

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 14, 2019
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, March 14, 2019 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, Vice Chairman
Charles Wurster
Justin Tomevi
Robert Cox

ALSO IN

ATTENDANCE: Ben Marchant, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Dan Stump, Police Chief
Teresa Hummel, Finance Director
Mark Hodgkinson, Director of Wastewater Treatment Plant
Jessica Fieldhouse, Director of Community Development
Nitza Sanchez-Bowser, Director of Human Resources
John Woods, YAUFRR
Andy Hinkle, Manager of Information Systems
Jean Abreght, Stenographer

1. CALL TO ORDER

SWOMLEY Chairman Swomley called the Regularly Scheduled meeting of the Board of Supervisors to order. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

- A. February 28, 2019 – 8:30 p.m. – Personnel
- B. March 14, 2018 – Immediately Following Regular Meeting – Legal Matter re/Davies Drive; Personnel.

3. COMMUNICATION FROM CITIZENS

NENSTIEL Susan Nenstiel, Kreutz Creek Library, Hellam Township requested the board's permission to come to Food Truck Friday on Friday, May 3, 2019, which date is the Give Local Event. Charities around the county are trying to raise funds for their organizations during a 24-hour period. Six of the charities are partnering together and promoting their organizations. They propose to have several tables

at Food Truck Friday to share their information. Kreutz Creek Library will do a pop-up book sale from 11 a.m. to 2 p.m. The other five charities are: Greater York Dance, Eastern Dollars for Scholars, York Jewish Community Center, Historic Wrightsville, Inc. and Susquehanna Valley EMS. Ms. Nenstiel provided a draft of their flyer for the board. She requested board approval.

DVORYAK Mr. Dvoryak was in favor of the Give Local York concept as a great way to support the community. He asked if she had any conversations with the township staff.

NENSTIEL Ms. Nenstiel responded that she had approached the staff and was asked to come before the board this date.

DVORYAK Mr. Dvoryak encouraged the township to open this up to all non-profits as opposed to handpicking certain ones to be there, if the board is in favor of doing this.

MARCHANT Mr. Marchant responded that at this point there had been no hand picking. If the board is comfortable with this, and a non-profit comes forward, they can be accommodated without having to come to a board meeting. There is no policy for special events and other groups in the Park

NENSTIEL Ms. Nenstiel thanked the board for their help.

Consensus of the board was approval for non-profits to attend Food Truck Friday on May 3, 2019.

RYAN Don Ryan, 955 Plymouth Road, spoke to the board concerning cigarette butts left on his property by workers at the Brunswick. The problem has been evident on and off over a number of years. When workers at the Brunswick are on their break, they come and stand on his sidewalk and his driveway and leave their cigarette butts. He had contacted the management at the Brunswick to no avail. He asked for the board's help to stop it.

TOMEVI Mr. Tomevi asked whether there had been any complaints from other residents or from Wellspan about this.

FIELDHOUSE Ms. Fieldhouse responded that there had not been other complaints. Staff had worked with Mr. Ryan before, and she, herself, had called the Brunswick and spoken with their management team. She had asked them to please modify some of their procedures so that they can take care of the needs of their own staff people because it is a detriment to the local neighbors; not to mention the fact that the rain is washing much of it into the waterways, which is an issue as well. Typically the Brunswick is receptive for about three to four weeks and then it reverts back to what they have been doing. She suggested that it might be necessary to send another letter from the Township Manager or from the board

asking for coordination and cooperation from the Brunswick in helping to keep the township clean.

TOMEVI Mr. Tomevi suggested to get the process started.

MARCHANT Mr. Marchant stated that he would be happy to draft a letter and hand deliver it to the Brunswick so that he could talk with the management staff there and see if that will help from a little higher level.

SWOMLEY Chairman Swomley noted that other organizations provide disposal facilities.

TOMEVI Mr. Tomevi noted that would be something to discuss with them. They have a lot of green space there to place a disposal facility.

SWOMLEY Chairman Swomley stated that there are a couple of things to handle.

RYAN Mr. Ryan stated that he does appreciate whatever can be done. He thanked the board members.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided a written monthly report. He had no changes to his report and offered to respond to questions.

SWOMLEY Chairman Swomley asked if there was anything going on with the Waste Water Treatment.

CRABILL Mr. Crabill responded that the project is moving forward.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided a written monthly report and had one update, which he had not yet confirmed. However, he understood that at the Tuesday night meeting of York Township’s Board of Commissioners, they apparently sent a letter to York County Planning indicating that they are not interested in being part of the Authority at this point in time, and they actually are opposing the Stormwater Authority. He offered to respond to questions on his report.

