

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 23, 2014
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 23, 2014 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: George Dvoryak, Chairman
Julie Landis, Vice Chairman
Mark Swomley, Asst. Secretary/Treasurer
Bill Schenck
Kathleen Phan

ALSO IN

ATTENDANCE: Kristen L. Denne, Township Manager
John Luciani, Civil Engineer
Dennis Crabill, Buchart-Horn, Inc.
Patricia Lang, Director of Community Development
Jack Hadge, Finance Director
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
David Wendell, Director of Parks and Recreation
Lt. Todd King, Police Department
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

DVORYAK Chairman Dvoryak called the meeting to order. He welcomed the attendees and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. October 9, 2014 – 9:30 p.m. – Landis v. Bishop Lawsuit

DVORYAK Chairman Dvoryak announced that an Executive Session had been held following the October 9, 2014 meeting that began at 9:30 p.m. with regard to the Landis versus Bishop Lawsuit. He announced that no Executive Sessions had been scheduled for this date.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated he had provided a monthly report. He had no additions and offered to respond to questions. There were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated he had provided a monthly report and had several updates. First, he noted that a meeting had been scheduled for October 27th for a review of the flooding problem on Shawan Lane.

Mr. Luciani noted that a review of the Memory Lane Extended/Idylwyld Lane had taken place. He provided a PowerPoint overview, along with additional information, which is summarized:

- There are 18 homes on Idylwyld Lane that need access to Memory Lane Extended.
- There is dense vegetation that prevents good sight distance; removal is warranted.
- Speed – Memory Lane posted at 25 mph, and sight distance should be 250 feet to the left and 195 feet to the right.
- In general, speeds are 40-41 mph, and sight distance should be about 500 feet to the left.
- Police Department did a good job of collecting all the traffic data; 2,500 cars a day consistently.
- The 85th percentile of cars are going 41 mph or 59 feet per second giving Idylwyld cars three seconds to pull out onto Memory Lane Extended.
- Consensus of staff, Manager, Police Chief, Public Works and Planning regarding the request for a speed hump is it would damage vehicles and create safety issues.
- Recommended solution is for the township staff to remove the vegetation if it's in the right-of-way. Otherwise, it's the property owner's responsibility.

LANG Ms. Lang noted that she did not think clearing all the vegetation will result in 500 feet of sight distance. There is a bend in the road, a curvature of that road that contributes to the problem. Work on the vegetation will make it safer but not to the PennDOT standard.

5. CONSENT AGENDA

- A. Acknowledge Receipt of September 30, 2014 Treasurer's Report
- B. Regular Payables as Detailed in the Payable Listing of October 23, 2014
- C. LD-05-18 – Reapproval – Market Street Commons Add On Lots

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

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization for Approval of Amendment No. 1 to Extension of Agreement Regarding Waste Management Services (York County Solid Waste Authority)

**MR. SWOMLEY MOVED TO AUTHORIZE APPROVAL OF AMENDMENT NO. 1 TO
EXTENSION OF AGREEMENT OF THE WASTE MANAGEMENT SERVICES.
MOTION UNANIMOUSLY CARRIED.**

- B. Authorization to Accept the Bid of \$500.00 for Parcel #46-000-15-0201-00-00000 on Woodside Road from the York County Tax Claim Bureau Repository List.

**MR. SCHENCK MOVED TO ACCEPT THE BID OF \$500 FOR THE PARCEL AS
OUTLINED ON THE AGENDA. MOTION UNANIMOUSLY CARRIED.**

7. SUBDIVISIONS AND LAND DEVELOPMENT

There was nothing for action.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis thanked the Supervisors, Ms. Denne and the residents who attended the second budget meeting, which she felt was positive direction. She noted two additional budget meetings to be held on Monday, October 27th, and Wednesday, October 29th at 7 p.m. in the township building. She encouraged residents to attend, to make comments, recommendations, etc. Ms. Landis commented on the revision of the minutes in the area of the Grantley EMS Agreement. There were several items that Ms. Landis wanted included in the minutes.

ABREGHT Ms. Abreght stated that work was progressing on both sets of minutes for September 25th and for October 9th. She indicated she planned to review them carefully to be sure that the direction she had been given is clear. Both sets of minutes will be available for the next meeting. Additional lengthy discussion took place, which is summarized:

- Roberts Rules of Order requires only motions made and actions taken; not what was said.
- The motion made at an earlier meeting was for a very specific discussion in one set of minutes; not normal practice.
- Points brought up in the discussion with regard to the Grantley EMS Agreement had to do with EMS; could be liability.

