

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 24, 2016
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, March 24, 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
Blanda Nace

MEMBERS NOT

IN ATTENDANCE: Kathleen Phan

ALSO IN

ATTENDANCE: Kristen Denne, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Mark Hodgkinson, Director of Wastewater Treatment
Dori Bowders, Manager of Administrative Operations
Barbara Lindeman, Director of Finance
Dan Stump, Chief, Police Department
Don Eckert, YAUVFR
Jean Abreght, 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

- A.** March 10, 2016 – 8:00 p.m. – Shultz Litigation and Potential Acquisition of Real Estate
- B.** March 14, 2016 – 8:15 p.m. Personnel

SWOMLEY Chairman Swomley announced that there had been two Executive Sessions since the last meeting. One was held on March 10th at 8 p.m. to discuss the Shultz litigation and potential acquisition of real estate. The second was held on March 14th at 8:15 p.m. to discuss personnel. None were scheduled for this date.

3. COMMUNICATION FROM CITIZENS

TANZOLA Carol Tanzola, 3009 Trout Run Road asked for clarification of the plan for upgrading Trout Run Road. Her concerns related to (1) any potential widening in

which case she would lose two barns, a front porch and a slaughter house and (2) the Conservation type of resurfacing which would result in a potential race track,

SWOMLEY Chairman Swomley responded that some studies had been done to see what kind of options would be available. Nothing had been presented to the public to date. He asked Mr. Luciani to provide some information.

LUCIANI Mr. Luciani responded with an explanation of potential solutions on the table which included (1) do nothing, (2) no widening (3) bonding the road, (4) use of potential Grant funding, (4) provide some preservation of the road surface.

TANZOLA Ms. Tanzola mentioned the fact that an individual wants to build a house on a piece of property on Trout Run Road.

LUCIANI Mr. Luciani stated that the mandate for that homebuilder is to widen the road to township standards of 26 feet. However, the plan had not been voted on either by the Planning Commission or recommended/reviewed by the Board of Supervisors.

SWOMLEY Chairman Swomley recommended that Ms. Tanzola attend the Planning Commission meetings to gain more information.

TANZOLA Ms. Tanzola indicated she will be at the Planning Commission meetings. She thanked the board as she appreciated the input and noted she hoped that the board would opt for the Conservation option as it seemed to be the better route.

DENNE Ms. Denne added that the board was not looking at a gravel program, but rather the low-volume road program.

STAUB Andrew Staub of New Freedom spoke as a representative of the York County Convention and Visitor's Bureau. He serves as the Communications Specialist and provided an update of the activities of the Bureau. The activities during 2016 will bring an economic impact of more than \$20 million to York County. He requested referrals of any businesses or attractions that might be interested in becoming a member.

POFF Mary Poff of Royal Street asked for an update on the potential development at the corner of Eastern Boulevard and Royal Street. There had been no action for over a year.

LUCIANI Mr. Luciani responded that the plans were submitted and approved and they are ready to start building. He did not know whether they had applied for their Building Permit. The project is in the developer's hands and appears to be at a stand-still.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Dennis Crabill had provided a written monthly report. He stated he had no changes to his report and offered to respond to questions. He noted that presentations on the fat, oil and grease acceptance study and the pump station study will take place during an April meeting.

SWOMLEY Chairman Swomley requested that the documentation surrounding those presentations be provided to the board in advance of the next meeting in order to be more productive.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided a written report. He had two updates:

- A very productive coordination meeting was held with QDot Engineering reviewing plans and building permits. Currently they are reviewing the retrofit of J. C. Penny, as well as the NorthPoint development. There was agreement on all outstanding issues.
- The Pleasant Valley Road tract was reviewed during the March Planning Commission Meeting. There are some outstanding issues, and many requested waivers had been recommended by the Planning Commission. Mr. Luciani indicated he will provide briefing memos for the board as they may come before the board during the April meeting.

