

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 23, 2021  
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, September 23, 2021 at 7:00 p.m. at the offices of York Area Fire and Rescue located at 50 Commons Drive, York, PA in person and by Zoom technology.

**MEMBERS IN**

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

**ALSO IN**

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

**1. CALL TO ORDER**

A. Opening Ceremony

**SWOMLEY** Chairman Swomley called the Regular 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**

**KEARNEY** Diane Kearney, 51 Davidson Drive, thanked the Board for the all the work the Township did in improving the August Schaeffer Park this year. Mrs. Kearney

indicated the park is beautiful, and this date there were at least 15 people using the swings, riding bikes, climbing the jungle gym. She noted it is a real improvement to the neighborhood, and everyone in the neighborhood is enjoying it. She noted the former Director of Parks and Recreation, Colin Lacey had been very helpful in the planning.

**KEARNEY** Tom Kearney, 51 Davidson Drive, also wanted to thank the Board. He noted that, as a public official, too often all one hears is grief and problems that exist. He indicated that every once in a while someone states that a good thing was done. He noted you took a dead park and made it lively, and the Township is much better for it. He thanked the Board and everyone who helped.

#### **14. B Community Life Team**

**KNAUB** Mark Knaub, Deputy Chief and Operations Manager, York County Division of Community Life Team. He reported that they are the EMS provider in Springettsbury Township and have provided service for the last few years. He had submitted a report for the Board. He requested that the Township would entertain the possibility of an extension of five years for Community Life Team service to the township.

**HODGKINSON** Mr. Hodgkinson noted that he will review the contract and bring it back to the Board for action.

#### **4. ENGINEERING REPORTS**

A. Environmental Engineer – Buchart Horn, Inc.

**YOUNG** Diana Young had provided a monthly report and had no additions to it. She offered to respond to questions.

**SWOMLEY** Chairman Swomley asked Ms. Young to explain the Phase 1 of the widening project. He asked if Springettsbury Township would be able to see the drawings and provide input or not.

**YOUNG** Ms. Young responded that Phase 1 is a temporary relocation at Eberts Lane and Sherman Street bridges. It is required to allow those bridges to be extended. Phase 2 is the remainder of the realignment.

**SWOMLEY** Chairman Swomley noted that there may be changes due to conflicts and rights-of-way limitations.

**YOUNG** Ms. Young indicated that they had reviewed that with PennDOT and recently made some changes. There are several vertical things to work out, and then drawings will be available for Phase 1.

**SWOMLEY** Chairman Swomley noted that he was less concerned about Phase 1 and more concerned with Phase 2.

**HODGKINSON** Mr. Hodgkinson stated that it will definitely be coming back to the Board, as well, because there will be betterment. The Township will increase the size of the pipe from its current 48-inch to a larger size and that will need Board approval. That will be 100% of Springettsbury's costs.

**SWOMLEY** Chairman Swomley questioned whether Springettsbury will receive credit for the flows that are being diverted, referring to the Interceptor Study.

**YOUNG** Ms. Young stated that DEP assigned pounds of nutrient loading that each wastewater plant can contribute to the creek. Springettsbury Township has a certain number of pounds that were based on flow and the rate of capacity at the treatment plants. She noted they had hoped to be able to take 5 MGD. However, the initial response was negative, and it may be necessary to lower the milligrams per liter to meet the pound restriction.

**WURSTER** Mr. Wurster questioned whether that indicates Springettsbury must rely on York City for the poundage unless the capacity increases, or whether it means DEP won't allow the Township to increase its capacity.

**YOUNG** Ms. Young responded that DEP will allow an increase in capacity but it will be necessary to provide the treatment necessary to meet that total pounds of nitrogen loading on the creek. She indicated that means a higher form of treatment than is currently but that requires the study of additional options.

**SWOMLEY** Chairman Swomley questioned why they don't have to increase half of it and Springettsbury increase half

**YOUNG** Ms. Young noted that if DEP would agree to decrease their capacity by the 4.8 MGD then perhaps the Township would, but she did not anticipate they would.

**SWOMLEY** Chairman Swomley questioned why DEP is establishing the rules.

**YOUNG** Ms. Young responded that it is DEP's plan.

**SWOMLEY** Chairman Swomley noted that if Springettsbury is paying for that rate and the township is transferring to our plant, he would argue that the Township should be able to take it. He asked who decides.

