

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**APRIL 14, 2016
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, April 14, 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
Kathleen Phan

NOT IN

ATTENDANCE: Kristen Denne, Township Manager

ALSO IN

ATTENDANCE: Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Mark Hodgkinson, Director of Wastewater Treatment
Dori Bowders, Manager of Administrative Operations
Dan Stump, Chief, Police Department
Dan Hoff, Battalion Chief, YAUFRR
Don Eckert, YAUFRR
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SWOMLEY Chairman Swomley called the meeting to order. He welcomed the attendees. He noted a number of Boy Scouts in the audience and asked them to lead the Pledge of Allegiance. The scouts were present for their Citizenship in the Community Merit Badge. He commented that Scouting is the best youth leadership development program available in the world today. He noted he had been a Scout Master for 12 years, Troop 17 and had three sons who were Eagles.

SCHENCK Mr. Schenck echoed Chairman Swomley's comments and noted he had been in scouts as a counselor for the Merit Badge. He offered to respond to questions if needed.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SWOMLEY Chairman Swomley announced that an Executive Session was held on April 12th to discuss personnel. An Executive Session was scheduled for this date following adjournment to discuss personnel.

3. COMMUNICATION FROM CITIZENS

GUNNING Paul Gunning, 2205 East Philadelphia Street, brought forward his concern about the former Heistand Elementary School. The school was allowed to house a church, and the most recent church moved out. The church had added businesses to the facility which became an issue for the neighborhood. The businesses remain active and is lighted up seven nights a week from 4 p.m. to 10 p.m. He questioned what the next step would be in terms of looking at the activity.

SWOMLEY Chairman Swomley responded that the board would take the issue under advisement. He had addressed a scout troop there a week ago and had no idea that the church was no longer in the building.

GUNNING Mr. Gunning noted he had discussed the matter with Ms. Denne, who indicated she would ask Solicitor Rausch to contact the church's solicitor.

RAUSCH Solicitor Rausch stated that he would review the zoning; however, if the church is gone, there can't be a commercial activity purely on its own. He will do some inquiry to determine whether or not a zoning violation is occurring.

STUHRE Charles Stuhre, 3680 Trout Run Road spoke as Chair of the Recycling Committee, which had an idea to bring to the board. They requested the township, in future years, to designate a one-time only, one trip spring leaf collection. He noted that residents are cleaning out their flower beds and have no place to put the leaves. The date could be put in the newsletter to advise residents.

VENGOECHEA Joe Vengoechea, 2070 Long Level Road, Wrightsville, brought forward an item concerning the sewer bills he owed for a home he rents at 220 Haines Road. There was a lengthy discussion concerning addresses where the bills were sent, which he never received and unpaid fees. Because of unpaid bills, liens had been placed against the property.

RAUSCH Solicitor Rausch indicated he would have to pay everything in order to get the matter cleared.

DVORYAK Mr. Dvoryak noted his concern with the fact that the address was changed for the bills and staff should be able to answer that question. There should be some kind of documentation on file of address changes.

SCHENCK Mr. Schenck agreed and noted that Mr. Vengoechea had asked all the right questions but was unable to get to the answers. Mr. Schenck thought a fair consideration would be to waive the late fee but request him to satisfy the lien.

PHAN Ms. Phan agreed that as a homeowner one takes responsibility to be sure the bills are paid. However, it's the township's responsibility to make sure billings are correct.

MR. SCHENCK MOVED TO WAIVE THE FEES SO THAT THE NET AFFECT IS THAT THE TOWNSHIP WOULD RECEIVE PAYMENT FOR THE PRINCIPLE AMOUNT OF

THE PAST DUE BILLS, THE ACTUAL BILLED AMOUNT, NO INTEREST, NO PENALTY BUT THAT MR. VENGOECHEA WILL PAY THE TWO FEES RELATED TO THE LIEN, WHICH WOULD BE THE ADMINISTRATIVE FEE OF \$75.00 AND THE FILING FEE OF \$55.00. MOTION UNANIMOUSLY CARRIED.

RAUSCH Solicitor Rausch stated he would contact the Sewer Department and have them do a recalculation based on the board's consideration. Mr. Vengoechea will be contacted as to what the amount will be. He can then make that payment and satisfy the lien.

PHAN Ms. Phan added that the staff will make sure the right name and address is on the record.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

1) Grease Digester Evaluation Report

CRABILL Dennis Crabill stated that he had provided a monthly report and had no changes. He offered to respond to questions. There were no questions.

