BOARD OF SUPERVISORS **JANUARY 4, 2000**
REORGANIZATION MEETING **APPROVED**

The Board of Supervisors held a reorganization meeting on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Ken Pasch
Don Bishop
Nick Gurreri (Absent after 8:30 p.m.)

ALSO IN ATTENDANCE:
Paul W. Amic, Township Manager
Andrew Stern, Economic Development
David Trott, Springettsbury Police Department
Tony Beam, Springettsbury Police Department
Ron Simmons, Economic Development
Todd Grove, Murphy & Dittenhafer
Vernon Fisher, Murphy & Dittenhafer
Jean Abreght, Stenographer

1. CALL TO ORDER:

A. Pledge of Allegiance

MITRICK Acting Chairman Lori Mitrick called the meeting to order at 7 p.m. She welcomed the public and requested Mr. Gurreri to lead the Pledge of Allegiance.

GURRERI Mr. Gurreri asked the public to rise, and all repeated the Pledge.

MITRICK Acting Chairman Mitrick announced that there would be two additional items attached to the Agenda under Other Business.

- Item B will be Zoning Hearing Board Rulings of 12/9/99.
- Item C will be a report from Mr. Amic on the progress of the electrical installation at our farmhouse.

Acting Chairman Mitrick advised that copies of the Agenda were available.

B. Oath of Office William Schenck

MITRICK Acting Chairman Mitrick reported that Mr. Schenck was formally sworn in at 6:50 p.m. by his wife, Harriett Schenck, for his second

term of office as a member of the Springettsbury Township Board of Supervisors

Acting Chairman Mitrick continued that the purpose of the meeting was basically for the reorganization of the township. On the agenda there were items under #4 - Resolutions, and they run A. through Q. Chairman Mitrick advised that when the Resolutions were addressed she would open the meeting for public comment before the Resolutions were presented and then would hold all other comments until the specific items later in the Agenda.

2. ELECTION OF OFFICERS:

A. Chair of the Board of Supervisors

Acting Chairman Mitrick called for nominations for Chair of the Board of Supervisors.

MR. SCHENCK NOMINATED LORI MITRICK AS CHAIR OF THE BOARD OF SUPERVISORS. MR. PASCH WAS SECOND.

MITRICK Acting Chairman Mitrick called for any further nominations. Hearing none she called for a motion to close the nominations.

MR. SCHENCK MOVED TO CLOSE THE NOMINATIONS. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. SCHENCK MOVED TO ELECT LORI MITRICK AS CHAIR OF THE BOARD OF SUPERVISORS. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick called for nomination for Vice Chairman of the Board.

B. Vice Chair of the Board of Supervisors

MR. PASCH NOMINATED BILL SCHENCK AS VICE CHAIR OF THE BOARD OF SUPERVISORS. MR. BISHOP WAS SECOND. MOTION UNANINMOUSLY CARRIED.

C. Assistant Secretary/Treasurer

MITRICK Chairman Mitrick called for nomination for Assistant Secretary/Treasurer.

MR. GURRERI NOMINATED DON BISHOP FOR ASSISTANT SECRETARY/ TREASURER. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

3. APPOINTMENT OF DELEGATES:

A. Appointment of delegates and voting delegates to the PSATS Annual Convention.

MR. BISHOP MOVED TO APPOINT MR. SCHENCK AS A VOTING DELEGATE TO PSATS CONVENTION AND ALL OF THE BOARD OF SUPERVISORS AS DELEGATES . MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. RESOLUTIONS:

MITRICK Chairman Mitrick asked for any public comments regarding Resolutions A. through Q. If not, I will close the public comment of that, and we will move on to Resolution 00-01.

A. Resolution 00-01 – Appointing the Solicitor for Springettsbury Township

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 00-01 APPOINTING THE FIRM OF BLAKEY, YOST, BUPP AND SCHAUMANN FOR SOLICITOR FOR THE YEAR 2000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution 00-02 – Appointing the Solicitor for the Zoning Hearing Board of Springettsbury Township

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 00-02 APPOINTING WILLIAM HOFFMEYER AS SOLICITOR FOR THE TOWNSHIP ZONING HEARING BOARD FOR THE YEAR 2000. MR. PASCH WAS SECOND. MOTION UNANIMNOUSLY CARRIED.

C. Resolution 00-03 – Appointing the Civil Engineer for Springettsbury Township

MR. GURRERI MOVED FOR APPROVAL OF RESOLUTION 00-03 APPOINTING THE CIVIL ENGINEER FOR SPRINGETTSBURY TOWNSHIP, FIRST CAPITAL ENGINEERING. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Resolution 00-04 – Appointing the Environmental Engineer for Springettsbury Township

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 00-04 APPOINTING THE FIRM OF BUCHART-HORN AS OUR ENVIRONMENTAL

ENGINEER FOR THE YEAR 2000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Resolution 00-05 – Appointing the Secretary/Treasurer for Calendar 2000

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 00-05 APPOINTING PAUL AMIC SECRETARY/TREASURER OF SPRINGETTSBURY TOWNSHIP. MR. GURERRI WAS SECOND. MOTION UNANINMOUSLY CARRIED.