**YOUNG** Ms. Young responded DEP.

B. Civil Engineer – First Capital Engineering, Inc.

**LUCIANI** John Luciani had provided a monthly report. He had several updates.

- Nally Fresh – Veral agreement and a written draft agreement prepared.

- A multi-modal PennDOT grant applied for and received a short list. This would close the sidewalk gap in front of the Giant Store. York County Planning participated as well to coordinate sidewalk with the bus stop. Formal application due October 15<sup>th</sup>; possibly a 20% cost share for design. Construction 100%.
- Haines Road and Eastern Boulevard Signal Plan; additional funding for Industrial Highway and Memory Lane; will be bid together. Met with Sheetz, McDonalds, Kloeckner Metals and will contact Mr. Cronheim explaining the process of providing the handicap accessibility. This appears to be agreeable with Sheetz, McDonalds and Kloeckner Metals.

**5. CONSENT AGENDA**

- A. Acknowledge Receipt of August 31, 2021 Treasurer's Report
- B. Board of Supervisors Regular Meeting Minutes – September 9, 2021
- C. Regular Payables as Detailed in Payable Listing of September 23, 2021
- D. Frey Lutz Corp. – Springettsbury Township Building Renovation and Expansion Project – Change Order No. CO-02-H in an amount not to exceed \$1,380 (CREDIT)
- E. Frey Lutz Corp. – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 4 in an amount not to exceed \$162,161.45

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

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

- A. Authorization to Purchase Vacuum Leaf Collection Truck from MJR Equipment in an amount not to exceed \$221,666.75 (PA COSTARS MJR#025-171/SEI#025-21)

**MR. DVORYAK MOVED TO APPROVE THE PURCHASE OF A VACUUM LEAF COLLECTION TRUCK FROM MJR EQUIPMENT FOR \$221,666.75. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HODGKINSON** Mr. Hodgkinson requested an item be moved forward in the Agenda.

**SHOPE** Brandy Shope, Park and Recreation Department, presented information regarding the PYC, an organization that provided Pleasureville Youth the opportunity for a basketball program. Due to a lack of volunteers, the President of the organization decided to diminish the program. He contacted Springettsbury Township to see if we could take it on. Ms. Shope and Mr. Hodgkinson met to discuss the program, which would provide 700 children with the opportunity to play basketball. She reached out to Manchester Township and the League Commissioner and they decided to work together and build a basketball league to make up over 85% of the teams within the entire league. She provided the plan and how it would be organized, called Manchester/Springetts Township Basketball League. She noted it would be a great community builder for both of the townships. In addition, in 2019 Manchester brought in approximately \$28,000; PYC brought in approximately \$21,000 so it is an additional revenue for the township.

**Board consensus was to approve the Manchester/Springetts Basketball League.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT**

- A. CU-2021-0005 – Approval of Conditional Use Application for Nalley Fresh, York Marketplace

**DELLINGER** Chris Dellinger appeared before the Board for continuation of discussions surrounding the Nalley Fresh Restaurant, York Marketplace. Several things had been taken care of since the Conditional Use Hearing. They had trimmed up the tree to eliminate sight distance problems. They agreed to changing the driveway to a one-way configuration, which improves the area. A bike rack will be added. An agreement was created to restore the area to its original condition if the Nalley Fresh Restaurant would fail. Stacking of cars will be eliminated by parking of the cars in the slanted parking spaces while waiting for their order. Repaving of the entrance is included in the Agreement created by Solicitor Rausch.

**LUCIANI** Mr. Luciani noted that they had addressed the traffic component and traffic concerns. Through the Building Permit phase a number of items will be addressed, such as connecting to water and sewer. If there are other things to be addressed, they can be reviewed in the Building Permit phase.

**HEILMAN** Mr. Heilman noted that the process has created a Land Development Plan in many ways, and the Building Permit process will complete that process. He believed that the bases are covered within the context of what will be done in that phase.

**RAUSCH** Solicitor Rausch noted that the only benefit to a Land Development Plan is the fact that it would be recorded, and it is not necessary in this case. A Developer's Agreement will stand on its own.

