

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 24, 2022
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, February 24, 2022 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 technology.

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, Civil Engineer
Diana Young, Environmental Engineer
Dori Bowders, Director of Administrative Operations
Randall Heilman, Director of Community Development
Nitza Sanchez-Bowser, Director of Human Resources
Teresa Hummel, Director of Finance (via Zoom)
Dan Hoff, YAUFRR Chief
Abby Gibb, Communications Manager
Jean Abreght, Stenographer (Zoom)

1. CALL TO ORDER

A. Opening Ceremony

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

B. Presentation by Chief King for Police Retirees Joseph Winkowski and James Miller

KING Police Chief King stated James Miller was unable to attend this evening's meeting. Chief King stated that former Officer Joseph Winkowski had been with the department for 20 plus years having been hired on November 5, 2010. He noted his career had been successfully serving in the Patrol Division interacting with the public. His competence, professionalism, tenacity, courage, compassion and supportive nature were well documented. He was a valuable member of the Police Department.

WINKOWSKI Officer Winkowski commented that it had been an amazing 20 years. He thanked everyone as he had enjoyed serving the Township and working with the other Officers.

KING Chief King presented him with his Springettsbury Township Retirement Badge along with a special gun box for his service weapon.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SWOMLEY Chairman Swomley announced that no Executive Sessions had been held since the last meeting.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

SWOMLEY Chairman Swomley brought item 7 forward on the Agenda for action.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. CU-2021-0006 – Conditional Use Application to Allow Multiple Tenant Retail Building within the Eastern Boulevard Plaza, 2424 Eastern Boulevard (Continued from February 10, 2022)

WURSTER Mr. Wurster recognized the good effort by the Applicant to provide a reasonable plan that accommodates some of the concerns and also fosters development in the township with the redevelopment of the shopping centers.

MR. WURSTER MOVED TO APPROVE THE CONDITIONAL USE APPLICATION PLAN 173-550 CONDITIONAL USE WITH THE MODIFICATIONS AS OUTLINED IN EXHIBIT 3 PRESENTED DURING THE CONDITIONAL USE HEARING. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop commented that he had some concerns; however, they had done an excellent job with the sidewalks. He stated he agreed with their rationale for Modification #1. Mr. Bishop noted he had not heard any reasonable justification for Modifications 2, 3 and 4, which are sidewalk related issues. If the sidewalks are to be fixed, and the Overlay requires lighting and benches and street trees, Mr. Bishop was not sure that he had any reason to agree to the modifications. He had a problem with not having street trees, benches and street lights.

MOTION CARRIED 4/1. MESSRS. SWOMLEY, WURSTER, DVORYAK, COX VOTED IN FAVOR; MR. BISHOP VOTED AGAINST.

4. ENGINEERING REPORTS

- A. Environmental Engineer – Buchart Horn, Inc.

YOUNG Diana Young stated their report was submitted to the Township, and there were no updates. She offered to respond to questions, but there were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI John Luciani reminded everyone that this week is National Engineer’s Week with the theme of “Re-imagining the Possible.” He reported that McDonald’s had provided a right-of-way at Industrial Highway and Memory Lane for the ARLE project. Kloeckner Metals signed its agreement to be recorded. Bob Kronheim has an agreement for review for the opposite corner with the stream.

RAUSCH Solicitor Rausch mentioned that the Sheetz involves a number of family-owned members, which may be complicated.

LUCIANI Mr. Luciani noted that when all the agreements are in place, the Highway Occupancy Permit can be finalized and they can go out to bid. He reported that they have an HOP and are ready to bid the project at Eastern and Haines Road.

