

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 25, 2016
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, February 25, 2016 at 7:00 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak
Bill Schenck
Kathleen Phan
Blanda Nace

ALSO IN

ATTENDANCE: Kristen Denne, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dori Bowders, Manager of Administrative Operations
Lt. Tony Beam, Police Department
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

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

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

- A. February 11, 2016 – 8:10 p.m. – Potential Litigation (Pleasant Valley Tract)
- B. February 23, 2016 – 6:30 - Personnel

SWOMLEY Chairman Swomley announced that Executive Sessions were held on February 11th for a potential litigation issue and on February 23rd for personnel matters.

3. COMMUNICATION FROM CITIZENS

STUHRE Charles Stuhre, 3680 Trout Run Road, requested an update on the board's intentions for Trout Run Road. He had requested a weight restriction to keep the tri-axle dump trucks and logging trucks off Trout Run Road. Additionally, he understood that the township intended to widen the road to 26 feet, which he did not favor.

DENNE Ms. Denne noted that the board had been reviewing the financing for the road improvements through two different programs through the Conservation District, estimated at \$500,000. Some consideration must be given to drainage issues.

LUCIANI Mr. Luciani addressed the question of signage on Trout Run Road, which includes an engineering study, maximum weight of the current roadway, sub-base, soil and paving type. Additional challenge would require investigation to determine whose heavy trucks use the road on a daily basis. Enforcement would be difficult as well.

NACE Mr. Nace requested further information on the Conservation District's options.

HODGKINSON Mr. Hodgkinson reported that he had discussed the program with the county. A certification training program is available for low volume and dirt roads. The next training is in April. No grants can be applied for until the training is completed. His plan is to attend the training, but in the meantime he will work with them to get some of the advanced work completed.

DENNE Ms. Denne added that an additional bonus for this program would provide the township credit with MS4.

PHAN Ms. Phan stated that she would appreciate Mr. Hodgkinson's efforts to get certified and move forward with the project.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided his monthly report and had no changes. He offered to respond to questions, but there were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided his monthly report and had two updates which involved several lengthy discussions summarized here:

- Bonding of roads – The Subdivision and Land Development Ordinance includes a checklist of 150 items for the township adoption of roadways in new developments. Some of those items that the developer must provide are as-builts, financial security, as built stormwater management system, sewer lines, and core samples of street thickness, landscaping, street signs, street lights, outstanding fees, cracked curbs, cracked inlets and overlays. Approval of those include signatures of Public Works, the Township Engineer, Zoning Officer, Manager, which certify that they have investigated all aspects of the new development. Developments within the township that have yet to be adopted include Sheridan Manor, Wallingford, Pleasantrees, and James Meadow. Most of the developments have enough bonding financing available

for completion of the checklists. Letters will be written to the four developers encouraging them to complete their checklists.

- Yorklyn Gate Truck Restriction – The Zoning Ordinance did not provide for prohibition of truck parking in residential zones. However, from a Motor Vehicle standpoint there is a truck prohibition on that road. He noted that the car carrier had been moved, but the bus parking in neighborhoods does present a difficult situation. The discussion evolving from that was to reach out to the bus companies and request that their employees not use neighborhood streets for bus parking.

NACE Mr. Nace suggested that during the update of the zoning and codes there might be some additional encouragement put into place to complete developments.

PHAN Ms. Phan added that the township needed to be sure the due diligence is done to assist the residents. She suggested additional communication with the residents as especially important to keep them abreast of the progress.

DVORYAK Mr. Dvoryak added that he did not have a high comfort level that there is a plan in place to deal with these issues. As time goes on the amount of the bond leverage shrinks. He asked at what point the issues could be forced and whether the tools to do so are available to force the issue. He asked that someone take specific time to develop a strategy for dealing not only with these four, but also any other ones that are out there.

NACE Mr. Nace suggested an annual review with a request for an upgrade in the bonding as prices change annually.

LUCIANI Mr. Luciani indicated that the first thing to do would be to contact the developers and indicate the board is concerned about the strength of the bond and ask for a time schedule of when the roads would be ready for adoption. He noted he would provide a new time schedule by the end of March. If the response is unfavorable, then the board would need to provide some very specific direction moving forward.

5. CONSENT AGENDA

- A. Acknowledge Receipt of January 31, 2016 Treasurer’s Report
- B. Board of Supervisors Regular Meeting Minutes – February 11, 2016
- C. Regular Payables as Detailed in Payable Listing of February 25, 2016
- D. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 3/16/16 (New Plan Date 9/15/16)
- E. LD-14-04 – Time Extension – Pleasant Valley Road Tract – Plan Expires 2/29/16 (New Plan Date 3/31/16)

SCHENCK Mr. Schenck asked to hold the Treasurer’s Report for further discussion.

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS B THROUGH E. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck questioned why the Schenck Trust Fund was no longer on the Treasurer's Report as it had been on previous versions.

DENNE Ms. Denne responded that definitely it will be included on future reports.

