

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 28, 2015  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Tuesday, April 28, 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  
Julie Landis  
Bill Schenck  
Kathleen Phan

**ALSO IN**

**ATTENDANCE:** Kristen L. Denne, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Paul Gross, 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  
Dan Stump, Chief, Police Department  
Jean Abrecht, Stenographer

**1. CALL TO ORDER**

**SWOMLEY** Chairman Swomley called the meeting to order at 7:00 p.m. He led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS**

A. April 9, 2015 – 8:30 p.m. – Legal Matter Re: Site of former Yorktowne Paper Mill

**SWOMLEY** Chairman Swomley announced that an Executive Session had been held on April 9<sup>th</sup> regarding a legal matter concerning the site of the former Yorktowne Paper Mill. He announced that immediately following the meeting this date, an Executive Session will be held to discuss contract negotiations.

**3. COMMUNICATION FROM CITIZENS**

**WINEMILLER** Steven Winemiller, 3815 Pleasant Valley Road, registered a complaint with the board having to do with a building permit, which he had filed in December. His contractor had been working with First Capital Engineering four different times with a final recommendation to handle things differently. He didn't understand why they had not been told of the process in the beginning.

**SWOMLEY** Chairman Swomley responded that he was unaware of the situation; however, the township will certainly review the matter.

**DENNE** Manager Denne stated that a meeting had been scheduled with Mr. Winemiller for Friday, May 1<sup>st</sup> to discuss any issues and that she will investigate further.

**SWOMLEY** Chairman Swomley stated that the township will do the necessary homework to determine what took place.

**LANDIS** Ms. Landis questioned whether the date in question, December, was in 2014.

**WINEMILLER** Mr. Winemiller responded that she was correct, i.e., the beginning of December.

**HOEY** Kevin Hoey, AESYS SB2H, 28693 North Hills Road stated that he was present to discuss the Candlewood Suites development. He indicated he could wait to give his comments.

**SWOMLEY** Chairman Swomley responded that there will be a discussion further on the Agenda, and public comment will be requested at that time.

**HOEY** Mr. Hoey agreed to hold his comments until that time.

**HYDER** Brandon Hyder, 2474 Crystal Lane, came forward to discuss his continued concerns for fire coverage and oversight of YAUFRR. A lengthy discussion ensued and following is a summary of points:

- Time is precious in the fire service; YAUFRR fire trucks are running all over York County and cannot meet local needs.
- Questioning whether YAUFRR trucks were, in fact, at Ski Roundtop; Manchester service coverage includes very northern portions of York County.
- Springettsbury tax dollars are supplementing other municipalities with their fire service with no cost.
- Springettsbury pays 60% of YAUFRR's budget.
- Self dispatching; mutual aid; proper way, SOG's.
- YAUFRR will begin providing a monthly activity report to the Board of Supervisors.

**PHAN** Ms. Phan stated that she wanted any of Mr. Hyder's concerns to be addressed. She suggested that the best way to do that would be to sit down and discuss his concerns. Chief McCoy would be the most appropriate person involved, along with members of the YAUFRR or township boards. She asked Mr. Hyder if that would be something he would like to have scheduled. She asked if he would advise her if he would like to have that take place. She noted she would contact Ms. Denne to provide her contact information.

**SCHENCK** Mr. Schenck informed the board that YAUFRR had been requested by the South Central Coalition to be on alert and had agreed that if needed in Baltimore would be happy to respond. The individuals who would respond would be on a voluntary basis and doing so on days when not normally working. It will not interrupt any of YAUFRR's coverage.

**4. ENGINEERING REPORTS**

A. Environmental Engineer – Buchart Horn, Inc.

**GROSS** Paul Gross, Buchart Horn reported for Mr. Crabill who had provided a written monthly report. There were no questions.

