

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 26, 2015
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 26, 2015 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak, Vice Chairman
Kathleen Phan, Assistant Secretary/Treasurer
Julie Landis
Bill Schenck

ALSO IN

ATTENDANCE: Kristen L. Denne, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Buchart-Horn, Inc.
Patricia Lang, Director of Community Development
Betty Speicher, Director of Human Resources
Dori Bowders, Manager of Administrative Operations
Mark Hodgkinson, Director of Wastewater Treatment Plant
David Wendel, Director of Parks and Recreation
Lt. Dan Stump, Police Department
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Oath of Office – Police Chief Daniel Stump

SWOMLEY Chairman Mark Swomley called the regularly scheduled meeting of the Springettsbury Township Board of Supervisors to order. He led the Pledge of Allegiance. He commented that a special occasion would take place this date. He recognized all the friends and guests present and asked Chief Dan Stump to come forward. Chairman Swomley led Chief Stump in the Oath of Office and congratulated him. Chief Stump's wife, Dana, presented his pin.

Chief Stump received a standing ovation from the attendees.

STUMP Chief Stump thanked Chairman Swomley and the Board of Supervisors for their commitment and continued support of the Police Department. He thanked Township Manager Kristen Denne for believing in him with the position, and her continued support of law enforcement as a whole. He recognized visiting dignitaries and other Chiefs of Police present, as well as individuals from his

gym, his church, his men's Bible Study and his family. He indicated how proud he was to represent his brothers and sisters in blue as Chief. He focused on the fundamental core of Springettsbury Township's Police Department, which is serving others and valuing people and that the community will be top priority. He addressed Chairman Swomley and the Board of Supervisors, members of the Springettsbury Police Department, and his fellow brothers and sisters of other departments and the community of Springettsbury, and stated that as the Chief of Police, he would give his best. He especially thanked his wife, Dana, who had been his rock and his family who each had made sacrifices over the years so that he could pursue law enforcement. He was most proud to call Dana his wife, Mia his daughter, and Noah his son.

SWOMLEY Chairman Swomley indicated that the attendees could stay and enjoy the meeting or join others in the lobby for refreshments and to congratulate the new Chief.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

There were no Executive Sessions to announce.

3. CITIZEN COMMENTS

SHANAMAN Victor Shanaman, 2578 Brighton Drive brought forward a violation of an ordinance concerning parking in the yard at 2417 Cambridge Road. He had been communicating with the township since January, and the situation has existed since June of 2014. Another one had started at 2441 Cambridge. He understood there was no one on staff to enforce these violations.

DENNE Ms. Denne responded that there are two individuals on staff who are trained to do Code Enforcement. She stated that she will address the situation first thing in the morning. She said she was very sorry he had that interaction.

FERGUSON Dave Ferguson, Ridgewood Road, requested an update concerning the Teamsters Contract.

SWOMLEY Chairman Swomley responded that it is currently in negotiation with the township's team of professionals.

DENNE Ms. Denne stated that they have been meeting on a bi-weekly basis and are working on resolving issues and have been for over the last month.

FERGUSON Mr. Ferguson commended the township on promoting from within the police department.

Mr. Ferguson noted that he had a storm water problem on his property on Ridgewood Road and Herman Court, which he had been dealing with for 13

years. He reported that a macadam berm that he had was destroyed by the snow plows this winter. He had built retaining walls and is swaled out. He planned some changes to protect his property, which he had discussed with Ms. Lang.

LANDIS Ms. Landis asked whether he had reported the berm matter to the township.

FERGUSON Mr. Ferguson responded that he had not reported it. He indicated he had been dealing with the problem for too many years.

LANDIS Ms. Landis asked who is responsible.

LUCIANI Mr. Luciani responded that there is a tennis court there, which makes it very flat. The hillside drainage to his yard is significant. How it gets around his house is challenging due to the tennis court and the features in his yard. He commented on the macadam and the fact that the snow plows can't see the curbing in the snow.

SWOMLEY Chairman Swomley asked Mr. Luciani to review the situation as there had been more than one complaint in that area.

LUCIANI Mr. Luciani responded that he would review it with Mr. Hodgkinson as well to try to piece together what happened and see what the township can do.

SWOMLEY Chairman Swomley asked for an update on the home being built and the storm water issue there.

LUCIANI Mr. Luciani responded that he had discussed the matter with Mr. Carpenter, the builder, and suggested that he should take care of the issues. Mr. Carpenter had fixed the silt fence, and it was Mr. Luciani's understanding that he will eliminate the pile of soil and place the seepage pits before the end of March. They will be small basins on the lower side of the house.

LANG Ms. Lang added that as soon as she had talked to Mr. Carpenter he fixed the erosion controls. He also added some silt fence along the road side, which was not required but did help to absorb some of the drainage coming off the property. Mr. Carpenter indicated he expected to have everything done by the beginning of the week of March 30th, and if he had to veer very far from that he would let her know. She had visited the site several times, and it seemed to be progressing along that timeline.

