is somebody from Hoffmeyer's firm, it may mean more than one interview. It would be appropriate to invite the Zoning Hearing Board to attend that meeting. The Supervisors could make a recommendation, but it would the Zoning Hearing Board's choice.

MITRICK Chairman Mitrick indicated that two of the Zoning Hearing Board members are somewhat new. She agreed with Mr. Pasch that the Zoning Hearing Board would appreciate being involved in the interview process.

PASCH Mr. Pasch added that there should not be anything anywhere in the record that indicates the selection was not made by the Zoning Hearing Board.

SABATINI Mr. Sabatini indicated he could set up two interviews before the 11th and two interviews before the 25th, which would provide for interviewing some from Attorney Hoffmeyer's firm and then several others and on the 25th make a recommendation.

MITRICK Chairman Mitrick commented the Zoning Hearing Board would not have time to make the selection.

PASCH Mr. Pasch stated it would provide insight so that they would not have to face it at the last minute

BISHOP Mr. Bishop indicated he did not think it was unreasonable to have the candidate picked that night.

MITRICK Chairman Mitrick responded that that would make more sense; otherwise they may be sitting there without a Solicitor.

BISHOP Mr. Bishop stated that they would organize themselves, pick a Chairman and then pick a Solicitor especially if they know ahead of time of what they're going to do.

GURRERI Mr. Gurreri asked if anyone had spoken with the Zoning Hearing Board.

SABATINI Mr. Sabatini responded that there had been a discussion on the interest in the re-appointment, but not in terms of the appointment of the Solicitor. He added that he needed to determine whether the Board would choose to continue to appoint the Solicitor or to follow the recommendation of our Solicitor and let the Zoning Hearing Board do it.

PASCH Mr. Pasch stated that this was a change because the Board of Supervisors always appointed them in the past.

GURRERI Mr. Gurreri stated they probably like it that way, but it's not the way it's supposed to be.

PASCH Mr. Pasch stated that they may not even figure that they should appoint them, so they need some insight into that.

MITRICK Chairman Mitrick stated that Mr. Sabatini's recommendation would be followed.

SABATINI Mr. Sabatini responded that he would have the Zoning Hearing Board at the interviews (a maximum of four interviews including with Mr. Hoffmeyer's firm) starting an hour before the Board of Supervisor's meeting on the 11th and 25th and set up a Zoning Hearing Board meeting after the 25th but prior to their next meeting for them to select a candidate.

BISHOP Mr. Bishop asked why the Zoning Hearing Board could not make their selection at their next meeting.

SABATINI Mr. Sabatini stated that there are Agenda items scheduled for their first meeting. A situation could exist where the person with all the information and documentation is not the attorney who is selected to represent the Zoning Hearing Board, which leaves them with an unprepared attorney.

BISHOP Mr. Bishop stated that the Board of Supervisors would have made their recommendation. His experience on the Zoning Hearing Board indicated that the attorneys didn't do a great deal of preparation.

PASCH Mr. Pasch commented that the decision would have to be made ahead of time. Whether they do the formal appointment or not is one thing, but I

think that before they get to the meeting they're going to have to know to let the attorney know to be there.

GURRERI Mr. Gurreri commented that they might be very happy with what they have.

MITRICK Chairman Mitrick asked Mr. Sabatini to set up interviews for those seeking appointment. Chairman Mitrick added that Mr. Stern alerted her that the Pleasant Valley Road Condominium Project may be on the Agenda on the 11th. She had not yet received confirmation from Mr. Stern. She asked Mr. Sabatini if he had any information.

SABATINI Mr. Sabatini responded that there had been a question as to whether they would be on the agenda prior to that meeting because of the storm water system. He was unsure as to whether that had been resolved. Mr. Sabatini indicated he would advise the Board.

MITRICK Chairman Mitrick stated that the Board would meet with the Zoning Hearing Board at 6:30 p.m. on January 11th and possibly again on the 25th.

C. Resolution 01-02 – Appointing the Civil Engineer for Springettsbury Township (Current Engineer – First Capital Engineering)

MR. SCHENCK MOVED TO APPROVE RESOLUTION 01-02 APPOINTING FIRST CAPITAL ENGINEERING AS OUR CIVIL ENGINEER. MR. GURRERI WAS SECOND.

PASCH Mr. Pasch asked, in view of certain discussions held with Mr. Luciani, how the Board felt that things had been completed.

SABATINI Mr. Sabatini responded that there had been more responsiveness. He was unsure if Mr. Luciani was not taking on as much work from Springettsbury or not as much work was offered. During the 3rd and 4th quarter a lot of the projects had been cut back in order to focus on the fire company and budget process issues. The situation will continue to be monitored. Mr. Sabatini felt comfortable with First Capital's re-appointment as the Township Engineers.