B. Civil Engineer – First Capital Engineering, Inc.

1) MS4 Presentation

**LUCIANI** Mr. Luciani had provided his written monthly report and had no changes or updates. He had been requested to make a presentation with regard to MS4 during the meeting. Highlights of that report will follow:

- Springettsbury Township is a MS4 community and has never not been approved for the annual permit. There are six EPA criteria of MS4 communities.
- Public Education and Outreach; Community Involvement
  - Suggest Eagle Scout projects; stenciling the inlets, rain gardens,
- -Relying on developers and homeowners to assist with run off.
  - Review of every storm water permit.
- Illicit Discharge
  - Does not appear to be a problem in Springettsbury Township
- Construction Runoff
  - Prevention of sediment and runoff getting into waterways.
- Post Construction Storm Water Management
  - Operation and Maintenance Agreement to be recorded.
  - Basins require weekly maintenance.
- Good Housekeeping
  - Monitoring facilities.
- Auditing to be emphasized; likely within the next 90 days. Everyone needs to be knowledgeable about what Springettsbury is doing to control pollutants from getting into stream beds.

**DENNE** Ms. Denne suggested that all the attendees would please place their names on the sign in sheet as it will greatly assist in the public education and outreach.

**LUCIANI** Mr. Luciani continued that it will be important to continue and improve the mapping of the township creeks and waterways. By 2017 it will be necessary to show the diameter of pipes and their location on a very legible map. A greater emphasis on water quality will be reviewed. Mr. Luciani suggested that the most important areas that Springettsbury needed to focus on is getting greater community involvement, as well as putting together an Operation and Maintenance Plan for all township facilities. He noted the new MS4 application will be submitted by the end of May, and it is imperative that it be submitted on time.

**LANDIS** Ms. Landis stated that MS4 had been discussed for quite some time, and it will be a huge, unfunded expense. She indicated that it will be imperative to find a funding source and include it in any Strategic Planning for the future.

**SWOMLEY** Chairman Swomley opened the floor for comments or questions as to what MS4 means to the community.

**HYDER** Brandon Hyder noted that he is an avid fisherman, and anything that can be done to keep the waterways clean would be appreciated. He has fished the Susquehanna River and Conewago for years and had seen a huge drop off in the fish population.

**5. CONSENT AGENDA**

- A. Acknowledge Receipt of March 31, 2015 Treasurer's Report
- B. Acknowledge Receipt of February 17, 2015 Minutes of York Area United Fire and Rescue Commission Meeting
- C. Board of Supervisors Strategic Planning Meeting Minutes – February 11, 2015
- D. Board of Supervisors Meeting Minutes – April 9, 2015
- E. Regular Payables as Detailed in the Payable Listing of April 23, 2015
- F. Marona Construction Co. – I-83 Exit 18 Sanitary Sewer Realignment – Application for Payment No. 1 in an amount not to exceed \$552,082.95
- G. Marona Construction Co. – I-83 Exit 18 Sanitary Sewer Realignment – Application for Payment No. 2 in an amount not to exceed \$446,162.40
- H. Authorization to Approve Tax Refund Request for Tax Year 2015 – Springetts Manor LP (Parcel #46-JJ-8023) in the amount of \$23.47
- I. Authorization to Approve Tax Refund Request for Tax Year 2015 – Springetts Manor LP (Parcel #46-JJ-23) in the amount of \$23.13

**MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH I.  
MOTION UNANIMOUSLY CARRIED.**

**DENNE** Ms. Denne noted that she had used a re-formatted Treasurer's Report this date so that it is easier to read.

**6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS**

A. Petition to Approve the Sale of Fire Company Property (3013 East Market Street)

**RAUSCH** Solicitor Rausch reported that because the sale involves a volunteer fire company in the township, a court approval for the sale is required. This second contract increases the purchase price.

**LANDIS** Ms. Landis brought up the matter of extension dates stated in the documentation, some of which were expired.

**ECKERT** Don Eckert responded that the extension had been issued.

**LANDIS** Ms. Landis questioned for clarification that the settlement would occur within 30 days of the expiration date of June 15<sup>th</sup>.

**ECKERT** Mr. Eckert responded that they think they will meet the June deadline. They are waiting for a date from the Judge. He added that, as Solicitor Rausch had mentioned, they will have to go back to court again. It will take three weeks until the date issued by the Judge and advertisement will then take place.

