

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**NOVEMBER 20, 2014
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, November 20, 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

MEMBERS NOT

IN ATTENDANCE: Kathleen Phan

ALSO IN

ATTENDANCE: Kristen L. Denne, Township Manager
Charles Rausch, Solicitor
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
Dori Bowders, Manager of Administrative Operations
Lt. Todd King, Police Department
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

DVORYAK Chairman George Dvoryak called the meeting to order at 7 p.m. and welcomed everyone. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

- A. November 5, 2014 – Following Budget Work Session – Personnel
- B. November 12, 2014 – Following Budget Work Session – Personnel

DVORYAK Chairman Dvoryak announced that two Executive Sessions had been held, one on November 5th following a Budget Work Session for a personnel discussion, and a second Executive Session was held on November 12th, also following a Budget Work Session for a personnel discussion.

3. COMMUNICATION FROM CITIZENS

LIDDICK Angela Liddick, Community Development Coordinator and Assistant Zoning Officer for Springettsbury Township, spoke with regard to the elimination of her position within the township. She asked for the board's reconsideration.

TROTT David Trott, 3360 Druck Valley Road, spoke with regard to costs. He cited several areas of professional services including legal and engineering expenses. In addition, he mentioned the Grantley EMS Contract, personnel and the use of their services. He presented documentation to Chairman Dvoryak for his review.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated that he had provided his monthly report and had no changes. He offered to respond to questions; however, there were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided his monthly report. He had three updates to report.

- Stormwater Management – Any new impervious additions up to 1,000 feet to a property will require an O&M Agreement. This would include pads for air conditioners and/or sheds. This will be a standardized agreement and require staff review and manager to execute and will become a recorded document.
- Transportation Planning - Mt. Rose Avenue Traffic lights. Lights are planned at Edgewood Road, at mid-block, and at Plymouth Road. None of these lights is 1,000 feet from each other, the typical spacing for traffic lights.
- Fineview Drive – Columbia Gas will replace 800 feet of gas lines on Fineview and move 200 feet of it to allow the township's storm project to move forward. There will be some savings working in coordination; however, the work won't begin until February when the gas company begins with 30 to 60 days of work; in March the contractor could mobilize his portion of work with a 90-day timeframe; completion in June. Upon completion Public Works may provide an overlay on the street. Cost for the stormwater component is approximately \$78,000, which comes from the Liquid Fuels Fund.

5. CONSENT AGENDA

A. Acknowledge Receipt of October 31, 2014 Treasurer's Report.

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- B. Acknowledge Receipt of York Area United Fire and Rescue Joint Budget Presentation Meeting Minutes – September 16, 2014.
- C. Acknowledge Receipt of York Area United Fire and Rescue Strategic Planning Meeting Minutes – September 16, 2014
- D. Acknowledge Receipt of York Area United Fire and Rescue Meeting Minutes – September 16, 2014
- E. Board of Supervisors Budget Planning Session Minutes – October 1, 2014
- F. Board of Supervisors Regular Meeting Minutes – October 9, 2014
- G. Lobar, Inc. – Springettsbury Fire Building Project – Application for Payment No. 13 in an amount not to exceed \$22,498.93
- H. Shannon A. Smith, Inc. – Springettsbury Fire Building Project - Application for Payment No. 13 in an amount not to exceed \$503.60
- I. Regular Payables as Detailed in the Payable Listing of November 20, 2014
- J. LD-14-04 – Time Extension – Pleasant Valley Road Tract – Plan Expires 12/4/14 (New Plan Date 3/4/15)
- K. LD-14-05 – Time Extension – York Christian Church Addition – Plan Expires 12/10/14 (New Plan Date 3/10/15)
- L. LD-14-06 – Time Extension – Candlewood Suites – Plan Expires 12/17/14 (New Plan Date 2/17/15)

SWOMLEY Mr. Swomley asked to remove item F, the October 9, 2014 draft of the Regular Meeting Minutes.