PASCH Mr. Pasch stated that would apply not only to the engineering, but also to any of the consultants appointed. He would like to see on a routine basis during the year, some kind of report from Mr. Sabatini and staff indicating there is a satisfactory level of competence.

MOTION UNANIMOUSLY CARRIED.

D. Resolution 01-03 – Appointing the Environmental Engineer for Springettsbury Township (Current Engineer – Buchart Horn)

SABATINI Mr. Sabatini stated that the current engineer, Buchart Horn, continues to meet the needs of the Township. There may be some discussions prior to this appointment next year.

SCHENCK Mr. Schenck added that this is simply for that required appointment of those functions that they provide us for DEP requirements, Chapter 94 reports.

SABATINI Mr. Sabatini stated that they would like to examine the disbursements of some of the wastewater projects. He added that there are not many projects that had not already been under contract for engineering. As projects come up, recommendations will be made on where it is bid, where proposals are taken, and where it is just awarded to our environmental engineer.

PASCH Mr. Pasch commented that if the jobs are so small, it doesn't make any sense to go through the process of bidding.

SABATINI Mr. Sabatini responded that money to be saved on the project through a competitive bid process is usually lost in terms of money spent putting together the RFP and going through the process for projects less than $40,000 to $50,000. Above that there are some legitimate costs savings.

SCHENCK Mr. Schenck commented that rather than spend money on competitive bids we spent it on some peer review for the new building, which turned out to be valuable. Had we done that it may have been a better investment than bidding.

MR. GURRERI MOVED TO APPROVE RESOLUTION 01-03 APPOINTING THE ENVIRONMENTAL ENGINEER, BUCHART-HORN. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Resolution 01-04 – Appointing the Secretary/Treasurer for Calendar 2001 (Current Secretary/Treasurer – Robert Sabatini)

SABATINI Mr. Sabatini stated that Resolution 01-04 would appoint the Secretary/Treasurer to another year. Mr. Sabatini was designated as the Secretary/Treasurer.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 01-04 APPOINTING ROBERT SABATINI AS SECRETARY/TREASURER. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Resolution 01-05 – Designating Depositories and Safety Deposit Box (Current Depositories – Various)

SABATINI Mr. Sabatini explained that Resolution 01-05 designated the depositories and safety depositories. The safety deposit box is at Mellon Bank. The funds are located at a variety of locations, and no changes had been made. The actual listing would appear on the final Resolution. The matter will be examined in terms of the Police Pension.

PASCH Mr. Pasch stated the depositories and the safety deposit box are all with the same existing firms. If there were to be a change made, it would go through the Board by Resolution.

MR. PASCH MOVED THAT RESOLUTION 01-05 DESIGNATING DEPOSITORIES AND SAFETY DEPOSIT BOX BE APPROVED. MR. SCHENCK WAS SECOND.

BISHOP Mr. Bishop stated that he was somewhat uncomfortable with the concept of designating depositories. If there is a reason for doing this, there would be a reason for actually having a list and actually having a Resolution to advise the action, especially if there are no changes. Mr. Bishop was not clear why it wouldn't be ready.

SABATINI Mr. Sabatini stated that it was his fault for not providing the information.

MR. PASCH AMENDED HIS MOTION AS FOLLOWS: MR. PASCH MOVED THAT RESOLUTION 01-05 DESIGNATING DEPOSITORIES AND RE-APPOINTING THE SAFETY DEPOSIT BOX HOLDER AS CURRENTLY EXISTS BE APPROVED. A SPECIFIC LIST WILL BE ATTACHED TO THE RESOLUTION. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. BISHOP VOTED NO.

BISHOP Mr. Bishop stated he was a little unhappy that no draft Resolutions had been provided to the Board, and the entire Agenda involved the approval of Resolutions. He added most of the Resolutions were what he termed boilerplate. He would like to have recommendations from the Manager of what should be included or have blanks that we fill out. Mr. Bishop was uncomfortable with the whole process.

MITRICK Chairman Mitrick stated that when the Resolutions are prepared, before they're signed, the Board should see all of them.

GURRERI Mr. Gurreri indicated that, if a review was not made during this action, a person would tend to forget it. He was in agreement with Mr. Bishop.

MITRICK Chairman Mitrick indicated that before they are signed, the Board would have that ability.

G. Resolution 01-06 – Appointing a Representative to the York County Earned Income Tax Bureau for Calendar 2001 (Current Representative – Jack Hadge, Alternate – Robert Sabatini)

SABATINI Mr. Sabatini stated that the Board of Supervisors appoints a representative to the York County Earned Income Tax Bureau. Jack Hadge had been appointed in July as the Delegate and Bob Sabatini as the Alternate. Mr. Sabatini requested re-appointment.

