

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**NOVEMBER 13, 2019
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Wednesday, November 13, 2019 at 7 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak, Vice Chairman
Charles Wurster, Assistant Secretary/Treasurer
Justin Tomevi
Robert Cox

ALSO IN

ATTENDANCE: Benjamin Marchant, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager, Administrative Operations
Lt. Todd King, Chief of Police
Mark Hodgkinson, Director of Public Works/WWT
Jessica Fieldhouse, Director of Community Development
Teresa Hummel, Finance Director
Andy Hinkle, Manager, Information Systems
Sue Sipe, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

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

Chairman Swomley presented an award from the Government Finance Officers Association citing “the GFOA is pleased to announce that Springettsbury Township, Pennsylvania has received the GFOA Distinguished Budget Presentation Award for its budget. The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meet the highest principals of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designated to assess how an entity’s budget serves as a policy document, the financial plan and operations

guide and communications device.” Chairman Swomley recognized Teresa Hummel, Director of Finance for Springettsbury Township for her work to prepare the budget and the Township as an entity for the work that was done. He credited Ms. Hummel for the many hours and tireless work she spent creating the budget. He presented her with the Certificate of Recognition for Budget Preparation. Chairman Swomley noted there is a plaque for the Township to display as well.

Chairman Swomley pointed out, as demonstrated by the budget presented prior to this meeting and receiving this award, the Board of Supervisors and the Township take budgeting very seriously and work very hard to protect the funds of all residents to provide the best services the Township can at the lowest cost possible. He applauded the members of the Board and the entire management team of the Township for their efforts in this regard.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SWOMLEY Chairman Swomley announced that an Executive Sessions had been held following the last meeting and following the Work Session on October 24, 2019 for purposes of personnel discussion. An Executive Session will be held this date following Adjournment of the Board of Supervisors meeting regarding personnel.

3. COMMUNICATION FROM CITIZENS

TUFAROLO Rich Tufarolo - 221 South Royal Street. Mr. Tufarolo asked about the condos to be built. He provided handouts. He referred to Point #1 noting all 3 clients (including himself) made a deposit on the condo and received refunds because of the length of time it was taking. Point #3 which shows the cost borne to the developers of the condos which he pointed out they started May 4, 2017 - a one-year permit fee which expired on May 4, 2018. He noted the amount of money spent on the project is shown on the document, which is 3 years’ time, but still not finished. Point #5 refers to the developer wrapping the building in tieback which is supposed to be covered in approximately 4 months which was 22 months ago. Point #7 indicates that LLC Kevin Murphy is no longer with Berkshire Hathaway. He is now with ReMax. Mr. Tufarolo asked if there is anything the Township can do to get the project finished. He noted the developer received another 6-month permit.

SWOMLEY Chairman Swomley stated if they are paying their permit fee there is not much the Township can do to force them to move any faster.

FIELDHOUSE Ms. Fieldhouse stated she called Andy Kagen, one of the LLC partners yesterday and he let her know they are moving forward with sidewalks, curbing and landscaping for the neighboring piece and getting the roof drains connected to the stormwater system. He stated those improvements have been paid for to the contractor. That work should start, weather permitting. She noted she was told there are issues within the LLC that prevented work from continuing.

RAUSCH Solicitor Rausch stated they are attempting to keep tabs on it. He noted they are also frustrated and disappointed with the progress. He noted in order to take any serious action they would have to deny the building permit or any future extensions which will not aid in completion of the building. He also stated liens have been placed on the property which have been paid off.

JOHNSON Michael Johnson - 800 10th Avenue. Mr. Johnson stated there is a speed issue in the neighborhood on 10th and 11th Avenue. He requested a traffic survey to determine average speeds of vehicles in the vicinity and evaluate the installation of speed deterrents. He noted he has a petition signed by 29 households between 10th and 11th Avenue, as well as several on Sherman Street, a total of 37 signers.

FIELDHOUSE Ms. Fieldhouse stated Staff has seen that 10th and 11th Avenues are being used as a cut through because Route 30 is backing up to North Sherman Street. She noted this neighborhood represents between 50 and 60 households.

KING Chief King stated speed surveys can be conducted in that area.

SWOMLEY Chairman Swomley responded that once the speed surveys have been completed, they will determine next steps.

4. ENGINEERING REPORTS

A. Environmental Engineer – Bucharth Horn, Inc.

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

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI John Luciani had submitted a written monthly report. He noted several updates:

- Items 12A and 12B on the Agenda are the Resolutions for Green Light Go.
- They continue to move forward with the signal upgrades on Grantley received from the state.