MR. SCHENCK MOVED TO APPROVE THE CONSENT AGENDA ITEMS A THROUGH L WITH THE EXCEPTION OF ITEM F WHICH IS TO BE PULLED. MOTION UNANIMOUSLY CARRIED.

- F. Board of Supervisors Regular Meeting Minutes – October 9, 2014

SWOMLEY Mr. Swomley commented that during a previous meeting the board had given very specific recommendations with regard to the minutes. Citizen Comments would not have a level of detail but only the subject matter of their comments. If a Supervisor had specific items he or she wanted in the minutes, they would be itemized or detailed. Otherwise, Roberts Rules of Order should be used, which are designed to show what had been voted on during the meeting and not a verbatim record. His recommendation was to table the minutes of October 9, 2014 for further revision.

A very lengthy discussion followed which reviewed the same items as had been reviewed during the previous three meetings. The board's direction was to have

the stenographer revise the October 9th minutes using Roberts Rules of Order plus at her discretion.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Enter into 2015 Agreement with Allegiant Animal Care for Animal Control Services.

MR. SCHENCK MOVED TO ENTER INTO THE 2015 AGREEMENT WITH ALLEGIANT ANIMAL CARE FOR ANIMAL CONTROL SERVICES. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Award Bid to BASF Corporation for Dry Polymer in the amount of \$14,148.

MR. SCHENCK MOVED TO AUTHORIZE A BID TO BASF CORPORATION FOR DRY POLYMER IN THE AMOUNT OF \$14,148. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Award Bid to Polydyne, Inc. for Emulsion Polymer in the amount of \$75,847.20.

MR. SCHENCK MOVED TO AWARD THE BID TO POLYDYNE, INC. FOR THE EMULSION POLYMER IN THE AMOUNT OF \$75,847.20. MOTION UNANIMOUSLY CARRIED.

- D. Authorization to Approve Fulton Bank Proposal for YAUF^R Fire Pumper at 1.99%

SCHENCK Mr. Schenck commented that the 1.99% rate is great, and he thanked Mr. Hadge for his work in seeing that the payment is not due until 2016.

LANDIS Ms. Landis commented about the importance of doing due diligence on a yearly basis in order to set money aside in the Capital Reserves. She was very concerned that no money had been set aside for capital expenditures for years. She agreed that the 1.99% rate was great, as well as the payments due in 2016.

SWOMLEY Mr. Swomley reminded the Supervisor that she also made the motion to spend \$200,000 for a tractor and mowing attachments last year and that the pumper for the fire department is a much more critical piece of equipment. He noted that the pie chart that Ms. Denne had shown during the budget presentation revealed how

much money is needed for benefits and payroll, etc. Removing all of the non-discretionary spending out of the budget provides the ability to affect roughly 20% of the budget. He stated that the board had worked on a number of cuts, reviewing every single item, month-by-monthly reporting, every single purchase order and every single expenditure that is made for further cuts. The use of fund balance of \$900,000 is allocated to balance the budget; however, Ms. Denne has the ability to cut that back even further.

DVORYAK Chairman Dvoryak had several questions about the proposal. He wanted to be sure that the \$239 represented 60% of the purchase price of the pumper and that Spring Garden Township is making up the difference.

SCHENCK Mr. Schenck assured him that was correct.

DVORYAK Chairman Dvoryak's second question related to a fee that banks charge. He did not see any fee listed.

HADGE Mr. Hadge responded that the fee for Fulton's proposal is \$500 for closing costs.

MR. SCHENCK MOVED TO AUTHORIZE THE FULTON BANK PROPOSAL FOR THE YAUFER FIRE PUMPER AT 1.99%. MOTION CARRIED 3/1. MESSRS. SCHENCK, SWOMLEY AND DVORYAK VOTED IN FAVOR; MS. LANDIS VOTED OPPOSED.