F. Resolution 00-06 – Designating Depositories and Safety Deposit Box

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 00-06 DESIGNATING OUR DEPOSITORIES FOR THE YEAR 2000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. Resolution 00-07 – Appointing a Representative to the York County Earned Income Tax Bureau for Calendar 2000

MR. PASCH MOVED THAT RESOLUTION 00-07 APPOINTING RANDY WACHTER AS REPRESENTATIVE AND PAUL W. AMIC AS ALTERNATE TO THE YORK COUNTY EARNED INCOME TAX BUREAU BE APPROVED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. Resolution 00-08 - Appointment to the Local Government Advisory Committee

MR. SCHENCK MOVED FOR ADOPTION OF RESOLUTION 00-08 APPOINTING NICK GURRERI AS A MEMBER OF THE LOCAL GOVERNMENT ADVISORY COMMITTEE. MR. PASCH WAS SECOND. MOTION UNANIMNOUSLY CARRIED.

I. Resolution 00-09 – Appointing a Citizen as Vacancy Board Chairperson

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 00-09 APPOINTING MR. CHESTER ROBAK AS A MEMBER OF THE VACANCY BOARD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

J. Resolution 00-10 – Setting of Secretary/Treasurer and Assistant Secretary/Treasurer Bonds

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 00-10 SETTING THE BOND AMOUNTS FOR THE SECRETARY/TREASURER AND

ASSISTANT SECRETARY/TREASURER. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

K. Resolution 00-11 – Approving signatures on checks drawn on the accounts of Springettsbury Township

MR. PASCH MOVED THAT RESOLUTION 00-11 APPROVING SIGNATURES ON CHECKS BE APPROVED AS WRITTEN. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

L. Resolution 00-12 – Appointing Members to the Springettsbury Emergency Services Commission for Calendar 2000.

MITRICK Chairman Mitrick asked Mr. Bishop, as Chair of that Commission to fill in the names.

BISHOP Mr. Bishop requested that this be held in abeyance until the next regular meeting as there had been elections and it had just changed.

MR. PASCH MOVED THAT RESOLUTION 00-12 BE TABLED UNTIL THE NEXT MEETING. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

M. Resolution 00-13 – Appointing a Member to the Planning Commission until the First Monday in January, 2004.

MITRICK Chairman Mitrick asked Mr. Amic to explain this item.

AMIC Mr. Amic indicated this appointment was to fill an unexpired term.

MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION 00-13 APPOINTING A MEMBER TO THE SPRINGETTSBURY TOWNSHIP PLANNING COMMISSION, RANDY MEYERHOFF. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

N. Resolution 00-14 – Appointing a Member to the Zoning Hearing Board until the First Monday in January, 2005.

AMIC Mr. Amic commented that an Alternate be appointed to serve until the end of the year; Mr. Charles Stuhre had resigned. This Resolution included two persons.

BISHOP Mr. Bishop questioned the terms as stated on the Resolution, which indicated one not showing a term, and the second with a 5-year term.

MR. SCHENCK MOVED TO TABLE RESOLUTION 00-14. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

O. Resolution 00-15 – Appointing a Member to the Zoning Hearing Board until the First Monday in January, 2005.

MR. GURRERI MOVED TO APPROVE RESOLUTION 00-15 APPOINTING A MEMBER OF SPRINGETTSBURY TOWNSHIP'S ZONING HEARING BOARD, JUDY FISHER FOR A PERIOD OF 2000 TO 2005. MR. PASCH WAS SECOND.

BISHOP Mr. Bishop questioned whether Judy Fisher's term was five years, or four years.

AMIC Mr. Amic confirmed that term was four years.

BISHOP Mr. Bishop asked about Resolution 00-13 and whether that appointment for Mr. Meyerhoff was for a three-year term.

AMIC Mr. Amic responded that was correct in that it filled an unexpired term.

MOTION UNANIMOUSLY CARRIED.

P. Resolution 00-16 – Appointing a Member to the Park & Recreation Board until the First Monday in January, 2004

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 00-16 APPOINTING STEVE WOLF AS A MEMBER OF THE SPRINGETTSBURY PARKS AND RECREATION BOARD. MR. GURRERI WAS SECOND.

BISHOP Mr. Bishop again questioned the term. Mr. Wolf had been appointed previously, so this was an unexpired term. It should be a full term, but it was only for three years. The term should be stated to expire in January, 2005.

MOTION CARRIED.

