

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JULY 27, 2017
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, July 27, 2017 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
Blanda Nace
Bill Schenck

MEMBERS NOT

IN ATTENDANCE: George Dvoryak, Vice Chairman
Kathleen Phan, Assistant Secretary/Treasurer

ALSO IN

ATTENDANCE: Benjamin Marchant, Township Manager
Charles Rausch, Solicitor
Sandra Ratcliffe, Interim Finance Director
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Jessica Fieldhouse, Director of Community Development
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dori Bowders, Manager of Administrative Operations
Nitza Sanchez-Bowser, Director of Human Resources
Colin Lacey, Director of Parks and Recreation
Dan Stump, Chief, Police Department
Dan Hoff, Chief, YAUFRR
Jay VanPelt, YAUFRR
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

SWOMLEY Chairman Swomley announced that there had been no Executive Sessions since the last meeting.

3. COMMUNICATION FROM CITIZENS

A number of citizens attended the meeting to address concerns for the Wallingford Development, specifically the placement, maintenance and security of walking paths along with the township's interest in obtaining the 10-acres on the north side of Eastern Boulevard.

TALLEY Timothy Talley, 3919 E. Sloway Drive, addressed the board. His concerns included the placement of walking paths, security issues and owner maintenance. He had secured 43 household signatures indicating they did not want the paths.

SWOMLEY Chairman Swomley stated that the board received a memorandum from the township Planning Commission recommending approval of elimination of the walking paths. Along with that is a contingency approval of transfer of 10 acres of land to the township on the north side of Eastern Boulevard

RAUSCH Solicitor Rausch provided a discussion of the background concerning the 10-acres of land.

- Township acquired an easement from the HOA along the creek for the 10 acres. HOA suggested the township take ownership of the 10 acres to eliminate their responsibility to provide plantings in the area. HOA needed an 80% vote of residents to do that.
- The walking paths are documented on the recorded plan. A vote of the HOA will be required to eliminate the walking paths, signed by the residents and notarized.
- Township will provide meeting room for residents, along with a Notary to facilitate moving forward.

NACE Mr. Nace commented that the 10-acres are non-developable land.

SWOMLEY Chairman Swomley added that a sewer line exists on the land.

SCHENCK Mr. Schenck cautioned that at this time the developer remains responsible to place the walking trails. He did not want the developer to be caught in the midst of the changes.

FIELDHOUSE Ms. Fieldhouse responded that she, along with Messrs. Luciani and Marchant met with the developer, who is amenable to not putting in the paths.

LUCIANI Mr. Luciani noted that, in addition to the concerns of the proximity of the homes, there are existing utilities, sheds and other items that would interfere with walking paths.

RAUSCH Solicitor Rausch noted that, in the absence of the walking paths, there are other ways to get to the parks.

TALLEY Mr. Talley responded that the area is plentiful with sidewalks so there are people going back and forth through the parks daily. He thanked the board for the time.

SHANNON Craig Shannon, 3706 Bedordshire Drive, expressed his concern of the following:

- Difference between a path and a sidewalk.
- Signage for security that only HOA residents use walking paths.
- Transfership of 10 acres – concern for buffers; stream restoration.
- Six-month note on waiver of sidewalks on north side of Eastern Boulevard; HOA would be responsible if transfer of land does not take place.

SCHENCK Mr. Schenck noted that there might be a potential to rezone the 10 acres to Open Space. The township’s interest is to protect streams and corral storm water.

SHANNON Mr. Shannon noted that there is a herd of deer that runs in the area.

SCHENCK Mr. Schenck added that there are turkey as well.

RAUSCH Solicitor Rausch noted that if the HOA deeds the land over to the township, the township must take it subject to whatever restrictions are on it. At this time the plan has it as Open Space.

FORRY Jeff Forry, 3910 East Sloway Circle, questioned whether the township would have to maintain the 10 acres per the Land Development Plan including all the tree plantings.

LUCIANI Mr. Luciani responded that the trees are not native trees. He was certain that there will be a Riparian buffer. The trees would be more of a natural type of tree that would be consistent with the MS4 program.

FORRY Mr. Forry questioned whether there would be a vegetation layout. He was under the impression that trees act as a screen buffer.