MR. GURRERI MOVED TO APPROVE RESOLUTION 01-06 – APPOINTING REPRESENTATIVE TO THE YORK COUNTY EARNED INCOME TAX BUREAU FOR 2001 - JACK HADGE, ALTERNATE – ROBERT SABATINI. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. Resolution 01-07 – Appointing a Member to the Local Government Advisory Committee (Current Member – Nick Gurreri)

SABATINI Mr. Sabatini stated that the Township appoints a member to the York County Planning Commission Local Government Advisory Committee. The current Delegate was Nick Gurreri, who had indicated an interest in continuing.

GURRERI Mr. Gurreri responded that he enjoyed it and will continue unless someone else wanted to be Delegate.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 01-07 APPOINTING NICK GURRERI AS A MEMBER OF THE LOCAL GOVERNMENT ADVISORY COMMITTEE. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

J. Resolution 01-08 – Appointing a Citizen as Vacancy Board Chairperson (Current Member – Chester Robak)

MITRICK Chairman Mitrick asked whether Mr. Robak had been contacted.

SABATINI Mr. Sabatini responded that Mr. Stern had contacted him last week.

PASCH Mr. Pasch asked for an explanation of this appointment.

SABATINI Mr. Sabatini responded that, if a Board member should resign, the Vacancy Board would appoint a member or individual to fill the vacancy. They also deal with the Board of Auditors as well.

BISHOP Mr. Bishop stated that the Board of Supervisors has 30 days to make the appointment. If the Board of Supervisors fails to make the appointment, then the Vacancy Board takes over.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 01-08 APPOINTING CHESTER ROBAK AS OUR VACANCY BOARD CHAIRPERSON. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

K. Resolution – Setting of Secretary/Treasurer and Assistant Secretary/Treasurer Bonds (Current Amount - $3 Million)

SABATINI Mr. Sabatini stated that the Township Board of Supervisors must approve the Secretary/Treasurer and the Assistant Secretary/Treasurer Bonds. The current Treasurer Bond is $3 million, and Mr. Hadge recommended that the Assistant Secretary/Treasurer also be $3 million.

PASCH Mr. Pasch inquired about the cost of the premium.

HADGE Mr. Hadge responded that the premium would be higher and added that the current premium amounted to $2,300 for one $3 million Bond.

GURRERI Mr. Gurreri asked why the amount needed to be upgraded.

SABATINI Mr. Sabatini responded that the law indicated Bonding should be equal to the greatest accessible cash balance, which is $3 million.

HADGE Mr. Hadge highly recommended that it be raised to $3 million for both the Secretary/Treasurer and Assistant Secretary Treasurer.

MR. GURRERI MOVED TO APPROVE THE RESOLUTION SETTING SECRETARY/TREASURER AND ASSISTANT SECRETARY/TREASURER BOND AT $3 MILLION EACH. MR. SCHENCK WAS SECOND.

PASCH Mr. Pasch commented that with a view toward accessibility, any two members of the Board could sign and be accessible to the funds. He asked why there would be a difference.

HADGE Mr. Hadge stated that one member of the Board was designated as the Assistant Secretary/Treasurer.

PASCH Mr. Pasch commented that the Treasurer and Assistant Secretary/Treasurer could be eliminated, and any two other members of the Board could sign a check.

HADGE Mr. Hadge responded that if that were the case, he would suggest a blanket bond on all of the Supervisors for $3 million. The Board had designated the Manager as Secretary/Treasurer and Supervisor Bishop as Assistant Secretary/Treasurer.

SABATINI Mr. Sabatini indicated the Township Code required bonding be in effect. An internal control issue was also important. Board members do not have the ability to generate a check without getting onto the system, and at that point there would be an internal trigger if Board members came in and said they wanted a check for $3 million for no reason.

BISHOP Mr. Bishop stated that Mr. Pasch had raised a good question. Just because the law indicates that bonding is required, it would be just as possible for Mr. Hadge to cut a check for $3 million and sign with Mr. Pasch as co-signer; neither of them are bonded. Mr. Bishop stated he was not sure that any of this would do any good other than meet state law.

PASCH Mr. Pasch commented that the state requirements were being met.

BISHOP Mr. Bishop responded the state requirements could be met with a $250,000 bond for $2,000 less.

SABATINI Mr. Sabatini reported that crime coverage was available underneath the existing policy that would cover situations of fraud or embezzlement. His view was simply to meet the requirements of state law.

PASCH Mr. Pasch indicated he understood, but asked whether it really needed to be done.

BISHOP Mr. Bishop added, if it needed to be done, should <u>more</u> be done.

