

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**SEPTEMBER 24, 2015
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, September 24, 2015 at 7 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
Julie Landis
Bill Schenck
Kathleen Phan

MEMBERS NOT

IN ATTENDANCE: George Dvoryak

ALSO IN

ATTENDANCE: Kristen Denne, Township Manager
Charles Rausch, Solicitor
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Patricia Lang, Director of Community Development
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Dan Stump, Chief, Police Department
John Woods, YAUFRR
David Wendel, Director of Parks and Recreation
Mark Hodgkinson, Director of Wastewater Treatment Plant
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

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

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SWOMLEY Chairman Swomley announced that no Executive Sessions had been held since the last meeting, and none are scheduled for this date.

3. COMMUNICATION FROM CITIZENS

KEARNEY Tom Kearney, 51 Davidson Drive asked for the status of planning for August Schaefer Park. He indicated he was aware of the township's budget time and

inquired whether there are any considerations or plans for the park in 2016. He requested at least some update to the park rather than allowing it to deteriorate.

SWOMLEY Chairman Swomley responded that at this time no budget sessions had been held on the parks. Budget planning sessions will be held over the next two months.

LANDIS Ms. Landis indicated that the dates are on the township calendar, and the dates for parks budgeting can be provided. She stated that the meetings are open to the public and encouraged him to come.

FREY Sally Frey, 4160 Old Orchard Road addressed the board on the issue of the Public Hearing signs. She noted that the signs are so small a resident can't read them from Market Street and Mt. Zion Road, both very busy streets. She requested the board to make the Public Hearing signs larger so the residents can read and receive accurate information regarding dates and agendas of Public Hearings.

LANDIS Ms. Landis added that another way to get the word out to the residents is through social media.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Dennis Crabill had provided his written report and had no changes to his report as submitted. He offered to respond to questions. There were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI John Luciani had provided his written report and had several updates.

- Section 1.4 – Graham Street Culvert – Photographs were presented to the board showing delivery of precast footers, as well as the area hollowed out for the galvanized bridge to be installed. The result is an enlarged waterway.
- York County requested a report on water quality improvements made to the Chesapeake Bay. Two projects were submitted: (1) Graham Street Culvert and (2) Fineview Drive.

5. CONSENT AGENDA

- A. Acknowledge Receipt of August 31, 2015 Treasurer's Report
- B. Regular Payables as Detailed in Payable Listing of September 24, 2015
- C. LD-05-18 – Reapproval – Market Street Commons Add-On Lots
- D. SD-15-01 – Time Extension – York Container Company – Plan Expires 9/24/15 (New Plan Date 10/23/15)

- E. LD-14-04 – Time Extension – Pleasant Valley Road Tract – Plan Expires 9/30/15 (New Plan Date 11/30/15)
- F. Authorization to Approve Tax Refund Request for Tax Year 2015 – 3895 Sylvan Drive (Parcel #46-13-227) in the amount of \$27.34
- G. Authorization to Approve Tax Refund Request for Tax Year 2015 – 3013 E. Market Street (Parcel #46-JJ-11) in the amount of \$138.65.

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

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Execute Release and Amendment to Traffic Signal Contribution Agreement – Whiteford York, LLC

This item was tabled for further clarification.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. Historic Preservation Committee Report

LANG Patricia Lang reported that the HPC met earlier this date and will have a report ready for the board meeting of October 8, 2015.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis made several comments concerning the signs for the Public Hearing. She wondered whether the township could put up a banner similar to the one for Saturday in the Park drawing citizens' attention. In addition, the property owner could obtain a permit and put up a banner. She felt spending money for banners and additional signage would be important. She inquired as to how much right-of-way the township would have for smaller signage to let the public know of the details.

PHAN Ms. Phan commented that the township has lots of public hearings. She agreed that the signs are very tiny, and her concern was that they may cause an accident because they are so tiny and people are slowing down to read them. She added that the township needed to do the due diligence that if those banners are done for one public hearing, to make sure it's done for all the public hearings. She wanted to be sure that a resident wouldn't come in and ask why the township didn't pay for a banner for their hearing.

LANDIS Ms. Landis noted that this is being rejected by the York County Planning Commission.

