

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 22, 2016  
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, September 22, 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  
Blanda Nace  
George Dvoryak  
Bill Schenck  
Kathleen Phan

**ALSO IN**

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

**1. CALL TO ORDER**

A. Opening Ceremony

**SWOMLEY** Chairman Swomley called the regularly scheduled meeting of the Board of Supervisors meeting to order and led the Pledge of Allegiance.

B. Introduction of Township Manager – Benjamin Marchant

**SWOMLEY** Chairman Swomley introduced the new Township Manager, Ben Marchant. He indicated that Mr. Marchant is a manager credentialed by the International City Towns and Manager's Association. He has had a lot of experience with both large and small communities in locations across the country. He congratulated Mr. Marchant on his position with Springettsbury Township.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS**

**SWOMLEY** Chairman Swomley announced that an Executive Session had been held following the last meeting to discuss police negotiations. No Executive Session was scheduled for this date.

**3. COMMUNICATION FROM CITIZENS**

**FORRY** Jeff Forry, 3910 East Lily Circle, President of the HOA, Wallingford Development, inquired as to the status surrounding Keystone Homes and specifically a letter dated July 29, 2016 addressed to Mr. Reigle from John Luciani.

**SWOMLEY** Chairman Swomley responded that the board addressed the issues at a previous meeting and had acted by giving them notice to have the development paved by May 31<sup>st</sup>, 2017.

**LUCIANI** Mr. Luciani stated that he had not received any additional correspondence; however, the board had mandated to have all the work done by May 31<sup>st</sup>; otherwise the township will pull the Surety Bond and do the work.

**FORRY** Mr. Forry asked what the overall picture for expected completion would be.

**LUCIANI** Mr. Luciani responded that it would be at least a month's worth of work with some base repair work.

**RAUSCH** Solicitor Rausch noted it would have to be bid too.

**LUCIANI** Mr. Luciani indicated it may take 30, 60 to 90 days; however, with the deadline set by the board it will be done in the 2017 calendar year.

**4. ENGINEERING REPORTS**

A. Environmental Engineer – Buchart Horn, Inc.

**CRABILL** Dennis Crabill had provided a written monthly report. He had no alterations to his report but offered to respond to questions.

**NACE** Mr. Nace asked for the status of the design work on the Treatment Plant improvements.

**CRABILL** Mr. Crabill responded that it was about 20% done but moving forward.

B. Civil Engineer – First Capital Engineering, Inc.

**LUCIANI** Mr. Luciani had provided his monthly report. He noted one update concerning Trout Run Road. The grant application submitted to the dirt and gravel road project was denied. The decision by the County Agricultural Agency was that there wasn't enough environmental benefit from the planned work. If the work is approved it will proceed using township funds, Liquid Fuels.

**5. CONSENT AGENDA**

- A. Acknowledge Receipt of August 31, 2016 Treasurer's Report
- B. Acknowledge Receipt of York Area United Fire and Rescue Commission Meeting Minutes – July 19, 2016
- C. Board of Supervisors Public Hearing Minutes – August 25, 2016
- D. Board of Supervisors Conditional Use Hearing Minutes – Rutters – September 8, 2016
- E. Board of Supervisors Regular Meeting Minutes – September 8, 2016
- F. Regular Payables as Detailed in Payable Listing of September 22, 2016

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

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

- A. Approval of Proposed Scope of Services by Buchart Horn, Inc. for East Market Street Sewer Replacement Inspection Services in a total amount not to exceed \$32,456.

**MR. SCHENCK MOVED TO APPROVE THE SCOPE OF SERVICES BY BUCHART HORN FOR THE EAST MARKET STREET SEWER REPLACEMENT PROJECT, AMOUNT NOT TO EXCEED \$32,456. MOTION UNANIMOUSLY CARRIED.**

- B. Financial Services Agreement – YAUFRR

**MR. DVORYAK MOVED TO APPROVE THE SERVICES AGREEMENT WITH YAUFRR. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT**

A. Update on Northpoint Development

**FIELDHOUSE** Jessica Fieldhouse had provided documentation to the board regarding a 30-day Time Extension for the Northpoint Land Development. The 90-day extension was provided for them to work through their public site improvement bonding and get the plan recording.

