

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**AUGUST 26, 2021
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, August 26, 2021 at 7:00 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA in person and by Zoom technology.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak, Vice Chairman
Charles Wurster, Assistant Secretary/Treasurer
Don Bishop via Zoom

MEMBERS NOT

IN ATTENDANCE: Robert Cox

ALSO IN

ATTENDANCE: Mark Hodgkinson, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Diana Young, Environmental Engineer
Dennis Crabill, Director of Public Works/WWT
Dori Bowders, Director of Administrative Operations
Terry Hummel, Director of Finance
Randall Heilman, Director of Community Development
Todd King, Police Chief
Dan Hoff, YAUFRR Chief
Abby Gibb, Communications Manager
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SWOMLEY Chairman Swomley called the meeting to order and led the Pledge of Allegiance.

B. Oath of Office – Patrolman Matthew Martoccio

C. Oath of Office – Patrolman Jeremy Young

SWOMLEY Chairman Swomley led Patrolman Martoccio and Patrolman Young in the Loyalty Oath of Office

KING Police Chief Todd King congratulated the Patrolmen and provided them with a Certificate of the importance of the Springettsbury Police Badge.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SWOMLEY Chairman Swomley announced that no Executive Sessions had been held since the last Board of Supervisors' meeting. He announced that an Executive Session would be held following the meeting this date for the purpose of a personnel discussion. A Zoom link had been sent to Mr. Bishop for his attendance.

3. COMMUNICATION FROM CITIZENS

ECKERT Jennifer Eckert, 555 Gatehouse Lane, spoke about a barking dog issue. She commented on a number of days of consistent 8-hour barking from a neighbor's dogs on a screened-in porch. She asked the Board for relief potentially through a Township Ordinance. They had called on the police but were unsuccessful.

SWOMLEY Chairman Swomley noted that the reason that the officer's hands were tied is that there was a determination that the property in question has an attached sunroom, not a screened in porch. He noted the Board had discussed changing the wording.

RAUSCH Solicitor Rausch noted that the changed wording was to address that particular issue.

WURSTER Mr. Wurster questioned whether this could be considered under a Noise Ordinance.

RAUSCH Solicitor Rausch noted he would check. It could be considered Disorderly Conduct under the State Statute depending on the time of day. The Ordinance can be amended to include barking whether it is inside or outside. He indicated he would review it and submit the amendment.

4. ENGINEERING REPORTS

A. Environmental Engineer – Bucharthorn, Inc.

YOUNG Diana Young stated that she had submitted her monthly report and had no updates. She offered to respond to questions, but there were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI John Luciani had submitted his monthly report. He had several updates.

Mr. Luciani and Solicitor Rausch had attended the August Zoning Hearing Board meeting; the minutes were provided.

ARLE Grant – Stormwater issues were discussed along with traffic planning, such as the intersection of Industrial Highway and Memory Lane. There are a number of rights-of-way; however the boxes, etc. are outside the right-of-way. He and Solicitor Rausch discussed the issues, and Mr. Luciani will issue a letter to the four adjoining users. If they plan to develop their property, they will have to

provide handicap ramp improvements as part of their land development. It is hoped that the four users will consider providing some square footage of right-of-way to the Township to allow the project to proceed. The Township has not submitted an application for a PennDOT Highway Occupancy Permit; however, he was certain it will be a requirement.

BISHOP Mr. Bishop asked Mr. Luciani for clarification with regard to the York Marketplace drive-through.

LUCIANI Mr. Luciani responded that some years ago he had participated in York County Planning Commission's Road Safety Audit. At the time the group had walked from Northern Way to Spring Garden Township looking for safety problems. The biggest intersection hazard is at Northern Way and Market Street. In addition, they reviewed pedestrian accommodations. He pointed out the difficulty for one in a wheelchair traversing across the north side of Market Street. At Giant there is no sidewalk, and there is a bus stop there; a very challenging exercise.

Mr. Luciani brought that up inasmuch as during September there will be a Conditional Use Hearing for a fast-food (healthy) restaurant in the overall shopping center that includes Giant and Lowe's. They're looking at the fact that there are no sidewalks in front of Giant, which needs a retaining wall. It would be good to get right-of-way as part of the Conditional Use for sidewalks to make it more pedestrian friendly.