- Look at software that can interpret audio, transcribe it automatically for verbatim minutes. Software to be provided where citizens can voice opinions and concerns.
- Citizen comments should include additional information about their concerns.
- Specific reports given include factual information; some subjects include summary recaps.
- Audio recordings are kept until the minutes are approved.
- PSATS – Pennsylvania State Association of Township Supervisors directive on minutes are that they should be as lean as possible; strictly Roberts Rules of Order.
- Board had requested a little more information than strict Roberts Rules of Order.
- Debate doesn't matter; final outcome is what is important.
- Board members who request comments be stated in the record are to be included.

SCHENCK Mr. Schenck reported on a conversation he had with a township employee who is retiring soon. The individual brought out the fact that when board members discuss certain items and things are said, sometimes it implies that the employees are incompetent or not doing their jobs effectively. Mr. Schenck noted that he would personally be more self-aware of his comments.

9. SOLICITOR'S REPORT

DVORYAK Chairman Dvoryak indicated that in the absence of the Solicitor, he had two actions for the board's attention relating to the Landis versus Bishop Lawsuit. Supervisor Landis-Trott was reminded that that she needed to recuse herself and abstain from voting as she is the Plaintiff in this particular case. Following are the two actions:

- Board ratification of retaining Weber Gallagher to continue representation in the Landis versus Bishop et al Federal Lawsuit and to authorize the payment of the \$7,500 retainer.
- Authorization for Charles Rausch to pursue any legal remedies against the township's insurance carrier for denying continued coverage in this matter.

MR. SCHENCK MOVED THAT THE BOARD TAKE THE TWO ACTIONS AS LISTED IN THE SOLICITOR'S REPORT THAT THE CHAIRMAN READ, THAT BEING THAT THE BOARD RATIFY RETAINING WEBER GALLAGHER AND ALSO AUTHORIZE THE SOLICITOR TO TAKE ACTION AGAINST THE TOWNSHIP'S

**INSURANCE CARRIER. MOTION CARRIED 4/0; SUPERVISOR LANDIS-TROTT
RECUSED HERSELF AND ABSTAINED FROM VOTING.**

10. MANAGER'S REPORT

DENNE Ms. Denne reported that training is being scheduled in order to move forward to a paperless Agenda.

LANDIS Ms. Landis asked whether the board members are to bring their own laptops or whether they will be provided.

DENNE Ms. Denne responded that it is a web-based software and if they would rather use their own laptop that would be fine. For the purpose of the meetings the board members will have a tablet to use.

SCHENCK Mr. Schenck requested that the traditional packet would be provided during the training period. He noted that the electronic pdf document was used during the most recent YAUFRR meeting. He had his Ipad and it went well. His only issue was that he had to scroll back and forth for the Agenda.

DENNE Ms. Denne commented that it will be set up with specific buttons on the side to provide for smooth transition back and forth.

PHAN Ms. Phan indicated it will save a lot of paper, time on the copier, human interaction to make all those copies.

DENNE Ms. Denne added that there will be savings on postage.

SCHENCK Mr. Schenck brought forward the Rail Trail. He suggested if any board member had access to any board member of the Rail Trail, to reach out to them. There will be no resolution unless a discussion takes place.

PHAN Ms. Phan responded that it would be in the best interest of everyone.

DVORYAK Chairman Dvoryak stated that he knows at least one person on their board. He indicated he would reach out to them and see if they can help break the stalemate.

DENNE Ms. Denne reported that she had enrolled in a doctoral class.

DVORYAK Chairman Dvoryak noted that the board needed to review the reimbursement.

DENNE Ms. Denne stated that it had been documented in her work agreement how reimbursement is to be processed; however, township policy indicated something different. She asked for the board's guidance as to how to proceed. It could be done as a direct pay through the university. At the end of the course they would release the grade and record that she had passed the course.

SCHENCK Mr. Schenck wished Ms. Denne the best of luck with her class. He asked which document was in conflict.

DVORYAK Chairman Dvoryak noted that the contract called for reimbursement; however, the personnel policy indicates she could be reimbursed with approval up front.

DENNE Ms. Denne noted that either way would not make much of a difference for her personally.

SWOMLEY Mr. Swomley noted that the board could amend that to reimburse the college directly for release of grade at the end of the course.

LANDIS Ms. Landis asked for the amount of the course.

DENNE Ms. Denne responded it is around \$2,200.

PHAN Ms. Phan noted if there is a document in writing as to the policy, the board should follow it.

LANDIS Ms. Landis noted her contract conflicts with the policy.