**MR. SCHENCK MOVED TO ACCEPT THE TIME EXTENSION AS PROVIDED BY NORTHPOINT DEVELOPMENT THROUGH OCTOBER 24, 2016. MOTION CARRIED. MESSRS. SCHENCK, DVORYAK AND SWOMLEY VOTED IN FAVOR; MS. PHAN VOTED NO, AND MR. NACE ABSTAINED.**

**RAUSCH** Solicitor Rausch requested Mr. Nace to provide an explanation for his abstention.

**NACE** Mr. Nace stated that he serves as the Executive Director of the Redevelopment Authority of the County of York, which currently holds title to this property. As a result, he had abstained from the vote.

## **8. COMMUNICATION FROM SUPERVISORS**

**PHAN** Ms. Phan advertised Saturday in the Park scheduled for Saturday, September 24<sup>th</sup>. She thanked everyone who had assisted, all the volunteers, and all the donors.

Ms. Phan also gave kudos to Ms. Fieldhouse. She indicated that two individuals earlier this date had stated what a wonderful job she is doing and how professionally she handles herself. She stated that the board is very thankful for the great job.

**SWOMLEY** Chairman Swomley provided an explanation/commentary on the form of government used in Springettsbury Township. Ben Marchant is the new Township Manager and will work under what is understood as the Strong Manager method of government here. A Manager's Ordinance sets Mr. Marchant up to be the CEO of the township. The Board of Supervisors act as a group in a Quorum and has input in what Mr. Marchant does as Manager. In turn all of the Directors of the various departments from Police to Community Development to Public Works, Finance, HR, Recreation, so all of those Directors report to Ben. There is another group of people who do not report to Ben. There is a group that is appointed directly by the Board of Supervisors and reports to the Board of Supervisors. That would be our counsel, our engineering firms, our auditors, financial consultants and a number of others. So the way this form of government

works is the Manager acts as moderator between them. The board has direct control, but it is controlled and moderated by the Manager for the board. Any questions or concerns about how that operates would come back through the Manager to the Board of Supervisors to resolve.

**9. SOLICITOR'S REPORT**

**RAUSCH** Solicitor Rausch stated he had nothing to add to his written report. He added that Springettsbury Sertoma Club will have food and a raffle during Saturday in the Park from 2 to 4 p.m. Everything Sertoma makes is given to local charities.

**10. MANAGER'S REPORT**

**MARCHANT** Mr. Marchant stated that he had his first Management Team meeting this date and he had been very well received. The staff had been very friendly, and he appreciated all their support and willingness to share their challenges, opportunities and trials with him. He stated he was very grateful and excited about the opportunity. He noted that Springettsbury is a beautiful community with a lot of opportunities.

**11. ORDINANCES AND RESOLUTIONS**

There were none for action.

**12. OLD BUSINESS**

**SWOMLEY** Chairman Swomley introduced Pam Shellenberger for a presentation by York County Planning Commission. Ms. Shellenberger provided an update on the Chesapeake Bay Pollutant Reduction Plan rollover.

**SHELLENBERGER** Ms. Shellenberger stated that Springettsbury is a participant in the current regional Chesapeake Bay Pollutant Reduction Plan. DEP had released the requirements for the 2018 permit cycle in June with a deadline for submission of everything by September 16, 2017. She noted that the new requirements are much more substantial than the current plan and that municipalities with the MS4 permit will be required to do multiple Pollutant Reduction Plans plus a Chesapeake Bay Pollutant Reduction Plan for each of the municipality outfalls. For each outfall a sewer shed must be developed and the base pollutant reduction must be determined with the pollutant loads that exist from sediment, nitrogen and phosphorous. They will need to put projects on the ground in each of the

sewer sheds to reduce the base loads by 10%, 7% and 5% phosphorous and 3% nitrogen. Projects must be on the ground within a five-year period followed by annual reporting of it all to DEP.

Ms. Shellenberger continued that the York County Planning Commission staff met with DEP, and they have approved a regional effort to develop one Pollutant Reduction Plan for the whole county. This will include identifying the sewer shed for the county urbanized area along with the land area that drains into it. That has been done and the base loads have been identified based on the formula of impervious/pervious that DEP provided. This includes 26 million pounds of pollutants that are being treated from the county perspective of the county-wide urbanized area.

A lengthy discussion continued with the following summary:

- Information is needed from municipalities with regard to their BMP's (Best Management Practices); county sewer shed will assist in reduction of base loads, reducing the 10%, 5%, 3% and reducing the cost.
- Cost is unknown until the municipalities join the regional effort and provide information regarding the projects put forward to meet the Pollutant Reduction loads.
- Joining the regional effort will assist in lowering the cost for an individual municipal plan.
- YCPC offers to develop the plan at no cost. Funding and planning assistance has come in from Army Corps of Engineers.
- YCPC is hoping that PennDOT will join the effort to put projects on the ground and contribute to the fund for implementation. Also the Army Depot and Penn State/York considering becoming partners.
- York Community Foundation offered to help fund design and engineering of projects within the Codorus Watershed with Endowment money.

