

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**NOVEMBER 17, 2021
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Wednesday, November 17, 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
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
Terry Hummel, Director of Finance
Randall Heilman, Director of Community Development
Dan Hoff, YAUFRR Chief
Abby Gibb, Communications Manager
Jean Abreght, Stenographer (Zoom)

1. CALL TO ORDER

SWOMLEY Chairman Swomley called the Regular Meeting of the Board of Supervisors 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. PUBLIC COMMENT

MILLER Jean Miller, 1318 East 11th Avenue discussed the traffic situation on 11th Avenue and surrounding streets. She noted some years ago when the two bridges had been closed, the residents on 11th Avenue had some relief. Currently 11th Avenue is narrow and difficult for cars passing especially if residents are parked on the street. She stated there are six new homes in the neighborhood with lots of children, along with two deaf children. She noted there are bus stops on 11th Avenue as well. The children on Whiteford Road are not being picked up by bus on Whiteford; they walk east and west on Whiteford, which she noted is very dangerous. She sought a resolution to assist the residents and children, especially thinking ahead to the widening work on I83. Ms. Miller requested the Township's assistance in working with the school board to change the bus routing on Whiteford Road for better safety for the children.

Following is a summary of the Board's response:

- Sign for No Tractor-Trailers was torn down by a tractor-trailer; sign to be re-erected.
- Traffic Calming on 11th Avenue proposed for spring, 2022.
- PennDOT's plan is to close both bridges on Eberts Lane and North Sherman Street.
- Sidewalks in the neighborhoods would help.
- Potential for closing both bridges completely.
- Township to contact new Superintendent and the School Board at Central re/bus routes.
- Township soliciting residents for their thoughts/good options.

SHARP Darren Sharp, 1126 11th Avenue requested a sign indicating Deaf Child Near/Here. He indicated it might help to reduce speeding by appealing to the moral compass of drivers.

HODGKINSON Mr. Hodgkinson stated that was something that can be done.

MILLER Ms. Miller added that another deaf child lives on Whiteford Road.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

YOUNG Diana Young had provided a monthly report. She had no updates but offered to respond to questions. There were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided a monthly report. He had several updates:

- A Non-Mandatory Pre-Bid Meeting for Green Light Go is to be held December 1st; reviewing bids for Eastern and Edgewood and Edgewood and Kingston. There are several contractors interested.
- The Board had received a petition from a group of residents in Olde East York with some flooding on Eastern Boulevard. He and Dennis Crabill visited the neighborhood to see what could be done with a challenging site.
- A number of plans have been submitted, which will be reviewed at the Planning Commission Meeting. Several developments have been submitted. A Sketch Plan for 50 homes on Druck Valley Road has been withdrawn.

SWOMLEY Chairman Swomley commented that the Board will continue its representation at the Zoning Hearing Board to represent the Township's interest.

LUCIANI Mr. Luciani reported that he and Mr. Heilman met with a developer that applied for Caliber Collision to be in the General Industrial Zone and Flexible

Development Zone; not in the Commercial Highway. They are appealing the Zoning Officer's decision that classified them as not a permitted use in that zone. They also applied for a Special Exception. Mr. Luciani stated it had become a zoning issue. Although Caliber Collision is a state-of-the-art type body shop, there will be junk cars/crashed cars visible in a Commercial Highway Zone. The way he reads the Ordinance, he does not think a body shop would be a permitted use. He noted that the Hearing is December 2nd.