SWOMLEY Chairman Swomley stated for clarity that the York County Planning Commission didn't reject the zoning. They made a recommendation not to approve it, and there is a big difference. He added that the York County Planning Commission had done that in a number of plans in the past, and the board takes their advice on some and not on the others because it is the board's decision. He stated that out of the five paragraphs in their decision, they were inaccurate or completely in error on all five of them. There is some concern about where they're coming from with their recommendation.

SCHENCK Mr. Schenck recalled that the size of the signs had been an issue years ago, and the board had the same discussion, not on banners, but on signage. The legal obligation is met to inform people of an issue with a property. Larger signs had been placed about the size of real estate signs. He recalled they had the township logo on them and they really stood out. Somewhere along the way the signs were changed. Someone probably remembers the old signs that were bigger and much easier to read. Mr. Schenck noted he agreed with Kathleen that there are many hearings being held, such as one being held for the York Container site.

SWOMLEY Chairman Swomley stated there has to be a standard and they all have to be the same.

Additional discussion took place and main points are summarized:

- Important not to favor one Public Hearing over another as they are all equally important.
- Signs are posted to notify the neighbors who live in the area.
- Spring Lane development will affect not only the residents who live there, but also everyone in the community.
- Size of the signs must be investigated and reverted to larger signs in the past, which were similar to real estate signs and make sure they are all consistent.
- Legal requirement is that posting is done at least seven days in advance of the Public Hearing. There is still enough time to erect a larger sign.
- Residents in that area could investigate the sign ordinance and potentially put up a banner on their individual property if they purchase a permit.

Consensus of the board was to revert back to the larger sized signs as suggested by Mr. Schenck.

VANDINE Regan VanDine asked permission to speak.

SWOMLEY Chairman Swomley responded that it is a hot topic and gave her permission.

VANDINE Regan VanDine, 3323 East Market Street commented on the potential Spring Lane development. She noted Chairman Swomley's comment on the York County Planning Commission's errors and indicated some of the residents had been investigating the zoning as well. She personally had visited the township website zoning map. She commented on the color coding and the potential for spot zoning and the Township Overlay.

SWOMLEY Chairman Swomley responded that, in general, spot zoning is used for a much smaller tract of land than the land under discussion, which is a 12-acre tract of land.

VANDINE Ms. VanDine noted that her residence, Springets Manor, other homes and Village East are all that would be included in Highway Commercial.

SWOMLEY Chairman Swomley responded that what is requested is not just Highway Commercial but also includes a Town Center Overlay, which is a much more strict zoning condition. It would connect almost to NEFRA and the donut shop, the car dealer, restaurant, gas station and shopping center down East Market Street. The Town Center Overlay would set a much friendlier pedestrian-type development, which is the intent.

VANDINE Ms. VanDine noted she did not think people are going to be walking around there. She has to wait for traffic to get her mail from her mailbox.

SWOMLEY Chairman Swomley that there will be a much more lengthy discussion at a future meeting.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had nothing to add to his written report. However, he reported that October 1st at six o'clock will be the Appeal filed by Mr. Darrah on the Denial of Change of Use on Graham Street from the private race car hobby to a towing operation. Solicitor Rausch will represent the township.

SCHENCK Mr. Schenck asked whether the Standing and Court Order will have any meaning in that hearing.

RAUSCH Solicitor Rausch had reviewed that issue and responded that he did not think so. The issue is really whether or not the proposed towing operation is of equal or more restrictive use classification than a private hobby. That will be the township's position.

SCHENCK Mr. Schenck noted that it is clearly a more impactful use in his opinion. The township deliberately zoned the area Open Space years ago following the Agnes

flood because the area is in a flood way rather than a flood plain. A flood way means it will flood.

SWOMLEY Chairman Swomley added that it will flood and there will be running water.

SCHENCK Mr. Schenck stated that the last flooding incident brought a shed downstream which blocked the creek and caused the water to run over 83. The township's intent to limit the use of that property is contingent on the storm water concerns. He asked Solicitor Rausch if that would have any relevance in the testimony.

RAUSCH Solicitor Rausch responded that definitely it would.

SCHENCK Mr. Schenck noted that instead of a shed moving downstream, it will be five vehicles full of fuel oil, etc. floating down the creek and causing all kinds of issues.