FIELDHOUSE Ms. Fieldhouse responded that the township would make the area an MS4 resource, which identifies landscaping, shrub plantings and different tree plantings. The landscaping will be a benefit for the stream, for the Riparian buffer and for the MS4 program, and professionals will assist in doing that.

SWOMLEY Chairman Swomley added that it will not be the plantings that are on that plan, and the intent there is to use this as part of the MS4 program. Additionally, the intention is not to take down the trees that currently are there, but rather to supplement.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided his monthly written report. He had no updates to what he submitted. He noted that Scott Loercher of Buchart-Horn’s architectural group was present to discuss a proposal later on the Agenda.

SWOMLEY Chairman Swomley questioned whether Buchart-Horn is doing Plan Reviews on developments.

HODGKINSON Mr. Hodgkinson responded that Buchart-Horn is, in fact, doing some Plan Reviews for sanitary sewer purposes since they are the township’s sanitary sewer engineer.

SWOMLEY Chairman Swomley noted that it was not the way it had been done.

HODGKINSON Mr. Hodgkinson explained that Mr. Schenck and he discussed this when he was his “Go To” person about having Buchart Horn review all the subdivision plans that came in for sanitary sewer purposes. They had discussed how that would go, and it would be very similar to how the fire department looks at plan reviews.

SWOMLEY Chairman Swomley commented that now there will be multiple engineers reviewing plans.

SCHENCK Mr. Schenck stated that the discussion was only related to things like sewer capacity and the sewer mains that were known that they had in their possession. It was really limited to that scope and nothing more than that. Mr. Luciani still has a role because where the line will go and other details still fall under the Civil Engineer. His conversation with Mr. Hodgkinson was related to capacity in the sewer line and whether the pump station would be impacted. Mr. Schenck noted that perhaps it needed some fine tuning.

B) Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had submitted his monthly report. A number of items he discussed are on the Agenda. He noted several additions:

- Kingston Road stream stormwater right-of-way; piping is approximately 50 years old and connects with the storm system on Kingston Road without an inlet. Township has a right-of-way. Will be televised as time permits.
- Former Nello Tire property – Auto Zone interested and is asking about piping along Northern Way. Between Market Street to Eastern Boulevard piping is not in good condition. It is corrugated metal and will need serious work. The township owns that pipe. Underneath Market Street there is a concrete arch proven to be a Pennsylvania Department of Highways pipe.

5. CONSENT AGENDA

- A. Acknowledge Receipt of June 30, 2017 Treasurer's Report
- B. Acknowledge Receipt of May 16, 20 York Area United Fire and Rescue Commission Meeting Minutes.
- C. Acknowledge Receipt of June 20, 2017 York Area United Fire and Rescue Commission Meeting Minutes.
- D. Board of Supervisors Work Session Minutes – June 22, 2017
- E. Board of Supervisors Regular Meeting Minutes – June 22, 2017
- F. Board of Supervisors Strategic Planning Session Minutes – June 29, 2017
- G. Regular Payables as Detailed in Payable Listing of July 27, 2017
- H. Authorization to Approve Expenditure for 2017 Contribution to Martin Library in an amount not to exceed \$37,000

**MR. SCHENCK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH H.
MOTION UNANIMOUSLY CARRIED.**

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Motion to Select a Provider to Work with the Township Manager to Prepare a Contractual Agreement to Provide Emergency Medical Services to the Township Beginning January 1, 2018

MARCHANT Mr. Marchant reported that he had prepared Request for Proposals for Emergency Medical Services. The township had planned to phase out direct operations of EMS services by the end of 2017.

- Four proposals were received, very competitively presented.
- Chief Hoff and Mr. Marchant reviewed and discussed the merits of each.

- Two were selected as the most responsive, best service, lowest cost: Grantley Fire and EMS (non-profit) and White Rose Ambulance Service (for profit).

SWOMLEY Chairman Swomley commented that both selections look good for the township. He noted some discussion concerning the township subscription service. He asked for clarification.

MARCHANT Mr. Marchant responded that it will be the same program for Grantley with same practices through mutual aid and cooperative agreement.

