

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**DECEMBER 10, 2020
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, December 10, 2020 at 7:00 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA by Zoom technology.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak, Vice Chairman
Charles Wurster, Assistant Secretary/Treasurer
Don Bishop
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
Todd King, Police Chief
Teresa Hummel, Director of Finance
Dennis Crabill, Director of Public Works/WWT
Colin Lacey, Director of Parks and Recreation
Ray Markey, Community Development
Dan Hoff, YAUFRR Chief
Abby Gibb, Communications Manager
Jean Abreght, Stenographer

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 two Executive Sessions had been held since the last meeting. One was held November 18th for the purpose of a Collective Bargaining discussion; earlier this evening to discuss a legal issue.

3. COMMUNICATION FROM CITIZENS

ERICKSON Louise Erickson and her husband Ron reside at 1941 Strawberry Fields approached the Board stating that Strawberry Fields is a private road with only four residences on it. All residences are in an R20 Zone, single-family residential district. They purchased their home on Strawberry Fields because it offered privacy, security, peace and quiet. Robert Gordon, whose property borders their property, has been running a commercial business on his property since they moved here three years ago. He advertises his business to the general public on

the internet with directions from the Harrisburg and Philadelphia airports to his address. He holds large public events. The last event was on November 1, 2020 during the COVID pandemic when public events were prohibited. More than 50 people were at this event, which was not permitted by the police or the fire department. The Ericksons noted their frustrations dealing with the authorities, attorneys and the Township with no resolution. Their last complaint had been served on Mr. Gordon as of November 1, 2020, and since then another event had been held. These events had disturbed their peace with traffic and many cars parking in the street, noise, etc.

RAUSCH Solicitor Rausch stated that if the events continue it would be sufficient for the Township to issue a Notice of Violation.

ERICKSON Mr. and Mrs. Erickson agreed to provide additional proof to the Township.

SWOMLEY Chairman Swomley indicated they should present their evidence to the Zoning Officer, John Luciani. He will provide it to the Board. He added that they are free to come back and address the Board in the future. The Township will monitor what happens with this and will be looking for further information.

RUDISILL Ron Rudisill, 119 North Rockburn Street spoke concerning traffic on his residential street. He noted that tractor-trailers are using North Rockburn Street from some of the warehouses and industrial companies. He added that the streets are for residential traffic only. He suggested notifying the businesses to tell their truck drivers to stay off the side streets.

SWOMLEY Chairman Swomley asked Police Chief King whether there is anything that could be done to talk to the businesses in the area about keeping their tractor-trailers off of that road, especially if it's posted for local delivery.

KING Chief King noted that his department will discuss the matter with the businesses and have them post a notice within the warehouse to make certain that the drivers avoid those areas. He added that some of the companies hire contract drivers, and they change frequently. In addition, the department will monitor the streets for moving violations.

RAUSCH Solicitor Rausch suggested to Mr. Rudisill that what might be helpful is if the truck is going through and it has identification on it, to make note of the company name on the truck.

RUDISILL Mr. Rudisill responded that he will try to get names.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

YOUNG Diana Young had provided her report. She had a minor update. They met with PennDOT and Stantec via Zoom on Tuesday. She received some additional information on the project. She reported the new pumps for the Wastewater Treatment Plant are coming in earlier than they thought, which is good news.

B. Civil Engineering Report – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had submitted his written report. He added several updates:

- MS4 Report was accepted by DEP.
- Township staff and First Capital will be meeting.
- Amazon plan will be coming in along with other projects and land development on the Hallam/Springettsbury border.
- York County Planning appointed Mr. Luciani a Member of the Technical Committee for the York Area Metropolitan Planning Organization. This will enable him to be up to date on traffic changes, grants, etc. for the township.
- An application was received for the former Embers Restaurant, which he had discussed with Attorney Rausch. They plan to convert the building to a marijuana dispensary. They expect to spend several million dollars in the Town Center. They submitted a revised plan to add landscaping and improve some of the aesthetics. This will require a special hearing sometime in January.

5. CONSENT AGENDA

- A. Acknowledge Receipt of November 30, 2020 Treasurer’s Report
- B. Board of Supervisors Budget Work Session Minutes – November 18, 2020
- C. Board of Supervisors Regular Meeting Minutes – November 18, 2020
- D. Regular Payables as Detailed in Payable Listing of December 10, 2020
- E. Heisey Mechanical, Ltd. – Raw Pump Upgrade/Fat, Oil and Grease Acceptance Project – Application for Payment No. 11 in an amount not to exceed \$67,406.14
- F. Authorization to Approve Real Estate Tax Refund Request for Tax Year 2020 – Jonathan M & Patricia C. Sjoberg, 4175 Camberlay Drive (Parcel #46-26-55) in the amount of \$36.93

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH G WITH THE EXCEPTION OF ITEM B. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

WURSTER Mr. Wurster stated that he may have misspoken; however, in item B, he changed the word “board” to “staff”.