- Regarding the traffic situation at 10th and 11th Avenues. He noted PennDOT did bridge work on Sherman Street which created a similar problem in that area. He noted they purchased temporary speed humps which could be used as a stop gap measure for the situation at 10th and 11th Avenues if appropriate.

WURSTER Mr. Wurster asked if any discussion was held with PennDOT to help alleviate the stress on Route 30 in the morning. He questioned if the road construction on North Hills contributed to the traffic congestion on Route 30.

LUCIANI Mr. Luciani responded that it contributed to the situation. Once the work on North Hills is complete, they are hopeful the traffic flow returns to normal.

5. CONSENT AGENDA

- A. Acknowledge Receipt of October 31, 2019 Treasurer's Report
- B. Acknowledge Receipt of York Area United Fire and Rescue Commission 2020 Joint Township Budget Presentation Minutes - September 17, 2019
- C. Acknowledge Receipt of York Area United Fire and Rescue Commission Meeting Minutes - September 17, 2019
- D. Board of Supervisors Budget Work Session Minutes - October 21, 2019
- E. Board of Supervisors Public Hearing Minutes - October 24, 2019
- F. Board of Supervisors Regular Meeting Minutes - October 24, 2019
- G. Board of Supervisors Work Session Minutes - October 24, 2019
- H. Regular Payables as Detailed in Payable Listing of November 13, 2019
- I. Garden Spot Electric, Inc. - Raw Pump Upgrade/Fat, Oil and Grease Acceptance Project - Change Order No. 4 in an amount not to exceed \$14,186.69
- J. Garden Spot Electric, Inc. - Raw Pump Upgrade/Fat, Oil and Grease Acceptance Project - Application for Payment No. 8 in an amount not to exceed \$141,759
- K. Heisey Mechanical, Ltd. - Raw Pump Upgrade/Fat, Oil and Grease Acceptance Project - Change Order No. 4 in an amount not to exceed \$1,431.03
- L. Authorization to Approve Real Estate Tax Refund Request for Tax Year 2019 - Beck Real Estate LLC (Parcel #46-JJ-58Q) in the amount of \$253.27
- M. Authorization to Approve Real Estate Tax Refund Request for Tax Year 2019 - RREEF CPIF 693 North Hills LLC (Parcel #46--JI-24) in the amount of \$126.42
- N. Market Street Commons Lot #18 Add On - Authorization of Bond Reduction in an amount not to exceed \$154,494.13 (Remaining Bonded Amount \$44,862.15)

MR. TOMEVI MOVED TO APPROVE ITEMS A THROUGH N ON THE CONSENT AGENDA. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Execute Developer's Agreement for Category 4 Mini Casino York Galleria

FIELDHOUSE Ms. Fieldhouse stated this has been reviewed by Staff, the township engineer and township solicitor. She did not have anything additional to add to the briefing. She noted a representative from McNees Wallace was in attendance to answer any questions. She stated the developer will be giving the Township two unrestricted contributions – one in the amount of \$210,475.00 for a future signal at the southeast access to the ring road and Whiteford Road. Also, a 15,000 contribution towards future pedestrian improvements on Mt. Zion Road.

RAUSCH Solicitor Rausch concurred with Ms. Fieldhouse. He noted the project does incorporate the negotiations that were held with Mountainview Thoroughbred Racing Association and because of the improvements that are needed at the southeast corner the developers are providing access for those two properties.

FIELDHOUSE Ms. Fieldhouse explained that is one of the reasons the project is an agreement between three parties – it also includes CDL properties and by them signing onto this agreement they are giving the Township permission to provide an access point behind those properties directly onto the mall ring road.

MR. WURSTER MOVED TO ADOPT THE DEVELOPMENT AGREEMENT BETWEEN MOUNTAINVIEW THOROUGHbred RACING ASSOCIATION LLC, YORK GALLERIA WITH THE PARTNERSHIP OF SPRINGETTSBURY TOWNSHIP. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Approve Addendum to January 1, 2018 - December 31, 2022 Residential Garbage and Recycling Collection Bid Specifications (Page 12, Section 6 "Disposal of Municipal Waste")

MARCHANT Mr. Marchant stated in the previous five-year contract an addendum was adopted. After the first year they realized it was missing from the contract that ran for the five years. Since the new contract, there have not been any price increases until now and so it raised the issue again. Mr. Marchant confirmed they have checked the increase is correct.