SWOMLEY Chairman Swomley asked how the money that was collected translate. The township will have to pay something to either ambulance service for the subscriptions that were purchased through Springettsbury.

MARCHANT Mr. Marchant responded that it was the case for White Rose Ambulance. He asked Chief Hoff for clarification of Grantley's case.

HOFF Chief Hoff responded that his understanding is that Grantley was not asking for any type of money as they already have a reciprocal agreement with Springettsbury that covers it.

A lengthy discussion took place with each service speaking to the assets of using their ambulance service.

- White Rose Ambulance Service spokesmen were James Arvin, President and Ted Hake, Vice President of Operations.
- Grantley Fire and EMS spokesmen were Joe Myers, EMS Operations Manager, Paul Grubbs, Volunteer Chief and John Dommer, President.

Following the presentations Messrs. Swomley, Schenck and Nace suggested a delay in the decision until the full board could be present.

B. Authorization to Advertise for Sealed Bids for Residential Garbage and Recycling Contract

MARCHANT Mr. Marchant prepared a draft Request for Bids for the Solid Waste Contract, which was modeled almost identically to the prior iterations of bid requests and past contracts. It had been reviewed with Solicitor Rausch and shared with the Recycling Committee. The bid had been simplified to a single total aggregate bid

rather than separating out the toter rentals from the base bid. Additionally, he had eliminated the differentiation between a one-bag service, a three-bag service and a toter service because the current contract has one flat rate for all of them, that was continued. There is no mandate for toter use.

STUHRE Charlie Stuhre, Chairman of Recycling Committee, asked for clarification that the trash toter and not the recycling toter would be a customer option not mandated to all residents.

MARCHANT Mr. Marchant responded that he was correct.

MR. NACE MOVED TO AUTHORIZE THE ADVERTISEMENT OF SEALED BIDS FOR RESIDENTIAL TRASH COLLECTION WITH MODIFICATIONS AS DISCUSSED. MOTION UNANIMOUSLY CARRIED.

C. Authorization to Award 2017 Line Painting Contract to D. E. Gemmill, Inc. in an amount not to exceed \$18,500

MR. NACE MOVED TO AUTHORIZE THE AWARD OF 2017 LINE PAINTING CONTRACT TO D. E. GEMMILL, INC. MOTION UNANIMOUSLY CARRIED.

D. Authorization to Enter into Agreement with Buchart Horn, Inc. to Conduct Feasibility Study for Relocation of Public Works and Police Facilities in an amount not to exceed \$11,800.

SCHENCK Mr. Schenck asked whether the Buchart Horn agreement would be very specific with clear direction to explore the option of use by the Wastewater Treatment Plant. In addition, it also will provide an estimate of what the overall scope of the building would cost or look on any other land.

LOERCHER Scott Loercher of Buchart Horn responded that the direction he planned to take was to look at the facility at the Wastewater Treatment Plant to see if there's any land available or any buildings that could be shared. He planned to interview the Public Works individuals to determine what they would need if they were to relocate and what space is available to either share or to construct new. He added that his focus was only on the land surrounding the water treatment plant and whatever is owned by the township in that area.

SCHENCK Mr. Schenck questioned whether he would do an assessment of building needs.

LOERCHER Mr. Loercher responded that he would determine what is needed and as far as anything that is needed at the existing building that could be relocated or used; also, how it would fit into some sort of plan along with the plant and then any cost estimates to go with total project costs.

SCHENCK Mr. Schenck questioned whether they would see something that looks like a plan for a specific building and in a specific area.

LOERCHER Mr. Loercher responded that he will look at it with a clean view to see what might be the best approach. There might be three options with pluses and minuses for each. There might be a lot of opportunity there for combined service, combined use, shared space, and that is what his focus will be. In addition, he will be reviewing the study that was completed for the Police Department in the past.

MR. SCHENCK MOVED TO ENTER INTO AGREEMENT WITH BUCHART HORN, INC. FOR THE SCOPE OF SERVICES REGARDING RELOCATING POLICE AND PUBLIC WORKS FACILITIES. MOTION UNANIMOUSLY CARRIED.