**SWOMLEY** Chairman Swomley noted that an amendment executed by both parties could extend it again.

**MR. SCHENCK MOVED TO AUTHORIZE THE SOLICITOR TO PETITION THE COURT TO APPROVE THE SALE OF THE FIRE COMPANY PROPERTY. MOTION CARRIED 4/1; MESSRS. SCHENCK, DVORYAK, SWOMLEY AND PHAN VOTED APPROVAL; MS. LANDIS VOTED OPPOSED.**

B. Authorization to Purchase New Bar Screen Grid Assembly from Hydro-Dyne Engineering, Inc. in an amount not to exceed \$95,500 (sole source)

**MR. SCHENCK MOVED TO APPROVE THE PURCHASE OF THE NEW BAR SCREEN FROM HYDRO-DYNE ENGINEERING IN AN AMOUNT NOT TO EXCEED \$95,500. MOTION UNANIMOUSLY CARRIED.**

C. Authorization to Advertise Bids for 2015 Annual Road Materials and Resurfacing Project

**MS. LANDIS MOVED TO APPROVE 2015 ANNUAL ROAD MATERIAL AND RESURFACING PROJECT BID. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT**

A. LD-14-06 – Candlewood Suites Hotel (4/30/15)

**SWOMLEY** Chairman Swomley introduced the Candlewood Suites plan. He indicated that the Planning Committee had many discussions with the developer and the engineer. They had gone back and forth over traffic issues and road surface issues and storm water issues. Planning Commission recommended approval of the waivers and conditions listed in the briefing memorandum dated April 23, 2014.

**LANG** Patricia Lang presented the Final Land Development Plan. She indicated that the applicant is proposing to develop an approximately four acre lot currently owned by LCBC. The project entails construction of a four story eight-five room hotel on the existing vacant lot located at the present terminus of Saturn Way. She indicated that Saturn Way was originally designed as a public street; however, the township had not yet accepted dedication of this right-of-way. Saturn Way only allows for right-in, right-out turning movements from North Hills Road. All left hand turns from North Hills Road must access the hotel site from a driveway serving an existing business on an adjacent lot. Ms. Lang presented a PowerPoint aerial view of the plan showing the elevations and storm water plan. She indicated the applicant, his consultant and his attorney were present to respond to questions.

Several residents and business owners spoke of their North Hills Road concerns:

- Mike Snyder, 200 North Hills Road,
- Kevin Hoey, AESYS SB2 8693 North Hills Road, Ed Paskey, 3140 Roundhill Road.
- Jim Snyder, Snyder, Secary and Associates, Representing the applicant.

A lengthy discussion took place. Following is a summary of main points:

Traffic Issues

- Use of AESYS driveway; easement filed permitting driveway access.
- Traffic Impact Study identified minimal amounts of additional traffic with hotel.
- Existing PennDOT permit for low volume driveway; no change with proposed use.
- TRG/IT Trip Generation Manual with precise calculations, high intensity and specific times revealed little difference in traffic magnitude with addition of hotel.
- Left-hand turns out of 200 North Hills Road, northbound
- Left-hand turns out of AESYS, southbound

- Center lane – not to be used as a thoroughfare but for northbound left-turns onto Route 30.
- Rumble strips proposed for center turn lane to slow traffic. Application to be re-submitted to PennDOT to adjust the rumble strips.
- Potential cost for rumble strips approximately \$10,000.
- PennDOT guidelines indicate roadway plan is acceptable.
- North Hills Road is a state road; PennDOT issues driveway permits.
- Roadways and infrastructure cannot take current and/or additional traffic.
- Decision must be based on what the law does and does not permit.

Flooding/Storm Water Issues

- AEYSYS currently has four acres of his property that flood. Removal of absorbable terrain will create additional runoff that retainage pond can't hold.
- Little League Field behind AEYSYS floods as well.
- Major creek runs along the east side of the AESYS property.
- Initial 60-foot wide easement was a Storm Water Easement; since has become major egress/ingress.
- Existing retention pond developed for LCBC to manage storm water.
- With Candlewood Suites, less impervious is created, but retention pond will be enlarged to reduce discharge; flow is substantially reduced.

Pavement Issues

- Applicant will build right-of-way street through the property to township standards.
- Removal of the cul-de-sac allows traffic, including truck traffic, to turn around.
- Agreement provided an indemnity against damage to the parking lot by heavy or emergency vehicles.

Signage

- Monday through Friday; 3 p.m. – 6 p.m. No Left Turns.
- Voluntary agreement with developer with legal limits entering a PennDOT road.