SWOMLEY Mr. Swomley commented that this is an authorization to approve a great rate on a piece of equipment that had already been approved by the township for purchase in a prior year. What the supervisor just did was voted against a good rate for something that was already planned.

7. SUBDIVISIONS AND LAND DEVELOPMENT

A. Historic Preservation Committee Report

SMITH Steve Smith noted he had several items to report. The final planned visits to historical properties within the township were completed. The number of the most historically significant sites and structures in the township stands at 102 but that number will float at around 100. The Committee will create a Historic Resources Map of Springettsbury Township, which they hope to have finished by February.

Mr. Smith's second item related to his previous reporting on metal detectors at Camp Security. He noted that he had researched what York County does with York County Parks, which simply stated that it was unlawful to metal detect. He noted the concern with individuals metal detecting and taking items was that it deprives those trying to find the actual site with clues. He asked Solicitor Rausch if he had an opportunity to review the matter.

RAUSCH Solicitor Rausch responded that he is working with staff as to what kind of permit would be issued and whether Camp Security could be restricted.

SMITH Mr. Smith reported that the Committee is planning a series of spring and fall presentations. They are planning a focus on the topic of schools and may include one-room school houses in spring of 2015. This would be a one-night event from 7 to 9 p.m. for about 1-1/2 hours and a question and answer period. In the fall they are proposing the topic of school consolidation and a review of the independent school district in Springettsbury Township. He expects a pretty good crowd.

LANDIS Ms. Landis suggested that the fire house on Sherman Street might have space available for his presentation.

SMITH Mr. Smith noted that they are looking at the 911 Center which has a very big auditorium. In addition, someone suggested North Hills Junior High School auditorium.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis reminded the citizens of the traditional Tree Lighting Ceremony to be held on November 21st at 6 p.m. Everyone is invited to attend to kick off the holiday.

Consensus of the board was to hold an Executive Session following the meeting this date to discuss the personnel matter that was presented during the public forum.

SCHENCK Mr. Schenck commented for the public's understanding how the Capital Reserve Fund is handled. Funds \$350,000, will continue to be transferred into the Capital Reserve Fund and used for capital projects. He stated that \$350,000 is placed into the Capital Reserve Fund, which had been done consistently. He noted Ms. Landis specific issue is that the fund is not growing. The money is placed into Capital Reserve and capital projects are being done.

LANDIS Ms. Landis noted that the capital funds that are transferred are for debt payment, which is \$250,000.

DENNE Ms. Denne stated that \$100,000 is used for capital projects, but the \$250,000 will pay for prior capital spending.

SCHENCK Mr. Schenck stated that is the appropriate use of budgeting and placing money where it needs to be.

LANDIS Ms. Landis asked how much money would be appropriated for sidewalks and other projects.

DENNE Ms. Denne responded that the other items you're talking about are out of Liquid Fuels. Additional money from the state, roughly \$677,000 pays for street lighting, supplies and curbs.

LANDIS Ms. Landis added that after that there is no money sitting in there to try to grow the fund. It is all money spent for projects and the debt payment.

Bocce Complex

SWOMLEY Mr. Swomley reported that a township citizen had approached him with a proposal for a Bocce complex in the Springettsbury Township Park. The resident has a disabled child in Special Olympics. He indicated he would provide the entire proposal to Ms. Denne. The proposal indicates the establishment of a marketing committee for fund raising to pay for the Bocce courts. He noted there are a number of organizations in the area that are interested in the proposal.

DENNE Ms. Denne stated that she had worked with and sat on the Planning Committee for the Winter Games for Special Olympics/Pennsylvania held in Johnstown every year. She has contacts to help get that moving forward. In addition, a gentleman had come to the township and spoke with Mrs. Speicher about getting Boccee courts put in the park so there is support for that.