5. CONSENT AGENDA

- A. Acknowledge Receipt of July 20, 2021 York Area United Fire and Rescue Commission Meeting Minutes
- B. Acknowledge Receipt of August 17, 2021 York Area United Fire and Rescue Commission Meeting Minutes.
- C. Acknowledge Receipt of October 31, 2021 Treasurer's Report
- D. Acknowledge Receipt of Springettsbury Township Volunteer Firefighter's Relief Association Compliance Audit for the period January 1, 2018 to December 31, 2020.
- E. Board of Supervisors Budget Work Session Minutes – October 18, 2021
- F. Board of Supervisors Regular Meeting Minutes – October 28, 2021
- G. Regular Payables as Detailed in Payable Listing of November 17, 2021
- H. Uhrig Construction, Inc. – Springettsbury Township Building Renovation and Expansion Project – Change Order No. CO-04-G in an amount not to exceed \$13,743.46
- I. Frey Lutz Corporation – Springettsbury Township Building Renovation and Expansion Project – Change Order No. CO-03-H in an amount not to exceed \$6,498.30
- J. Uhrig Construction, Inc. – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 5 in an amount not to exceed \$388,621.50
- K. Jay R. Reynolds, Inc. – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 2 in an amount not to exceed \$32,565.83
- L. MidState Mechanical & Electrical – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 4 in an amount not to exceed \$32,832.09
- M. Authorization to Approve Real Estate Tax Refund Request for Tax Year 2021-RREEF CPIF 693 North Hills LLC (Parcel #46-J1-24E) in the amount of \$15,870.13

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH M. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Execute Community Life Team Municipal Agreement for Provision of Ambulance Services for the Period January 1, 2022 through December 31, 2026

MR. DVORYAK MOVED TO AUTHORIZE EXECUTING THE AGREEMENT WITH COMMUNITY LIFE TEAM. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into 2022 Agreement with Klugh Animal Control Services

MR. WURSTER MOVED TO AUTHORIZE THE AGREEMENT WITH KLUGH ANIMAL CONTROL SERVICES FOR 2022. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Execute Winter Maintenance Agreement Allowing Brentwood Builders, Inc. to Perform Winter Maintenance on Fading Way at its Sole Cost for the 2021-2022 Winter Season.

MR. WURSTER MOVED TO AUTHORIZE EXECUTION OF A WINTER ROAD WINTER MAINTENANCE AGREEMENT BETWEEN THE TOWNSHIP AND BRENTWOOD BUILDERS, INC. ON FADING WAY. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- D. Authorization to Enter into Right-of-Way Agreement with Columbia Gas of PA for Property Located at Stonewood Road (Parcel Nos. 48000260001F000000 and 46000260401000000)

MR. WURSTER MOVED TO AUTHORIZE TO ENTER INTO THE RIGHT-OF-WAY AGREEMENT WITH COLUMBIA GAS AS OUTLINED. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- E. Accepting Electricity Rate Commencing in June 2023

MR. WURSTER MOVED TO AUTHORIZE THE TOWNSHIP MANAGER THE AUTHORITY TO EXECUTE A LONG-TERM ELECTRICITY CONTRACT USING THE RATES AVAILABLE ON NOVEMBER 18, 2021. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

8. COMMUNICATION FROM SUPERVISORS

DVORYAK Mr. Dvoryak mentioned that he had the opportunity on Election Day to stand at the polls and interview some of the constituents in Springettsbury to see how they felt the Township was treating them. Mr. Dvoryak was pleased to report that everyone he interviewed and talked to was very happy with what's going on with the Township. He expected to hear the usual complaints about traffic, but most people said, "you know we've just learned how to get around."

SWOMLEY Chairman Swomley wished everyone a Happy Thanksgiving.

9. COMMITTEE REPORTS

There were no Committee Reports.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch provided an update on the Harley Davidson assessment. He had previously forwarded to the Board emails that he received. Attorney Ruth, Solicitor for the County Assessment Office and his firm also represents the Central School District in the 17-year long battle on the appropriate assessment

for Harley Davidson. A resolution had been reached on the settlement, which requires a payback from the Township's perspective of \$200,000.

HUMMEL Ms. Hummel stated that, with the disclosure of this liability at this time, it actually could be considered in 2021, which was a successful year with Transfer Taxes. It can be paid all at one time in 2021.

HODGKINSON Mr. Hodgkinson stated that at the school board meeting this week their assessment of \$2.7 million was approved, which they plan to pay \$2 million in cash and the balance in future credits.

RAUSCH Solicitor Rausch indicated he could learn more about the timing and the Board could do a formal approval at the December meeting.

11. MANAGER'S REPORT

A. Manager's Report

HODGKINSON Mr. Hodgkinson indicated he did not have anything to add to his written report. He offered to respond to questions.

WURSTER Mr. Wurster questioned the few Change Orders that are included in the 1.5% number and whether or not they are included in the 1.5% number in his report.