SWOMLEY Chairman Swomley requested the township engineer to attend as well for backup support.

RAUSCH Solicitor Rausch indicated that was his plan.

SCHENCK Mr. Schenck commented that the township has zoning restrictions on parking trucks/commercial vehicles on neighborhood streets. He thought the street in question would qualify as a viable neighborhood back street.

10. MANAGER'S REPORT

DENNE Ms. Denne reported on an agenda Ordinance for approval covering dental insurance. She noted the following:

- Participation in the PSATS dental program will be instituted.
- Current dental program is self-insured at approximately \$73,000 if fully used.
- Family coverage with PSATS provides more options and reduces cost down to \$34,000.
- Police union is reviewing the plan.
- Each participant is given \$1,000 a year for dental care.
- Costs for an entire family is \$96.00 a month.
- Previous costs were \$4,000 to \$5,000 a year; new costs for family of five are \$1,200 a year.

DENNE Ms. Denne reported on an additional change to be made as of November 1, 2015. Susquehanna Bank was purchased by another bank, which would result in the township changing its lock box services. Instead of changing the lock box service, sewer payment collections will be brought back in house. A check reader

was purchased which does ACH deposits resulting in better retention, less trips to the bank and receiving interest immediately. The check reader reads approximately 80 checks per minute. A drop box will be provided outside for the convenience of residents who come after 5 p.m. The Finance Department will handle the transactions. This will cost half of what was paid to the bank.

PHAN Ms. Phan questioned what would be done with the checks.

DENNE Ms. Denne responded that a shredder service will come in about once a month to pick up the checks and shred them at their location.

11. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 2015-08 – Adopting the Local Economic Revitalization Tax Assistance (LERTA) Program Providing for Tax Exemption for Certain Deteriorated Areas within the Township, Providing for an Exemption Schedule and Establishing Standards and Qualifications for Participants

NACE Blanda Nace provided an update to his previous board presentations regarding LERTA. He noted he had:

- Met with the school board, which approved its LERTA participation at the 100% abatement for the first five years scaled in at 20% for the last five years.
- Met with the County Commissioners, who approved their sliding scale at 10% to match whatever the township does because of the timing of sending out the tax bills. They indicated they would revisit the decision if the township were to agree to 100% abatement for the first five years and 20% a year for the last five matching the school board.

Mr. Nace asked for the board's consideration and thanked them for the time spent in the reviewing process. He offered to respond to any further questions.

SWOMLEY Mr. Swomley thanked Mr. Nace for his input and commented that the ordinance, as proposed, has the 10% sliding scale. He noted that the township is the smallest piece of the puzzle with the county being the next smallest and the school board as the largest piece with the 100% abatement for five years. He added, respectfully, that the township provides many services that will begin day one. His personal opinion is preference to stay with the 10%. He asked the board for any further comments.

SCHENCK Mr. Schenck stated that he agreed with Chairman Swomley's comments.

**MR. SCHENCK MOVED FOR THE ADOPTION OF ORDINANCE NO. 2015-08.
MOTION UNANIMOUSLY CARRIED.**

- B. Authorization to Advertise Ordinance for Participation in the Pennsylvania Townships Health Insurance Cooperative Trust Pursuant to the Pennsylvania Intergovernmental Cooperation Law

MR. SCHENCK MOVED TO AUTHORIZE THE ORDINANCE FOR PARTICIPATION IN THE PENNSYLVANIA TOWNSHIPS HEALTH INSURANCE COOPERATIVE. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

There was no Old Business for discussion.

13. NEW BUSINESS

- A. Acknowledge Receipt of 2016 Minimum Municipal Obligation for Police Pension Plan
- B. Acknowledge Receipt of 2016 Minimum Municipal Obligation for Non-Uniform Pension Plan
- C. Acknowledge Receipt of 2016 Minimum Municipal Obligation for Teamsters Pension Plan

MS. LANDIS MOVED TO ACKNOWLEDGE RECEIPT OF THE 2016 MINIMUM MUNICIPAL OBLIGATION FOR THE POLICE PENSION PLAN, THE NON-UNIFORM PENSION PLAN, AND THE TEAMSTERS PENSION PLAN. MOTION UNANIMOUSLY CARRIED.

14. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 8 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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