Q. Resolution 00-17 – Appointing a Member to the Plumbing Board until the First Monday in January, 2003.

MR. SCHENCK MOVED THAT RESOLUTION 00-17 BE TABLED AND THAT THE STAFF BE DIRECTED TO ADVERTISE OR RESEARCH FOR THE POSITION. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. **OTHER BUSINESS:**

A. Reorganization of the Police Pension Board

MITRICK Chairman Mitrick turned the meeting over to Mr. Bishop as Acting Chairman of the Police Pension Board.

BISHOP Acting Chairman Bishop convened the Police Pension Board.

BISHOP Acting Chairman Bishop stated that Corporal Tony Beam was in attendance as the new second representative from the Springettsbury Township Police Department. He called for a nomination for appointment to the Police Pension Board.

MRS. MITRICK MOVED TO APPOINT CORPORAL TONY BEAM TO THE POLICE PENSION BOARD. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Acting Chairman Bishop opened the floor for nominations for Chairman of the Police Pension Board.

SCHENCK Mr. Schenck asked Mr. Bishop if he was willing to serve again in this capacity.

BISHOP Mr. Bishop agreed to serve.

MR. SCHENCK MOVED TO NOMINATE DON BISHOP AS CHAIR OF THE POLICE PENSION BOARD. MR. GURRERI WAS SECOND.

BISHOP Acting Chairman Bishop asked for any other nominations. Hearing none, he called for the vote.

MOTION UNANIMOUSLY CARRIED.

BISHOP Chairman Bishop called for nominations for Vice Chairman of the Police Pension Board.

MR. GURRERI NOMINATED MR. PASCH AS VICE CHAIRMAN OF THE POLICE PENSION BOARD. MRS. MITRICK WAS SECOND.

BISHOP Chairman Bishop asked for further nominations. Hearing none, he called for the vote.

MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop called for nominations for Treasurer of the Police Pension Board.

MITRICK Mrs. Mitrick commented that last year one of the police officers had been nominated as Treasurer.

TONY BEAM NOMINATED DAVID TROTT AS TREASURER OF THE POLICE PENSION BOARD. MR. PASCH WAS SECOND.

BISHOP Mr. Bishop called for other nominations. Hearing none, he called for the vote.

MOTION UNANIMOUSLY CARRIED.

AMIC Mr. Amic commented with regard to the proceedings. He stated that each one of the Board of Supervisors is a member of the Police Pension Board along with two representatives of the Police Department. There are seven (7) members on the Police Pension Board as required by the Ordinance.

1. Action On Minutes - Police Pension Board Meeting – September 30, 1999

BISHOP Mr. Bishop explained the Agenda Item of Action on the Minutes from the September 30th meeting with the financial advisors of Mellon Bank. He added that there had been no real action by the Board during that meeting as it was mostly informational from our investment advisors.

GURRERI Mr. Gurreri pointed out that his name was incorrectly spelled.

MR. GURRERI MOVED FOR APPROVAL OF THE MINUTES OF THE POLICE PENSION BOARD MEETING SEPTEMBER 30 1999 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION CARRIED. MRS. MITRICK ABSTAINED AS SHE ARRIVED LATE.

BISHOP Chairman Bishop asked for any other items to come before the Police Pension Board.

TROTT Mr. Trott questioned whether the actuarial study had been received.

BISHOP Chairman Bishop indicated it had not been received.

AMIC Mr. Amic stated that a date had been scheduled for a March meeting with the Trustees.

BISHOP Chairman Bishop called for a motion to adjourn the Police Pension Board.

MR. GURRERI MOVED FOR ADJOURNMENT OF THE POLICE PENSION BOARD. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick reconvened the Regular Board of Supervisors meeting.

B. Zoning Hearing Board Ruling of December 9, 1999.

MITRICK Chairman Mitrick commented that she had received a late fax from Attorney Malone and provided the Board an opportunity to read the fax.

PASCH Mr. Pasch asked Mr. Stern whether he had received a copy of the fax.

STERN Mr. Stern indicated he had.

SCHENCK Mr. Schenck asked for a more clear understanding of the drawing. He asked whether Mr. Stern or Mr. Luciani had an opportunity to review it.

STERN Mr. Stern indicated he had just received it.

LUCIANI Mr. Luciani indicated he had just received it as well.

MALONE Attorney Malone offered to explain the drawing.