SWOMLEY Chairman Swomley added that he had spoken to one of the Supervisors from the southern part of the county who is very much opposed. They are meeting with the farmers who will be hit really hard with a very high Rain Tax on their properties.

5. CONSENT AGENDA

- A. Board of Supervisors Work Session Minutes – January 30, 2019
- B. Board of Supervisors Work Session Minutes – February 13, 2019
- C. Board of Supervisors Regular Meeting Minutes – February 28, 2019
- D. Regular Payables as Detailed in Payable Listing of March 14, 2019

MR. TOMEVI MOVED TO APPROVE CONSENT AGENDA. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

A. Authorization to Advertise Bids for 2019 Annual Road Materials and Resurfacing Project

MR. TOMEVI MOVED TO AUTHORIZE THE ADVERTISEMENT BIDS FOR 2019 ANNUAL ROAD MATERIALS AND RESURFACING PROJECTS. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

SWOMLEY Chairman Swomley mentioned that there had been some discussions about communications between staff and the Township Engineer, and there were some emails that went back and forth. He indicated his concern and reiterated that everyone is working together as a team in the township with communications. He wanted to be sure that the message is clearly heard on all sides.

WURSTER Mr. Wurster indicated that, if there is a need for further understanding, another work session as to where the breakdowns are, he would be happy to do that sooner rather than later. He explained that the matter stems from some email correspondence received from the Township Engineer with regard to a certain project, which seemed contrary to what had just been worked through during a recent work session on the development process.

SWOMLEY Chairman Swomley stated that he wanted to have a work session scheduled and that it would not necessarily need to involve the full staff, but he wanted the legal counsel, Engineering and Community Development so that everyone has a complete understanding and stop the fighting.

9. COMMITTEE REPORTS

There were no Committee Reports.

10. SOLICITOR'S REPORT

A. Solicitor's Report

RAUSCH Solicitor Rausch indicated he had nothing to add to his written report.

11. MANAGER'S REPORT

A. Manager's Report

MARCHANT Mr. Marchant had provided his written report. Currently he is waiting for DCNR to confirm that they have everything needed to move forward with the township's application. He had a request from the Friends of Camp Security. They would like to present their Strategic Plan that they have prepared for the board. They

would like 20 to 30 minutes for the presentation with some Q&A. Mr. Marchant suggested 6 p.m. on April 11, 2019 prior to the board meeting.

Consensus of the board was agreement to meet with Friends of Camp Security April 11, 2019, 6 p.m.

12. ORDINANCES AND RESOLUTIONS

- A. Resolution No. 2019-34 – Adoption of February 19, 2019 Emergency Operations Plan for York Area Regional Emergency Management in York County

MR. TOMEVI MOVED TO ADOPT RESOLUTION NO. 2018-34. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Resolution No. 2019-35 – Authorization to Apply for Grant through DCNR for Rehabilitation and Development of Augustus Schaefer Park and Authorization for the Township Manager to Execute the Grant Agreement Signature Page

MR. WURSTER MOVED FOR THE ADOPTION OF RESOLUTION NO. 2019-35. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

- A. Old Business

2. Resolution No. 2018-43 – Opposition to House Resolution 291 of 2018 Re: Statewide Collection of Earned Income Tax (tabled at August 23, 2018 Board meeting.)

WURSTER Mr. Wurster reported an update with regard to Old Business Item 2. He had an opportunity for correspondence with Representative Gillespie’s staff specific to this House Resolution, which passed. The study is done and has been received by the House, the Public, the Taxing Authority or the Tax Bureau, etc. In terms of any activity with regard to the findings and movement within the State Budget at this point, that does not appear that that is on the horizon; that there is anything imminent or any discussion whatsoever. It is a new House Session, along with the Budget activity. In terms of enacting that or pursuing any of the avenues outlined in the study, there has been no movement at the State House level or the State Government level. Mr. Wurster does not expect any activity at the moment; however, urged that everyone be vigilant on any activity.

SWOMLEY Chairman Swomley asked Ms. Hummel if she had heard anything regarding the York Area Tax Bureau’s 2018 Year-End Report.

HUMMEL Ms. Hummel responded that she would have everything in her Finance Report next week.

7. Outstanding Sewer Bills

WURSTER Mr. Wurster questioned whether any further progress had been made as to the outstanding sewer bills. He asked if any contact had been made with York Water Company.

MARCHANT Mr. Marchant responded that there had been some progress. A meeting had been held with York Water Company this date.

14. NEW BUSINESS

A. Interstate 83 Widening Project – Presentation from PennDOT Officials

HOOVER Bryan Hoover of Stantec Consulting Services and Laura Bair of Skelly and Loy presented the proposed plan surrounding the Interstate 83 Widening Project and its affect on the Springettsbury Township’s Fayfield Park. They are part of the Engineering Team with PennDOT Engineering. They are proposing to show the plan for four lanes northbound toward Exit 19, which will be about a 24-foot widening towards Fayfield Park and a limited disturbance of approximately 60 feet. There is a net loss in land but all of the facilities will be put back to current standards.

