

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 26, 2023
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, January 26, 2023 at 7:00 p.m. at the offices of York Area Fire and Rescue located at 50 Commons Drive, York, PA in person and by Zoom.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak, Vice Chairman
Charles Wurster, Assistant Secretary/Treasurer
Don Bishop (via Zoom)
Robert Cox

ALSO IN

ATTENDANCE: Mark Hodgkinson, Township Manager
Charles Rausch, Solicitor
John Luciani, Township Engineer
Diana Young, Environmental Engineer
Dori Bowders, Director of Administrative Operations
Randall Heilman, Director of Community Development
Nitza Sanchez-Bowser, HR Director
Todd King, Chief of Police
Daniel Hoff, YAUFRR Chief (via Zoom)
Abby Gibb, Communications Manager
Sue Sipe, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

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

B. Oath of Office – Patrolman Blake Einsig

Chairman Swomley administered the Oath of Office to Patrolman Blake Einsig, with Todd King, Chief of Police assisting. Chief King presented Patrolman Einsig with a plaque which detailed a declaration of commitment entitled “The Springettsbury Badge”.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SWOMLEY Chairman Swomley announced there would not be an Executive Session this evening.

3. COMMUNICATION FROM CITIZENS

There was none.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

YOUNG Ms. Young indicated she had no update to her report.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani reported tomorrow (1/27) they will meet with the contractor for Davies Drive which will include Public Works and Mr. Hodgkinson to begin the project.

Mr. Luciani indicated today they met with the developer of the Giant Shopping Center, J.C. Bar, to inspect the sidewalk segment and discuss parking for the project. He noted retaining walls will be installed. He indicated the Nalley Fresh project will not move forward.

5. CONSENT AGENDA

- A. Acknowledge Receipt of November 15, 2022 York Area United Fire and Rescue Commission Meeting Minutes
- B. Acknowledge Receipt of December 31, 2022 Treasurer's Report
- C. Board of Supervisors Reorganization Meeting Minutes - January 3, 2023
- D. Board of Supervisors Regular Meeting Minutes - January 12, 2023
- E. Regular Payables as Detailed in Payable Listing of January 26, 2023
- F. Uhrig Construction, Inc. - Springettsbury Township Building Renovation and Expansion Project - Application for Payment No. 19 in an amount not to exceed \$168,416.89
- G. East York Apartments, 2810 East Market Street - Close Out of Public Improvements Security Bond in the amount of \$17,465
- H. Motter Industrial Park Lots 2 & 3 - Bond Reduction in the amount of \$72,388.20 (Remaining Balance \$40,782.03)

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

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Submit Green Light Go Grant Application to PennDOT for Traffic Signal Improvements

HODGKINSON Mr. Hodgkinson stated the request is to make various improvements to the traffic signals along Market Street from Mill Street to North Hills Road. The grant request amount is \$455,600, Township Match: \$113,900 - Total Project Cost: \$569,500.

MR. WURSTER MOVED FOR AUTHORIZATION TO SUBMIT THE GREEN LIGHT GO GRANT APPLICATION TO PENNDOT FOR TRAFFIC SIGNAL IMPROVEMENTS IN THE AMOUNT AS NOTED ABOVE. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Execute Caselle Financial Software and Services Agreement with Dallas Data Systems in an amount not to exceed \$145,375

HODGKINSON Mr. Hodgkinson stated Ms. Hummel has been researching different software solutions for the financial software as well as several other modules. They concluded this system is an improvement. The implementation of the new system will be held until January 1, 2024 until all modules are ready.

MR. WURSTER MOVED TO AUTHORIZE TOWNSHIP MANAGEMENT TO EXECUTE THE CASELLE FINANCIAL SOFTWARE AND SERVICES AGREEMENT WITH DALLAS DATA SYSTEMS IN AN AMOUNT NOT TO EXCEED \$145,375. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED

- C. Authorization to Execute Payroll Services Agreement with Paycom in an amount not to exceed \$7,500

HODGKINSON Mr. Hodgkinson stated Ms. Sanchez-Bowser has been researching different opportunities for payroll with Paycom. Mr. Hodgkinson stated he met with them as well and their consensus is the best path for the Township is to outsource the payroll services with Paycom. He noted \$7,500 is the amount for the set-up. It will then be a fee-per-payroll check.

MR. DVORYAK MOVED TO AUTHORIZE EXECUTING PAYROLL SERVICES AGREEMENT WITH PAYCOM IN AN AMOUNT NOT TO EXCEED \$7,500. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED

- D. Authorization to Execute Mobile Data Computer Service Agreement with the County of York for the period April 1, 2023 through March 31, 2028

KING Chief King indicated this includes all mobile data computers. It was noted the current agreement expires end of March.

