

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 25, 2021
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, February 25, 2021 at 7:00 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA in person and by Zoom technology.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak, Vice Chairman
Charles Wurster, Assistant Secretary/Treasurer
Don Bishop
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
Teresa Hummel, Finance Director
Todd King, Police Chief
Dennis Crabill, Director of Public Works/WWT
Nitza Sanchez-Bowser, Director of Human Resources
Ray Markey, Acting Director of Community Development
Colin Lacey, Director of Parks and Recreation
Dan Hoff, YAUFRC Chief
Abby Gibb, Communications Manager
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

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

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

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

3. COMMUNICATION FROM CITIZENS

STUHR Charles Stuhre, Trout Run Road requested a review of the roadway on Memory Lane from Eastern Market to the railroad on the northbound lane. He noted the number of holes and ripples on the road.

HEILAND Christopher David Heiland, 2505 Schoolhouse Lane, brought forward the stop sign matter on Kershaw and Sundale. He remains concerned for the safety of children going to school in the neighborhood. He was aware that the police officers had been with enforcement, and it was a temporary fix; however, he is looking for a permanent fix.

KING Police Chief Todd King responded that there had been five separate details in the area, four of which netted citations or warnings. He had reviewed the situation with John Luciani, and there is a plan to do a speed study and speed display board in the intersection opposing the stop sign. It will be checking speed as the vehicles come through the intersection, which will determine how many vehicles are actually running the stop sign.

SWOMLEY Chairman Swomley asked what, if motorists are speeding through the area and running the stop sign, the permanent solution might be.

KING Chief King responded that permanent solutions are few and far between. Several solutions were discussed: addition of a “Stop Ahead” sign; positioning of the stop sign; three-way stop would have to be four-way stop but would not meet warrants; flashing lights on stop sign; LED’s around the edges.

LUCIANI Mr. Luciani noted that the next step is to evaluate all the data, volume of cars/day, times and review all options.

SWOMLEY Chairman Swomley noted that Mr. Heiland’s concerns are appreciated. There may not be an easy fix to the issue, but the information will be studied to see what can be done.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

YOUNG Diana Young stated that she had provided a monthly report. She had one update, which was that the Biogen units had been installed this week.

B. Civil Engineer - First Capital Engineering, Inc.

LUCIANI John Luciani wished all the Engineers a Happy Engineer’s Week. He thanked all the engineers who make the world safer through good engineering. Mr. Luciani had submitted his monthly report and had no additions.

5. CONSENT AGENDA

A. Acknowledge Receipt of January 31, 2021 Treasurer’s Report

B. Board of Supervisors Conditional Use Hearing Minutes – January 28, 2021

C. Board of Supervisors Regular Meeting Minutes – January 28, 2021

D. Board of Supervisors Regular Meeting Minutes – February 11, 2021

E. Regular Payables as Detailed in Payable Listing of February 25, 2021

F. Harley Subdivision, 1400 Whiteford Road – Elimination of Bond in the amount of \$70,987

- G. Motter Industrial Park (Motter Tract) – Elimination of Bond in the amount of \$49,200
- H. Motter Industrial Park Lots 2 & 3 – Bond Reduction in the amount of \$943,215.90 (Remaining Bonded Amount \$113,170.23)
- I. Susquehanna Oral and Maxillofacial Surgery – Elimination of Financial Security in the amount of \$13,200

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

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Execute York County Libraries 2021 Agreement for Satellite Library Services in the amount of \$4,728

MR. COX MOVED TO AUTHORIZE THE EXECUTION OF THE YORK COUNTY LIBRARY 2021 AGREEMENT. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. SD-10-01 – The Homes of Emma Lane, Church and Willow Street

LUCIANI Mr. Luciani introduced the representatives of the plan: Derek Rinaldo, C. S. Davidson and John Inch, Owner of the three-acre parcel. He noted the plan had been before the board in 2010 with Preliminary Plan Approval. They are seeking Final Plan approval.

RINALDO Mr. Rinaldo presented the updates which included private streets. Discussion took place which determined the township would not take the streets; they would remain private with the HOA taking responsibility for MS4 requirements and street maintenance, etc. An O&M Agreement would be in place with the township on the stormwater.