MR. SCHENCK MOVED TO APPROVE ITEM A IN THE CONSENT AGENDA, THE TREASURER'S REPORT. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

A. Authorization to Execute Sewer Utility Easement Agreement – 1840 East Market Street (Heinle)

MR. SCHENCK MOVED TO APPROVE AUTHORIZATION TO EXECUTE SEWER UTILITY EASEMENT AGREEMENT – 1840 EAST MARKET STREET. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for discussion.

8. COMMUNICATION FROM SUPERVISORS

There were no Supervisor comments.

9. SOLICITOR'S REPORT

A. Solicitor's Report

RAUSCH Solicitor Rausch had provided a monthly report and had several items for additional discussion.

Market Street Commons – A Global Resolution

- Western Drive Road Adoption- The checklist is under review by First Capital Engineering and is nearly ready for adoption by the board in March.
- Commons Drive/Fire Station – An Offer of Dedication was received for the stormwater basin that is next to the fire station. The stormwater basin serves the fire station and the water runoff from Commons Drive. Water runoff from any other parcel has a separate retention or is diverted elsewhere. One advantage would be by attaching it to the fire station it would provide some more square footage.
- In addition, this is tied into the East York Interceptor/Beaverson Interceptor Project. The township will apply for an easement from Mr. Pasch, which was appraised at \$2,500 for the sewer easement. Mr. Pasch plans to combine the

stormwater for two buildings. Rather than do a complete revised Land Development Plan, Solicitor Rausch could create an agreement and attach the document as an exhibit to show the combination from two buildings to one along with the easement for that stormwater pipe.

- The township holds \$7,524 for the Market Street Add On Lot development. The only remaining work includes insulation of a section of sidewalk on the lot at a cost of \$2,992.50 on the bond. Mr. Pasch requests a return of the difference.

Consensus of the board was to move forward and combine the agreement.

RAUSCH Solicitor Rausch noted one additional item which included a sliver of property owned by Mr. Cookson. The land, which is adjacent to Camp Security, is assessed at \$3,500, and Mr. Cookson is interested in selling it to the township. The general price would offer \$1.50 a linear foot, and the property is approximately 656 feet. Mr. Cookson thought the \$984 offer was low particularly since there are a lot of mature trees. It will involve an appraisal on the sewer easement at a cost of approximately \$1,000.

Consensus of the board was to move forward.

RAUSCH Solicitor Rausch presented an additional matter involving Mr. Darrah, who had proposed that the township abandon Graham Street as a public street. However, the township cannot abandon a public street and retain its sewer right-of-way. Mr. Darrah commented at a Zoning Hearing Board meeting that he is attempting to acquire the towing contract with the State Police for Route 30, and in order to do so he needs to have a jurisdictional presence east of Mt. Rose Avenue.

SWOMLEY Chairman Swomley asked Solicitor Rausch about his item number three on his report.

RAUSCH Solicitor Rausch responded that he had not received a recent update. He had received a notice that a decision had been made, but nothing further.

DENNE Ms. Denne commented that there had not been any movement on that particular case in six months.

RAUSCH Solicitor Rausch stated that the court granted partial summary judgment, but the court ruled was that if they're entitled, depending on the resignation/retire, they would only be entitled to 19 days' worth. It kept in the unjust enrichment part of the lawsuit which gives them a wedge to still make some kind of an argument. He was not aware of any settlement discussions. The insurance company is in charge of the lawsuit, and the township is dependent upon them to provide information. He indicated he would attempt to determine the status.

SWOMLEY Chairman Swomley suggested he have a discussion with them about giving the township timely information.

RAUSCH Solicitor Rausch reported an update on the Shawan Lane property, on which a low head dam was located. The property had changed ownership, and improvements had been made to the dam. The work that remains to be done is removal of the shed and fence downstream in the easement area, along with some erosion repair. Follow up will be done with Community Development and apply some pressure.

LUCIANI Mr. Luciani stated that he had re-inspected the property. Everything was done on the upstream end, and once the two structures are removed and some work done toward the erosion, then everything is completed. The water is flowing back in the channel as it was originally designed. An update will be made by the end of March.

10. MANAGER'S REPORT

DENNE Ms. Denne reminded the board of two meetings to be held in the next week. On Monday evening, February 29th the Rec Board will meet. Wednesday evening at 6 p.m. Stan Saylor will host a Town Hall meeting in the township building. In addition, she reported that she had included in the newsletter that there remains a vacancy for Zoning Hearing Board alternate, for two members for the Rec Board as well as the Historic Preservation Committee.

NACE Mr. Nace asked for follow up on one of the notes for the hiring of one open position.

DENNE Ms. Denne responded that she will discuss one of the alternatives in the Executive Session to follow adjournment.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 016-32 – Appointment of Township Treasurer

MS. PHAN MOVED TO APPROVE RESOLUTION NO. 2016-32 APPOINTING BARBARA LINDEMAN AS TREASURER. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

A. Sheridan Manor Subdivision (S&A Homes)

This item was presented earlier during the agenda.

B. Northpoint Development

DENNE Ms. Denne stated that it was thought that more progress would have been made; however, Mr. Luciani continues to work with their engineer in the review process. The item will remain there as a place holder.

13. NEW BUSINESS

There was no New Business.

14. ADJOURNMENT

SWOMLEY Chairman Swomley reminded the board of the Executive Session following adjournment. He adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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