**SCHENCK** Mr. Schenck questioned what kind of project example she could give that would provide the biggest impact.

**SHELLENBERGER** Ms. Shellenberger responded that stream restoration projects provide for the most reductions with the least amount of cost.

**SCHENCK** Mr. Schenck mentioned what the township had done in Stonewood Park with the riparian buffer.

**SHELLENBERGER** Ms. Shellenberger responded that he was correct. It would involve reconnecting the flood plain, totally restoring the stream, planted banks, riparian buffer and recreating the flood plain so that the water spreads out.

**SCHENCK** Mr. Schenck questioned if the banks of a stream are on private lands and whether that would be something the government is expected to fix.

**SHELLENBERGER** Ms. Shellenberger responded that agreements would have to be obtained from property owners to do those projects.

**SCHENCK** Mr. Schenck questioned where she would consider areas that would be large contributors with a big reduction return.

**SHELLENBERGER** Ms. Shellenberger noted that the projects must be done in the urbanized area, which is an MS4 permit requirement. The goal would be to start in the headwaters and not downstream. The goal is to get the impaired waters off the 303D list that DEP is updating.

**SCHENCK** Mr. Schenck brought up a recent publication he read that had been published by a Chesapeake Bay organization. The article stressed the effect that the farms have on the Bay. It seemed as though DEP is forcing municipalities to go after things that could be measured and done, but yet the reality is that 80% of the problem is not in the area where the investments will be made.

**SHELLENBERGER** Ms. Shellenberger mentioned that the MS4 is the urbanized area with its set of requirements. Agricultural is another sector with its own requirements.

**SCHENCK** Mr. Schenck asked whether there is a similar approach by the county for agriculture as well.

**SHELLENBERGER** Ms. Shellenberger noted that the Conservation District handles most of the agricultural requirements. They have written the majority of conservation plans; however, there is a huge backlog of farms waiting for conservation plans to be developed. DEP is in the process of going out and inspecting to see who has a plan so that others could potentially be fined.

**SCHENCK** Mr. Schenck stated that his concern is that he does not know what he would be signing the taxpayers of Springettsbury up for due to the fact of not knowing

what the projects are or what the funding model might be. Previously there were several funding models that could be selected.

Discussion took place with regard to the funding model:

- Current funding model is based on population, miles of impaired stream and acres of impervious surface.
- Municipalities will have an opportunity to vote on a formula.
- YCPC met with a consultant to timeline to develop the projects.
- York Township did a detailed analysis and determined it would cost 10 times as much to develop its own projects.
- Penalty for not complying is putting the municipality in violation of the permit with assessed penalties such as loss of Liquid Fuels funds, etc.
- Many redevelopment projects had BMP's: Blockbuster Video-Chick-Fil-A, Montgomery Ward – Buffalo Wild Wings; York Valley Inn – Firehouse Shoppes.
- Projects on the table this date: the boat shop, apartments – that's redevelopment.
- Opportunities are there to demonstrate a reduction in nitrogen, phosphorous and suspended solids.
- Drainage areas include Kretz Creek, Codorus and Mill Creek; could assist the base.
- York County is a large MS4 too which includes the prison.
- The County contributed \$30,000 to the current plan.
- Watersheds that have a TMDL are costlier to plan than a Pollutant Reduction plan.
- YCPC goal is to save municipal money on these efforts.

**PHAN** Ms. Phan stated that the board appreciated her information and noted that it is difficult to budget something like this and use the taxpayers' money wisely. She added that they understand the concept and what is needed.

**SHELLENBERGER** Ms. Shellenberger stated that this time around there are 50 MS4 municipalities compared with 34 with the last plan. She stated that out of the 50 listed, 20 had officially adopted a Resolution to participate.

**RAUSCH** Solicitor Rausch asked whether the Resolution that she had sent had been amended.

**SHELLENBERGER** Ms. Shellenberger responded that York City had reworded it slightly, but other than that it is the exact same Resolution she had sent.

**RAUSCH** Solicitor Rausch questioned whether there would be a new group formed or whether there will be two groups running parallel.

**SHELLENBERGER** Ms. Shellenberger responded that they have a steering committee working on the new one, while at the same time the current York County Stormwater Consortium is continuing to implement the current plan. They will be reviewing the Intergovernmental Cooperative Agreement for the new effort.