E. Authorization to Award Bid for Micro-Surfacing Project to Stewart & Tate, Inc. in an amount not to exceed \$165,623.60

MR. NACE MOVED TO AUTHORIZE THE BID AWARD FOR MICRO-SURFACING PROJECT. MOTION UNANIMOUSLY CARRIED.

F. Authorization to Enter into Master Lease Agreement with Enterprise Fleet Management Services

MR. SCHENCK MOVED TO AUTHORIZE ENTERING INTO A MASTER LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT SERVICES. MOTION UNANIMOUSLY CARRIED.

G. Authorization to Enter into Utility Easement Agreement with Shentel Communication (Fayfield Park)

MR. NACE MOVED TO AUTHORIZE TO ENTER INTO THE UTILITY EASEMENT AGREEMENT WITH SHENTEL WIRELESS. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. SD-17-07 – Lands of Reich Acquisition One, 1885, 1887 and 1889 Whiteford Road
(Action)

MR. NACE MOVED TO APPROVE THE FINAL SUBDIVISION 17-07 WITH THE SEVEN WAIVERS AND MODIFICATIONS. MOTION UNANIMOUSLY CARRIED.

- B. LMS Commercial Real Estate - Request to Offer Dedication of Bridlewood Way.

This item was tabled.

- C. Wallingford Development – Approval of the Elimination of Walking Paths Contingent Upon HOA Approval of the Removal of the Walking Paths and Transfer of 10 Acres on the North Side of Eastern Boulevard to the Township.

MR. NACE MOVED FOR APPROVAL OF THE ELIMINATION OF WALKING PATHS CONTINGENT UPON HOA APPROVAL AND TRANSFER OF 10 ACRES ON THE NORTH SIDE OF EASTERN BOULEVARD WITH ELIMINATION OF THE LANDSCAPING PLAN. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- D. Woda Group, Inc. – Request for Letter of Support for Inclusion in County HOME Funds Application for Lots on Stone Ridge Road and Cinema Drive.

FIELDHOUSEMs. Fieldhouse introduced the request by Woda Group, which is a low-income housing tax credit developer. They are submitting to both the Pennsylvania Housing Finance Agency and York County for funding to construct a workforce housing development. They have asked Springettsbury to provide a letter of support, which is a template, for the development. She noted that housing development of that nature is consistent and compatible with the Comprehensive Plan. In addition, an evaluation for rezoning of two of the parcels involved in this development are being done at the request of the property owner, i.e., from Commercial Highway to R1 High Density Residential.

SWOMLEY Chairman Swomley commented on the fact that the Comprehensive Plan is being updated as it is out of date. He asked whether there is a difference between okaying a zoning change and allowing them to move forward versus actively supporting it.

SCHENCK Mr. Schenck noted that the wording in the letter of support mentions 42 units, which the current zoning does not support. He would not want to send a letter of support when the rezoning request had not been considered.

FIELDHOUSE Ms. Fieldhouse stated that the matter is not time sensitive. The application needs to be submitted to PHFA in October. The municipality is under no obligation to provide the letter or use the template that was provided. The letter could simply state that Springettsbury supports the development application for funds to PHFA and York County Home Program for the development of affordable workforce housing.

MARCHANT Mr. Marchant suggested that the response could be done in two phases, i.e., provide a generic one and then later send a more specific letter.

A lengthy discussion took place concerning the timing of rezoning with a hearing on September 14th at 6:30 p.m. The board will review the matter again in a subsequent meeting.

8. COMMUNICATION FROM SUPERVISORS

There were none.

9. COMMITTEE REPORTS

There were none.

10. SOLICITOR'S REPORTS

A. Solicitor's Report

RAUSCH Solicitor Rausch presented an update involving the Yorktown Papermill. The main points are summarized:

- Lender's Group purchased the property in 2011-12.
- Township kept the siphon that went under the Codorus to the City treatment plant open for the Yorktown Papermill with a written agreement with a two-year termination notice.
- Letter received from the City in 2014 indicating that testing of the lines didn't pass; there may be leaking and possibly INI infiltration going into the City treatment plant. Liability is Springettsbury's.
- Request to close the line led to entering negotiation with Lender's Group with two-year written notice; termination period expired June 30, 2017.