The proposal was discussed in detail. Comments are summarized:

- The disturbance will affect the basketball court and a portion of the roadway in towards the park.
- The Park’s space will be reallocated and the current features restored. The baseball field, based on Little League Regulations for a Major/Minor field, includes a 200-foot outfield.
- The pavilion will remain in the same location.
- Two playground areas and the basketball court will be relocated to the southern portion of the park.
- On-street parking will be placed off of Fifth Avenue with handicapped accessible spot nearest to the corner of Fifth and Keesey.
- More trees and plantings added to revegetate the area.
- No stormwater facilities are planned; however, it is anticipated that runoff will flow toward Mill Creek. A drainage easement will provide PennDOT the ability to maintain the slope and channel on the backside of the sound barrier. Land underneath the easement will be owned by the township, but the township will be compensated through the right-of-way process for net use of the land.
- Slope of the ground from the wall down is a four-foot horizontal to a one-foot vertical slope.
- A Noise Analysis is underway; however, there will be a noise wall constructed on the northbound side of Mt. Rose, Exit 18 to Exit 19.
- House on the cul-de-sac will likely be displaced; use of the land could be added to the Park. Road leading to the cul-de-sac will be eliminated.

- Proposal for the Park's future design is consistent with Park and Rec Study; additional plantings will be included for shade.

- BAIR** Ms. Bair indicated that at this point they are asking for agreement (in a written form) by the township to continue to move through the environmental process. They cannot move forward with the environmental process, which goes through preliminary engineering and into final design and then into construction. The written consent will enable them to move into the Mitigation Commitments, which are tracked throughout the land process.
- SWOMLEY** Chairman Swomley had several additional comments. He noted that he did not believe the parking on the street would be an allowed method of parking. However, if the piece of land where the house is being taken and the land is restored, perhaps that could be access to the back of the baseball diamond for the teams to move equipment and for players.
- TOMEVI** Mr. Tomevi agreed with Chairman Swomley about the neighboring parcels and commented that there could be a walking trail along the wall. He added that Springettsbury greatly values its parks.
- HOOVER** Mr. Hoover responded that it is something to consider. The reason the department is seeking to acquire the property is because access to it is being removed. If access can be made available through a single lane driveway, the home might not be displaced.
- SWOMLEY** Chairman Swomley noted that when it is used, is there any way to allow that access as they are not getting access across the park but the park can have access to these facilities.
- HOOVER** Mr. Hoover mentioned that in an earlier consideration they kept that in and made parking there and just augmented the end for an adequate turnaround. They thought it took more land, so they decided on an on-street parking approach. He offered to review that and look at shifting the playground equipment to stay away from the pavilion area.
- BAIR** Ms. Bair indicated they would take the comments back from the Township Engineer. She noted it is all related to Federal Law Section 4(f), items that must be done in order to mitigate the impact to be de-minimis. They have provided for public comment through a public meeting in March of 2018, had a neighborhood meeting during February, posted signs at the park so the public could be informed. The final thing that is needed is a written concurrence from the township. She had drafted a letter; however, if the township preferred to create the letter and incorporate comments, that would be satisfactory.
- SWOMLEY** Chairman Swomley stated that he would open the meeting to public comments.

- PICKLER** Richard Pickler, 316 Haines Road, stated that he takes his grandchildren to the Park. He noted they have the dugouts very close to the highway. He asked what kind of safety barrier would be constructed if a truck or car were to come flying off at high speed into those dugouts. He asked if there would be a retaining wall in place.
- HOOVER** Mr. Hoover responded that it will be better than it is today. With the addition of a sound barrier, it will have a rigid concrete barrier. Nothing will come through that wall.
- SAGERT** Dawn Sagert, 341 South Keesey Street stated that, although she had come to the meeting late due to her work hours, she would like to hear the entire presentation and know more about the plans.
- BAIR** Ms. Bair responded that she would provide the information if she provided her contact information.
- PICKLER** Mr. Pickler asked whether there will be access to the park during the time when the road is under construction and whether it would depend on what they are doing at that time.
- LUCIANI** Mr. Luciani stated that all the comments had been addressed in their discussion. He stated that because the basketball court is close to the homes on Findlay Street, buffering will include some evergreens there.
- HOOVER** Mr. Hoover indicated that it could be a continuation of evergreens along the basketball court plus situating the court a little farther to the west.
- LUCIANI** Mr. Luciani asked about the flood plain. He noted that one of the issues with I83 is that it gets flooded during the 100-year storm event. He asked if the flood plain will come east, or because of the elevation it is creating room on the west side to keep the level of water there.
- HOOVER** Mr. Hoover responded that the goal of the project considers that there are two areas where the highway is overtopped by the 100-year storm event. One of the areas is close to the Park, but it's actually two-fold. Some of it is Mill Creek overtopping, but then some of it is the water that overtops Market Street, that goes along Market Street under the Interstate and then floods back into this area. This project is not going to be able to alleviate that condition, because there can't be that much of an alteration to Market Street. The impact to this road would be too significant. So, it is anticipated that there would still be flooding that could come to some reach of this area. They continue to work through that. However, the goal is that the 100-year storm event and the 50-year storm event is expected to be removed from the highway. It is unlikely that flooding can be alleviated because it still will cross Market Street.