HADGE Mr. Hadge stated that the designation of Treasurer requires a judiciary Bond of $1 million, and under the code the Township is required to designate the Treasurer. Mr. Hadge commented that in most municipalities the Chief Financial Officer is the Treasurer.

BISHOP Mr. Bishop recommended that the matter be reviewed before spending money on bonds.

MITRICK Chairman Mitrick agreed and asked that a review be made.

PASCH Mr. Pasch commented on Mr. Hadge's mention of a blanket bond. He suggested that a blanket bond might be less expensive than a series of smaller bonds.

SABATINI Mr. Sabatini responded that he would discuss the matter with McConkey & Co. to determine some alternatives for broader coverage.

MITRICK Chairman Mitrick asked whether the Board should simply bond the Secretary/Treasurer.

SABATINI Mr. Sabatini responded that the Board should re-approve the bond for the Secretary/Treasurer, and re-visit the by the end of the month.

PASCH Mr. Pasch asked whether the bonding included an expiration date.

SABATINI Mr. Sabatini responded that it was a one-year bond.

PASCH Mr. Pasch observed that the existing bond would not expire until November of 2001.

SABATINI Mr. Sabatini stated his appointment was made at the end of October. Mr. Sabatini indicated he would contact McConkey to see if a blanket bond could be established covering the Board of Supervisors, the Chief Financial Officer, the Tax Collector, etc.

MR. GURRERI MOVED TO APPROVE THE RESOLUTION SETTING OF THE TREASURER BOND OF $3 MILLION.

BISHOP Mr. Bishop stated he thought the matter should be held in abeyance until the 11th.

MITRICK Chairman Mitrick asked Mr. Bishop if he could see any problem with holding off until the 11th.

BISHOP Mr. Bishop responded that a requirement and a bond are currently in place.

SABATINI Mr. Sabatini added that nothing would change.

MR. GURRERI RESCINDED THE MOTION.

MITRICK Chairman Mitrick asked Mr. Sabatini to consider Mr. Hadge's comment that in most municipalities the Chief Financial Officer is the Treasurer. She asked Mr. Hadge if he typically signed most of the checks.

HADGE Mr. Hadge indicated he had done so to expedite them and added that one Supervisor always co-signs the checks.

SABATINI Mr. Sabatini stated that Paul Amic had been Secretary /Treasurer in the past.

BISHOP Mr. Bishop added that there was no Chief Financial Officer at that time.

SABATINI Mr. Sabatini commented that he would have no problem recommending that Mr. Hadge be appointed as Treasurer.

MITRICK Chairman Mitrick asked that the entire matter be reviewed and put on the agenda for the 11th.

Consensus was of the Board was agreement to review the entire matter of bonding.

L. Resolution – Approving signatures on checks drawn on the accounts of Springettsbury Township

SABATINI Mr. Sabatini stated that the Board of Supervisors, he and Mr. Hadge are listed as the Signatories on any checks, and a minimum of two signatures, with a Supervisor as one, are required. Five members of the Board of Supervisors, the Chief Financial Officer, Jack, and I are authorized to sign checks as previously designated on all of the corporate banking Resolutions.

GURRERI Mr. Gurreri asked whether the Resolution at the bank states that fact.

SABATINI Mr. Sabatini responded that it does.

BISHOP Mr. Bishop stated that he would be more comfortable actually having the Resolution in front of me before approval as it is a relatively complex set of wordings.

SABATINI Mr. Sabatini responded he would provide the Resolution with language stating any check must be signed by one Board member.

MITRICK Chairman Mitrick stated that this Resolution would be held until the 11th.

M. Resolution 01-09 – Appointing to the Planning Commission (Current Members – Larry Gibbs 2004, Mark Robertson 2005 and Alan Maciejewski 2006)

SABATINI Mr. Sabatini stated that three people are eligible for appointment to the Planning Commission: Messrs. Gibbs, Robertson and Maciejewski. Mr. Stern had contacted each of them, and they all desire re-appointment.

BISHOP Mr. Bishop asked whether the staggered appointments were being created with this action.

SABATINI Mr. Sabatini responded that a problem had been created by former clerical assistant and the appointments had been mixed up for a number of years. This action will clear out the last of those appointments.

MITRICK Chairman Mitrick asked whether the appointees had been made aware of the term limit.

SABATINI Mr. Sabatini assured her that Mr. Stern had made them aware of that.

BISHOP Mr. Bishop asked about the expiration date for appointment.

SABATINI Mr. Sabatini responded that appointments are made to the first re-organization meeting of each of the ensuing years.