MITRICK Chairman Mitrick stated that before comments were opened, she would like to address all of the residents in attendance. Chairman Mitrick thanked the residents for coming to discuss an obviously important issue. She stated that Attorney Malone, Pastor Ritterpusch and members of the congregation worked hard during the day to bring this issue to the table in a way that was comfortable, along with the Board of Supervisors. She provided the history of what had occurred and advised that Minutes were available to them for their interest. Lengthy discussions had been held regarding waivers and modifications that come from developers. She explained the way the operation worked along with the related ordinances, one of which related to landscaping and buffer yards which had become the focus of lengthy discussions and action. She added that Advent Lutheran was not the first Land Development proposal that had come to the township that would raise questions with the Board of Supervisors as a result of the focus on landscape and buffer yards. At this point she prefaced her comments by saying that the Board felt that it had very good reporters with the Daily Record and with the York Dispatch, but stated that sometimes articles go to press which are not totally accurate, and sometimes inflammatory to get attention. Chairman Mitrick stated that she believed that the article was slanted to arouse interest, but it really was harmful to what occurred in our discussions. The Advent Lutheran case was reviewed by the Zoning Hearing Board on Tuesday, December 7, 1999. She had been advised the next day by Mr. Stern who has responsibility with the ordinances that the Supervisors might be concerned about a ruling by the Zoning Hearing Board on that Tuesday evening. She had asked Mr. Stern to copy the information for the Board and at that time

did not know any of the details. Chairman Mitrick recalled that at the December meeting of the Board of Supervisors she had announced that there had been a ruling at the Zoning Hearing Board meeting and that she had provided information to the Board members. She had commented to them, based on previous discussions and based on October and November history that the matter might be something about which to be concerned and to please read the information. Unfortunately, the Board only had one general meeting in December, the normal procedure during the holidays. The Board met briefly on the morning of December 23, 1999 to give final approval to the budget. Chairman Mitrick continued that because the law advises that if a concern is raised and there is any interest in appealing the ruling, that it must be done within 30 days. The Board does not have 30 days before its next general meeting, and as a result, this was very unusual that it was on the Agenda. Chairman Mitrick stated that she had contacted Township Solicitor Don Yost, who had attended the Zoning Hearing Board meeting and asked him about the ruling. Upon discussions with Solicitor Yost, Mr. Stern, and Attorney Malone, an attempt had been made to rectify the situation and bring it to a conclusion that Advent Lutheran would be comfortable with, as well as the Board of Supervisors. At this point Chairman Mitrick asked the Board to respond to the information that was faxed to her from Attorney Malone relating to the rulings.

GURRERI Mr. Gurreri indicated that he did not have a full understanding of the situation. He thought it was a good idea to do their parking lot, but he was concerned about the landscaping.

MALONE Attorney Malone stated that, following his discussion with Solicitor Yost, he had asked their engineer to prepare a proposal for landscaping or a type of green buffer for the area of the dwelling that is to be removed and replaced with a parking lot. Attorney Malone presented their plan to the Board with the specific types of trees and shrubs on a faxed copy. He stated that there would be landscaping on the inside of the pond, landscaping along the back to shield the new parking areas from visibility both from Philadelphia Street and from Oxford Street.

GURRERI Mr. Gurreri asked whether a particular place on the plan was a driveway.

MALONE Attorney Malone responded that it would be a new access, which would provide a better flow of traffic. He provided information regarding the planning process and advised that a Land Development Plan would be developed. Attorney Malone stated they had gone to the Zoning Hearing Board to get the variances. He added that trees and ponds (for stormwater management) would be included as shown on the blueprint. Attorney Malone indicated that Advent Lutheran was willing to comply with other suggestions as indicated in their letter and would be bound by that.

ULRICH Mr. Jack Ulrich of 2970 Dearborn Lane, a member of Advent Lutheran Church asked Attorney Malone to explain the two trees that are not going to be removed.

MALONE Attorney Malone stated that he had indicated that those two trees would stay.

GURRERI Mr. Gurreri commented about the two brick garages. There is an area behind the houses that looked like a jungle.

MALONE Attorney Malone stated that they were seeking to use the new area following permission to convert the dwelling into a parking lot. He was not sure as to what could be done about these other conditions.

SCHENCK Mr. Schenck stated his concern was that this matter involved two different uses. Mr. Schenck indicated he understood the need for parking without a question; however, of equal concern was the neighborhood and the necessity to see that the parking area was properly screened. Mr. Schenck added that the sketch that we have from Mr. Holly is 24" high rhododendrons and some hastas, and basically nice shrubs, but they would not really screen or buffer.

MALONE Attorney Malone responded that if there were other suggestions regarding plantings, the church would agree to plant something that might be more favorable.

SCHENCK Mr. Schenck suggested a type of planting that is narrow but with height.

MALONE Attorney Malone indicated he had no problem agreeing to plant what the township would want. He added that the reality was that they had to have a variance because the other variance could not be used, as it was a buffer for one side or the other at the rear.

SCHENCK Mr. Schenck added that he was aware that Attorney Malone knew zoning very well, and that he knew that the variance indicated that nothing needed to be done. Whereas, a variance that might be more appropriate would have been a variance to a modification of our requirements, so that then we do have the flexibility to work. Mr. Schenck appreciated the church's gracious offer to work with the township, but if they decided not to accommodate us, the township wouldn't have much of a case.