DVORYAK Chairman Dvoryak noted that was the heart of the issue; the policy says something different. He questioned Ms. Speicher as to whether the policy is clear that it could be paid in advance.

SPEICHER Ms. Speicher indicated that it could be paid up front.

MR. SWOMLEY MOVED TO AMEND THE MANAGER'S CONTRACT TO FOLLOW THE HR POLICY IN THIS MANNER.

DENNE Ms. Denne noted that the benefit to the municipality by handling this by the policy is that it is more clear. The check is written to the university and not to her personally.

MOTION UNANIMOUSLY CARRIED.

11. ORDINANCES AND RESOLUTIONS

There were none for action.

12. OLD BUSINESS

A. Update on Proposed Windsor Township Sewer Interceptor (Buchart Horn)

History

CRABILL Mr. Crabill provided the board with documentation related to the project. He provided some history surrounding Windsor Township's interest in removing

their Beaverson Pump Station. He presented a PowerPoint overview of the area showing the Beaverson Pump Station gravity flow to the East York Pump Station. The project would involve taking flow that is already received and sending it to another pump station. By John Holman's direction, a study was done by Buchart Horn and paid for by Windsor Township which indicated that the flow could be accepted. The study involved a review of the different sections that might have to be rebuilt in the next five years. The pump stations involved were East York and Penn Oaks. Buchart Horn will do the engineering work, for which Windsor Township will pay.

Cost Sharing

The cost sharing was reviewed several different ways. The first section was totally 100% Windsor. Another section was 100% Springettsbury. A review of gallons going through is a percentage of flow: Windsor, 94.9%; Springettsbury, 5.1%. Next section: Windsor, 85.5%; Springettsbury 14.5%. One small section is 100% Springettsbury. The next section: Windsor, 29.3%; Springettsbury, 70.7%. The next section: Windsor, 23.4%; Springettsbury 76.6%, all which is projected flow capacity.

Cost totals: Windsor - \$1.9 million; Springettsbury (for specific sections) - \$600,000 with weighted percentages. The 18-inch section for Springettsbury is another \$95,000. The eight-inch section plus demolition of the pump station is approximately \$75,000. Total for the project would be about \$770,000, which would include removal of a pump station and replacement of the whole interceptor.

Tapping Fees

Original construction of the pump station is slightly over \$1.5 million. Pre-purchase of pumps for \$100,000; pre-purchase of drives for \$116,000; engineering about \$221,000 for about \$2 million. Escalation to current: ENR value, 1995 - \$55.24; ENR value to current, \$94.86; escalation factor is 1.72. Total current day cost, if the money was spent in 1995, the current cost to do the project today would be about \$3.4 million. Pump station capacity is 7.9 mgd. Windsor requested capacity is 887,000 so Windsor's percentage of total is about 11.2%, and Windsor's tapping fee is \$382,152.48.

Design status

Windsor handled the design. Aerial mapping and basic layout is done. Planning was started and archeological study, Phase I is complete. Study included archeological digging every 50 feet right through Camp Security. Historians investigated during the digging but found nothing of significance from the Civil War Era or before.

Future Planning

Question surrounds whether Springettsbury will contribute to the project. Remove the \$382,000 from the \$770,000 is the net out of pocket plus engineering which is around \$450,000. Solicitor Rausch set up an agreement between the two municipalities which designates the tapping fees, future maintenance and upgrades to the pump station. Springettsbury would do the project; Windsor will pay for it.

SWOMLEY Mr. Swomley commented that if Springettsbury's portion would fail, separate from this project, the cost would be many times over the \$450,000 that is projected for the Windsor project.

HADGE Mr. Hadge noted that the Sewer Fund has approximately \$6.7 million that could be used to fund the work.

LANDIS Ms. Landis asked what the Contingency Fee for the project would be.

CRABILL Mr. Crabill responded that it is approximately 20%.

DVORYAK Chairman Dvoryak noted that Springettsbury will get the \$382,000 tapping fee whether or not the township participates financially. He commented about the long-range sewer study that was done. He asked whether it would be correct to say that section is newer relative to the rest of the township.

CRABILL Mr. Crabill responded that the interceptor served the east side of Springettsbury to Motter's Pump Station; however, the fact that Motter's was so old brought about the East York Pump Station.

DVORYAK Chairman Dvoryak stated that he would like to know when that was scheduled to be replaced, such as in five years or 25 years.

CRABILL Mr. Crabill responded that it had been designated from six to 20 years.

DVORYAK Chairman Dvoryak asked for further clarification of the allocation.