**PHAN**

Ms. Phan commented that all the concerns had been justified and she wanted to look at the pros and cons. She would rather see a hotel there than a strip mall where there was traffic coming and going all day long. With a hotel the individuals come in and check out at a specific time. She added that it is important that the township do whatever possible on that road to assure safety.

**PASKEY** Ed Paskey, 3140 Roundhill Road explained that he had two separate issues to bring forward. His first issue was on behalf of SB2H and Mr. Hoey. Mr. Paskey formally stated for the record that there is no way, shape or form that SB2H can acquiesce to this plan and the current traffic situation. He stated that the inevitable will happen where a motorist will pull out from Mr. Hoey's property, make a left-hand turn onto North Hills Road in an effort to go to I-83 and an accident will occur. Someone will be injured and the first party to be sued will be SB2H. Mr. Paskey stated unequivocally that neither Mr. Hoey nor SB2H supports the development in the current traffic pattern.

Mr. Paskey's second issue related to the fact that SB2H leases land to the Little League where he, personally spends innumerable Tuesday's, Wednesday's and Thursday's, Saturdays and Sundays. There had been no reference this date to the amount of traffic that is added by a Little League event. The plan will add additional traffic. Mr. Paskey noted that, as a parent, he hoped not to be put in a position where he has to tell Mr. Hoey that he is putting people's safety at risk by continuing to have the Little League lease and having additional people leaving the games and exposing them to the additional traffic risk. He understood the township's legal obligations and requirements, but he did not want the township to be shocked or surprised when the Little League public comes to the township indicating they no longer have access to the fields. Mr. Paskey did not want the board to take his comments as a threat, but simply note that at some point Mr. Hoey and his business partners must make a business decision on the risk.

**SCHENCK** Mr. Schenck commented with state highways involved that the board knows it can't deny what the state has approved. His prediction is that someday not too far in the future there will be a medial strip down that road, which is the only solution.

**MR. SCHENCK MOVED, WITH RELUCTANCE TO THE TRAFFIC CONCERNS, TO APPROVE THE CANDLEWOOD SUITES PROJECT, LD-14-06, WITH THE TWO WAIVERS AS IDENTIFIED IN THE BRIEFING AND THE SIX CONDITIONS. MOTION CARRIED 4/1. MESSRS. SCHENCK, SWOMLEY, DVORYAK AND PHAN VOTED APPROVAL; MS. LANDIS VOTED OPPOSED.**

B. LD-14-05 – York Christian Church (5/31/15)

**LANG** Patricia Lang presented background information regarding LD-14-05, York Christian Church, which had been documented in the Briefing memorandum dated 4/23/15. The plan proposed a 7,046 square foot expansion of the existing church with additional parking on the church property as well as the adjacent lot

to the east. The site is served by public sewer and water and contains steep slopes as well as wetland areas. She provided a PowerPoint presentation which included an aerial view, the site plan, existing conditions and parking plan. She stated that the Planning Commission had reviewed the plan and recommended it during the March meeting with four waivers and conditions which are mainly administrative in nature. The applicant had responded to several design issues, traffic impact and one related to landscaping and they are working out the responses to those details. She noted that representatives of the plan were present to respond to any questions.

**KIME** Mr. Sandy Kim of ELA Group in Lititz introduced himself as representative of York Christian Church. He introduced Harold Schwartz as well, who is a member and representative from the church.

**RAUSCH** Solicitor Rausch noted that there is a cross-easement agreement with the adjacent property for the parking and some storm water and emergency access.

**SWOMLEY** Chairman Swomley indicated that the board did not appear to have any questions. He asked for comments from the public.

**RESIDENT** A resident asked where all the rainwater is going to go.

**LANG** Ms. Lang pointed to the area where storm water management will occur.

**KIME** Mr. Kime added that it is underground in the area of the proposed parking lot along with another facility in the proposed off-site parking lot.

**SWOMLEY** Chairman Swomley asked Mr. Luciani if he had reviewed all of the storm water management.

**LUCIANI** Mr. Luciani responded that there are some outstanding issues, such the O&M agreements that need to be recorded; however, they are adequate.

**SWOMLEY** Chairman Swomley noted that in the waivers, storm water, 281 13-A requires that 100% of existing impervious area be considered meadow.

**LUCIANI** Mr. Luciani responded that technically for redevelopment projects the impervious would be brought back to meadow. They are not disturbing any of that. All the new impervious area is considered meadow, and they cut it by 50%. The new storm water management handles all of it.

