

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**DECEMBER 9, 2021
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, December 9, 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 via Zoom
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 Services
Randall Heilman, Director of Community Development
Dan Hoff, YAUFRR Chief via Zoom
Todd King, Police Chief
Abby Gibb, Communications Manager
Jean Abreght, Stenographer (Zoom)

1. CALL TO ORDER

A. Opening Ceremony

SWOMLEY Chairman Swomley called the meeting to order and 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.

3. COMMUNICATION FROM CITIZENS

A. Fran Surdich, Tax Collector

SURDICH Fran Surdich, retiring Tax Collector, thanked all the voters, the Board of Supervisors, the Township Manager, the Staff and the Finance Department personnel who had supported her position as Tax Collector.

SWOMLEY Chairman Swomley thanked Ms. Surdich for her service to the Township and the community. It was appreciated.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

YOUNG Diana Young stated she had provided her monthly report and she had no updates. She offered to respond to questions, but there were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI John Luciani also had submitted his monthly report. He reported that the bids for Green Light Go appear on the Agenda, and three very good bids had been received. The contractors are more than competent. Secondly, with regard to the Penn Oaks Basin, he will be meeting with the owners for discussion, and lastly, the Stambaugh Plan has been tabled until the February meeting.

5. CONSENT AGENDA

A. Acknowledge Receipt of September 21, 2021 York Area United Fire and Rescue Commission Joint Budget Work Session Minutes

B. Acknowledge Receipt of September 21, 2021 York Ara United Fire and Rescue Commission Meeting Minutes

C. Acknowledge Receipt of October 19, 2021 York Area United Fire and Rescue Commission Meeting Minutes.

D. Acknowledge Receipt of November 30, 2021 Treasurer’s Report

E. Board of Supervisors Budget Work Session Minutes – October 26, 2021

F. Board of Supervisors Budget Work Session Minutes – November 1, 2021

G. Board of Supervisors Regular Meeting Minutes – November 17, 2021

H. Regular Payables as Detailed in Payable Listing of December 9, 2021

I. Authorization to Approve Real Estate Tax Refund Request for Tax Year 2021 – KV Springettsbury Partners, LLC, 500 Alcott Road (Parcel #46-K1-43A) in the amount of \$19.16

J. Canterbury Court/Village Realty – Reduction of Financial Security in the amount of \$255,665.26 (remaining bonded amount \$62,450.15)

K. AKRF (Invoice No. 3 – WWT West Tributary Site – Thirty Percent Procurement of Permits Completion in an amount not to exceed \$142,725.22

L. Heisey Mechanical, Ltd. – Raw Pump Upgrade/Fat, Oil and Grease Acceptance Project – Change Order No. 11 in an amount not to exceed \$6,916.50

M. Heisey Mechanical, Ltd. – Raw Pump Upgrade/Fat, Oil and Grease Acceptance Project – Application for Payment No. 16 in an amount not to exceed \$372,924.66

N. York Excavating Co., Inc. – Augustus Schaefer Park Project – Application for Payment No. 9 in an amount not to exceed \$1,795.72

O. York Excavating Co., Inc. – Augustus Schaefer Park Project – Application for Payment No. 10 in an amount not to exceed \$30,167.20

- P. Jay R. Reynolds, Inc. – Springettsbury Township Building Renovation and Expansion Project – Change Order No. CO-02-P in an amount not to exceed \$39,886
- Q. Jay R. Reynolds, Inc. – Springettsbury Township Building Renovation and Expansion Project – Change Order No. CO-03-P in an amount not to exceed \$18,991
- R. Jay R. Reynolds, Inc. – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No., 3 in an amount not to exceed \$35,156.88
- S. Frey Lutz Corporation – Springettsbury Township Building Renovation and Expansion Project – Change Order No., CO-04-H in an amount not to exceed \$718.41
- T. Frey Lutz Corporation – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 6 in an amount not to exceed \$154,886.35
- U. Uhrig Construction, Inc. – Springettsbury Township Building Renovation and Expansion Project – Change Order No. CO-05-G in an amount not to exceed \$4,793.73
- V. Uhrig Construction, Inc. – Springettsbury Township Building Renovation and Expansion Project – Change Order No. CO-06-G in an amount not to exceed \$31,485.18
- W. Uhrig Construction, Inc. – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 6 in an amount not to exceed \$517,973.79
- X. Midstate Mechanical & Electrical, LLC – Springettsbury Township Building Renovation and Expansion Project – Change Order No. CO-02-E in amount not to exceed \$1,887.74
- Y. Midstate Mechanical & Electrical, LLC – Springettsbury Township Building Renovation and Expansion Project – Application for Payment No. 5 in an amount not to exceed \$168,290.50
- Z. GSL Government Consulting – 12 Percent Fee for Award of Redevelopment Assistance Capital Program (RACP) Grant in an amount not to exceed \$420,00 (Grant Award \$3,500,000)

MR. WURSTER MOVED TO APPROVE THE ALPHABET CONSENT AGENDA A THROUGH Z. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Approve Additional Construction Management Services Agreement with Bucharthorn, Inc. for Raw Pump Upgrade/Fat, Oil and Grease Project in an amount not to exceed \$22,000.