MALONE Attorney Malone indicated that the township had some significant leverage over the church in that a Land Development Plan would be required. While the plan has not been totally completed, there would be opportunity for the township to give them a hard time. Attorney Malone continued that the Land Development Plan would include the buffering

indicated, or modified to include the type of plantings that the township required.

SCHENCK Mr. Schenck agreed and added that Attorney Malone's last sentence (in his written submittal) stated a pretty good qualifier in that condition. Attorney Malone had added a qualifier that still would allow total utilization of all of the parking; however, the modification might require the loss of some, not a substantial amount, but some parking. Mr. Schenck asked Attorney Malone whether there was any reason to clarify whether that condition that he was proposing might be substantial.

MALONE Attorney Malone suggested that the Board look at their map; there was a need to be able to get into the lot and move around.

SCHENCK Mr. Schenck stated that the original design assumed no landscaping, and now landscaping was being fit in. He would suggest that if the design process included the thought of some buffering it might have been laid it out a little differently.

GURRERI Mr. Gurreri stated that he understood they were planning to do some buffering.

MALONE Attorney Malone responded that they were planning on doing exactly what they have been saying they would do. He added that it would have been shown on the Land Development Plan. He showed the Board an area of the proposed parking and added that some of the slots could not be brought out further west because they would prevent a "flow through". There are five slots that are dependent upon this end. The whole thrust of the variance is to have 108 parking places. Right now we have 49, and we are attempting to get 70.

SCHENCK Mr. Schenck added that if that building were being built today, it could not be built without that parking.

MALONE Attorney Malone indicated that the church has the need for parking and that was why they sought the variance. He stated that they are going to try to come closer to what we should have in terms of parking.

BISHOP Mr. Bishop stated that he was concerned about the appropriateness of the entire discussion. The Board did not have a Land Development Plan for review. In Mr. Bishop's opinion he stated that the Board should not be looking at plans and discussing them with the developer at all. The Township Engineer can work with the developer. Until a Land Development Plan comes to the Board of Supervisors, Mr. Bishop did not think it was appropriate to carry on discussions. There was one issue and that was whether this Board desired to appeal the decision of our own

Zoning Hearing Board or not, to preserve some of the township's rights with respect to the numerous variances that were requested. Mr. Bishop submitted that absolutely nothing that Attorney Malone could say to us should have any weight whatsoever, because the Board had no way of enforcing anything being discussed. He added that no matter how much good will the church brought this evening, this particular meeting was not the appropriate forum to have these kinds of discussions about how many parking spaces, shrubs and all of that sort of thing. Mr. Bishop further cautioned that any Board of Supervisors member who engaged in these sorts of negotiations with an attorney for property owners in the township without the benefit of the Township Solicitor being present was very foolish.

MITRICK Chairman Mitrick commented that what Solicitor Yost communicated to Attorney Malone's office, based on a consensus from the Board, was that the Board of Supervisors unfortunately has a deadline. She continued that if the Board were going to appeal the decision of the Zoning Hearing Board related to any one of these variances, but specific to our concern related to landscaping and buffering, in order to meet the deadline, must file for that appeal by Noon January 5, 2000 because the Board will not meet prior to its opportunity to submit an appeal to the Zoning Hearing Board. Chairman Mitrick continued that the Township Solicitor, Don Yost had advised that if Advent Lutheran provided a written statement indicating willingness to work with the Township regarding what is appropriate with landscaping and buffering, the township would be reasonable to the church's need for additional parking. With such a written statement from Advent Lutheran before Noon on January 5, there would be no reason for appeal. Chairman Mitrick agreed that Mr. Bishop was totally correct in that the Board was not present to talk about Land Development. There are numerous possibilities that we might be able to talk about when the Land Development Plan, (specifically for Variance of 603.5 1801.9 19.17), comes before the Board of Supervisors, for example, possibly narrowing the travel lanes as there are one-way lanes in your parking lot. Chairman Mitrick asked whether those lanes would need to be 20 feet wide and stated that was an example of something for discussion. Chairman Mitrick again commented on the urgency for receiving a statement from Attorney Malone and the pastor which indicated assurance of willingness to work with together on that variance that you requested, then the only way that we can come to the table and talk to you is to start the appeal process.

MALONE Attorney Malone stated that he thought they had gone through the legal process set forth both in the code and in the ordinances for establishing our right to do what they sought. They had presented evidence to the Zoning Hearing Board, who are citizens of the township, none of which belong to our church. The Zoning Hearing Board made a decision in favor

of us, and now it seemed that the issue is the Board of Supervisors felt that their decision was wrong.

GURRERI Mr. Gurreri stated that the Board is not against the church putting in a parking lot. He added that what had been presented to us is pretty good. It needs to change slightly. The church certainly came here with enough witnesses behind you to indicate you will do something. I believe that you will do what you agreed to do, but the Chairman needs to have something in writing.

MALONE Attorney Malone responded that he believed that they had done that. He asked whether the Board read their letter.