MR. BISHOP MOVED TO ADOPT RESOLUTION 01-09 APPOINTING MEMBERS TO THE PLANNING COMMISSION: LARRY GIBBS, MARK ROBERTSON AND ALAN MACIEJEWSKI TO THE DATES SHOWN ON THE RESOLUTION. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

N. Resolution 01-10 – Appointing a Member to the Zoning Hearing Board until the First Monday in January 2005 (Current Member – Ron Scheeler)

SABATINI Mr. Sabatini advised that there was one appointment to the Zoning Hearing Board, Mr. Ron Scheeler, who had indicated a desire to be on the Zoning Hearing Board. His term would be until the first Monday in January, 2005.

MR. GURRERI MOVED TO APPROVE RESOLUTION 01-10 APPOINTING A MEMBER TO THE ZONING HEARING BOARD UNTIL THE FIRST MONDAY IN JANUARY 2005, MR. RON SHEELER. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

O. Resolution 01-11 – Appointing Members to the Park & Recreation Board until the First Monday in January 2005 (Current Members - Cindy Osborne 2005 and Sharon Nichols 2005)

SABATINI Mr. Sabatini advised that Resolution 01-11 would appoint members to the Park and Recreation Board. Cindy Osborne and Sharon Nichols had indicated interest in serving until the first Monday in January 2005.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 01-11 APPOINTING CINDY OSBORNE AND SHARON NICHOLS TO THE PARK AND RECREATION BOARD THROUGH JANUARY, 2005. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

P. Resolution 01-13 – Appointing Members to the Plumbing Board until the First Monday in January 2004.
(Current Members – Robert Dubois, Daniel Lehr)

SABATINI Mr. Sabatini advised that Resolution 01-13 would appoint members to the Plumbing Board until the first Monday in January 2004. Messrs. Dubois and Lehr indicated interest in serving in that capacity.

MITRICK Chairman Mitrick received a telephone call from Robert Dubois, who advised he would be sending a letter of resignation as he will be moving to Florida.

SABATINI Mr. Sabatini responded that he would seek another member.

MITRICK Chairman Mitrick stated that the Motion should include only Daniel Lehr.

MR. GURRERI MOVED TO APPROVE RESOLUTION 01-13 APPOINTING DANIEL LEHR TO THE PLUMBING BOARD UNTIL THE FIRST MONDAY IN JANUARY 2004. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. OTHER BUSINESS:

Committee Appointments and Removal

SABATINI Mr. Sabatini commented that the Board of Supervisors asked him to review whether or individuals could be appointed into some of the secondary Boards for one year terms of office, such as Park and Recreation, Plumbing Board, and Recycling Committee. Mr. Sabatini reported the only established Resolution, which addressed the term of office, was for the Park and Recreation Board, which is a five-year term. If the Board chose to change that, a new Resolution would need to be approved to amend the section of the original Resolution and establish one-year terms of office. Terms of the other boards are not addressed. Mr. Sabatini added that terms within the Zoning Hearing Board and Planning Commission are set by Ordinance and/or state law.

MITRICK Chairman Mitrick commented that the information did not solve the problem that had been brought to her attention. If a committee member is not attending the meetings, but opts to continue appointment on that board, a mechanism is needed to address that situation.

SABATINI Mr. Sabatini responded that he had been reviewing the Resolutions and Ordinances as part of the Codification process. There is no mechanism within those Resolutions or Ordinances to deal with removal of a member. He added that a threshold could be established where, if members are not attending committee meetings, a local agency hearing could be held for some of the positions with the Zoning Hearing Board or Planning Commission. Additionally the individuals may simply be removed from the committees where a review process is not necessary.

PASCH Mr. Pasch stated that having a tool in place would be an appropriate procedure for removal. He added he could not recall a situation where there had been a problem.

GURRERI Mr. Gurreri asked whether anyone had ever been removed from anything.

SCHENCK Mr. Schenck responded that they had done so.

SABATINI Mr. Sabatini stated that would be addressed as part of the Ordinance Codification. Recommendations will be provided to the board.

Federal Funding

SABATINI Mr. Sabatini reported that the Board received information from York County Planning Commission that we have received a substantial amount of Federal funds as part of the Municipal Planning Organization for the first four years of the 12-year plan. He indicated that the funding was substantial and the timetables were impressive, especially the Interchange Project and Memory Lane, Route 30 and the Sherman Street straightening project. Mr. Sabatini will contact Chris Risetto about how this ties in with the transportation planning. Mr. Sabatini was extremely pleased with the receipt of the funding.

PASCH Mr. Pasch indicated he was very pleased with that news.

SABATINI Mr. Sabatini reported that he will visit the Springettsbury Business Association on Wednesday, January 17th at 7 a.m. He planned to advise them of the Federal funds and the transportation planning as it affects the business community. This falls into the focus on quality of life issues.

GURRERI Mr. Gurreri stated that a lot of work went into that project, and added that it was finally paying off.