**MR. COX MOVED FOR APPROVAL OF ITEM CU-2021-0005, THE CONDITIONAL USE APPLICATION FOR NALLEY FRESH OF THE YORK MARKETPLACE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**MR. WURSTER MOVED TO WAIVE THE LAND DEVELOPMENT IN CONSIDERATION FOR THE EXECUTION OF THE DEVELOPER'S AGREEMENT. MR. COX WAS SECOND, MOTION UNANIMOUSLY CARRIED.**

- B. SD-2021-0006 – Red Robin, 2899 Whiteford Road

**ANDERSON** Grant Anderson, Site Design Concepts, represented the Final Sub-Division Plan for York Galleria Mall at 2899 Whiteford Road. This parcel is 55-acres and it includes the Mall, excluding Boscov's and the Bon-Ton. The subject area is the Red Robin and proposes to separate the Red Robin onto its own tax parcel. No construction is planned. The Board discussed a number of questions concerning the pending bankruptcy of the Mall.

**MR. BISHOP MOVED TO TABLE ACTION ON SD-2021-0006 TO A DATE TO BE DETERMINED. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

C. SD-2021-0010 – Pineapple Investments, 2990 Eastern Boulevard.

**ANDERSON** Grant Anderson, Site Design Concepts represented the Subdivision for Pineapple Investments. The property is located at 2990 Eastern Boulevard with one Tax Parcel but two tracts on one deed. The tracts are separated by Moul Street and are technically already subdivided by a road. The plan proposes to eliminate the divider that connects the two tracts and create two separate tax parcels. Lot #1 is a vacant lot and meets the Ordinances Lot Area and Lot Frontage requirements.

**MR. WURSTER MOVED TO RECOMMEND APPROVAL OF PLAN 173-497C SUBJECT TO THE FOLLOWING WAIVERS: PRELIMINARY PLANS AND PROCEDURES §289-10 AND §289-10 FINAL PLANS, SPECIFICATIONS WITH THE ADDED CONDITION THAT THE PLAN BE REVISED TO SHOW STREETLIGHTS AND SIDEWALKS ON LOT 1 WITH A SIX-MONTH NOTE. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

D. SD -2021-0011 – Market Industrial, 3750 East Market Street

**ANDERSON** Grant Anderson, Sight Design Concepts, presented the Final Subdivision Plan for Market Industrial. This plan includes two properties. The property is located at 3750 East Market Street with two separate tax parcels. Parcel 46 is owned by Market Industrial, LLC, and is 15-acres with a building, parking and access off of Innovation Drive. The second parcel is located to the south and has a small strip of land that separates the first parcel from Innovation Drive. The Subdivision Plan proposes to strike a line and transfer that strip of land to Market Industrial Property along East Market Street.

**MR. WURSTER MOVED FOR APPROVAL OF PLAN 173-533A MARKET INDUSTRIAL SUBJECT TO THE FOLLOWING WAIVERS: §289-10 PRELIMINARY PLANS AND PROCEDURES; §289-13.A FINAL PLANS; SPECIFICATIONS; §289-15 ENVIRONMENTAL IMPACT STUDIES; §289-24 FEASIBILITY REPORT; §289-32.A SIDEWALKS; §289-35 STREETLIGHTS. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

## **8. COMMUNICATION FROM SUPERVISORS**

**BISHOP** Mr. Bishop reported that the YAUFR Budget had been presented earlier during the week. He questioned whether there is a process to consider the approval. He noted a need for discussion.

**DVORYAK** Mr. Dvoryak echoed Mr. Bishop's concern and provided an in-depth report on the YAUFR budget presentation. He commented that Chief Dan Hoff did a great job of recapping and justifying the items in the budget. Some of the matters of concerns are summarized:

- 2022 Proposed Budget – a first step of a 10-year plan to add 18 Firefighters, 3/year every two years through 2032. (Need to get this right.)
- NFPA recommended staffing levels.
- Surveys done including York City, Lancaster, Harrisburg, Hanover and Manheim Township.
- Analytics for staffing per population person, insurance services, costs per square mile covered.

**DVORYAK** Mr. Dvoryak had a number of questions and thoughts and suggested that a meeting be set for discussion.

**WURSTER** Mr. Wurster stated that he shared Mr. Dvoryak's concerns and thought a Budget Work Session that would be totally devoted to the YAUFRR question.