SWOMLEY Chairman Swomley noted that the actual report was not on the Novus Agenda. Two reports will be reviewed next month.

CRABILL Mr. Crabill provided a PowerPoint presentation entitled Grease Digester Evaluation for the Springettsbury Township Waste Water Treatment Facility. His PowerPoint covered a number of major points, summarized:

- F.O.G. – Fat, Oils, and Greases from restaurant grease traps; feasibility and requirements.
- Springettsbury's processes can handle increased load and overcome unknowns.
- Additional plant improvements include changed route into plant.
- Annual costs approximately \$240,000; estimated profit \$189,000/year.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI John Luciani had provided his monthly report and had several additions:

- A Time Extension had been received for Triplet Springs. He will provide new information to the board on the new deadline, which is in June.
- His report mentioned a road adoption; however, that will be tabled awaiting a sewer as-built for Commons Drive. He expected the adoption for both Western Drive and Commons Drive to take place during the next board meeting.
- Pipe replacement work is being done on Old Orchard Road.
- Two cases were heard by the Zoning Hearing Board: 1) Advent Lutheran Church purchased a home on North Hills Road to be demolished in order to create an off-site parking lot. 2) Roberts Oxygen facility is going to Industrial Highway in the strip mall. The issue involves storing Argon, Oxygen, and

Helium outside their building and the zoning requires it in the rear yard. A meeting will be held with them during the April 18th week to address safety and esthetics.

- PSATS Convention will be held the week of April 18th. He will attend the engineering seminar.

SWOMLEY Chairman Swomley asked whether board members will be in attendance.

SCHENCK Mr. Schenck responded that he will attend as the voting delegate.

5. CONSENT AGENDA

- A. Board of Supervisors Regular Meeting Minutes – March 10, 2016
- B. Board of Supervisors Work Session Minutes – March 14, 2016 (Reconvened Meeting of March 10, 2016)
- C. Board of Supervisors Regular Meeting Minutes – March 24, 2016
- D. Regular Payables as Detailed in Payable Listing of April 14, 2016
- E. Authorization to Purchase Two (2) New Secondary Clarifier Pumps from Kelso Solutions in a total amount not to exceed \$50,000 (COSTARS)

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

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Renew Agreement for Medical Director Services with WellSpan Health for Springettsbury Township Emergency Medical Services for the period July 1, 2016 to June 30, 2017 in an amount not to exceed \$2,785.

MR. SCHENCK MOVED TO AUTHORIZE THE MEDICAL DIRECTOR SERVICES AGREEMENT. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Execute Sewer Utility Easement Agreement – Brookedge Lane (Pasch)

NACE Mr. Nace noted that the easement agreement description made reference to Windsor Township.

RAUSCH Solicitor Rausch responded that the change will be made.

MR. SCHENCK MOVED (WITH EDITS) TO APPROVE THE SEWER UTILITY EASEMENT AGREEMENT WITH TIMOTHY F. PASCH, INC. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Execute Agreement to Modify Land Development Plan – Market Street Commons Lot #8 (93-99 Theater Lane)

MR. DVORYAK MOVED TO AUTHORIZE EXECUTING THE AGREEMENT TO MODIFY LAND DEVELOPMENT PLAN FOR MARKET STREET COMMONS, LOT #8. MOTION UNANIMOUSLY CARRIED.

D. Authorization to Advertise Bids for 2016 Annual Road Materials and Resurfacing Project

MR. SCHENCK MOVED TO AUTHORIZE TO ADVERTISE BIDS FOR 2016 ANNUAL ROAD MATERIALS PROJECT. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

A. LD-14-04 – Pleasant Valley Road Tract (4/15/16)

CRÈME Attorney Matt Crème, counsel for the applicant, Pleasant Valley Road LLC presented the project to the board. He stated that the project had been recommended by the Planning Commission with a list of waivers and conditions, 16 plus 17 and 18 as of this date all of which are acceptable by the applicant. The plan proposed to develop four 20-unit apartment buildings and a three-store strip mall and other site improvements.

SCHENCK Mr. Schenck suggested, just for the audience, they could do a walk-through of what is proposed.

KIME Sidney (Sandy) Kime with ELA Group, Inc. of Lititz explained the site plan at the northwest corner of Mt. Zion Road and Pleasant Valley Road. There will be a three-unit commercial building to the south east, 3,000 square feet each, two retail and one office. The majority of the site has four apartment buildings for a total of 80 apartment dwelling units with a central parking area. There will be extensive landscaping per township ordinance along both highways. There is a parking lot that was previously approved on the west side of the property for the church expansion currently under construction to the west. The primary access point is off the center of the property off Pleasant Valley Road and then off of Mt. Zion Road there is a right-in, right-out only.