SABATINI Mr. Sabatini stated that the credit goes to Messrs. Stern, Amic and the Board for pushing the agenda. He advised the Board he would be providing information to the press.

PASCH Mr. Pasch would like the information to be published in the next newsletter.

SABATINI Mr. Sabatini provided a draft job description for discussion in the future.

SABATINI Mr. Sabatini stated that he had some items for Executive Session discussion. He thanked the Board for their kind comments on his recovery last week.

York Waste Disposal

SCHENCK Mr. Schenck reported a scenario he and his wife had encountered with York Waste. Mr. Schenck indicated great displeasure with the fact that the recycled trash had been thrown in with the trash. Mr. Schenck confronted the individuals who had provided some insignificant excuses. Mr. Schenck was concerned inasmuch as this had occurred in one of many neighborhood, but what really concerned him was that this was just one more item on the list of problems with this trash hauler that we've had since the change of ownership. Mr. Schenck wanted the Board and the Manager to be aware of his personal experience because York should be told on no uncertain terms they're contracted to pick up recycling, and there was no good reason why they should not do so. Mr. Schenck encouraged a hard line look at the contract with York Waste.

MITRICK Chairman Mitrick asked whether his typical pickup on Friday.

SCHENCK Mr. Schenck responded that was correct, but because of the holiday it was done on Saturday.

MITRICK Chairman Mitrick stated that on Friday evening she received numerous calls and even on Saturday from residents particularly in the Penn Oaks area that had not had their trash picked up at all. Then she received a call today (January 2, 2001) from a Mr. Barley gentleman who is on a Friday pickup, and as of 10 a.m. today his trash still had not been picked up.

SABATINI Mr. Sabatini reported that he received about 10 telephone calls and had a message from Mr. Claghorn at 5:45 p.m. Friday. Mr. Claghorn will attend the Regular Meeting on the 11th for discussion. Mr. Sabatini had started a list of the people he had spoken with, who indicated they've had this problem more than once. He requested that individuals telephone him directly in the future. The garbage contract was being reviewed and he

was looking into a bail provision if the situation does not improve dramatically in the next 90 days.

SCHENCK Mr. Schenck indicated if they were not fulfilling the terms of the contract, that would be enough for him.

GURRERI Mr. Gurreri stated they completely missed two blocks in his neighborhood, but they returned the next day and picked up the trash. They did not pick up the garbage this week the whole way up the hill on Edgewood Road.

SABATINI Mr. Sabatini commented that complaints had been addressed aggressively as they had been made known. He added that many times he would hear about the problems later, which made it more difficult. After this week's issues comments would be provided to the Board to address with York Waste.

SCHENCK Mr. Schenck was adamant that, as far as he was concerned, he would be willing to cancel the contract. YOU CAN tell them one Board member, as far as he's concerned, this is the time where we pay our lawyer to get us out of trouble. I'm willing to tell them to take a hike and sue me if you want. I'm only one board member but – at least one is feeling that way.

GURRERI Mr. Gurreri asked who would replace them.

PASCH Mr. Pasch indicated he understood Mr. Schenk's frustration, but added that he would rather see something concrete in the contract before finding the Township in a legal battle. Mr. Pasch added that his experience with the trash hauler has been perfect. When the holidays come and they're supposed to be there the next day, they're always there.

SCHENCK Mr. Schenck responded they were there on Saturday, which he had anticipated.

PASCH Mr. Pasch agreed with Mr. Schenck that the recyclables should be taken and recycled because that is what the Township pays for. He also agreed that a contact needed to be made with them to indicate the Township's frustration.

SABATINI Mr. Sabatini commented that language is generally stated in the contract addressing issues such as failure to provide service or abandonment of contract. If they are missing all these stops for no apparent reason, with documentation the Township could have a very good reason to cancel the contract under either clause or abandonment of service.

MITRICK Chairman Mitrick had received several calls and agreed with Mr. Schenck. She had the experience that half of her recyclables were all over Barwood Road. If an attempt were being made to throw the recyclables in the truck, they missed, and then they took off, which is a real problem. She reported that she had spoken with Mr. Claghorn at York Waste and told him that the Township had so many complaints that these need to be addressed. He said they had an emergency meeting with management, and another will be held at the end of the week regarding the problems. He requested that he be allowed to come to our meeting on the 11th to speak to the Board about it.

SCHENCK Mr. Schenck commented that Mr. Claghorn needed to be advised about his recycling incident prior to the meeting on the 11th.

SABATINI Mr. Sabatini responded that he would provide all the telephone numbers of the residents with whom he had been in contact, along with their specific complains, which he had documented in a log book.

PASCH Mr. Pasch indicated he would like to see all that in a written document to York Waste.