MR. DVORYAK MOVED TO AUTHORIZE EXECUTING MOBILE DATA COMPUTER SERVICE AGREEMENT WITH THE COUNTY OF YORK FOR THE PERIOD APRIL 1, 2023 THROUGH MARCH 31, 2028. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. LD-2021-0003 Caliber Collision, 2000 Whiteford Road
Tom Englert, Site Design Concepts
Att. Paul Minnich, Barley, Snyder
Val Fichera

HODGKINSON Mr. Hodgkinson stated Mr. Heilman and Mr. Luciani have been meeting with the developers. One of the issues has been the sidewalks along Whiteford Road and how to best to handle it. This included a retaining wall which would be in the road right-of-way with a 5 ft. sidewalk requested but no grass strip. Mr. Hodgkinson determined a better plan could be formed, so they met with the developer with a new plan to include the items the Township requires which is the grass strip, the 5 ft. wide sidewalk and no retaining wall in the right-of-way. In determining a decision, a revised Board of Supervisors summary is included which highlights the items necessary.

HEILMAN Mr. Heilman stated based on Mr. Hodgkinson comments, he modified his recommendation accordingly.

MINNICH Attorney Minnich noted they received a special exception from the Zoning Hearing Board to move forward. He indicated the complicating factor is the topography associated with the site, with the challenges to develop a workable plan with good visibility. Att. Minnich stated they have made modifications which he believes is a consensus approach.

ENGLERT Mr. Englert explained the proposed use is for a 12,400 sq. ft. automobile repair/body shop located at the corner of Whiteford Road and Memory Lane Extended. He noted due to the difficult topography of the site the only way to access the site is on the north property line on Memory Lane. He noted they are also requesting a waiver of the slope of the driveway to get up to the site. Another issue is a Sun Pipeline right-of-way through the middle of the site. The pipeline is no longer there, as it was cut on the property lines in 2007. He indicated in working with Sun Pipeline they relocated the right-of-way across the property line. Another issue is a steep embankment which PennDOT cut into when they built Route 30. He noted that slope is less than 1:1 and trying to get a sidewalk along the roadway with the grass strip has proved difficult.

Mr. Englert stated in working with the Township today they have determined they can utilize the shoulder and the classification of this roadway and the lack of a need for that shoulder and still provide a 4 ft. shoulder with a 1 ft. reveal curb to

protect pedestrians from vehicles coming around the turn. They are providing a 4 ft. grass strip as required behind the sidewalk and no retaining wall will be needed. As discussed with Township staff, at the property line they are proposing a white line from the side to the face of the curb back to a taper approximately 100 ft. back. As an added safety precaution, outside the cartway they are proposing 1 ft. wide past the white line of milled rumble strips.

RAUSCH Solicitor Rausch asked about the water line.

ENGLERTH Mr. Englerth stated there is a 12” water line which runs in the middle of the shoulder. He noted that was an issue with raising the sidewalk and bringing out into the shoulder which meant the water line would be under the raised sidewalk area. He noted the current design is the water line is in the grass strip, which would be accessible.

Mr. Englerth indicated they are requesting an additional waiver relating to a stormwater comment for loading ratios 8:1 as required by the Township. He noted they are at 16.7:1 and 12.9:1. They provided a geotechnical letter from TPA indicating the higher loading ratio would not be a problem. Mr. Englerth stated they did not receive a comment letter from the Conservation District for their review on the loading ratios.

COX Mr. Cox asked if the business is corporately owned property.

FICHERA Mr. Fichera stated Caliber is a corporately owned company but all their sites are owned by local developers.

ENGLERTH Mr. Englerth stated they are officially requesting a waiver for loading ratios as denoted in the Conditions of Approval #6 and #7.

The following Conditions of Approval were moved to Modifications/Waivers
Condition #6 and #7 - §281-15.C.3.B – A maximum total loading ratio of 8:1 relating total draining area to infiltration area.

It was recommended to amend Modification/Waiver §289-35.B(2)(a). – Buffer Yard Between Commercial and Residential use - to not provide a buffer yard within the existing 40 ft. wide Sunoco Gas utility easement along the common property line.