HODGKINSON Mr. Hodgkinson responded that the figures are not included in his report until the Board officially approves them.

WURSTER Mr. Wurster commented that everything is running about 6%. He asked if the project is on schedule.

HODGKINSON Mr. Hodgkinson responded that the project is moving along well. It looks like not much is being done on the outside; however, it is moving along.

SWOMLEY Chairman Swomley commented that there was a slight slow down when the asbestos was found but otherwise things have been moving pretty well.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2021-49 – Allocating Gaming Revenue to the Capital Reserve Fund.

MR. DVORYAK MOVED FOR ADOPTION OF RESOLUTION 2021-49. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. RFQ to Complete Update of Comprehensive Plan

HODGKINSON The Comprehensive Plan is included in 2022 Capital Budget. It will include a review of all zoning ordinances. A budgetary number was received from Marion Hull's company. Nothing further was done.

HEILMAN Mr. Heilman stated that during the last Comprehensive Plan project when the Township had used Marion Hull she was working for a different firm in 2006. She had been used in a variety of capacities over time. Recently she moved to CBN Smith, a large consulting firm. He asked whether the Township would want to hear from other consulting firms to assist with the Comprehensive Plan. Ms. Hull provided the Board an estimate, not a full-blown proposal.

SWOMLEY Chairman Swomley questioned the timeframe for the Comprehensive Plan.

HEILMAN Mr. Heilman responded that it would be an 18-month process, which could be extended to 24 months, especially due to a review of the Ordinance Updates, the Zoning Ordinances and the Subdivision/Land Developments.

SWOMLEY Chairman Swomley asked whether an RFQ had been received to date.

HODGKINSON Mr. Hodgkinson responded that an RFQ has not been issued. He added that there is a budgetary limit.

SWOMLEY Chairman Swomley noted this is just to keep track of the subject.

B. Development of Strategic Plan.

HODGKINSON Mr. Hodgkinson noted that Abby Gibb had given him a draft that he currently is reviewing. He hoped to have it emailed to the Board tomorrow (11-18-21).

C. Traffic Calming on 10th and 11th Avenue and Whiteford Road.

This item was discussed earlier during the agenda.

D. Recycling Committee Status.

HODGKINSON Mr. Hodgkinson noted that this item had been on the Old Business List for quite some time. The Board may recall Charlie Stuhr's comment some years ago that the Committee may not be necessary anymore. The only time the group of two was used, was during Trash Contract Renewals. Their input was solicited, but outside of that, not much.

BISHOP Mr. Bishop commented that it would be nice to recognize the people who served, especially Charlie Stuhre.

BOWDERS Ms. Bowders acknowledged Mr. Bishop’s request to recognize the committee. Ms. Bowders asked Abby Gibb whether disbanding the Committee would have any impact on seeking grants.

GIBB Ms. Gibb did not think it is a specific question of whether the Township has a Committee. Part of the questions are whether there are programs in place to ensure people are recycling and ensure that there are programs in place that people aren’t illegally dumping liquids. Those are given to the ordinances. Two years ago an ordinance was updated for a grant specifically about gatherings. She indicated if it is an issue that needs to be addressed, the Board could address the issue. As long as the Board is actively aware of the recycling requirements and changes, the two grants that are done occasionally, the 902, which is the league flexion. And the 904, which are done annually and she noted she is in the process of working on right now. She has reviewed it and does not see any specific questions.

SWOMLEY Chairman Swomley asked Ms. Bowders to see if there is a Resolution concerning the Recycling Committee. The Board will review this at the next meeting.

14. NEW BUSINESS

A. Authorizing Delegation of Authority to Township Manager to Summit Final Documents and Permit Applications to the PA Department of Environmental Protection on Behalf of the Township

HODGKINSON Mr. Hodgkinson stated this is specifically regarding the Buchart Horn suing now for the Mill Creek Interceptor Realignment and different things that he needs to sign off.