HORST Mark Horst of Vanguard Development Group in Lancaster, PA provided a 3D conceptual drawing to highlight what was proposed. They would begin with apartment D, then C, then B, then A.

An additional lengthy discussion was held with regard to the esthetics of the buildings, placement of dumpsters, fire study, HVAC units, HOP to be submitted and approved.

SCHENCK Mr. Schenck commented that the documentation the board normally receives was incomplete as far as the waivers and conditions. Because of the internal confusion, he labeled three individual sheets A, B, and C and will make them part of the motion.

MR. SCHENCK MOVED TO APPROVE LAND DEVELOPMENT 14-04 KNOWN AS THE PLEASANT VALLEY ROAD TRACT WITH THE EIGHT WAIVERS AND 18

CONDITIONS AS LISTED ON THE DOCUMENTS A, B, AND C PRESENTED THIS DATE (ATTACHED). MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

NACE Mr. Nace reported that he had attended the Intermunicipal Coordination Committee meeting held by PennDOT to discuss widening of Interstate 83 to six lanes from Mt. Zion Road to George Street Exit 22. He noted that the project would be a very large, multi-phased project, for which PennDOT hopes to have some final design recommendations by the end of June.

SWOMLEY Chairman Swomley asked Mr. Hodgkinson if he had something to add to Mr. Nace's report.

HODGKINSON Mr. Hodgkinson responded that he could not add to that report as he had not been at the meeting. However, he wanted to report that the lights from Pleasant Valley Road to Eastern Boulevard are being changed by PennDOT. All the controllers, which are the latest and greatest controllers, and a lot of the equipment and cabinets were replaced. They were installed and there were problems with the video cards causing intersections to flash in the middle of morning rush hour. The new controllers were pulled and the old re-installed until the manufacturer could get the issue corrected. In addition, PennDOT is adding a lane from Route 30 East to Concord Road.

Mr. Hodgkinson mentioned one additional item with regard to Mr. Crabill's report on the grease matter. The township receives about 20 to 25 million gallons of septage a year. All or most of those same customers are discarding grease as well and they have to take it somewhere else. The township would not have to bring in new customers.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch had provided his written report. He mentioned the Executive Session held on April 12th for personnel and requested an Executive Session following adjournment, also for personnel discussions.

10. MANAGER'S REPORT

SWOMLEY Chairman Swomley noted that Manager Denne's report had been included in the packet. There were no questions.

11. ORDINANCES AND RESOLUTIONS

There were none for action.

12. OLD BUSINESS

There was no Old Business.

13. NEW BUSINESS

A. York County Planning Commission – Update on Regional Storm Water Initiatives

GERNER Lindsey Gerner of York County Planning Commission provided a PowerPoint presentation overview of York County Regional Storm Water Solutions. She made two announcements: (1) York County Planning Commission Transportation Improvement Plan is seeking public comments. She provided a flyer. (2) York County Planning Commission is again planning a municipal workshop for planning commission members, supervisors, borough councilmen, zoning hearing board members. She provided a flyer and suggested the board save the date.

The PowerPoint presentation included an overview of York County waters. Maps revealed the York County Watersheds along with identification of the impaired waters in York County designated by DEP. Impaired waters is a DEP designation stating it is not meeting an appropriate use as a warmwater fishery, aquatic life, recreation and potable water. Some additional points in her presentation:

- Sources of pollution, how to fix water issues at federal, state, county and municipal level.
- Regional Maps of Chesapeake Bay Watershed.
- York County’s Stormwater Journey.
- York County Regional CBPRP – Participating Municipalities.
- Current regional investment, Future regional investment, Stormwater Authority/Feasibility Study Results, Goals, Process, Findings, Five guiding principles.
- Benefits of Regional Stormwater Authority, and Potential next steps.

Ms. Gerner stated the next steps involved presenting the findings to the York County Board of Commissioners. They supported the findings and charged the York County Planning Commission with moving forward. They are currently developing a Scope and applying for funding. They hope to start the process with a consultant in 2017. Within the next phase they hope to answer funding sources and staffing, division of labor, legal authority, who holds the permit and how a selection of projects would be done, all in coordination with DEP. Stakeholder engagement and public education will be paramount and they want to hear opinions from the Board of Supervisors whether for it or against it, don’t know or need more information. She concluded and indicated she would attempt to respond to questions.