**SWOMLEY** Chairman Swomley suggested to establish the Budget Work Session to discuss the concept for YAUFRR Governance with the other two municipalities that are part of YAUFRR.

**WURSTER** Mr. Wurster clarified that for a discussion concerning governance, it should involve the other two municipalities. The budget decisions relative to YAUFRR would be handled during a Budget Work Session.

**SWOMLEY** Chairman Swomley stated that having a 10-year plan is great; however, to begin staffing based on 10 years in the future might be premature.

**HODGKINSON** Mr. Hodgkinson stated that he would schedule the meetings.

## **9. COMMITTEE REPORTS**

There were no Committee Reports.

## **10. SOLICITOR'S REPORT**

**RAUSCH** Solicitor Rausch stated he had nothing to report.

## **11. MANAGER'S REPORT**

**HODGKINSON** Mr. Hodgkinson had nothing to add to his written report.

**DVORYAK** Mr. Dvoryak questioned whether the list of road paving projects had been issued for this fall.

**HODGKINSON** Mr. Hodgkinson responded that the list had not been issued.

**DVORYAK** Mr. Dvoryak stated that he had received a call from a resident asking if their street was on the list.

**HODGKINSON** Mr. Hodgkinson indicated he would email the list to the Board.

**12. ORDINANCES AND RESOLUTIONS**

- A. Ordinance No. 2021-05 – Amending Code of Ordinances to Provide for Water Shut-Off for Nonpayment of Sanitary Sewer Bills

**MR. DVORYAK MOVED FOR THE ADOPTION OF ORDINANCE 2021-05. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Ordinance No. 2021-06 – Amending Code of Ordinances, Chapter 105, Article III, Barking Dogs

**MR. DVORYAK MOVED FOR THE ADOPTION OF ORDINANCE 2021-06. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Resolution No. 2021-46 – Amending Fee Schedule To Include Water Shut-Off Fees

**MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION NO. 2021-46 AMENDING THE FEE SCHEDULE. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS**

There was no Old Business for discussion.

**14. NEW BUSINESS**

- A. Refinancing Options – General Obligation Note/Bonds, Series A of 2021-Christopher Gibbons, Concord Public Finance

**GIBBONS** Chris Gibbons, Concord Public Finance came before the Board to discuss refinancing the Series of 2016 Bonds, which are callable later this year, 2021. The Board had suggested a potential for \$130,000 savings. He stated some options for the Board’s consideration: Best proposal was Key Government Finance (Key Bank), a Fixed rate for the term of 1.71%. Net pricing value savings of their proposal is \$152,000. In addition, Mr. Gibbons reviewed what might be available in the Bond Market. The current Net Present Value Savings in the Bond Market is \$193,000.

**MR. BISHOP MOVED TO AUTHORIZE CONCORD FINANCIAL TO PURSUE THE BANK OPTION WITH KEY GOVERNMENTAL FINANCE. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Community Life Team Presentation

This item was reviewed earlier during the meeting.

- C. Acknowledge Receipt of 2022 Minimum Municipal Obligation for Police Pension, Death and Disability Fund in the amount of \$989,443



**MR. WURSTER MOVED TO ACKNOWLEDGE RECEIPT OF 2022 MINIMUM MUNICIPAL OBLIGATION FOR POLICE PENSION, DEATH AND DISABILITY FUND IN THE AMOUNT OF \$989,443. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- D. Acknowledge Receipt of 2022 Minimum Municipal Obligation for Non-Uniform Pension Plan in the amount of \$118,093.

**MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF 2022 MINIMUM MUNICIPAL OBLIGATION FOR NON-UNIFORM PENSION PLAN IN THE AMOUNT OF \$118,093. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- E. Acknowledge Receipt of 2022 Minimum Municipal Obligation for Teamsters Pension Plan in amount of \$124,079.

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF 2022 MINIMUM MUNICIPAL OBLIGATION FOR TEAMSTERS PENSION PLAN IN THE AMOUNT OF \$124,079, MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT**

**SWOMLEY** Chairman Swomley adjourned the meeting at 9:02 p.m.

Respectfully submitted,

Doreen K. Bowders  
Secretary

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