MR. DVORYAK MOVED TO AUTHORIZE THE ADDENDUM TO THE JANUARY 1, 2018 – DECEMBER 31, 2022 RESIDENTIAL GARBAGE AND RECYCLING COLLECTION BID SPECIFICATIONS (PAGE 12, SECTION 6 "DISPOSAL OF MUNICIPAL WASTE"). MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. Subdivision and Land Development Waiver - Multi-Use Trail Development - Rocky Ridge Park, County of York

FIELDHOUSE Ms. Fieldhouse indicated Mr. Jason Wolf from C.S. Davidson was present to represent the County of York, Parks and Recreation Department. She stated the County is proposing a 3700 linear foot trail which will run parallel to the existing access road into Rocky Ridge Park. The purpose for the multi-use trail is to provide pedestrians and cyclists with a safe separated area for use outside of the vehicles. Staff has recommended to review and approve this development project as a building permit review. The township engineer is being provided with a stormwater management plan and ensuring they meet all stormwater management ordinance regulations. She noted Staff is agreeable to the Board granting the waiver of land development.

COX Mr. Cox asked if there is any pervious material that could be used as opposed to paving in order to not have to deal with stormwater.

FIELDHOUSE Ms. Fieldhouse indicated it was possible, however, the issue is the trail is meant to be in the woods and the problem with porous material is with debris falling from the trees in the Spring, Summer and Fall the water would clog up and maintenance of the trail would be cost prohibitive.

LUCIANI Mr. Luciani had no further comments.

MR. TOMEVI MOVED TO APPROVE THE WAIVER TO S289 SUBDIVISION AND LAND DEVELOPMENT WAIVER - MULTI-USE TRAIL DEVELOPMENT - ROCKY RIDGE PARK, COUNTY OF YORK. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

WURSTER Mr. Wurster announced that he is attending the committee meeting for PSATS next week on the townships over 10,000 population committee. He noted during the past several years at the PSATS Convention, he and Mr. Marchant have attended this workshop. The discussion includes MS4, fire services and budgeting. He noted if the Board wants to relay any questions or comments, they can email him to be included in the discussion to provide guidance for Springettsbury as well as other townships throughout the Commonwealth.

TOMEVI Mr. Tomevi indicated he and Mr. Dvoryak attended training at the YAUFRR Fire Academy Wednesday, October 30th at 6:00 p.m. He indicated it was an interesting experience. He thanked the YAUFRR instructors for a great session. He noted the highlight was entering a burning room to put out a fire.

SWOMLEY Chairman Swomley commented that he had asked several of the county commissioners about the \$224,000 for the stormwater consortium. He received a note about a process the Township may be interested in pursuing. He will share that information in a future meeting.

9. COMMITTEE REPORTS

There were no Committee Reports.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he received notice on Monday that Wells Fargo is withdrawing the mortgage for Wallace Street.

11. MANAGER'S REPORT

MARCHANT Mr. Marchant stated he had no updates to his report, however, he requested an Executive Session following the December meeting to review the updates to the employee handbook. He noted the handbook is already adopted, however he wanted to advise them of the legal updates reviewed by their labor attorney. Regarding moving forward with MS4 and the communications held with the public this year, he would like to discuss the message the Board would like to communicate to the public and the residents with regards to the Township's MS4 strategy.

SWOMLEY Chairman Swomley stated he felt it was important to communicate to the public that the Township is not imposing any fee at this time, as well as to let them know the Board is reviewing options and what the total costs will be. They will also determine the 25-30-year plan for infrastructure update throughout the community.

MARCHANT Mr. Marchant stated he would prepare a draft of a communication to the residents and provide it to the Board for review.

12. ORDINANCES AND RESOLUTIONS

- A. Resolution No. 2019-53 - Authorizing Township Manager to Execute PennDOT Documents for Traffic Signal Improvements at Edgewood Road and Eastern Boulevard
- B. Resolution No. 2019-54 - Authorizing Township Manager to Execute PennDOT Documents for Traffic Signal Improvements at Edgewood Road and Kingston Road

MR. TOMEVI MOVED TO APPROVE RESOLUTION NO. 2019-53 AND RESOLUTION NO. 2019-54 AS STATED ABOVE. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS - None

14. NEW BUSINESS

- A. Consideration of Consulting Agreements for Grant Assistance through the Commonwealth of Pennsylvania

MARCHANT Mr. Marchant stated he had two proposals to present – one from Griffin, Stevens and Lee which is a success-based, commission-based service which is to access rack defunding. He noted this is more political in nature than the typical grant funds seen through the state department of PennDOT, DEP, DCR, etc. He noted he spoke with a contact from McNees Wallace, Mr. Musser who provided the proposal as a subsidiary of McNees Wallace & Nurick from Community Networking Resources. He noted they provide the same kind of consulting services, but on a retainer basis, with a monthly fee. It is not success-based, but they provide the same service to assist with obtaining the grant. He noted this scenario could save approximately \$30-40,000 over the alternative if successful in getting the grant.