MR. WURSTER MOVED TO ENGAGE BUCHART-HORN FOR THE ADDITIONAL SERVICE AGREEMENTS AS OUTLINED FOR \$22,000. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Purchase Caterpillar 930M Loader through Cleveland Brothers Equipment Co. in an amount not to exceed \$191,395 (COSTARS Contract No. 4400019950)

MR. WURSTER MOVED FOR APPROVAL OF THE PURCHASE OF THE CATERPILLAR 930M LOADER. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Purchase 72" and 61" Scag Turf II Mowers through R. S. Hollinger & Sons in a total amount not to exceed \$32,955.20 (PA State Contract No. 4400020093)

MR. WURSTER MOVED FOR THE PURCHASE OF THE 72" AND 61" SCAG TURF MOWERS FOR A TOTAL AMOUNT NOT TO EXCEED \$32,955.20. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- D. Authorization for Automotive Lift Service to Decommission Two Existing In-Ground Lifts and Install One CL 10V3-3 Challenger Lift in an amount not to exceed \$10,863.

MR. WURSTER MOVED TO CONTRACT WITH AUTOMOTIVE LIFT SERVICE FOR AN AMOUNT NOT TO EXCEED \$10,863 TO DECOMMISSION TWO EXISTING LIFTS AND INSTALL ONE CL10V3-3 CHALLENGER LIFT. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- E. Authorization to Award Traffic Signal Replacements Bid to Herr Signal & Lighting Company, Inc. for an amount not to exceed \$182,593.75 (Green Light Go Grant Program – Edgewood/Eastern Boulevard and Edgewood/Kingston)

MR. WURSTER MOVED TO APPROVE THE EXPENDITURES FOR \$182,593.75 FOR HERR SIGNAL & LIGHTING COMPANY TO INSTALL THE NEW SIGNALIZATION AT EDGEWOOD/EASTERN BOULEVARD INTERSECTION AND EDGEWOOD / KINGSTON. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- F. Authorization for Police Department to Participate in York County Safety Collaborative (YCSC)

MR. COX MOVED TO AUTHORIZE THE POLICE DEPARTMENT TO PARTICIPATE IN THE YORK COUNTY SAFETY COLLABORATIVE. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT

- A. Wyndham Pointe Apartments, Intersection of Pleasant Valley Road and Mt. Zion Road – Thomas Nehilla, Esq., Barley Snyder

NEHILLA Tom Nehilla, Barley Snyder, appeared before the board on behalf of the property owner of Pleasant Valley Road, LLC.

SWOMLEY Chairman Swomley stated that he owns two properties, roughly 6.8 acres, immediately adjacent to the property in question north on Mt. Zion Road. He stated his ownership for the record as what takes place here could impact his property. He will be recusing himself of any vote.

NEHILLA Attorney Nehilla stated that their property consists of about eight acres and is an apartment complex that is totally built out and has been constructed for a number of years. There is one vacant lot that had been targeted for an office/retail lot. They had not been able to sell that for 10 years. They had come before the board to determine the possibility of doing a Text Amendment to the Neighborhood Commercial Zone. That Text Amendment would increase the density factor. A density factor into this zone for a multi-family, for apartments would increase it from a 30-density factor to a 37-density factor. The discussion was a lengthy general one to determine whether the board was favorable. The project would add an additional 22 units: 10 one-bedrooms 12 two-bedroom apartments..

HEILMAN Mr. Heilman noted, as Community Development Director, that he had no objection to raising the density factor, even up to 40.

SWOMLEY Chairman Swomley noted that the research into density would be an opportunity to change the way density is currently done for those types of properties.

WURSTER Mr. Wurster noted that the board would need to assess the idea from a Community Development and Planning perspective and come back with a recommendation. It could be included in the update of the Comprehensive Plan. He noted, however, he supported the increase in the density.