WURSTER Mr. Wurster asked Ms. Bair to explain the chart of amendments and how it was termed de-minimis.

BAIR Ms. Bair responded that Section 4(f) is part of the US Department of Transportation Law of 1966, where with a transportation project and a public park adjacent to it, using part of that park will protect the park. There are a variety of ways that it can be handled: Individual 4(f), de-minimis 4(f) and Net Benefit 4(f). The advantage of using the de-minimis is that mitigation will offset the impact and provide an upgraded park.

TOMEVI Mr. Tomevi asked other methods would be done.

BAIR Ms. Bair responded that with the Net Benefit 4(f) is complicated in figuring out how to exactly balance what is being done and what is being given back and what is equal. An Individual 4(f) is one where PennDOT just takes the land, goes through the legal process to do so, even if the official jurisdiction is not in agreement with it.

TOMEVI Mr. Tomevi stated that he would like Solicitor Rausch to have an opportunity to review the letter to make sure the board is comfortable with it. He has some additional language that he would like to incorporate. He would also like to have another week to provide for other citizens to have an opportunity to submit comments. Mr. Tomevi would like to have the Township Manager's comment incorporated into the letter. He thought by the next township meeting a new letter could be provided.

BAIR Ms. Bair stated that their letter would incorporate the necessary verbiage that is needed, and with the township's additions, it will be provide the necessary concurrence. She noted that they are on a fairly quick timeline. Hopefully they will be seeing the EA, environmental document in the later in 2019.

HOOVER Mr. Hoover noted that citizens can add comments by going to the project website, I83NorthYork.com, scroll to the very bottom where there is a comment section. In addition, one can subscribe to future updates that the project will have formally.

TOMEVI Mr. Tomevi urged citizens to talk to their neighbors about this. He suggested individual letters could be sent out to all the neighbors and neighboring properties to keep them informed.

WURSTER Mr. Wurster asked if Mr. Hoover could comment at all with regard to the planned cul-de-sac that is planned with sealing off of Oxford and East Market Street.

HOOVER Mr. Hoover responded that the reason Oxford Street is proposed to be closed off is for westbound traffic on Market Street. The proposal is to put in a dedicated right turn lane to help vehicles that are going either to Route 30 or to I-83 Northbound. And that would be a conflict of access from a safety standpoint if

people were still coming out of Oxford, but desiring to continue west. They would have to cross that right turn lane and get into the second lane. So, in this alternative, Oxford Street would be cul-de-sac'd and then each of the two side roads moving to the north, so East Philadelphia and then Wallace Street would be restricted to a right turn in and right turn out. North Hills Road, which is running in the center left to right is proposed to have a concrete metal median. So, not the tall barrier but the eight-inch high metal median separating traffic, much like what is on Route 30 today. That would divide the north and southbound lanes. The purpose there is that it is a way for PennDOT to bring about access management for North Hills Road, because the predominant movement is the vehicles that are traveling through either to Route 30 or 83, not necessarily destinations within. So, when there are destinations within or in particular, residential driveways that are on a roadway like that, that presents a safety issue for those people and for the people traveling through. So, those are generally the reasons why PennDOT's proposal would be to divide the highway north and south, and then to remove the residential driveways for the homes that face North Hills Road between Philadelphia and Wallace Street. So, it is anticipated that a group of 12 homes there would be displaced as part of this project. The homes on Oxford Street, because access is from Oxford Street, and those are expected that they would stay. There are two homes that have driveways. They are the two homes to the left, right by what is now the church parking lot. They have driveways coming out the back to their garages. One of those owners was at the meeting Monday night, and he was able to talk to some of the right-of-way agents of how that claim may work for them. However, even a driveway from the rear of the house would be removed as well.

WURSTER Mr. Wurster thanked him and asked for the timeline for the acquisition.

HOOVER Mr. Hoover responded Exit 19 is anticipated to begin in 2025 and finish in 2026/27.

15. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 8:15 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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