Mr. Marchant noted he also reached out to a Scott Russell at East Hempfield Township who works with McMann, who confirmed there are three options to this dual cap funding for a technical application. Mr. Marchant indicated the consultant would assist to get through the process with participation by the supervisors to reach out to the legislative delegates.

WURSTER Mr. Wurster asked if Stevens & Lee was given the opportunity to resubmit or talk about their contract given the feedback, we had provided to them as collectively from the Board.

MARCHANT Mr. Marchant stated he had ongoing conversations with them and did not ask for a resubmittal. He received an updated email saying the window for R-cap funding opens in January. On behalf of the Township they have already gratis put in two projects for the Township – one being the Police facility and the other being a general infrastructure – public works investment to be further defined at a later date. They are placeholders at this point which need to be developed with a full application and that process would begin the next 30 days to reach out and build those relationships to facility these draft proposals through the process in January.

COX Mr. Cox commented he believed the concerns with Stevens and Lee centered on two issues – one was they wanted a four-year contract and the second, they wanted the Board to protect them from liability issues they may encounter while applying for these grants. He noted he has worked in the past with a person at Community Networking Resources. He noted this is a wholly owned subsidiary of McNees, Wallace. He was concerned there was no information provided about their accomplishments for other townships.

MARCHANT Mr. Marchant stated he did not ask for examples and cases of success. He noted he could have representatives attend from each firm and answer questions for the Board.

- COX** Mr. Cox commented there is no indemnification language in the Community Networking Resources agreement, whereas, there is an entire page in the Stevens and Lee agreement. He stated he would be more comfortable if he had something from Community Networking that provided information on what they have been able to accomplish for other townships.
- WURSTER** Mr. Wurster stated with either one the Board should investigate their own independent records as to their success, which should be a matter of public record. He asked if Mr. Marchant had a recommendation as to which approach or strategy should be adopted.
- MARCHANT** Mr. Marchant stated he did not; he thought both firms were reputable and have a track record of success. They just have a different approach to obtaining it.
- TOMEVI** Mr. Tomevi stated his position on the issues as he is hesitant in these types of scenarios and asked the Board members to consider how this works and be cautious about paying money to a lobbyist.
- WURSTER** Mr. Wurster felt that the Board should have a work session to understand what their management and strategic role will be in developing a grant program.
- SWOMLEY** Chairman Swomley stated a work session will be set up prior to the December 12 meeting at 6:00 p.m. to discuss the issue.

B. Authorization to Advertise 2020 Proposed Budget

MR. DVORYAK MOVED TO AUTHORIZE ADVERTISEMENT OF THE 2020 PROPOSED BUDGET. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Set Time for January 6, 2020 Reorganization Meeting

SWOMLEY Chairman Swomley announced the meeting will be held at 6:00. Discussion was held regarding succession of Board members for 2020.

- D. Set Dates and Times for 2020 Regular Meetings of the Board of Supervisors
Currently: Second and Fourth Thursday of Each Month - 7:00 p.m. with the following exceptions:
- June, July and August - Fourth Thursday Only
 - November - Third Wednesday Only (due to Townships of the Second-Class Convention on Second Thursday in November and Veterans Day falling on Second Wednesday)
 - December - Second Thursday Only

SWOMLEY Chairman Swomley confirmed the established dates and times were deemed acceptable to the Board Members.

- E. Set Dates and Times for 2021 Proposed Budget Work Sessions
October 19, 2020 - 6:00 p.m.
November 2, 2020 - 6:00 p.m.
November 4, 2020 - 6:00 p.m.
November 18, 2020 - Budget Presentation - 6:30 p.m.

SWOMLEY Chairman Swomley confirmed the established dates and times were deemed acceptable to the Board Members.

- F. Mr. Marchant presented pins to the Board Members made for the Township. He thanked Ms. Gibb for her efforts in working with the vendor to create a unique pin.
- G. Chairman Swomley announced there would be an Executive Session following the meeting for purposes of personnel discussion.

15. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 8:00 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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