CRABILL Mr. Crabill responded that it was all based on the capacity flow going through the pipe.

DVORYAK Chairman Dvoryak noted that Springettsbury would not be spending any money if it were not for Windsor Township wanting to do this project.

CRABILL Mr. Crabill responded that he was correct; however, they looked at it two different ways. Windsor pays for all the pieces that they would have to pay for and then Springettsbury would pay for the pieces in the future, and the numbers were about the same as far as putting the flow through. They have 100% of

capacity in that line, and they pay for 100%. Springettsbury puts in 1% and Windsor gets 99.1%.

DVORYAK Chairman Dvoryak asked if there are less maintenance costs and a more efficient system going forward with reducing the pump stations.

CRABILL Mr. Crabill responded that there is maintenance on the pump stations. The pumps, controls or generators go bad, and there's a constant need to check the lines. He noted that when the mapping was done and the deeds reviewed, someone at Springettsbury had the forward thinking to get a right-of-way for the sanitary sewer from that pump station across the creek. He thought it was likely Ed Sowers, who always thinks ahead and gets it secured.

DVORYAK Chairman Dvoryak asked whether he could estimate what the annual savings would be by eliminating that pump station.

CRABILL Mr. Crabill asked Mark Hodgkinson how much is spent a year on that pump station.

HODGKINSON Mr. Hodgkinson responded that it is about \$20,000 with electricity and labor. They check the pump stations weekly.

LANDIS Ms. Landis requested a more structured breakdown of what the final costs will be. She asked if any of the MS4 project would be coming out of the sewer fund.

DENNE Ms. Denne responded that MS4 deals with storm water. The sanitary fund deals with the sewage carrier lines. MS4 is not funded through the sewer fund. She added that she was aware that a number of municipalities are putting in an MS4 fee in their tax schedule.

MR. SWOMLEY MOVED TO HAVE THE TOWNSHIP SOLICITOR FINALIZE THE AGREEMENT FOR THE BOARD'S VOTE IN THE FUTURE.

DVORYAK Chairman Dvoryak asked if the figures in the proposal would be used.

SCHENCK Mr. Schenck responded that the draft uses the breakout as demonstrated in the proposal on page 4.

LANDIS Ms. Landis noted that she would feel more comfortable getting a one-page outline.

SCHENCK Mr. Schenck commented that it could be provided at the time when the board will do an actual vote.

DVORYAK Chairman Dvoryak indicated that he preferred to know what the numbers are going to be, as well as have some kind of negotiation with Windsor Township before spending attorney fees to draft up a preliminary agreement.

MR. SWOMLEY AND MR. SCHENCK VOTED IN FAVOR; MS. PHAN, MS. LANDIS AND MR. DVORYAK VOTED OPPOSED. MOTION WAS DEFEATED 3/2.

SCHENCK Mr. Schenck asked for clarification from the board members who voted no. He asked whether that was no to the project, or whether the staff is to do any further work on the project.

DVORYAK Chairman Dvoryak responded that first he is interested in knowing when the pipe was to be replaced.

PHAN Ms. Phan commented that if the information could be provided by the next meeting, then the board could move forward.

LANDIS Ms. Landis stated that she needed a one page summary of the costs and she did not consider the project to be dead.

CRABILL Mr. Crabill commented that the presentation was done in order to provide information to the board as to where the project stood and to learn of any questions.

DVORYAK Chairman Dvoryak responded that he had accomplished his mission. Prior to this date he did not think Springettsbury would have to pay anything, and now the cost is close to \$1 million.

SCHENCK Mr. Schenck noted that the board could choose to pay nothing; it still will be done.

CRABILL Mr. Crabill stated that in that case they would do their portions of it.

SCHENCK Mr. Schenck indicated the pump station still will be there, and Windsor will run the line to the first two segments. They will tap in to the existing old line; however the discussion specifically surrounded upgrading.

13. NEW BUSINESS

SCHENCK Mr. Schenck reported that he had a discussion with a resident regarding paying his sewer bill. He went to Susquehanna Bank with his cash payment, and the bank would not accept his cash. Mr. Schenck questioned Ms. Denne about it, and she confirmed that the bank had implemented the policy recently. They do not want to accept cash because the final clearing house is in Philadelphia. They would have to issue a money order for cash and transfer it ACH.

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HADGE Mr. Hadge confirmed that the policy change had taken place in May or June.

SCHENCK Mr. Schenck added that the resident had suggested that the tax collector could be authorized to accept sewer bills.

14. ADJOURNMENT

DVORYAK Chairman Dvoryak adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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