SWOMLEY Chairman Swomley questioned whether he planned to do any further remediation for some of the damage in the area that was caused by not putting the erosion control in place.

- LANG** Ms. Lang responded that Mr. Carpenter's position was that it had been in place, but the utility company took it down to put lines in and did not repair it. He had not volunteered to do anything further, but it can be discussed further.
- HYDER** Brandon Hyder, 2474 Crystal Lane, brought forward his concerns regarding YAUFR and the command structure. He commented on equipment responses to outside areas dispatched as mutual aid which puts wear and tear on equipment, personnel and fuel costs. Municipalities are being supplemented with fire services on the backs of taxpayers. When equipment is out fighting fires in other municipalities, YAUFR's Chiefs decide whether to backfill stations and if there happened to be a fire in the home area, the equipment comes from municipalities and/or personnel from long distances away instead of the closest municipality. In addition, he cited the fact that there are 911 standards for dispatch, and there had been a number of self-dispatchings done contrary to national incident command. He asked the board to review the situation and provided paperwork and information for the review.
- LANDIS** Ms. Landis stated for clarification that 911 is not calling for YAUFR's assistance, and someone from within YAUFR is directing employees to a fire.
- HYDER** Mr. Hyder responded that there had been a fire in the city in the east end of town. Before the officers of the city equipment even struck a second alarm, the equipment was already right around the corner stating that they are on scene if they needed assistance.
- LANDIS** Ms. Landis questioned what the benefit would be, as she did not understand why they would go to the fire.
- HYDER** Mr. Hyder indicated he had no idea but felt it was a huge liability for the personnel and firefighters.
- SWOMLEY** Chairman Swomley stated the matter would be reviewed.

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 but he would provide answers to any questions.
- PHAN** Ms. Phan mentioned that the contractors working on the I-83/Mt. Rose Avenue project are doing a wonderful job. She noted that they are attempting to keep the area clean. She stated the road was getting extremely bad; however, they are doing everything they can to patch it. She just wanted to give kudos for a change.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided the board with his monthly report. He had two updates. First, regarding the repair to a sink/pot hole on Eastern Boulevard and Haines Road. He and Mark Hodgkinson had investigated the pipe. Public Works crews photographed the interior of the pipe, which is rotting and collapsing at the top. Water is washing soil into the pipe which has many holes. It is washing the soil down into the pipe, and it is just disappearing as a result of the gaps in the pipe. They met with the property owner, who will repair the pipe. Mr. Luciani did not know how much the township would be involved, but it may be necessary to shut down that roadway temporarily.

PHAN Ms. Phan questioned how long the repair work would take.

LUCIANI Mr. Luciani responded that it should not take more than a few weeks to excavate and backfill.

PHAN Ms. Phan stated her concern for the residents in that area.

LUCIANI Mr. Luciani reported that he and Ms. Lang had attended a York County Storm Water seminar where they had an on-screen evaluation. They covered topics such as whether or not taxpayers like to see more money spent on storm water. There will be additional focus on the subject, and there may be a York County Regional Authority set up to fix pipes, streams and flooding.

DVORYAK Mr. Dvoryak asked whether the issues with Lot 11 in Pleasantrees had been addressed and whether they have what is needed.

LUCIANI Mr. Luciani responded that there had been a productive meeting, and there remains some documentation that is needed. There is a clear paper trail indicating that this lot is not included in the overall analysis. Mr. Luciani indicated he thought everyone was satisfied at this time.

5. CONSENT AGENDA

- A. Acknowledge Receipt of February 28, 2015 Treasurer's Report
- B. Regular Payables as Detailed in the Payable Listing of March 26, 2015
- C. LD-05-18 – Reapproval – Market Street Commons Add-On Lots (Expires 04/08/15)
- D. LD-02-16 – Waiver Request – Construction and Material Specifications [S.02618 Part 302; use of smooth-lined polypropylene pipe (SLPP) in lieu of concrete]

SWOMLEY Chairman Swomley asked whether any items should be removed from the Consent Agenda for further discussion.

RAUSCH Solicitor Rausch requested that item C be removed for separate discussion.

**MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A, B, AND D.
MOTION UNANIMOUSLY CARRIED.**

C. LD-05-18 – Reapproval – Market Street Commons Add-On Lots (Expires 04/08/15)

RAUSCH Solicitor Rausch indicated that the plan identified in C was up for re-approval since the 90-day deadline had passed from prior approval. Mr. Pasch stated that there is \$35,549.80 left in the financial security to complete improvements, which include installation of street lights, five-foot concrete sidewalk and concrete curbing. Mr. Pasch is doing some refinancing and M&T Bank is holding the township's Letter of Credit. They requested that, as part of the refinancing, the Letter of Credit be released.