SABATINI Mr. Sabatini responded he would summarize the matter and provide it to the Board members. He added he would appreciate the Supervisors advising residents who may call them to please have them call him because of his involvement in the solution to the problem.

GURRERI Mr. Gurreri indicated the garbage hauler is probably having the same trouble as everybody, which is getting good help, and some of the guys that work on the truck have some attitudes.

SABATINI Mr. Sabatini indicated that York Waste had lost the Swatara Township contract, which is an equivalent municipality in the Harrisburg area, and that might free up additional people.

MITRICK Chairman Mitrick commented that with the loss of that contract, more people and equipment would be available for Springettsbury.

BISHOP Mr. Bishop agreed with Mr. Pasch's interest in seeing a copy of the contract, and any written extension to that contract. He remembered the discussion around the extension.

SCHENCK Mr. Schenck added that the last I heard about it, Mr. Sabatini stated that it hadn't been sent yet but would be.

SABATINI Mr. Sabatini responded that it had been extended.

GURRERI Mr. Gurreri reported that there had been some bidding in the paper of three different contractors, and they were much higher than the other two. The other two were very close, and he did not remember what the percentage was but they were really high. Mr. Gurreri added that he didn't know if they are used to having the contract and they're not used to that competition.

SABATINI Mr. Sabatini stated the market is difficult to determine considering the sale and buy-outs within the different companies.

MITRICK Chairman Mitrick recommended that Mr. Sabatini contact Connie Smultzer from the Recycling Committee because recently she told her that many of the materials being recycled no longer have a use. That would be valuable knowledge going into contract discussions.

West Nile Virus

SABATINI Mr. Sabatini reported that he had spoken Connie Smultzer about the West Nile Virus. The County is moving ahead on a lot of monitoring and Penn State Ag Group will be working with municipalities to train public works personnel on the application of larvasides, – one from each municipality in the County. They're going to be purchasing larvasides for the municipalities and doing a lot of public education over the next few months. They feel with certainty that there will be mosquitoes in Springettsbury Township with the West Nile Virus this year, not just birds but actual mosquitoes. The County should be providing information during the first quarter.

MITRICK Chairman Mitrick commented that in the future when she called the Board members at midnight to let them know that there is a dead bird in Springettsbury Township she would appreciate a little more interest.

PASCH Mr. Pasch stated that the transfer of information is so late that there's nothing that can be done about it anyway. They found the bird a month before they released any information

MITRICK Chairman Mitrick responded that Connie had advised her the reason it was delayed was that there were so many samples that needed to be tested that they were sending samples almost to the West Coast. They just didn't have the layout available to do the testing. Chairman Mitrick agreed with Mr. Pasch in that the information was passed to the Township a month later.

SABATINI Mr. Sabatini stated that when he had spoken with Connie, he had advised that a faster turnaround was needed on some of the information.

Springettsbury Park Plans – YSM Meeting

SABATINI Mr. Sabatini proposed to schedule a meeting with the Board of Supervisors and YSM to look at the Park Plans at the 80% mark. He recommended the meeting be held the week of the 15th, 22nd or 29th. We would also like to invite the Park and Recreation Board to attend the meeting, basically have it as a joint meeting.

SCHENCK Mr. Schenck asked when the Park and Rec Board normally meets.

BOWDERS Dori Bowders stated that the normal Park and Recreation Board meetings are normally held on the third Wednesday of the month. The next scheduled meeting is at 7 p.m. on Wednesday, January 17th.

SABATINI Mr. Sabatini added that appropriate staff members would be present, such as himself, Andrew Stern, the Police Chief because of the security issues relating to the property, Charlie Lauer, etc. Prior to that meeting a reduced size set of plans would be provided with descriptions to have a good basis for discussion.

MITRICK Chairman Mitrick stated the meeting should be advertised.

Sludge Information

PASCH Mr. Pasch reported that he read the Environ news bulletin from Representative Bud George, which included an article on sludge. What had been stated in the article was sludge distribution caused the death of a young child, and the Pennsylvania Department of Environmental Resources said it had nothing to do with his death. However, it had since been proven that it did have to do with the death of the child as it was from a Federally-regulated pathogen which should not be in the sludge. There are some things that the Township has to be very alert to in terms of the distribution of sludge, and Representative George suggests keeping the pressure on. Reports questioning the safety of sludge are appearing frequently. Meanwhile pressure continues to mount for a local control and stricter regulations of sludge. Bud George is pretty active in our legislature. If he's pushing this we may have some problems to which we're going to have to be very alert.

SABATINI Mr. Sabatini indicated he had read the article. He had not ever read that there was a direct lead between the death of this boy and the distribution of sludge. He only had heard allegations. He added he would make a contact with DEP.