Mr. Luciani spoke with Will Clark at York County Planning, who reminded him of a grant deadline for pedestrian sidewalks. He, Mr. Hodgkinson and Abby Gibb put one together and submitted it.

5. CONSENT AGENDA

- A. Acknowledge Receipt of July 31, 2021 Treasurer's Report
- B. Board of Supervisors Regular Meeting Minutes – July 22, 2021
- C. Regular Payables as Detailed in Payable Listing of August 26, 2021
- D. York Excavating Co., LLC – Augustus Schaefer Park Project Application for Payment No. 8 in an amount not to exceed \$1,935.32
- E. Heisey Mechanical, Ltd. – Raw Pump Upgrade/Fat, Oil and Grease Acceptance Project Application for Payment No. 15 in an amount not to exceed \$707,866.62
- F. Uhrig Construction, Inc. – Springettsbury Township Building Renovation and Expansion Project – Change Order No. CO-02-G in an amount not to exceed \$7,955.71
- G. Uhrig Construction, Inc. – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 1 in an amount not to exceed \$421,273.61
- H. Uhrig Construction, Inc. – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 2 in an amount not to exceed \$492,788.44
- I. Frey Lutz Corporation – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 2 in an amount not to exceed \$118,530

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- J. Frey Lutz Corporation – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 3 in an amount not to exceed \$48,186.90
- K. MidState Mechanical & Electrical – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 2 in an amount not to exceed \$10,988
- L. Stonewood Logistics Center, 125 Stonewood Road – Reduction of Financial Security in the amount of \$1,636,043.42 (remaining bonded amount \$13,837.56)
- M. Taco Bell, 2411 East Market Street – Reduction of Financial Security in the amount of \$89,201 (remaining bonded amount \$4,940)

MR. WURSTER MOVED FOR APPROVAL OF CONSENT AGENDA ITEMS A THROUGH M ON THE AGENDA. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Execute School Resource Officer Agreement with Central York School District for School Year 2021-22

MR. WURSTER MOVED FOR THE ADOPTION OF THE AGREEMENT FOR SERVICES BETWEEN THE SPRINGETTSBURY TOWNSHIP AND THE CENTRAL YORK SCHOOL DISTRICT AGREEMENT AS OUTLINED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Execute Encroachment Agreement with Columbia Gas of PA for Springettsbury Township Building Renovation and Expansion Project

HODGKINSON Mr. Hodgkinson noted that the 12-inch gas line was put in in 1989. The gas company will allow the Township to do the encroachments needed during the building project, but not without this Agreement. The gas company noted that the line is the most important gas line in York County as it feeds Red Lion, Dallastown, etc.

MR. DVORYAKI MOVED TO APPROVE THE PROPOSED ENCROACHMENT AGREEMENT WITH COLUMBIA GAS. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Execute 2022 SPCA Animal Care and Housing Agreement in an amount not to exceed \$13,734.02

MR. DVORYAK MOVED TO AUTHORIZE TO EXECUTE THE 2022 SPCA AGREEMENT. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- D. Review of Water Shut-Off Agreement and Addendum

HUMMEL Ms. Hummel stated that to improve the Township’s collection on delinquent sewer accounts, she and Mr. Hodgkinson recommend entering into an agreement with York Water Company to complete water shut offs on past-due accounts.

MR. WURSTER MOVED FOR ADOPTION OF THE AGREEMENT WITH YORK WATER COMPANY WITH REGARD TO THE WATER SHUT-OFF AGREEMENT AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED

MR. WURSTER MOVED FOR ADOPTION OF THE WATER SHUT-OFF ADDENDUM TO ILLUSTRATE FEES ASSOCIATED WITH THE PREVIOUS AGREEMENT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- E. Authorization for Chief of Police to Execute Emergency Federal Law Enforcement Assistance Grant Agreement – Funding for Civil Unrest Law Enforcement Overtime (\$2,800)

MR. WURSTER MOVED TO AUTHORIZE THE CHIEF OF POLICE TO ENGAGE IN THIS AGREEMENT FOR THE EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE GRANT PROGRAM. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

8. COMMUNICATION FROM SUPERVISORS

WURSTER Mr. Wurster recognized Mr. Dvoryak and the entire Springettsbury Township Team of Mark Hodgkinson, Brandy Shope, Abby Gibb and Ann Yost and John Luciani for attending the Dedication and Grand Re-opening of Augustus Schaeffer Park. He also recognized Commissioner Julie Wheeler and former District Attorney, Tom Kearny. There was a good turnout of people who came, and it was a good, fun, hot night. A bench was dedicated in memory of their son, Josh Cervenak, by his parents, Joseph and Sharon Cervenak.