MR. WURSTER MOVED WITH REGARD TO LD-2021-0003 CALIBER COLLISION TO APPROVE THE FOLLOWING WAIVERS AND MODIFICATIONS:

- **§289-10 – PRELIMINARY PLANS**
- **§289-13.A. – PLAN SHEET SCALE**
- **§289-26 – CONCRETE MONUMENTS**
- **§289-31.A – CONCRETE CURBING INSTALLATION WITH 8” REVEAL IN PARKING LOTS**

- **§289-35.B(2)(A). – BUFFER YARD BETWEEN COMMERCIAL AND RESIDENTIAL USE AS AMENDED – MODIFICATION REQUEST TO NOT PROVIDE BUFFER YARD WITHIN THE EXISTING 40 FT. WIDE SUNOCO GAS UTILITY EASEMENT ALONG THE COMMON PROPERTY LINE**
- **§289-41.J(4). – DRIVEWAY SLOPE NOT TO EXCEED 5% WITH 25 FEET OF RIGHT-OF-WAY AND NOT EXCEED 12% FOR REMAINDER OF DRIVEWAY.**
- **§281-15.C.3.B – A MAXIMUM TOTAL LOADING RATIO OF 8:1 RELATING TOTAL DRAINING AREA TO INFILTRATION AREA.**

MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SWOMLEY Chairman Swomley indicated his appreciation that the curbing will be 6” which avoids vehicles running into the curb. He stated he mentioned this to Mr. Hodgkinson to look at this and only require it where something must be protected.

MR. WURSTER MOVED WITH REGARD TO LD-2021-0003 CALIBER COLLISION TO APPROVE SUBJECT TO THE FOLLOWING CONDITIONS:

- **§289-10.5(C). - ONE COPY TO THE YORK COUNTY CONSERVATION DISTRICT FOR EROSION AND SEDIMENT CONTROL REVIEW AND LETTERS OF ADEQUACY**
- **§289-12.C GUARANTEE**
- **§289-16.A. - A TOPOGRAPHIC MAP OF THE SITE WHICH HIGHLIGHTS THOSE AREAS THAT POSSESS SLOPES EXCEEDING 15%**
- **§289-35.E.1-3. - SITE MAINTENANCE AND GUARANTEE**
- **MAINTAIN THE GUTTER FLOW FOR THE PROPOSED ACCESS DRIVE ENTRANCE FOR THE EXISTING STREET**

MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. LD-2022-0006 Five Guys, 1125 Haines Road
William Latta, GPD Group

HEILMAN Mr. Heilman stated this plan is a redevelopment of the existing Five Guys Restaurant, which will be demolished, and a new restaurant built.

LATTA Mr. Latta stated they worked through several issues with Staff surrounding the stormwater plan and modifications to the curbs to be 6”, as well as allowing the plan to be plotted at a 1:20 scale due to the small site. Mr. Latta provided the layout of the site pointing out the re-utilizing parking around the building. He noted a waiver was obtained to provide parking in front of the building.

LUCIANI Mr. Luciani noted the stormwater on the site will be located via a storage pipe alongside of the restaurant and this will be managing stormwater for the building. Mr. Luciani also indicated the sidewalks along Haines Road were replaced by PennDOT and the recommendation of the Board was no need to remove that

sidewalk and replace it. He noted the driveways will remain, as well as the parking lot. He acknowledged in his opinion the plan is satisfactory.

BISHOP Mr. Bishop questioned Condition #2 relating to the stormwater management system on the plan summary. Discussion was held regarding the condition. It was determined to leave the condition in, and Township Staff will work through it with the developer.

MR. WURSTER MOVED WITH REGARD TO LD-2022-0006 FIVE GUYS TO APPROVE THE FOLLOWING WAIVERS AND MODIFICATIONS:

- §289-13 – PLAN SCALE
- §289-31.A – INSTALLATION OF 8” CURBING

MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. WURSTER MOVED WITH REGARD TO LD-2022-0006 FIVE GUYS TO APPROVE THE PLAN SUBJECT TO THE FOLLOWING CONDITIONS:

- §289-26.A – MONUMENTS
- §289-30 – STORMWATER MANAGEMENT SYSTEM
- §289-10J – UPDATE THE PCSM TO COMMENT ON THE CARBONATE GEOLOGY OR KARST TOPOGRAPHY
- §281-15.b(1)(g) – EMERGENCY SPILLWAY
- §281-16.D(1)(f) – SWM SITE PLAN SHALL INCLUDE AN O&M PLAN
- §281-16.D(4)(a)[4] – SCHEDULE FOR INSTALLATION OF THE CONTROL MEASURES AND DEVICES

MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

BISHOP Mr. Bishop stated in receiving his membership application for UPMC Life Team ambulance service, he wondered if Springettsbury’s current contracts should be reviewed to assure they are up to date and working to the benefit of Springettsbury residents.

BOWDERS Upon discussion by the Board, Ms. Bowders confirmed she and Mr. Hodgkinson will review the agreement.

DVORYAK Mr. Dvoryak indicated at a recent YAUFRR meeting there was conversation about staffing which revolved around the fact that YAUFRR is still providing EMS services in the Township, even though it was outsourced years ago with the ambulance service. He noted feedback he received is that the ambulance service may not be performing up to current standards.