5. CONSENT AGENDA

- A. Acknowledge Receipt of January 31, 2022 Treasurer’s Report
- B. Board of Supervisors Conditional Use Hearing Minutes – February 10, 2022
- C. Board of Supervisors Regular Meeting Minutes – February 10, 2022
- D. Regular Payables as Detailed in Payable Listing of February 24, 2022
- E. Uhrig Construction, Inc. – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 8 in an amount not to exceed \$508,164.41
- F. Acknowledge Receipt of Liquid Fuels Tax Fund Audit for the Period January 1, 2019 to December 31, 2020

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

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENT

- A. Authorization to Execute York County Libraries 2022 Agreement for Satellite Library Services in the amount of \$4,850

MR. COX MOVED TO APPROVE THE 2022 PROPOSED AMENDMENT WITH THE YORK COUNTY LIBRARY ASSOCIATION. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Execute Articles of Agreement with Pennsylvania American Water Company (PAWC)

MR. DVORYAK MOVED TO AUTHORIZE EXECUTING THE ARTICLES OF AGREEMENT WITH PENNSYLVANIA AMERICAN WATER AS PRESENTED. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. CU-2021-0006 – Conditional Use Application to Allow Multiple Tenant Retail Building within the Eastern Boulevard Plaza, 2424 Eastern Boulevard (Continued from February 10, 2022)
This item was acted upon earlier during the meeting.

8. COMMUNICATION FROM SUPERVISORS

SWOMLEY Chairman Swomley reported that he received an email from Chris Beck of Beck Funeral Homes concerning the retention pond behind the business and the hotel. He noted that he understood the basin is failing as it holds water, which it is not designed to do. He understood that someone had investigated the matter.

LUCIANI Mr. Luciani reported that Mr. Hodgkinson, the Conservation District and some individuals from his office discussed the situation with Mr. Beck. Mr. Luciani explained to him that they are actively working on a solution to resolve the issues. He indicated that Mr. Pasch has an NPDES permit for that site. A pump had been used but it was removed before the winter freeze. They are working to get the water drawn back down and find a long-term solution. The Township is working with Mr. Pasch to remove the water. Plan B for the basin involves other solutions, such as placing a valve to open and close it. Gravity will work there as well. He hoped a solution would be forthcoming shortly.

RAUSCH Solicitor Rausch added that when the Market Street Commons Plan was presented and approved, the Association was made to maintain the stormwater basin. There is enforcement language in the Declaration, which indicates if the Association does not take care of issues, the Township will be willing to do so and then invoice. He will contact the President of the Association to inform them of the Township's rights.

9. COMMITTEE REPORTS

There were no Committee Reports.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch reported that Ms. Collazzo had agreed to the BYOB restrictions for the Hookah Lounge. He will enter a Joint Stipulation, presented to the Zoning Hearing Board, which will allow for some leverage to limit the alcohol use.

HEILMAN Mr. Heilman noted that the issues would come back to his office, and he will have the enforcement powers available. However, he does not have the staff to adequately monitor or make determination as to whether an individual is or is not inebriated.

SWOMLEY Chairman Swomley asked what the enforcement process might look like.

RAUSCH Solicitor Rausch noted that a police report or citizen report would indicate behavior to make a determination. There is no regulation on BYOB. The only

other alternative is to enact an Ordinance prohibiting BYOB in the Township, which would punish everyone else for someone else's behavior. He hoped there would be no issues to face the process.

CONSENSUS OF APPROVAL WAS GIVEN TO ALLOW BYOB FOR THE HOOKAH LOUNGE.

11. MANAAGER'S REPORT

- A. Manager's Report

HODGKINSON Mr. Hodgkinson stated he had nothing further to add to his written report.

12. ORDINANCES AND RESOLUTIONS

- A. Resolution No. 2022-28 - Approving Pennsylvania American Water Company/City of York Act 537 Plan Special Study Dated November 30, 2021.

MR. DVORYAK MOVED TO APPROVE RESOLUTION NO. 2022-28 AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Resolution No. 2022-29 – Designating Zoning Officer and Deputy Zoning Officer. .

MR. WURSTER MOVED FOR ADOPTION OF RESOLUTION 2022-29 APPOINTMENT OF ZONING OFFICER AND DEPUTY ZONING OFFICER. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

- A. Old Business Listing

WURSTER Mr. Wurster suggested adding the American Rescue Plan Strategy to the list.

14. NEW BUSINESS

- A. American Rescue Plan – Elect to Take the Standard Allowance

MR. WURSTER MOVED TO AUTHORIZE THE MANAGER TO TAKE THE STANDARD ALLOWANCE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

15. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 7:56 p.m.

Respectfully submitted,

Doreen K. Bowders

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Secretary

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