SWOMLEY Chairman Swomley mentioned that on August 12th, he and Mr. Hodgkinson attended the Grand Opening Ceremony at the new Hollywood Casino along with President Commissioner Julie Wheeler and a number of other dignitaries. It was a great event at a beautiful facility.

9. COMMITTEE REPORTS

There were no Committee Reports.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch that, with regard to Hollywood Casino, the Intergovernmental Cooperation Agreement was enacted and fully signed with the Pennsylvania State Police.

11. MANAGER'S REPORT

- A. Township Manager's Report

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HODGKINSON Mr. Hodgkinson had provided his monthly report. He reminded the Board that beginning with the first meeting in September (9th) the meetings will be held at YAUFRR, 50 Commons Drive. Moving forward the meetings will continue there until returning to the renovated building sometime in May/June of 2022.

12. ORDINANCES AND RESOLUTIONS

- A. Authorization to Advertise Ordinance Amending Code of Ordinances, Chapter 256 Sewer System, Public – Water Shut-Off Procedures

MR. WURSTER MOVED TO AUTHORIZE TO ADVERTISE THE ORDINANCE AMENDING THE SPRINGETTSBURY TOWNSHIP CODE OF ORDINANCES, CHAPTER 256 SEWER SYSTEM, PUBLIC WATER SHUT-OFF PROCEDURES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Resolution No. 2021-44 – Accepting the Offer of Dedication for Grant Drive in the Sheridan Manor Development
- C. Resolution No. 2021-45 – Accepting the Offer of Dedication for Lee Court in the Sheridan Manor Development

MR. WURSTER MOVED FOR ADOPTION OF RESOLUTIONS 2021-44 AND 2021-45 THE RESOLUTION ACCEPTING THE OFFER OF DEDICATION FOR GRANT DRIVE AND LEE COURT IN SHERIDAN MANOR DEVELOPMENT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

- A. Acknowledge Receipt of 2020 Springettsbury Financial Statements (Tabled at June 24 and July 22, 2021 Board of Supervisor Meetings)

MR. DVORYAK MOVED TO AUTHORIZE RECEIPT OF THE 2020 AUDITED FINANCIAL STATEMENTS. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Old Business Listing
There were no listings discussed.

C. NEW BUSINESS

- A. Authorizing Designated Towing Companies

MR. WURSTER MOVED FOR APPROVAL OF THE DESIGNATION OF THE APPROVED TOWING COMPANIES AS LISTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

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- B. Discussion on Refinancing Options for the General Fund Bond Obligation, Series of 2016 – Christopher Gibbons, Concord Public Finance

GIBBONS Christopher Gibbons, Concord Public Finance provided financial information concerning a potential for refinancing. He stated that the Series of 2016 Bonds are callable on November 1st of this year and the Township is within the time period where the bonds could be refinanced to take advantage of debt service and interest rate savings. He itemized that there is \$3.88 million dollars outstanding at interest rates between 2% and 2.6% for another 15 years. Net Present Value Savings after Issuance, Costs, etc., and numbers are proposed and estimated at approximately \$155,000. If the savings could be at 3% of refunded principal, the number is approximately \$116,000. It is reduced debt service savings. He posed three questions for the Board:

- 1) Go ahead with the refinancing
- 2) If so, determine what level of savings is comfortable
- 3) Take the savings over time or in a lump sum. (This will amount to approximately \$145,000 or \$150,000 towards capital projects, etc.)

GIBBONS Mr. Gibbons added that Concord Finance will review both bank loan refinancing and bond issue refinancing to determine the threshold savings level that the Board authorizes.

HUMMEL Ms. Hummel advised that her preference would be to take the savings over time.

Consensus of the Board was to authorize Chris Gibbons to finalize bank or bond refinancing saving of 3% or above.

14. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 7:53 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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