SABATINI Mr. Sabatini stated the staff and especially the people in the Waste Water Treatment Plant are acutely aware of the potential hazards because they are the ones handling that.

PASCH Mr. Pasch added that the article indicates there are hazards to the sewage treatment plant workers that handle Class B sludge. Springettsbury supposedly handles the high Class A sludge.

Privatization

PASCH Mr. Pasch reported that the Economic Policy Institute advertised a seminar on January 11th regarding Privatization – Trends, Evidence and Alternatives for local government bodies. He would like to be aware of what is happening in privatization and examine it.

SABATINI Mr. Sabatini knew about the seminar and stated he thought that particular one was oriented more toward school districts than municipalities.

Central High School – Site Selection

MITRICK Chairman Mitrick asked whether Mr. Sabatini had heard anything more with site selection for Central High School.

SABATINI Mr. Sabatini responded he had heard nothing officially. Mr. Stern had a slight comment from a school board member who said we shouldn't have to worry so much about traffic. They were looking at a site off Sherman Street near the Waste Water Plant. They said there might not be as much need for us to worry about traffic through there as there once was. Either they have a lot of money that they're going to spend on correcting traffic, or it's going some place else. Apparently there's a school board meeting next week and that was to be a topic of discussion. They were looking at property in Manchester Township. No follow up meetings had been held with Dr. Estep, although Mr. Stern had been in touch with their site engineer to discuss availability of infrastructure through there, water, sewer, transportation, what things they would have to do to work the plan through.

MITRICK Chairman Mitrick commented that in the Transportation Program they have North Sherman Street listed. She hoped that everything would be coordinated if that were the selected site.

Board Room Clock

MITRICK Chairman Mitrick stated that Mr. Tim Pasch made a contribution to the Township for the purchase of a clock for the Board Room. She would certainly appreciate it if someone could follow through with that.

SABATINI Mr. Sabatini responded that Mr. Stern was attempting to purchase a nice one.

PASCH Mr. Pasch commented that he had been concerned with the size of the new board table in that he would have difficulty hearing. He stated that he was able to hear more easily. He complimented Mr. Stern for his work with the audio people.

GURRERI Mr. Gurreri commented that he could actually see Mr. Schenck, which previously he was unable to do.

SABATINI Mr. Sabatini stated that the microphones are voice activated, so he asked that every one to speak directly into the microphones for activation.

GURRERI Mr. Gurreri commented that he is one of the softest speaking persons present. Mr. Gurreri reported that a leadership seminar would be held February 10 in Shippensburg at a cost of $45.00. He and Mr. Pasch had attended previously, and this would be continuation.

PASCH Mr. Pasch added that the seminar was very good.

GURRERI Mr. Gurreri commented about the discussion regarding a Comprehensive Plan. It was determined to focus on this two-year project at a later time. Mr. Gurreri volunteered to work on that committee. He indicated a need to get the community together, and he would work on that part.

SABATINI Mr. Sabatini stated that the project would begin sometime during the second half of 2001. One big decision to be made would be whether Springettsbury would want to do a comprehensive plan with another municipality. State law now makes that advantageous. The implications of Act 167 and Act 168, which include the amendments to the MPC, are being digested by the attorneys. Mr. Sabatini indicated it would be advantageous to the Township to wait a few months. There are some big advantages to doing joint planning, but there are also some potential pitfalls depending upon the partner. Some municipalities have done a Comprehensive Plan only. State law now requires that there be a reasonable link between your Comprehensive Plan, your Subdivision Ordinance and your Zoning Ordinance, which is different than what state law required in the past. For a Comp Plan, Zoning Ordinance, Subdivision Ordinance and Storm Water Ordinance the cost would amount to approximately $150,000 for all four items.

PASCH Mr. Pasch recalled paying $100,000 for the Comp Plan alone.

GURRERI Mr. Gurreri commented that York City just did a Comp Plan for $200,000.

SABATINI Mr. Sabatini indicated there would be more dialogue on open space and cluster development. Several questions need to be answered, such as whether to share a Comp Plan, or do a Regional Plan, whether to consider traffic implications because state law does allow development plans that would charge developers and builders for the impact of their development or their project on certain transportation segments. The Township was at the 10-year mark and with the changes in the law it would be beneficial.

PASCH Mr. Pasch stated that most of the traffic problems experienced in Springettsbury Township are because of York Township and Windsor and Manchester and not because of Springettsbury, which just happened to be in the middle. Some kind of group agreement would be better for Springettsbury and there would be some input into what the other townships are proposing especially in terms of the transportation.

GURRERI Mr. Gurreri suggested a tollgate up between Townships.

SABATINI Mr. Sabatini commented that Camp Hill tried to put a tollgate between East Pennsboro at Blue Cross. They lost at the State Supreme Court level.

6. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

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