RAUSCH Solicitor Rausch noted that if the board agreed to 40, that would provide for another two-bedroom or a one-bedroom and a studio.

NEHILLA Attorney Nehill responded it would increase the density factor but probably would not change their structure plans.

SWOMLEY Chairman Swomley noted he would be okay with an independent assessment. He asked Attorney Nehilla what he would need for having an approval of the density factor to be able to move forward.

NEHILLA Attorney Nehilla responded that they would like to move as soon as possible. He noted that having general conversations make sense to do it right. If he submitted the Text Amendment immediately it will take a good 60 days because they will have to go before the County and Township and back. There will be Public Hearing. He would potentially just like to keep it moving.

WURSTER Mr. Wurster noted that it could be achieved within that concurrent 60-day period. It just needed to have an independent assessment.

RAUSCH Solicitor Rausch commented that it would have to go through Planning Commission. They have not reviewed this yet. It would be a good idea to bring them up to date.

HEILMAN Mr. Heilman stated he was still working on the Agenda. He will add it to the Thursday Agenda of the Planning Commission.

8. COMMUNICATION FROM SUPERVISORS

WURSTER Mr. Wurster complimented the Township Staff for all their efforts throughout the course of the year. He especially he noted the successful effort of two grant awards: one in conjunction with the County and also the RACP Grant Award of \$3.5 million to benefit the construction of the police station. He commended the staff that worked with professionals, as well as the legislative delegation including Representatives Saylor and Gillespie, Senator Gebhart and Senator Kristin Phillips-Hill, all who had a role to play in securing some of the grant money. Mr. Wurster noted it had been a great year for grant funding in Springgettsbury Township, and he wanted to recognize everyone for their role.

HODGKINSON Mr. Hodgkinson thanked everyone on the board for their support.

SWOMLEY Chairman Swomley congratulated Mark Hodgkinson on 25 years of service to Springgettsbury Township. He noted an exemplary career with in-house promotions from Operator-Wastewater Treatment Plant, Director of Wastewater Treatment, Acting Director of Public Works in addition to his responsibilities with Wastewater Treatment, Director of Public Works and Wastewater Treatment, to Township Manager. He stated it was a true example of what hard work and dedication can do. He congratulated Mr. Hodgkinson and presented him with a Certificate of Appreciation and a Pin of Service.

HODGKINSON Mr. Hodgkinson thanked him and noted his appreciation.

9. COMMITTEE REPORTS

There were no Committee Reports.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch commented on the potential Zoning Text Amendments with reference to the chicken problem. He requested, if the board had no issues, he would like to add a section for Uses Not Provided For, which he recommended and which is fairly standard in most ordinances. This would provide some additional protection. In addition, he would like to add Nightclub in Commercial Highway. He indicated he would provide a draft for the board's review in January.

HEILMAN Mr. Heilman noted that adding the Neighborhood Commercial Density Factor or some variation of the same would be timely to do them all at the same time.

11. MANAGER'S REPORT

A. Manager's Report

HODGKINSON Mr. Hodgkinson stated that the township did receive the RACP Grant Award and the next step is to submit a letter to the Office of Budget accepting the grant. The Chairman is to sign the letter.

MR. WURSTER MOVED TO AUTHORIZE THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO ACCEPT THE RCAP GRANT AWARD. MR. COX WAS SECOND MOTION UNANIMOUSLY CARRIED.

B. Strategic Plan

HODGKINSON Mr. Hodgkinson noted that he had submitted a draft of the Strategic Plan as part of Novus Agenda. There was no action for the subject this date.

WURSTER Mr. Wurster had discussed the draft earlier with Mr. Hodgkinson and indicated he thought it came together rather well. He liked the organization and it captured a lot of what had been discussed. He noted it is a living, breathing document that could be revisited on an annual basis to review and objectives. He indicated it is a good first step.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2021-50- Authorizing Supplemental Appropriation from General Fund Reserves for Public Works Equipment and Information Technology Improvements.

MR. WURSTER MOVED FOR ADOPTION OF RESOLUTION 2021-50 AUTHORIZING SUPPLEMENTAL APPROPRIATION FROM GENERAL FUND RESERVES FOR PUBLIC WORKS EQUIPMENT AND INFORMATION TECHNOLOGY IMPROVEMENTS, AS OUTLINED. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2021-51 – Disbanding Springettsbury Recycling Committee

MR. WURSTER MOVED FOR ADOPTION OF RESOLUTION 2021-51 TO DISBAND THE SPRINGETTSBURY RECYCLING COMMITTEE. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- C. Resolution 2021-52 – Refund to Harley Davidson Motor Company, Inc. in the Sum of \$200,000 for Tax Years of 2004-2022.