HOFF Chief Hoff clarified the information noting the EMS provision of service in Springettsbury Fire Department is relatively unchanged since 2008. He stated the fire department responds to priority one medical calls whenever the primary

ambulance is not available. He noted there are two rigs in service every day, with the demand on the ambulance service in the entire county overwhelming. He stated there are times when an ambulance from outside the area must cover because the first two ambulances are already committed. He affirmed that Lifeteam is living up to its obligations to the Township.

Chief Hoff indicated the contract was renewed in 2020 for five years with Lifeteam. He clarified both services are ALS – one is a 24-hour unit, staffed 24/7. The other unit is staffed for peak hours 12 hours per day. He noted with Lifeteam being the biggest provider of EMS in York County, when the call volume in any area is increased, they can rotate units from elsewhere in the organization to the location of the heaviest volume to reduce response times.

Chief Hoff reiterated YAUFRR is not picking up their slack, they are responding to First Response EMS, getting trained people to the residents as soon as they can when they know there is going to be a delay.

SWOMLEY Chairman Swomley asked if metrics could be provided to determine how often this occurs.

HOFF Chief Hoff indicated he would provide that information.

BISHOP Mr. Bishop commented that during the presentation of the Staffing Study at the YAUFRR meeting, one of the members of the team expressed the effectiveness of fire departments taking over EMS Services which was noted to be beneficial and successful in his company.

SWOMLEY Chairman Swomley stated he was invited to tour WCJ Wire, who is currently proposing a development to add space to increase their manufacturing facility. He noted a hearing was held regarding a portion of their facility determined to be a retail operation since it was determined to be considered wire in and wire out, by the hearing officer. Chairman Swomley indicated one of the company's neighbors takes in cardboard and turns it into corrugated cardboard to send it out, yet they are considered a manufacturing facility. He noted there are other manufacturers in the area who take in a product that goes out looking like it has not been altered but is substantially altered.

Chairman Swomley stated as it relates to metallurgy, low carbon steel is a soft metal which comes in huge wire spools, 4 ft. in diameter, 5 ft. high, weighing thousand of pounds. This gets unwound and drawn through dyes to stretch it which hardens the metal and changes the grain structure, so the grains align. It changes the properties of the material so it can be used for other things. The process is then to galvanize coat the wire so that it does not rust and then it is finish-sized for the application that results. This could be staples or wire-bound notebooks, etc. It is a product that is created, not merely wire in, wire out.

Chairman Swomley recommended if the Board has any opportunity to weigh in on the situation, if the manufacturer should decide to appeal the ruling, it be considered as a manufacturing facility. He was unsure how to accomplish it, but if they can make sure there is an understanding of the process and what the definition of manufacturing is. He noted the company is being charged retail tax on a portion of their business that does not look like a retail operation.

RAUSCH Solicitor Rausch clarified this is a business privilege tax.

SWOMLEY Chairman Swomley stated part of the issue is understanding the technology and how to apply them to a particular situation. He noted someone might not understand the implications of the manufacturing process that this product is undergoing and could misinterpret it as retail.

RAUSCH Solicitor Rausch stated York-Adams Tax Bureau will do a tax audit and an initial determination as to whether something falls within the business privilege tax. The owner can appeal and then the tax bureau will write an opinion. The company can then appeal to the hearing officer, and to the Court of Common Pleas.

SWOMLEY Chairman Swomley stated he was not sure if they will appeal the decision.

RAUSCH Solicitor Rausch reported there is a vacancy in the role of the tax hearing officer who passed away. He noted they will be seeking a replacement soon.

9. COMMITTEE REPORTS

There were no Committee Reports.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch had no additions to his report.

11. MANAGER'S REPORT

HODGKINSON Mr. Hodgkinson stated he had no additions to his report.

12. ORDINANCES AND RESOLUTIONS

Resolution No. 2023-26 – Appointing Alternate Member to Zoning Hearing Board to Fill Unexpired Term Ending on the First Monday in January 2024

Mr. Brian Kauffman was interviewed. He indicated as noted on his resume, he is a retired civil engineer and a Penn State graduate. He provided background on his experience and residency.

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 2023-26
APPOINTING BRIAN KAUFFMAN AS ALTERNATE MEMBER TO THE ZONING
HEARING BOARD. MR. COX WAS SECOND. MOTION UNANIMOUSLY
CARRIED.**

13. OLD BUSINESS

A. Old Business Listing

Mr. Bishop suggested to have the list included on the agenda for the February meeting.

14. NEW BUSINESS

There was none.

15. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 8:31 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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