5. CONSENT AGENDA

- A. Acknowledge Receipt of February 29, 2016 Treasurer's Report
- B. Acknowledge Receipt of December 17, 2015 York Area United Fire and Rescue Commission Meeting Minutes.
- C. Acknowledge Receipt of January 19, 2016 York Area United Fire and Rescue Commission Meeting Minutes
- D. Acknowledge Receipt of February 16, 2016 York Area United Fire and Rescue Commission Meeting Minutes.
- E. Board of Supervisors Regular Meeting Minutes – March 10, 2016
- F. LD-14-04 – Time Extension – Pleasant Valley Road Tract – Plan Expires 3/31/16 (New Plan Date 4/15/16)
- G. SD-06-01 – Time Extension – Bensinger – Plan Expires 4/7/16 (New Plan Date 6/30/16)
- H. Authorization to Approve Tax Refund Requests for Tax Years 2010 through 2015 – Ray Haugh (Parcel #46-22-67) in the total amount of \$184.10
- I. Regular Payables as Detailed in Payable Listing of March 24, 2016

SWOMLEY Chairman Swomley noted that the Board of Supervisors Regular Meeting Minutes for March 10th had not been provided to the board. The item should be pulled from the Consent Agenda.

DENNE Ms. Denne responded that there had been some difficulty in loading material into the Novus Agenda. Novus' support team is looking into the matter. The minutes will be provided for the next meeting.

MR. SCHENCK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH D AND F THROUGH I. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Motion to Confirm On-Line Auction (MuniciBid) Results for Township Vehicles and Equipment

SWOMLEY Chairman Swomley commented that the results of the MuniciBid Auction were very good with approximately \$33,000 received.

DENNE Ms. Denne recognized the efforts of Andy Hinkle and Mark Hodgkinson for their work in organizing and identifying the excess equipment for sale.

MR. SCHENCK MOVED TO CONFIRM THE ON-LINE AUCTION RESULTS AND ACCEPT THOSE BIDS. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. LD-15-03 – NorthPoint Development (4/15/16)

NACE Mr. Nace stated that prior to any discussion or vote on LD-15-03 he had provided a document to enter into the minutes. He read the document, which is provided below. He stated that he had no personal gain whatsoever from any voting for the development, and he will abstain from any vote on the matter. The letter follows:

Springettsbury Township
York County, Pennsylvania

To the Recording Secretary for Springettsbury Township:

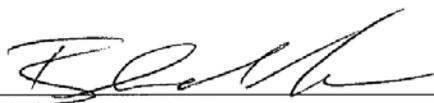
Re: 1445 Eden Road, York, PA 17402 – NorthPoint Development (LD-15-03)

This will acknowledge that I am the Executive Director of the Redevelopment Authority of the County of York (RACY), who is the record owner of property in Springettsbury Township located at 1445 Eden Road that is being developed by NorthPoint Development as NP YORK 58, LLC.

As project manager for the York County Industrial Development Authority (YCIDA), I have been involved with this project since November 2009.

Although I have no personal gain from any approval for this development, I am abstaining from voting on the NorthPoint development plan to avoid the appearance of a conflict of interest.

Dated: March 24, 2016


Blanda Nace, Springettsbury
Township Supervisor

SWOMLEY Chairman Swomley stated that if there were no objections, he asked Mr. Nace to remain at his board seat for his knowledge and input for any questions asked.

LAPINSKI Larry Lapinski, NorthPoint Development presented the project. The Briefing Memorandum identified the plan, which proposed to redevelop a former Harley-Davidson Motorcycle Operations, Inc. manufacturing site which lands are contaminated. The project will construct a new 750,818 sq. ft. manufacturing building, supporting utilities and site improvements while adhering to the provisions found within the Environmental Covenant established for the tract. The developer will connect to public water and sanitary sewer. There were 15 waivers and 11 conditions, some of which had been addressed.

LUCIANI Mr. Luciani itemized a number of the waivers and conditions and summarized the documentation in the Briefing memorandum. He identified one issue relating to the storm water and the contamination issue, which had been addressed with DEP. The developer has done everything possible related to storm water. The old building was within the flood plain. The new building will be raised two to three feet above the flood plain. Mr. Luciani stated, for the record, he believed the flood plain around the building is incorrect because they have two flood plains coming together with a three-foot differential in elevation. That could be argued and challenged; however, they just want to get the project moving.