Sewer Billing Payments

DVORYAK Chairman Dvoryak brought forward the matter of sewer billing payments. The subject of potential waiving of late fees under certain situations had been discussed previously. Recently he had received correspondence from two citizens experiencing the same issues. They have both lived in the township for many years and had valid issues relating to late payments with the resulting late fees.

Chairman Dvoryak's requested that the staff, as well as the board, develop some type of review of situations that merit forgiveness as opposed to the hard and fast rule that is in place with no exceptions.

SWOMLEY Mr. Swomley noted he had a similar discussion with another resident who had been charged a late fee.

SCHENCK Mr. Schenck reiterated a previous statement to be very careful because there are a million excuses. He agreed with a review of the issues, but indicated there needed to be very strict guidelines as to what causes an exception. He agreed that the payment history is a big piece of it. He added to his comments that it had been previously suggested that the Tax Collector might collect the sewer bills.

SWOMLEY Mr. Swomley recalled from the previous discussion on the matter perhaps using bank practice for overdraft fees. They look at the history of overdrafts and make a determination based on that history.

Consensus of the board was direction to the Manager and staff to review the matter and make recommendations.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch reported that the street lights are working on Butterfly Commons Boulevard. The agreement related to that issue will be recorded and the surety will be released.

Solicitor Rausch brought forward an issue related to a septic system that had been reported by Brad Hengst, SEO. This was on a property owned by Mr. Kenneth Gerstung, 3 Apple Hill Lane. It took a while to get this resolved due to the cost and had been fined \$5,000. He paid \$2,000, and Mr. Hengst reported that everything is in order. He recommended to take the fines that were paid and release the rest. Solicitor Rausch indicated he was not opposed to doing so and asked for board consensus. He will then contact the Clerk of Courts, following the board's agreement, and advise that the fines are waived.

SCHENCK Mr. Schenck noted that the purpose of many of the ordinances in place are to gain compliance and not to punish. He indicated he was comfortable with waiving the balance of the fine, as everything is in compliance.

Consensus of the board was to waive the remaining fine balance for Kenneth Gerstung.

10. MANAGER'S REPORT

DENNE Ms. Denne stated that she had provided a Manager's Report. She reminded the board of the December 11th meeting, and if they had any problems related to that meeting to let her know. She also noted the Executive Session scheduled following adjournment this date.

11. ORDINANCES AND RESOLUTIONS

A. Authorization to Advertise Ordinance for Zoning Amendment at 3883 East Market Street (Old York Valley Inn Site)

MR. SCHENCK MOVED TO AUTHORIZE TO ADVERTISE THE ORDINANCE FOR THE ZONING AMENDMENT AS LISTED ON THE AGENDA.

RAUSCH Solicitor Rausch commented that this will go through the typical zoning process through County Planning for a recommendation, and the board will not see this for adoption until the second meeting in January.

MOTION UNANIMOUSLY CARRIED.

B. Authorization to Advertise Ordinance Amending Police Pension Death and Disability Fund in Order to Comply with the State Laws and Regulations in Effect as of May 20, 2014 (Definition of Spouse).

MR. SCHENCK MOVED TO AUTHORIZE THE ORDINANCE AMENDING THE POLICE PENSION DEATH AND DISABILITY FUND. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 2014-62 – Accepting Deed of Dedication for Recreation Lot in Phase III of Orchard Hills Subdivision (Lot 70)

MS. LANDIS MOVED TO APPROVE RESOLUTION 2014-62. MOTION UNANIMOUSLY CARRIED.

D. Resolution No. 2014-63 – PennDOT Utility Relocation (I-83/Mt. Rose Avenue Interchange): Cost Sharing Application for SR 0083-040, SR 0124-008 and SR 2005-011

MR. SCHENCK MOVED TO APPROVE RESOLUTION 2014-63

LANDIS Ms. Landis asked about the cost sharing.

LUCIANI Mr. Luciani responded that it involved manhole adjustments in the cart way.