SCHENCK Mr. Schenck commented that he thought the next round of more stringent regulations would come in 2018. He assumed a goal would be to get out ahead of that in order to coordinate efforts.

GERNER Ms. Gerner responded that he was correct. They are hoping to renew the CBPRP for another five years after this five year period is over and keep rolling with that. They will continue to work with DEP trying to make whatever kind of Regional Authority that may come up work in coordination with what the new MS4 Permit will look like.

SWOMLEY Chairman Swomley thanked her for seeing that Springettsbury had been working diligently on this and also with the upgrade of storm water ordinances, etc. to keep up with that. He added Springettsbury was one of the first ones in the county.

LUCIANI Mr. Luciani stated Springettsbury was one of the first compliant ones in all of York County.

RAUSCH Solicitor Rausch questioned whether the Regional Authority would be meant to replace the Chesapeake Bay group eventually.

GERNER Ms. Gerner responded it is something to be considered. They are trying to determine what an Authority would look like. Within internal discussions indicates that the Authority could possibly be the administrator of the CBPRP.

RAUSCH Solicitor Rausch commented that it wouldn't necessarily go away. He wondered how they would work together.

GERNER Ms. Gerner stated they do not know what DEP will do with it.

DVORYAK Mr. Dvoryak recommended that they put York County Community Foundation on their list for possible funding sources as they have a grant program available.

GERNER Ms. Gerner indicated they funded the Feasibility Study, and they will be contact them again.

SWOMLEY Chairman Swomley thanked her for the update.

B. Request for Proposals

- 1) Grass Cutting
- 2) EIT/Mercantile Audits

SWOMLEY Chairman Swomley stated that no RFP documents had been provided for the board. As a result the item was tabled.

14. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 9 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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**Springettsbury Township
Pleasant Valley Road Associates
Preliminary/Final Land Development Plan – revised date: 1/15/2016**

I. Waivers recommended for approval by the Planning Commission

1. Rate Controls (281-13.B.2) - post-development peak flows
2. Design Criteria (281-15.B.1) - side slopes
3. Preliminary Plan (289-10)
4. Final Plan Specifications (289-13) – Scale of 30 feet rather than 50 or 100 feet.
5. Curbing reveal (289-25) - Curbing reveal to be 6 inches rather than 8 inches.
6. Street separation distance (289-41.F.3) – access drive is less than 800 feet from intersection of Pleasant Valley Road and Mt. Zion Road.
7. Access Drive Widths (289-41.J.1) - Width 41 feet rather than 35 feet.
8. Obstruction to Vision (289-42) - 75-foot CST rather than 150 foot CST.

Note: All 8 waivers were recommended for approval

II. Recommended Conditions For Approval

1. Stormwater O & M Agreement to be executed.
2. HOP to be submitted and approved by PennDOT.
3. YCCD final approval for E &S/NPDES.
4. Street lights to be moved to within street right-of-way as shown on S.D. 5.0.
5. Payment of recreation fee-in-lieu of dedication of \$132,640.00.
6. Posting of financial security for required improvements based on erosion control approval
7. Plans to be signed and sealed.
8. Owner to install street name placards if required by PennDOT.
9. Changes dates per Fifth Review Letter General Comments Nos. 6-10, 12 & 13.
10. Revise General Note 2 on Sheet SD 2.0.
11. Correct numbering on notes on Plan Sheet SD 2.).
12. Remove existing conditions on Plan Sheet SD 5.1.
13. Correct overlapping of data on Plan Sheet SD 10.0.
14. Clarify the number of dwelling units in each apartment building.
15. Revise the grading of Basin IF-8 to comply with the 4:1 side slope requirement.
16. Redesign the emergency generator to comply with Township standards.

Pleasant Valley Road LLC accepts the 16 conditions recommended by the Planning Commission and in addition offers the following conditions of approval:

17. Pleasant Valley Road LLC, for itself and its successors and assigns agrees to dedicate to Springettsbury Township, without the payment of any just compensation, additional right of way along its frontage on Pleasant Valley Road, should the Township require and request such additional right of way. Such right of way shall be located between the present right of way of Pleasant Valley Road - southern boundary of the Pleasant Valley Road Tract and the existing 50 foot wide easement of Columbia Gas of PA on the Tract.
18. At the time of issuance of the first building permit for construction of the improvements authorized by this Land Development Plan, Pleasant Valley Road LLC shall make a monetary donation to Springettsbury Township in the amount of \$7,000.00 to be used for public purposes at the discretion of the Township, without limitation of when it might used.