MR. WURSTER MOVED TO AUTHORIZE DELEGATION OF AUTHORITY TO THE TOWNSHIP MANAGER TO EXECUTE DOCUMENTATION WITH THE PA DEPARTMENT OF ENVIRONMENTAL PROTECTION. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Advertise 2022 Proposed Budget

WURSTER Mr. Wurster provided opening remarks surrounding the budget discussion. He noted the 2022 Budget, as presented, includes Springettsbury Township’s commitment to the York Area United Fire and Rescue. He, along with Mr. Dvoryak, had attended a budget session on October 26th to have a discussion with the Chief and Captain present of some of the information that is required and asked some questions with regard to it.

The York Area United Fire and Rescue Commission met November 16th, and as part of the agenda, a discussion was held on the Budget Presentation. In addition, Mr. Wurster had done some cost calculations for presentation at the October meeting to show the commitment of financial resources it would take to

support 18 Firefighters hired at three per year over 10 years. That large cost was eye opening. His discussion covered a range of subjects as follows:

- Chief to provide additional information and insight relative to some of the elements of the Budget, rationale and justification for the plan
- Need to add additional staff to enhance safety for operations and personnel
- YAUFRR is unique; needs specific metrics to assess true need for hiring and staffing for Firefighter safety
- Coverage for apparatus.

Mr. Wurster suggested to defer approval until 2023 budget preparation, taking the year 2022 to really make an assessment. Springettsbury represented the concerns that they had collectively raised as part of Springettsbury’s budget hearing. Mr. Wurster stated that YAUFRR had undertaken a parliamentary maneuver to allow for any amendments and had not adjourned its November 16th Commission meeting and the next continuation would be November 30th.

DVORYAK Mr. Dvoryak indicated that Mr. Wurster had done a great job recapping the discussion surrounding the assessments needed for amending the budget to remove three positions pending a thorough review and due diligence. The cost calculations show that after 10 years, the cost would be a minimum of \$30 million to fund the additional 18 Firefighters. Mr. Dvoryak noted that this would be transformational, transforming YAUFRR into something different than it is today. It is important to make sure that the Boards and Commissions are doing the right thing for everyone, all the municipalities involved, all the citizens who will pay the bill, and all the Firefighters and staff at YAUFRR who put their lives on the line every day. He agreed with Mr. Wurster to call for a state of pause on the three hires for now.

WURSTER Mr. Wurster added that one of the issues is the timing. This may be a reasonable approach to undertake the hiring of three; however, it goes back to the governance issue working with a part-time Board of Commissioners to engage in this managerial assessment.

BISHOP Mr. Bishop commented that it is important to address what the process is. His opinion was that advertising the Springettsbury Township Budget, which has the same number that was presented by YAUFRR, does not indicate Springettsbury’s approval of the YAUFRR Budget as required by the Charter Agreement. Springettsbury has consistently approved the YAUFRR Budget by Resolution so there was no question.

SWOMLEY Chairman Swomley responded that by advertising the budget as it stands, the question is whether the number that YAUFRR had provided for the budget constitute approval of the three hires. He commented that would it indicate how much money Springettsbury approves in its budget. The Resolution that would come would determine whether or not the Board agrees with spending the money on three new people.

- DVORYAK** Mr. Dvoryak commented that YAUFRR had presented a budget for all three municipalities to approve. That's the requirement of the Charter Agreement. They have met their obligation to present a budget for approval to all three municipalities.
- RAUSCH** Solicitor Rausch noted that in doing the Budget if there is a change, 25% overall or 10% of one category, the Budget will have to be re-advertised. He cautioned the Board regarding changes that there are a certain number of days in advance for re-advertisement and to be careful to meet the deadline.
- BOWDERS** Ms. Bowders stated that it is advertised as a Proposed Budget.
- BISHOP** Mr. Bishop noted that he did not have any problem keeping the Springettsbury Township Budget the same way as it is. His only problem is with the plan to spend that number.
- WURSTER** Mr. Wurster suggested to move to advertise the proposed budget but cut out a section of the YAUFRR dollar amount. He and Mr. Dvoryak then would go back to YAUFRR and indicate what Springettsbury elected to do with the budget; to cut out the salary amount for the three additional hires or X dollar amount, adjusted for each municipality's pro-rata share less the cost of the hiring.
- SWOMLEY** Chairman Swomley noted that there is apparently a need for more personnel. He suggested approving one instead of three for now, and if it's another two next year, it would achieve what the Chief had planned to do for the first three hires within two years without approving a 10-year plan for 18 Firefighters.
- DVORYAK** Mr. Dvoryak noted that Commissioner Rooney from Spring Garden Township had mentioned a compromise where only one be hired, or two. Mr. Dvoryak commented that taking a longer-term look at several ideas and perhaps reviewing contracts, operations, fire services in Pennsylvania and using volunteers and mutual aid.
- BISHOP** Mr. Bishop indicated that advertising Springettsbury's Budget in order to be able to adopt it when it is planned has nothing to do with us approving YAUFRR's budget.
- RAUSCH** Solicitor Rausch noted that the Board is simply authorizing the advertisement and not approving anything until the December meeting.
- SWOMLEY** Chairman Swomley noted that approving YAUFRR's budget will take place by Resolution, and that is when Springettsbury's Board will approve their budget with a different number.
- COX** Mr. Cox stated that he would want YAUFRR to have the necessary personnel to keep their people safe and keep the people in our neighborhoods safe. However,