CRABILL Mr. Crabill added they are the adjustments that are being made on the east side of I-83 at the Exit 18. This is incorporated work, which is added into the work that the state is doing. The township is not doing the work for a total of \$239,000 and the township's portion of that is \$660.00.

MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

There was no Old Business for discussion.

13. NEW BUSINESS

A. Authorization to Advertise Sale of Various Items by Online Auction (Municibid)

MR. SCHENCK MOVED TO AUTHORIZE ADVERTISEMENT OF THE SALE OF VARIOUS ITEMS BY ONLINE AUCTION MUNICIBID.

LANDIS Ms. Landis inquired whether the auction would be on line for people to see what is being sold. She also asked whether it would be posted on the website and Facebook page.

DENNE Ms. Denne responded that Municibid is an on-line auction site very similar to like an Ebay for municipal items. This will be advertised in the paper of general circulation beforehand and then it goes to the site for auction. The auction itself must be done through Municibid directly.

SWOMLEY Mr. Swomley suggested a link to the Municibid site for citizens to navigate easily.

MOTION UNANIMOUSLY CARRIED.

B. Water District for Carter Property on Mundis Mill Road.

SIMMONS Robert Simmons, HRP Associates, environmental consultants for FCI, USA LLC was present to provide an informational presentation. A summary follows:

History

- FCI USA LLC owned and operated a facility in York County Industrial Park on the north side of Codorus Creek.
- Metso was closed in 2004 and sold in 2006 and was entered into Act II Land Recycling Program with DEP.
- Investigations revealed the identification of a plume of a chlorinated solvent, Trichloroethylene. Plume has spread to underneath Codorus Creek and has impacted some drinking water wells on the Carter property.

Solving the Problem

- The goal is to try solving the problem through pathway elimination, and one thing they're exploring is extending the public water main further down Mundis Mill Road and connecting the Carter properties with permission to the public water.
- A mandatory connection ordinance will be necessary to complete the process according to DEP requirements. This will cover the elimination of the use of individual water supply wells.
- Once an ordinance is in place, a 90-day mandatory notification to DEP will be required so that
- DEP can comment on any proposed changes if it will materially affect the outcome of the ordinance.

Future Planning

- Mr. Simmons presented a draft ordinance, which adds a new Article II to the existing Section 319 under Water, which established the existing Mt. Zion Water District east of the area in question.
- There are seven properties involved, three of which are Carter properties referred to as Yorktown Farms. Central High School is included, and three additional lots east that abut North Sherman owned by the township for the Wastewater Treatment Facility.
- The high school is already connected to public water and the public water mains are available in both Mundis Mill Road and in North Sherman for any future development.

- Discussions have been held with York Water, and they are negotiating with Mr. Carter and his family for the water main extension.
- A map that shows the proposed areas had been provided to the board. He explained that this is for information, but they are looking for feedback from the board and the Solicitor as to their concept. They will come back to the board in the future with a formal request when the plans are more in order. He offered to respond to questions.

DVORYAK Chairman Dvoryak asked if there had been any discussion surrounding who would be paying for the extension of the line.

SIMMONS Mr. Simmons responded that FCI would be paying for all the extensions and hookup fees.

C. Proposed 2015 Budget

MR. SCHENCK MOVED TO ADVERTISE THE PROPOSED 2015 BUDGET AS PRESENTED THIS EVENING AND ALSO AS EVIDENCED BY THIS BOOKLET. MOTION CARRIED 3/1. MESSRS. DVORYAK, SWOMLEY AND SCHENCK VOTED IN FAVOR; MS. LANDIS VOTED OPPOSED.

D. Set the Time for January 5, 2015 Board of Supervisors Reorganization Meeting

Consensus is to hold the Reorganization Meeting of the Board of Supervisors on Monday, January 5, 2015 at 7 p.m.

14. ADJOURNMENT

DVORYAK Chairman Dvoryak reminded the board of the Executive Session to be held immediately following adjournment. He adjourned the meeting at 8:40 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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