PASCH Mr. Pasch responded that what Attorney Malone was saying was absolutely correct. However, Mr. Pasch did not think that what Solicitor Yost asked for was what had been received and that he wanted something more.

MITRICK Chairman Mitrick indicated she had not spoken with Solicitor Yost after the fax was received. Solicitor Yost simply said that right now the variance does not give the Board the opportunity to work with you at all. The church can come here with Land Development and basically that is what the Board would have to live with. The Board simply would like the opportunity to work with you on the landscaping and buffer yard. The church was asking the Board for trust and the Board asks the same not intending to be unreasonable. The Board understood the parking concerns and wanted to be able to work with the church. That is the commitment that was needed from the church.

RITTERPUSCH Rev. Ritterpusch stated that he was confused. He indicated that what the Board had asked was for something in writing by noon tomorrow, and they had generated what they believed Solicitor Yost had requested in writing. He asked whether the Board would advise what was absent or what it was the Board was looking for in what had been submitted.

SCHENCK Mr. Schenck stated that because of the timing of the matter, the Board would not deal with it tonight. He cited several reasons, one because the Township Solicitor was not present. Secondly, the Board was being asked to agree with an agreement that the church's attorney had written, and thirdly, because Mr. Schenck had a concern with the agreement which he had previously voiced, and the Township's attorney was not present to ask whether it was a valid concern or not.

RITTERPUSCH Rev. Ritterpusch stated that he could appreciate Mr. Schenck's concern, but his perspective was that by the Chair's statement the Board had put the church over a barrel, and they did not know how to comply with the issue.

BISHOP Mr. Bishop commented that there was nothing that could be said that would satisfy the Board at that moment. Mr. Bishop added that was the reason he had attempted short-circuit the discussion regarding how many parking places, etc., because this meeting could go on until midnight asking for this and that, and nothing said would make the Board happy.

RITTERPUSCH Rev. Ritterpusch stated that all he could say was that they are absolutely trying and are committed to helping the process.

BISHOP Mr. Bishop stated that he understood and that hopefully the church would understand as well. The Board had been in the position where people had promised to do certain things and the Board had not gotten its legal ducks in a row to make sure it could enforce it in case they change their mind and forget. Mr. Bishop stated emphatically that he was not saying the church would do that. Mr. Bishop indicated that he felt the prudent thing to do was to appeal the landscaping portion of the variance that was granted. He added that the strategy would be that once that appeal would go on record, then the Board and the church could sit down and negotiate to come to an agreement at the same time as the Land Development process. The appeal can be dropped at any time.

MALONE Attorney Malone stated that while this is on appeal, of course, the church would not be empowered to submit a Land Development Plan for uses that are not permitted.

BISHOP Mr. Bishop clarified that he was indicating to appeal only the landscaping.

MALONE Attorney Malone stated that if you are appealing the landscaping and buffers obviously our Land Development Plan is not going to show the buffers. He did not have any problem submitting a Land Development Plan as long as it was understood that we do not get immediately sent home because our plan is inconsistent with the ordinance and we don't have a variance. If the Board would need more time and need a copy of a Land Development Plan with our commitment to comply with it, I am sure we can have that in a month. If the process could be given an additional thirty days to file your appeal, we would agree to supply that in writing. Attorney Malone would recommend that.

PASCH Mr. Pasch stated that Attorney Malone was acting as our attorney. What he was stating was that if the church gives this additional thirty days to file the appeal that is legally correct.

BISHOP Mr. Bishop asked Mr. Stern whether, in terms of the procedure of reviewing a Land Development Plan, without that variance for the

landscaping that would be something with which your office would be comfortable.

STERN Mr. Stern responded that the question had come up at the Zoning Hearing Board meeting. The fact that all of the other plans that the Board had received have requested waivers or modifications. They had not been variance requests. As far as Mr. Stern was concerned, these variances were not needed as long as there was a willingness to work together. He had no problem with a Land Development request being submitted without a variance or with variances under appeal.

PASCH Mr. Pasch stated that he felt that what Attorney Malone suggested was a valid solution. If we can, in fact, be granted thirty days our problem goes away.

GURRERI Mr. Gurreri stated that the Board doesn't want problems.

PASCH Mr. Pasch stated that Attorney Malone was telling him it is legally correct and he was relying on that.

BISHOP Mr. Bishop asked how the problem would go away.

PASCH Mr. Pasch responded that if the Board had the thirty days to do the appeal there was more time to get the information and have the work being done between township staff and engineers and the church's engineers.

BISHOP Mr. Bishop commented that that would not necessarily throw it back into the Land Development Process. The landscaping would be in a vacuum potentially.

PASCH Mr. Pasch agreed, but at least there is the opportunity to do that. This deadline of tomorrow goes away. Mr. Pasch suggested that regarding this thirty days the township go on record and take a vote that appeals this from the Zoning Hearing Board pending the submission from the attorneys for the church that say that they will grant us thirty days and our attorneys replying that this is legally acceptable.