MR. WURSTER MOVED FOR APPROVAL, WITH RESPECT TO SUBDIVISION 10-01, SUBJECT TO THE FOLLOWING CONDITIONS: SOLICITOR TO REVIEW THE HOMEOWNER’S ASSOCIATION DECLARATION, DOCUMENTATION THAT EMMA LANE SHALL REMAIN PRIVATE AND MAINTAINED BY THE HOMEOWNER’S ASSOCIATION, RECEIVE AND SATISFACTORY REVIEW OPERATIONS AND MAINTENANCE AGREEMENT FOR THE STORMWATER FACILITY, AND CONFIRMATION OF FINAL BONDING. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Local Economic Revitalization Assistance (LERTA) Application from 4100 Lincoln Highway, LLC for Property Located at 4100 Lincoln Highway East

RAUSCH Solicitor Rausch introduced the plan and noted that Cathy Nace was attending on behalf of the applicant.

NACE Cathy Nace introduced herself in that she was working in behalf of Scott Wagner and Glen Rexroth to develop a property at 4100 Lincoln Highway East. The

proposal would provide for a 66,600 square-foot warehouse and a 75,000 square foot warehouse. She noted that the property is in Hellam Township as well as a small part in Springettsbury Township. They are seeking LERTA designation on the property. She itemized the difficulties involved in development of the property which included: challenges with extensive amount of site work, dual municipality interaction, cost of construction, securing an Exemption Schedule, county and school district taxes, subdivision of the property, determination as to whether the site is blighted, rock versus soil, and stormwater.

- C. Authorization to Advertise Public Hearing for LERTA Project at 4100 Lincoln Highway East

MR. WURSTER MOVED TO AUTHORIZE TO ADVERTISE FOR A PUBLIC HEARING ON THE LERTA FOR PROPERTY AT 4100 EAST MARKET STREET. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

SWOMLEY Chairman Swomley noted that he, along with the rest of the board members, had received an email concerning harassment and a cultural revitalization complaint follow up. The complaint included that people continually call the police out on them for running a puppy mill, etc. He asked Chief King if there was any follow up needed by the board.

KING Chief King indicated he had spoken with Manager Hodgkinson concerning the matter. In addition, he had spoken with Mr. Markey with regard to any possible issues with the particular address; Mr. Luciani and Solicitor Rausch were involved as well. Chief King is preparing a response to the letter.

9. COMMITTEE REPORTS

There were none.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch reported that he had attended another York County meeting regarding Davies Drive. Updates were presented:

- Agreement drafted between Springettsbury Township and the County of York for Springettsbury to apply for the Multi-Modal Transportation Grant Funding. The County was satisfied with the agreement to be approved during the first meeting in March. This is a two-part funding through the Commonwealth, CTA Transit and PennDOT. The County will prepare the grant. Different scenarios were presented concerning grant funding. The first grant opportunity begins in the spring; second one comes out in September with hopes to be able to receive \$1 million to help fund the Davies Drive project.
- Following that York County will proceed with removal of the bridge. PUC approval is needed and some right-of-way acquisition for surrounding roadways; separate project.

- Solicitor Rausch indicated that the township is ready to go toward getting Davies Drive completed.
- MS4 acreage – Does it affect the overall plan if two plans are joined. Additional NPDES permit would be needed.
- Surveying done and all permits are in place; township can move quickly.

BISHOP Mr. Bishop questioned what would happen if the township did not get grant money and what the obligations would be. A summary of that discussion follows:

- PUC Order has a deadline of 2023 for everything to be completed.
- Creation and structure of the project was well done.
- Question re/the County's financial involvement.
- Two-part project: building Davies Drive; demolition of the bridge.
- County to pay up to \$375,000 of Davies Drive piece.
- County to pay for demolition of bridge and redo of the roads.

BISHOP Mr. Bishop questioned what the County would be responsible for if the township did not build Davies Drive.

RAUSCH Solicitor Rausch responded that it was a big number. The County had contributed about \$250,000 in contributions toward the extension of Davies Drive when they did the 911 center. The money they were contributing was for getting over the railroad crossing.

BISHOP Mr. Bishop thought the County got benefits for that including the building.