MR. WURSTER MOVED TO APPROVE ITEM B AS AMENDED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Award Farming Lease Contract to Wen-Crest Farms, LLC, Lebanon, PA for the period January 1, 2021 through December 31, 2025 (60 acres @\$377 per acre annually)

MR. WURSTER MOVED TO AWARD THE FARMING LEASE BID TO WEN-CREST FARMS FOR THE AMOUNT OF \$377 PER ACRE FOR 60 ACRES. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Execute Canterbury Court Associates Financial Security Escrow Agreement

MR. DVORYAK MOVED TO APPROVE THE FINANCIAL SECURITY ESCROW AGREEMENT WITH CANTERBURY COURT ASSOCIATES AS PRESENTED. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

8. COMMUNICATION FROM SUPERVISORS

DVORYAK Mr. Dvoryak stated that he had taken some pictures of the ongoing Comcast saga in the neighborhood. He asked for an update of the Comcast matter.

HODGKINSON Mr. Hodgkinson responded that he had exhausted his efforts to connect with the Comcast subcontractor. He had reached out to Comcast and believes he is making some progress. He hoped to hear more from them tomorrow (12/11/20).

DVORYAK Mr. Dvoryak questioned whether they got the necessary permits to do the work.

HODGKINSON Mr. Hodgkinson responded that their subcontractor, Decisive Communications, did not get the Road Cut Permits, which is a matter he will clarify with Comcast. They will receive a bill for the Road Cut Permits definitely.

RAUSCH Solicitor Rausch reported under the agreement with Comcast, they're supposed to do the repairs within 10 days. If they don't do it within 10 days, the Township can do the work and bill them, which is not ideal, or there are liquidated damages for not completing it. The township must give them 30 days advanced notice before imposing liquidated damages, and under the agreement it will be \$175.00 a day.

SWOMLEY Chairman Swomley questioned whether that would be retroactive to when they did the work.

RAUSCH Solicitor Rausch responded that the township has to give the notice to Comcast first. That letter could be sent giving them a 30-day notice just to get the clock running.

HODGKINSON Mr. Hodgkinson commented that December 10th was the first day he had made contact with Comcast. He had been contacting their sub earlier. He hoped to hear directly from Comcast shortly.

RAUSCH Solicitor Rausch indicated that the letter could wait if Mr. Hodgkinson gets a positive response from Comcast. If he senses he is getting the runaround, then the letter can make it official.

HODGKINSON Mr. Hodgkinson noted that the same thing had happened several years ago in Springetts Oaks Development with a subcontractor. Once he notified Comcast, it was taken care of very quickly.

SWOMLEY Chairman Swomley responded to hope the same things happen; however, get the notice ready if it doesn't.

9. COMMITTEE REPORTS

There were no Committee Report

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch reported he received a call from Attorney Lobach who represents Springetts Retreat. They are getting ready to sell lots and when they read the Land Development Plan there was an old sewer line that crossed over some of the lots which had been rerouted a new sewer line created. The Land Development Plan did not specifically revoke the easement for that old sewer line and when they went to sell one of those lots that were affected, a title company raised that as an issue. Solicitor Rausch prepared an agreement that confirms that that old sewer line easement is gone, and the new sewer easement is in place. The purpose of the agreement is just to make it definite. He requested approval on the agreement.

HODGKINSON Mr. Hodgkinson noted that he had reviewed the new easement agreement and it is satisfactory to the township.

MR. WURSTER MOVED TO APPROVE THE MEMORANDUM OF AGREEMENT FOR THE SANITARY SEWER EASEMENT AS PRESENTED. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. MANAGERS REPORT

A. Manager's Report

HODGKINSON Mr. Hodgkinson reported that the township was notified by PennDOT of the award of another ARLE Grant for traffic signal replacement improvements, ADA compliance at the Haines Road/Eastern Boulevard intersection. The Grant Award was \$143,539.

SWOMLEY Chairman Swomley questioned how many others were converted from the Green Light Go.

HODGKINSON Mr. Hodgkinson responded that the Haines Road/Eastern Boulevard, Edgewood and Kingston and Edgewood and Eastern Boulevard. One out of three were received. This round of ARLE Grants were statewide. There were 13/14 Grant Awards statewide. Springettsbury Township was the only one in York County to receive one.