GURRERI Mr. Gurreri agreed.

SCHENCK Mr. Schenck asked what that would get the township. He asked what the difference of the extra thirty days would mean as opposed to appealing the ruling.

BISHOP Mr. Bishop responded that the difference would be that the newspaper headline is not 'Springettsbury Township Board of Supervisors appeals

Zoning Hearing Board ruling against the church.' Mr. Bishop added that no township money would be spent to do the appeal.

MALONE Attorney Malone indicated that as long as the church could get the Land Development Plan, the township could file the appeal. He commented that if they had to litigate the appeal it would take over six months. He added it would take between $2,500 to $3,000 in expenses, and it will take as much in his time as a donation.

BISHOP Mr. Bishop stated that there was no intention of anyone here to do that.

GURRERI Mr. Gurreri indicated he was in favor of going with the thirty days.

MITRICK Chairman Mitrick stated that everybody sitting up here wants that grace period of thirty days. We want to work with you and we do not want the appeal process. Chairman Mitrick indicated that there was a consensus here, to opt for the thirty days to work with the church. She assured the church that the staff, engineers and Mr. Stern know what the Board would like, and they know what we would hope for in regards to a buffer yard and landscaping. They will also be very in tune to your limitations, and if you are willing to go on record granting the thirty days, then we can consult with our attorney the first thing in the morning to see if we can accept that in lieu of starting the appeals process.

RITTERPUSCH Rev. Ritterpusch stated that they would stipulate to that.

ULRICH Mr. Ulrich stated they would sign that.

MALONE Attorney Malone agreed.

MITRICK Chairman Mitrick stated that the Board wanted to work with the church. She stated that Advent Lutheran church is in an absolutely beautiful community, and it is because this Board of Supervisors and previous Boards of Supervisors have had to face difficult situations to keep the community as nice as it is. She stated that this was not offensive to the church nor to any development, simply just part of the process. Chairman Mitrick formally thanked her colleagues for giving the prolonged time for this discussion. As Mr. Bishop said, it was inappropriate on the Agenda. For almost an hour the matter had been discussed, and it was out of respect for the church community and the fact that the Board did not want to create anything that would appear adversarial to you.

Chairman Mitrick indicated she needed to have a consensus from the Board and indicated they would go on record. She asked Attorney Malone whether he was satisfied.

Consensus from the Board was to accept the granting of 30 days in lieu of filing the appeal.

MALONE Attorney Malone indicated that he was satisfied. He asked whether the Board wanted Attorney Yost and him to prepare something for signature.

SCHENCK Mr. Schenck stated he did not think there would be a problem with our attorney drafting the document. He asked Attorney Malone to be clear on who from the church group could sign it.

MALONE Attorney Malone indicated that the document would state that there would be an extension of thirty days to file the appeal.

MITRICK Chairman Mitrick indicated that Mr. Ulrich had contacted her today and indicated that he would be willing to be a spokesperson. She asked Mr. Ulrich whether there was anything further he wanted to say.

ULRICH Mr. Ulrich responded that a conclusion had been reached, and the church would go with the thirty-day extension at this time. He added that there would be full cooperation with Mr. Luciani and Mr. Stern and stated that he was sure this could be accomplished.

GURRERI Thank you all for coming here tonight. It is good to see so many people here this evening.

MITRICK Chairman Mitrick thanked everyone for coming.

C. Electrical Installation Project.

AMIC Mr. Amic commented with regard to the Change Orders related to the farmhouse. There had been three items discussed which had been held in abeyance for a Work Session. Mr. Amic had one additional item for discussion. One was to furnish and install all material and labor necessary to complete the work indicated in this change order which is a total of two new 6 panel doors located on the first floor and installing new hardware for those doors as required by the Dept. of Labor & Industry. The change order total is $2,780.21. This was held in abeyance for further explanation. Mr. Amic asked whether the Board's direction was that the Change Order could be approved.

SCHENCK Mr. Schenck asked what the Change Order included.

AMIC Mr. Amic responded that Change Order #1 was for two new six-panel doors and the hardware.

GROVE Mr. Grove provided a summary of the L&I items from the previous meeting.

AMIC Mr. Amic stated that these were items that L&I required. Change Order #2 was for general construction which involved the broken glass and the front porch for $225 or $1,065, and the last one was related to the emergency lighting battery packs and that was $4,627. Mr. Amic indicated that the matter is at a point where work is just about ready to be stopped.

MR. SCHENCK MOVED FOR THE APPROVAL CHANGE ORDER #1 AND #2 TO MPJ CONSTRUCTION. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

MR. SCHENCK MOVED THAT CHANGE ORDER #1 FOR SHANNON SMITH ELECTRICAL BE APPROVED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

AMIC Mr. Amic stated that the next question was about the electrical work on the second floor.