LUCIANI Mr. Luciani responded that they got their benefits through Liquid Fuels

SWOMLEY Chairman Swomley noted that was his understanding at the meeting that they had paid Springettsbury money for the eventual crossing as part of getting the plan through for the 911 Center.

HODGKINSON Mr. Hodgkinson questioned Solicitor Rausch whether the township could back out of Davies Drive because of the PUC Order; whether the township is required at no expenses barred that it has to do it.

SWOMLEY Chairman Swomley noted the township does not have to do it.

RAUSCH Solicitor Rausch was not so sure since the township went to the PUC to get the Order and the costs were part of that order. The presumption was that it was known what involvement would be.

SWOMLEY Chairman Swomley noted that he understood that the Order expires if the Davies Drive Crossing is not completed by January of 2024.

RAUSCH Solicitor Rausch stated that the agreement will be on the Agenda for the first meeting in March for consideration.

SWOMLEY Chairman Swomley indicated he would like to hear more of Mr. Bishop’s thoughts.

BISHOP Mr. Bishop responded that he thought the alternative for the County is horrible from their point of view if the township does not do Davies Drive. They should be motivated to contribute more to this because if they have to fix that bridge, they have a big project. They can’t tear the bridge out if the township doesn’t put in Davies Drive.

SWOMLEY Chairman Swomley noted they could reroute traffic out through the neighborhood up to the light near the bowling alley.

LUCIANI Mr. Luciani commented that it would be a very circuitous route.

SWOMLEY Chairman Swomley asked the board members to think about everything since it will come up at the next meeting.

11. MANAGER’S REPORT

A. Manager’s Report.

HODGKINSON Mr. Hodgkinson noted he had nothing to add to his written report. He offered to respond to any questions.

DVORYAK Mr. Dvoryak had a question about the Pension Audit and findings that occurred for years ’14,’15,’16. He asked if they are all new findings.

HUMMEL Ms. Hummel responded that there was one finding that was noted in the audit from 2011 to 2013, 2014 to 2016, and then again 2017 to 2019. She added that the finding is being corrected.

12. ORDINANCES AND RESOLUTIONS

A. Resolution 2021-29 - Adopting Emergency Operations Plan for the York Area Regional Emergency Management in York County.

MR. WURSTER MOVED TO APPROVE RESOLUTION 2021-29 ADOPTING THE EMERGENCY MANAGEMENT OPERATIONS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution 2021-30 Authorizing Appointment of Deputy Tax Collector

MR. WURSTER MOVED FOR THE ADOPTION OF RESOLUTION 2021-30 AUTHORIZING THE APPOINTMENT OF CHERYL NIEHENKE AS THE DEPUTY TAX COLLECTOR. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Authorization to Advertise Ordinance for Restricted Parking Spaces for Disabled Persons or Severley Disabled Veterans

MR. BISHOP MOVED TO AUTHORIZE ADVERTISING THE ORDINANCE. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

SWOMLEY Chairman Swomley reviewed items on the Old Business Listing resulting in the following:

- Comprehensive Plan/Strategic Planning – March 2, 2021 Work Session Discussion
- DCNR Land Conversion – No Update
- Sewer Billing and Collection – On Hold at least through Second Quarter of 2021; has been successful to date. Request for outstanding list once a month.
- Traffic Calming – Begin when weather breaks in April
- Recycling Committee – No updates.

14. NEW BUSINESS

- A. Acknowledge Receipt of Non-Uniformed Pension Plan Compliance Audit from the Department of the Auditor General for the period January 1, 2017 through December 31, 2019
- B. Acknowledge Receipt of Police Pension Plan Compliance Audit from the Department of the Auditor General for the period January 1, 2017 through December 31, 2019
- C. Acknowledge Reimbursement to the Commonwealth of Pennsylvania for State Aid Overpayment in the amount of \$101,508 Plus Interest

MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF THE NON-UNIFORMED PENSION PLAN AUDIT THROUGH THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2019; ALSO ACKNOWLEDGE RECEIPT OF THE POLICE PENSION AUDIT, SAME TIME PERIOD; FINALLY TO ACKNOWLEDGE REIMBURSEMENT TO THE COMMONWEALTH OF PENNSLVANIA FOR STATE AID OVERPAYMENT IN THE AMOUNT OF \$101,508 PLUS INTEREST. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

15. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 8:22 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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