MR. WURSTER MOVED FOR ADOPTION OF RESOLUTION 2021-52, REFUND TO HARLEY DAVIDSON MOTOR COMPANY IN THE SUM OF \$200,000 FOR THE YEARS 2004-2022. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- F. Resolution No. 2021-55 – 2022 York Area United Fire and Rescue Budget

SWOMLEY Chairman Swomley shifted Resolution 2021-55 ahead for discussion of the YAUFRR Budget.

WURSTER Mr. Wurster indicated that he and Mr. Dvoryak had met with the YAUFRR and reviewed the proposed YAUFRR Budget. The meeting on November 30th was a continuation of the previous YAUFRR Commission meeting earlier during the month. He had alerted the Commission that Springettsbury wanted to explore the creation of an alternative budget without the inclusion of the monies to hire two firefighters. Springettsbury then voted 5-0 to reduce its YAUFRR Budget by \$136,000. That was then debated and a Resolution was sponsored by Manchester Township to adopt the 2022 Budget with the three firefighters and then engage in efforts to study the question of additional hires during 2022. That motion was debated but passed 5/2 with Springettsbury’s delegates voting in opposition. Following that Mr. Wurster made arrangements to meet with Chief Hoff. Costs and justifications were reviewed with Commissioner Rooney and Mr. Hodgkinson in a review of the numbers and metrics.

HOFF Chief Hoff provided an updated presentation of the YAUFRR 2022 Budget, which included the accommodation of uniforms, turnout gear, annual costs, reduced by approximately \$70,000. He noted that the \$70,000 reduction would be prior to insertion of a SAFER Grant possibility which would cover salary and benefits for three new employees for a period of three years. He reviewed the entire budget in a lengthy presentation (paper copies provided for the board members).

WURSTER Mr. Wurster thanked Chief Hoff for his presentation that included all the information with justifications that they had previously discussed including increase in call volumes.

Following a general question and answer period, Chairman Swomley called for a Roll Call Vote.

MR. BISHOP MOVED FOR THE APPROVAL OF RESOLUTION 2021-55 FOR THE 2022 YAUFRR BUDGET FOR THE PURPOSES OF GETTING IT ON THE TABLE TO

BE VOTED UPON AND AT WHICH TIME I WILL BE VOTING AGAINST IT. MR. WURSTER WAS SECOND. VOTE TAKEN BY ROLL CALL AS FOLLOWS:

DON BISHOP	NO	
CHARLES WURSTER	YES	
GEORGE DVORYAK	NO	
ROBERT COX	YES	(Conditional upon YAUFRR applying for the SAFER Grant and not hiring until they get the results of the SAFER Grant)
MARK SWOMLEY	NO	

MESSRS WURSTER AND COX VOTED IN FAVOR; MESSRS BISHOP, DVORYAK AND SWOMLEY VOTED AGAINST. MOTION DEFEATED 3/2.

SWOMLEY Chairman Swomley noted that the board has the opportunity to go back and redo the Budget, both YAUFRR's and Springettsbury's. It is understood exactly how it is going to go in the future. He had voted NO. It can be taken from this point and worked with the YAUFRR Board and the Springettsbury Board to come back with an agreement at some point during the year. This will revert to the Budget that was currently in existence so it does not stop the operation of the fire department. It allows for more time.

D. Resolution 2021-53 – 2022 Budget Adoption

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 2021-53, THE ADOPTION OF 2022 BUDGET FOR SPRINGETTSBURY TOWNSHIP. MR. DVORYAK WAS SECOND.

WURSTER Mr. Wurster stated for clarification that, given the objection of the YAUFRR Budget, that the approval of the Springettsbury Budget does not affect it as it includes a YAUFRR number.

HODGKINSON Mr. Hodgkinson stated the Springettsbury Budget includes the YAUFRR number minus \$136,000.

MOTION UNANIMOUSLY CARRIED.

E. Resolution No. 2021-54 – 2022 Tax Levy

MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION 2021-54 AS PRESENTED. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. RFQ to Complete Update of Comprehensive Plan

HODGKINSON Mr. Hodgkinson commented that the item would come before the board in 2022. It is part of the Capital Budget.

SWOMLEY Chairman Swomley noted that items are carried under Old Business so attention continually comes before the board.

B. Traffic Calming – Tenth Avenue, Eleventh Avenue and Whiteford Road

14. NEW BUSINESS

There was no New Business

15. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 9:33 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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