**SWOMLEY** Chairman Swomley asked if it all complies with MS4 for the new regulations.

**LUCIANI** Mr. Luciani responded that the O&M agreement and the inspections will be part of it. They'll have an NPDS and post-construction storm water management.

**MR. SCHENCK MOVED TO APPROVE LAND DEVELOPMENT 14-05 YORK CHRISTIAN CHURCH, WITH THE FOUR WAIVERS AS LISTED ON THE BRIEFING MEMO AND WITH THE SIX CONDITIONS. MOTION CARRIED 4/1; MESSRS. SCHENCK, SWOMLEY, DVORYAK AND PHAN VOTED APPROVAL; MS. LANDIS VOTED OPPOSED.**

**8. COMMUNICATION FROM SUPERVISORS**

**SCHENCK** Mr. Schenck reported an issue of several dead trees that appear to be leaning and threatening a resident's property. The location would be a property that the sewer plant owns on the south side of Lower Glades Road.

**HODGKINSON** Mr. Hodgkinson responded that he would look into it.

**DVORYAK** Mr. Dvoryak noted that the natural speed bump on Pleasant Valley Road that surfaced over the winter had disappeared and traffic is flowing normally.

**HODGKINSON** Mr. Hodgkinson responded he had no idea how that happened, but they will remove the bump signs.

**LANDIS** Ms. Landis commented on the change of meeting nights due to lack of a Quorum. She requested that a courtesy phone call to determine availability for the new date would have been better communication to supervisors instead of an email advising the new date.

**SWOMLEY** Chairman Swomley responded that there were two plans that would have received deemed approval if the board could not meet. There was only one night possible before the board would have lost the ability to comment on the plans. He apologized for not canvassing all the board members but indicated it was imperative that the board review the plans.

**LANDIS** Ms. Landis noted that she had been asking since January 20<sup>th</sup> to receive a copy of the funding formula for Manchester Township. She asked for a copy for the fifth time. She did not see anyone from YAUFRR present this date but asked Ms. Denne if she could pass that along to Chief McCoy.

**DENNE** Ms. Denne asked Ms. Landis if she had asked Chief McCoy for the information.

**LANDIS** Ms. Landis responded that she had not.

**SWOMLEY** Chairman Swomley recognized Chief Dan Stump's efforts with the York County Drug Task Force in handling a synthetic drug situation. He had made a statement to the public warning them of some various drugs that had become available in the area. He commended Chief Stump for his action.

Chairman Swomley asked Ms. Denne to select some possible dates for a Strategic Planning session in the near future.

**DENNE** Ms. Denne responded that she would provide some potential dates to the board.

**9. SOLICITOR'S REPORT**

**RAUSCH** Solicitor Rausch stated that he had nothing to add to his written report unless there were questions.

**LANDIS** Ms. Landis asked whether there had been any updates with respect to the Yorktowne Paper Mill.

**RAUSCH** Solicitor Rausch responded that they are investigating their options, whether or not to continue to use the siphon or to connect to Springettsbury at the diversion pump station along with the costs involved.

**DVORYAK** Mr. Dvoryak questioned how much money is invested in the Long property acquired at Sheriff Sale.

**RAUSCH** Solicitor Rausch responded that the upset price was about \$40,000 including clean up costs of \$23,000 plus attorney's fees.

**SWOMLEY** Chairman Swomley commented that the property will be on the township books. He asked whether that would be sold.

**RAUSCH** Solicitor Rausch noted that when the Sheriff's Deed comes through the board can decide what to do with the property.

**10. MANAGER'S REPORT**

**DENNE** Ms. Denne reported that during the PSATS Conference the township had received Honorable Mention from the Pennsylvania Highway Information Association for the Alpine Road Culvert project. She was asked to take a picture of the board with the certificate to be included in the next PSATS magazine.

**11. ORDINANCES AND RESOLUTIONS**

There were none for action.

**12. OLD BUSINESS**

There was no Old Business

**13. NEW BUSINESS**

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There was no New Business for discussion.

**14. ADJOURNMENT**

**SWOMLEY** Chairman Swomley adjourned the meeting at 9:05 p.m.

Respectfully submitted,

Doreen K. Bowders  
Secretary

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