he noted he did not believe they had given the Springettsbury Board enough information to justify hiring three new people next year. He did not think they should approve anything that resembles a 10-year budget where they will add two or three people every two years for the next 10 years. He stated that the budget could stay the way it is because it is a budget. There's always the budget and then there's the actual. If the revenues aren't what is expected, the budget is cut to balance the budget. The Board can always decide not to spend the money.

SWOMLEY Chairman Swomley indicated that is the position that the Resolution on December 9th will take. It does not include the three personnel, which would mean that their budget would have to revert to the 2021 Budget level.

COX Mr. Cox liked the idea of a compromise. He agreed to one person and then YAUFR can justify two more next year. If they can't justify it, it is removed.

DVORYAK Mr. Dvoryak noted that by approving the way YAUFR has operated historically on capital items and personnel changes, those items always come back to the YAUFR Board for final approval, even if they are in the Budget. The YAUFR Board still would have the final say on those decisions.

MR. WURSTER MOVED TO AUTHORIZE THE ADVERTISING OF THE 2022 SPRINGETTSBURY TOWNSHIP BUDGET IN THE AMOUNT AS PRESENTED LESS A DEDUCTION OF \$136,000 FROM THE YAUFR LINE ITEM. MR. BISHOP WAS SECOND.

BISHOP Mr. Bishop reiterated his understanding that the advertisement of Springettsbury's Budget has nothing to do with Springettsbury Township's approval of the YAUFR Budget.

WURSTER Mr. Wurster stated that was his understanding as well, as he understood it.

SWOMLEY Chairman Swomley commented that this will come with the Resolution on December 9th.

WURSTER Mr. Wurster noted that this isn't the most ideal process, but it will enable moving forward on the 2022 Budget for YAUFR and allow wage increases and salary increases, but it still provides additional time to assess the issue of staff. This is better than reverting back to a 2021 Budget for YAUFR.

DVORYAK Mr. Dvoryak added that this particular exercise optimizes better than anything else at YAUFR is the need to discuss the governance structure at YAUFR that needs to become better functionally going forward.

RAUSCH Solicitor Rausch questioned whether the YAUFR Commission will vote on the Budget on November 30th.

WURSTER Mr. Wurster indicated his understanding that the task the Commission has is to understand that Springettsbury cut \$135,000. The Commission will need to approve the cut and/or revise the Budget. YAUFRR's next Regular Commission meeting is December 21st.

SWOMLEY Chairman Swomley indicated that was why they needed to know this Board's intention this date so that they can act on November 30th and still have time to advertise for December 21st.

MOTION UNANIMOUSLY CARRIED.

- C. Set Time for January 3, 2022 Reorganization Meeting – 6 p.m.
- D. Set Dates and Times for 2022 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
 - December – Second Thursday Only
- E. Set Dates and Times for Budget Work Sessions (2023 Budget)
 - October 10, 2022 – 6:00 p.m.
 - October 17, 2022 – 6:00 p.m.
 - October 19, 2022 – 6:00 p.m.
 - November 16, 2022 – Budget Presentation – 6:30 p.m.

Consensus of the Board was agreement with all dates and times set forth.

15. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 9 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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