- York City Sewer Authority indicated the sewer connection between the Yorktown Papermill is not recommended to be utilized.
- Lender's Group now requesting an additional 90 days.

Consensus of the board was to actively move forward with closure of the lines.

RAUSCH Solicitor Rausch indicated he would advise the attorney that the township will proceed according to the original plan.

11. MANAGER'S REPORT

MARCHANT Mr. Marchant had provided his report to the board. In addition, he had received a Voice Mail from the Environmental Manager of Harley-Davidson Motorcycles, Sharon Fisher. She provided a courtesy notice that Harley will be doing some shallow ground water testing on the old Armory munition site and so during the month of August the Army Corps of Engineers, DEP and EPA will be out there with them doing some monitoring.

Mr. Marchant brought forward the Risk Management Conference to be held in September, which coincides with the board meeting on September 14th. Ms. Sanchez Bowzer, HR Manager is planning to attend. Mr. Marchant has interest in attending if the board has no objections. PennPrime graciously offered to underwrite their attendance fully for the hotel and conference fees because they would really like Springettsbury to rejoin the PennPrime Risk Pool. Quotes will be requested from them, but they can meet all the criteria discussed that the current carriers cannot provide in terms of settlement assurances.

Consensus of the board was agreement that Mr. Marchant should attend the Risk Management Conference.

NACE Mr. Nace thanked him for his very in-depth report, as well as all the Directors for their reports. He really does appreciate the reports.

SCHENCK Mr. Schenck commented on Mr. Lacey's report about fireworks. He asked when that decision needed to be made.

LACEY Mr. Lacey responded that the decision can be made within a month. The vendor really enjoys Springettsbury's venue. He felt that last year there weren't enough people to justify the \$14,000 for the expenditure of fireworks.

SCHENCK Mr. Schenck commented that his observation was that last year had a different feel to it even during the day. Because of the attendance, he was led to thinking perhaps the event had gotten a little stale and/or was not being promoted properly. He suggested bringing it to the Park and Rec Board to see if they had any thoughts toward breathing some life back into the event.

LACEY Mr. Lacey commented that it seemed that particular weekend there are a lot of celebrations. Harley-Davidson will be having their Harley function.

MARCHANT Mr. Marchant stated that he and Mr. Lacey discussed it and their concern was if too many things would be changed, that may just be watering it, diluting it down further. He agreed with discussing some suggestions with the Park & Rec Board. Several suggestions were:

- Stronger planning effort for promotions.
- Changing the scope and purpose
- Having a 5K Run and Breakfast; Community Day
- Cultural Celebrations
- Different kinds of acts on stage; different draw for families.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2017-38 – Amending and Ratifying Non-Uniform ICMA Money Purchase Plan and Trust Adoption Agreement

MR. SCHENCK MOVED TO ADOPT RESOLUTION 2017-38. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2017-39 – Approving Request to Transfer Liquor License to Turkey Hill, L.P., 3690 East Market Street.

MR. SCHENCK MOVED TO ADOPT RESOLUTION 2017-39, TURKEY HILL LIQUOR LICENSE TRANSFER. MOTION UNANIMOUSLY CARRIED.

C. Authorization to Advertise Ordinance Formalizing MS4 York County Storm Water Management Consortium Intergovernmental Cooperative Agreement

MR. SCHENCK MOVED TO AUTHORIZE ADVERTISEMENT FOR THE MS4 COOPERATIVE AGREEMENT. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

There was no Old Business.

14. NEW BUSINESS

- A. Acknowledge Receipt of Non-Uniformed Pension Plan Compliance Audit from the Department of the Auditor General for the period January 1, 2014 through December 31, 2016
- B. Acknowledge Receipt of Police Pension Plan Compliance Audit from the Department of the Auditor General for the period January 1, 2014 through December 31, 2016.

MR. SCHENCK MOVED TO ACKNOWLEDGE RECEIPT OF THE TWO PENSION PLAN COMPLIANCE REPORTS, ONE FOR NON-UNIFORMED AND THE OTHER FOR UNIFORMED POLICE. MOTION UNANIMOUSLY CARRIED.

- C. Adoption of Springettsbury Township 2018 Strategic Plan

This item was tabled in order to provide additional time for review.

15. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 9:20 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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