SWOMLEY Chairman Swomley stated that he had reviewed the plan several times during the Planning Commission meetings. He stated that Mr. Dvoryak had followed the development through attendance at a number of the Planning Commission meetings. Mr. Nace was very familiar with the plan. He asked Mr. Schenck for his comments.

SCHENCK Mr. Schenck noted that he had been following the plan as well and thought that Mr. Luciani had summarized it well. He noted it truly is a unique project, and he thought the solution related to the contamination issue was a great way to handle the site.

BIEBER Tim Bieber of Nutec Designs stated that working with the township Staff had been great. There had been a lot of challenges on the project and they had come up with creative solutions to work through the issues.

LAPINSKI Mr. Lapinski brought up one condition and requested the board's consideration. He noted a general comment about putting up a barricade across the property for safety purposes. They plan to erect a small retaining wall along the edge of their property to create a difference for the dock heights for the facility. The problem with erecting a barricade is that it would be on Harley-Davidson property. They will reach out to Harley; however, if they do not agree they can't put one on someone else's property.

SWOMLEY Chairman Swomley asked Solicitor Rausch what potential wording for the motion would be acceptable.

RAUSCH Solicitor Rausch responded that a condition could not be placed on another property owner. He suggested to make a “recommendation” that the developer discuss it with Harley.

MR. SCHENCK MOVED WITH REFERENCE TO LAND DEVELOPMENT 15-03 TO APPROVE THE WAIVERS AS LISTED ON THE BRIEFING MEMORANDUM, AND FURTHER MOVED TO APPROVE THE CONDITIONS AS LISTED ON THE BRIEFING WITH THE EXCEPTION OF THE RECOMMENDATION TO INSTALL THE BARRIER ALONG THE ACCESS DRIVE, TO CHANGE THAT TO RATHER BE RECOMMEND THAT THE DEVELOPER WORK WITH HARLEY-DAVIDSON TO SEE IF THAT STRUCTURE CAN BE BUILT. IF IT CAN’T THEN IT CAN’T BE DONE. MOTION CARRIED 3/1. MESSRS SWOMLEY, SCHENCK AND DVORYAK VOTED IN FAVOR; MR. NACE ABSTAINED.

8. COMMUNICATION FROM SUPERVISORS

There were no Supervisor communications.

9. SOLICITOR’S REPORT

RAUSCH Solicitor Rausch had provided a written report and had nothing to add.

10. MANAGER’S REPORT

A. Manager’s Report

DENNE Ms. Denne stated that she had forwarded the street sweeping schedule, which will begin during the week of March 28, 2016.

She reported that a Camp Security meeting had been held earlier during the week with a large attendance of interested individuals. There are many in support of the future digs that will be done in the near future.

She had forwarded an email from an individual interested in serving on the Historic Preservation Committee. She questioned the board as to when she should schedule an interview.

SWOMLEY Chairman Swomley suggested that the interview be scheduled as soon as the next meeting if possible.

DENNE Ms. Denne reported that the Quarterly Financial Review will take place during the April meeting.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2016-33 – Authorizing Township Manager to Execute all Documents with PennDOT for Installation and Upgrades of Traffic Signals

MR. DVORYAK MOVED FOR APPROVAL OF RESOLUTION NO. 2016-33. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

There was no Old Business for action.

13. NEW BUSINESS

SCHENCK Mr. Schenck reported that there had been emails circulating with pictures of an area behind a house. There is a question as to whether it is public right-of-way.

NACE Mr. Nace explained that a neighbor had mowed the area. The property was transferred and the former owner indicated it would not be mowed anymore. The owner indicated the land is not his although he had been mowing it for the last two years. He was putting the township on notice that he will not be mowing it as he does not believe it is his. He is attempting to find out who owns the property.

SCHENCK Mr. Schenck asked whether the township will assist in any way.

DENNE Ms. Denne responded that Staff had done some research this date, and the property does not belong to the one who sent the inquiry. She will contact them and advise the correct property owner that is on the GIS.

SCHENCK Mr. Schenck noted, in addition to that, it is the time of year where grass will begin to grow very fast. It is important to stay on top of the property maintenance.

14. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 7:45 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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