Mr. Pasch proposed to transfer the \$35,549.80 into an Escrow Account pending his completion of the remaining items. Solicitor Rausch did not have a problem with that as it is an accepted mode of security under the MPC. Solicitor Rausch indicated that, as a condition, he will have to pay all the outstanding fees that are due, which is about \$13,000. That will be done. He requested the board approve the concept to have the bank release the Letter of Credit and following that the township will establish the Escrow Account as long as outstanding fees are paid.

PHAN Ms. Phan asked when the payment would be expected.

RAUSCH Solicitor Rausch responded that it should be within the next couple of days.

LANDIS Ms. Landis asked whether the amount would be enough as it didn't seem like a lot of money.

RAUSCH Solicitor Rausch responded that it is the amount that had been established.

LUCIANI Mr. Luciani added that the box culvert is in, the streets are in and it is not for the entire length, just what remains.

SWOMLEY Chairman Swomley asked Mr. Luciani if he agreed with the concept.

LUCIANI Mr. Luciani responded that he was in agreement.

MR. SWOMLEY MOVED TO RE-APPROVE THE MARKET STREET COMMONS ADD-ON LOT PLAN, LD-05-18, WITH APPROVAL TO RELEASE THE EXISTING LETTER OF CREDIT PROVIDED THAT AN ESCROW ACCOUNT IS ESTABLISHED IN THE AMOUNT OF \$35,549.80 AND ALL OUTSTANDING FEES ARE PAID. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Purchase 2015 Scag Turf Tiger 72 and Scag Turf Tiger 61 through R.S.Hollinger & Son, Inc. in a total amount not to exceed \$24,653 (State Contract Number 4400011379)

MR. DVORYAK MOVED TO APPROVE THE TWO PURCHASES. MOTION UNANIMOUSLY CARRIED.

- B. Wexcon, Inc. – Fineview Drive Stormwater System Project – Change Order No. 1 in an amount not to exceed \$5,476 (CREDIT)

MR. SCHENCK MOVED TO APPROVE THE WEXCON CHANGE ORDER REDUCTION OF \$5,476. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. Historic Preservation Committee Report

SMITH Steve Smith provided the board with copies of their Annual Report in accordance with their By-laws. They reported on the whole list of 100 Historically Significant Properties in the township, and they are evaluating 11 additional properties. With regard to the Historic Plaque Program, they are in the process of putting together letters which will include post cards with four options to check and send back. Regarding the Camp Security preservation area, there were 65 people who attended a meeting on March 25th to volunteer for the next dig, which will take place May 18th through June 29th.

8. COMMUNICATION FROM SUPERVISORS

There were no Supervisor comments.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch reported that he had received a telephone call from Solicitor Hovis for York Township. In December Red Lion Borough and York Township entered into an agreement to transfer some sewer capacity from Red Lion to York Township. They requested that they be credited with 8,400 gallons per day of sewer capacity. Under the Inter-Municipal Agreement, the Springettsbury Board of Supervisors must approve the transfer so that the exhibits can be changed.

MR. SCHENCK MOVED TO APPROVE THE TRANSFER OF 8,400 GALLONS PER DAY OF SEWER CAPACITY FROM RED LION BOROUGH TO YORK TOWNSHIP UNDER THE INTER-MUNICIPAL AGREEMENT. MOTION UNANIMOUSLY CARRIED.

10. MANAGER'S REPORT

DENNE Ms. Denne stated that there are several dates within her Manager's Report for future meetings regarding the Rail Trail Ribbon Cutting and the York County Transportation Meeting.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2015-32 – Amending Benefit Policy to include “Executive Leave”

SWOMLEY Chairman Swomley introduced Resolution 2015-32 and indicated that the purpose for this is to be used for an employee who had been promoted to a higher position and loses days that they've accrued in their current position. He stated this provision would allow a number of those days to be granted as Executive Leave at the discretion of the township manager. A summary of the discussion follows:

- Not an across-the board policy for all employees; only personnel in management or director positions; exempt positions but not hourly.
- Impact will expand the number of days off that they receive; not take away accumulated days off while working in a lower position.
- No cash value; cannot be taken consecutively as vacation.
- Used as Executive Leave similar to a personal day; total limited to three days.
- Need uniformity for all directors across the board rather than a case-by-case basis.
- Basically used by bargaining unit employees who take on additional responsibilities as directors.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 2015-32.

DVORYAK Mr. Dvoryak stated that this change of personnel policy seemed to be a response to a specific situation. He noted that the personnel policy needed to be reviewed and changed. He did not think the board would be doing the personnel policy or the employees justice.

PHAN Ms. Phan added that the personnel policy needed to be updated period. She did not see a problem with this action; however, she has issues with other things in the policy. She reiterated that the board had discussed a review of that policy earlier in the year and she would like to see that done.

MOTION CARRIED 3/2. MS. PHAN, MR. SCHENCK AND MR. SWOMLEY VOTED IN FAVOR; MS. LANDIS AND MR. DVORYAK VOTED AGAINST.

11. OLD BUSINESS

There was no Old Business for action.

12. NEW BUSINESS

There was no New Business for discussion.

14. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 7:55 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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