BISHOP Mr. Bishop brought up the Park and Rec Board report, which stated that the four members whose terms expire on the Board were contacted, but the report does not state that they wanted to serve.

LACEY Mr. Lacey responded that he had received confirmation emails of their intention to continue their terms for another four years on the Park Board. He was waiting on two more confirmations, which he will forward to Ms. Bowders.

SWOMLEY Chairman Swomley reported that he received an email from a resident on South Manheim Street in Fayfield, who is a disabled Vietnam Vet. He asked about lights in the area. Chairman Swomley did not know whether the resident realized there would be an assessment for the light.

HODGKINSON Mr. Hodgkinson asked Chairman Swomley to forward his email and he will contact him.

BISHOP Mr. Bishop was reminded of some complaints about the new LED street lights.

HODGKINSON Mr. Hodgkinson responded that most of those comments come because the old-fashioned street lights were mounted on a telephone poll and referred to as cobra heads. Over the last few years Met Ed was allowing free replacements, no charge to replace the old sodium light heads with LED light heads. They are somewhat brighter and different.

BISHOP Mr. Bishop questioned whether there was a wholesale change of many or just as they need replacements.

HODGKINSON Mr. Hodgkinson responded that the first round covered several hundred; 100 on Market Street, and from one end of the township to the other; Edgewood Road, Mt. Zion, etc. He took advantage of all the free ones.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2020-54 – 2021 Budget Adoption

MR. DVORYAK MOVED FOR THE APPROVAL OF RESOLUTION 2020-54. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 202055 – 2021 Tax Levy

MR. DVORYAK MOVED FOR THE APPROVAL OF RESOLUTION 2020-55. MR.

WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 2020-56 – York Area United Fire and Rescue Budget

HOFF Fire Chief Dan Hoff reported that the Springettsbury Township contribution for the 2021 budget for YAUFRR including the Unfunded Liability for the pension and the Capital Contribution comes to \$3,199,728.34.

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2020-56. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

HOFF Chief Hoff thanked the Board for their ongoing support of York Area United Fire and Rescue.

SWOMLEY Chairman Swomley thanked him and appreciated them for the good work they do.

WURSTER Mr. Wurster thanked him as well.

D. Resolution No. 2020-57 – Authorizing Amendment to Designated Depositories Adopted on January 6, 2020

MR. DVORYAK MOVED TO APPROVE RESOLUTION No. 2020-57. MR. BISHOP WAS SECOND. MOTION CARRIED 4/1. MR. WURSTER ABSTAINED AS HE IS AN OFFICER OF THE DESIGNATED DEPOSITORY.

13. OLD BUSINESS

A. Creating Opportunities in Neighborhood Environments (CONE), Inc. - Request for Letters of Support for Pleasant Acres Annex Project.

MR. WURSTER MOVED TO AUTHORIZE THE TOWNSHIP MANAGER TO ISSUE THE PROPOSED LETTERS TO SUPPORT THE PHFA AND THE YCPC AS PRESENTED. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

14. NEW BUSINESS

A. Authorization to Purchase 2021 International HX620 6 x4 Heavy Truck Chassis through Five Star International, LLC in an amount not to exceed \$133,425 (COSTARS Contract #025-005)

B. Authorization to Purchase Dump Body for Chassis through MJR Equipment, Inc. in an amount not to exceed \$67,646.25 (COSTARS Contract #025-171)

MR. COX MOVED TO AUTHORIZE THE PURCHASE OF THE 2021 INTERNATIONAL HX620 AND TO AUTHORIZE THE PURCHASE OF THE DUMP BODY FOR THE CHASSIS AS WELL. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

DVORYAK Mr. Dvoryak reminded the Board of the interview held earlier with Sarah Kroboth.

MR. WURSTER MOVED TO APPOINT SARAH KROBOTH FOR A FOUR-YEAR TERM STARTING IN JANUARY 2021. MR. COX WAS SECOND.

LACEY Mr. Lacey noted that the Parks and Rec Board has currently one vacancy, and she could start immediately in January for a four-year term.

Consensus of the Board was to make the appointment for Sarah Kroboth during the Re-Organization meeting on January 4, 2021.

WURSTER Mr. Wurster requested staff to reach out to her and let her know the plans so she's not waiting to hear.

HODGKINSON Mr. Hodgkinson responded that he would do so. He noted she emailed him thanking him and the Board for the opportunity.

15. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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