**SWOMLEY** Chairman Swomley recalled that in the Resolution, if Springettsbury joined, would be required to stay in through implementation. However, he thought he heard her say that a decision could be made not to stay if that decision was made.

**SHELLENBERGER** Ms. Shellenberger responded that he was correct. It had been written that way because DEP advised they can't wait till the end to opt out. There wouldn't be enough time to develop a Chesapeake Bay plan and a PRP and have it submitted with an NOI by September 16<sup>th</sup> before the plan is finished. They are attempting to come up with cost scenarios mid-stream to provide an opportunity to decide if it would be cheaper to do separately. She sent two Resolutions, and one says you want to opt in to help prepare the plan, and that would be fine at this time.

**RAUSCH** Solicitor Rausch commented that the follow up to the Resolution is the Intergovernmental Agreement and Implementing Ordinance. He thought at that time, we signed on then there would have a much greater obligation. It would be more difficult to back out.

**SWOMLEY** Chairman Swomley noted that he wanted to be sure they don't commit to something where the cost is unknown.

**RAUSCH** Solicitor Rausch responded that there are two issues there, i.e., better off going alone, or better off joining the group. Either way the deadline of September 16<sup>th</sup> must be met.

**NACE** Mr. Nace noted that the Wastewater Treatment Plant is running great. It will be hard to hit 10%, 5% and 3%.

**SHELLENBERGER** Ms. Shellenberger stated that the sewer plant is not a BMP and does not count for this. It's how much stream restoration can be done, riparian buffers, basin retrofits can be done to reduce the pollutants.

**NACE** Mr. Nace noted that in his communications with other townships he noted there were some that decided not to participate.

**SHELLENBERGER** Ms. Shellenberger responded that she had not received any of those yet. She received one from Washington Township, but they are not an MS4.

**RAUSCH** Solicitor Rausch noted that Resolution 48 had been prepared.

**SCHENCK** Mr. Schenck indicated he was comfortable with moving forward as a first step.

**SWOMLEY** Chairman Swomley added for clarity that the words “and implement” should be removed.

**MR. NACE MOVED TO APPROVE RESOLUTION 2016-48 TO TAKE FORMAL ACTION TO “OPT IN” TO DEVELOP THE REGIONAL POLLUTANT REDUCTION PLAN. MOTION UNANIMOUSLY CARRIED.**

**SHELLENBERGER** Ms. Shellenberger asked that the board select two individuals as contact representatives.

**Consensus of the board was selection of the Manager, Ben Marchant and the Township Engineer, John Luciani to be the two representatives.**

**SHELLENBERGER** Ms. Shellenberger thanked everyone.

**13. NEW BUSINESS**

- A. Acknowledge Receipt of 2017 Municipal Obligation for Police Pension, Death and Disability Fund.
- B. Acknowledge Receipt of 2017 Minimum Municipal Obligation for Non-Uniform Pension Plan
- C. Acknowledge Receipt of 2017 Minimum Municipal Obligation for Teamsters Pension Plan

**MR. SCHENCK MOVED TO ACCEPT THE MMO’S, THE MINIMUM MUNICIPAL OBLIGATION, FOR THE THREE PENSION FUNDS, ITEMS A, B, AND C ON THE AGENDA. MOTION UNANIMOUSLY CARRIED.**

- D. Discussion on Credit Card Transactions and Playground Donations

**SCHENCK** Mr. Schenck stated he had, for the first time, paid his sewer bill on line and was very surprised with a convenience fee at the end. He noted it was close to 10% of the bill.

**PHAN** Ms. Phan noted that if she is asked to pay a bill she will not pay any surcharges or convenience fees. If she is making a donation, she will pay the fee.

**LINDEMAN** Barbara Lindeman stated that she and Andy Hinkle had been working on a solution for some time. They found a company that was willing to work with them. They are working through the playground donations, and they indicated a willingness to work with the providers. She had provided a contract for approval by the board.

**MR. SCHENCK MOVED TO IMPLEMENT THE NEW CREDIT CARD SYSTEM.**

**LINDEMAN** Ms. Lindeman suggested that, if possible, it be implemented for tickets to Saturday in the Park.

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**MOTION UNANIMOUSLY CARRIED.**

**14. ADJOURNMENT**

**SWOMLEY** Chairman Swomley adjourned the meeting at 8:15 p.m.

Respectfully submitted,

Doreen K. Bowders  
Secretary

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