GROVE Mr. Grove explained that the Board had asked Murphy & Dittenhafer to come back with a proposal on doing the electric work and to break out costs of the second floor. Following that meeting they were in touch with Shannon Smith, and were advised there are no additional costs to his request #2 cost of $13,695. That cost indeed did provide new electric.

GURRERI Mr. Gurreri stated it didn't need a new service; it's now a 100-amp service.

FISHER Mr. Fisher stated that the problem with it was when you asked the question, we had just received a number and had not gotten any breakdown information with that number, so we were unable to tell you what it included. We have a clarification letter from him that says that because of the request and the way the request was written what you end up with is a completely confined building electrically.

SIMMONS Mr. Simmons stated that his understanding was that there were going to be different proposals as far as what it would take to rewire.

SCHENCK Mr. Schenck commented that the assumption was that the $13,695 would result in knob and tube wiring and 60 amp service, and we questioned what it would cost to get the job done correctly; the answer is $13,695.00.

SIMMONS Mr. Simmons commented that following a meeting with the electrician reviewing this, he did not see how they could accomplish that without

rewiring the whole place. What they are proposing to do for that price is essentially to bring everything up to code by completely rewiring, which is what was stated in their letter. They won't be able to use any of the knob and tube wiring that's going up through the walls. Everything will have a complete 3-wire installation.

BISHOP Mr. Bishop commented that this would not include tying off wires and not completing the work on the second floor.

FISHER Mr. Fisher stated that the original request which came from the township plus the statement that was given the electricians to price said simply that if they found something that was not in code compliance they were to include making it into code compliance. When they looked at the building everything that was not in compliance was priced to be compliant. The original question was to get a cost for the first floor and basement and a cost for the second floor. The price for the entire building had already been received, but they were unaware of this at the time the question was asked. As a result, there is no additional cost.

SCHENCK Mr. Schenck asked whether anything more than a letter had been received.

GROVE Mr. Grove responded that a breakdown of everything that was asked for had been received with specifics.

STERN Mr. Stern commented that he was concern about an all-inclusive cost. He pointed out the last sentence of the first paragraph stating that the proposal does not include cutting, patching and painting necessary to conceal wiring.

FISHER Mr. Fisher responded that the statement was made because the electrician was waiting for his proposals to be approved. If they are approved depending on how long it takes, the General Contractor continues to finish the building. If you don't move prudently on his request one way or the other, the General Contractor could reach a point where his work would require someone to go back in and tear things apart so that he can run the wires that he normally would have run under the original contract concealed.

STERN Mr. Stern asked whether the work was at a point where the walls were closed up.

FISHER Mr. Fisher responded that the General Contractor was made aware that he had closed up the walls prior to giving the electrician a chance to put the wires in them. The General Contractor will open up the walls and allow the wiring to be done. It is under his original contract and not additional to this. He is obligated to do that. He is responsible for the coordination

between all of the other prime contractors. He proceeded with work that now causes the other prime contractors work without getting their schedules in coordination.

SIMMONS Mr. Simmons stated that earlier this morning the General Contractor informed him that he was told to close up and the electrician made it apparent that the one area in question was that the duct work area was chased in. He was going to utilize the runs for new lighting and receptacles as well as smoke detectors. That was all closed up. Referring back to your statement, the GC had closed up some areas that the electrician was going to utilize.

FISHER Mr. Fisher stated that they had already gone back to the GC and told him that he is responsible for that coordination and he needs to make that provision. In our conversations this morning, he understood that and he was making arrangements to meet with the electrician to work that out.

AMIC Mr. Amic stated that he had reason to believe the comments because that was the way the contract was written.

FISHER Mr. Fisher indicated that it only amounted to two runs. The problem is that, in order for him to run a wire by code, he has to have a continuous wire for the fire alarm system. He can't have a junction box anywhere. This total is $13,695.00, and that is the total cost for the electrical wiring that was required.

FISHER Mr. Fisher indicated that the second item reviewed on the 23rd was the $11,059 for the smoke detection/alarm system and that was based on the request outlined by the Fire Chief and Code Officer.

BISHOP Mr. Bishop commented that this item was not just for the farmhouse; this cost incorporated some credits back for lesser requirements on the new building. The original question on the $11,059 was concerning any credit given from change order #2 for the $4,065.

FISHER Mr. Fisher responded that the $11,059 figure has already taken the deductions out of change order #2 and incorporated them in the $11,059 or the $11,059 would have been higher. In order to keep from having to go backward to revise what was already written, the proposed number was lessened.

AMIC Mr. Amic stated that the question was about the detectors and the dollar figure.

FISHER Mr. Fisher responded that that quote had been submitted to the Township for review and to the electrician, which showed the 40-some smoke detectors being removed.

AMIC Mr. Amic stated that he had received that submittal but added that he did not have any dollar amount.

FISHER Mr. Fisher responded that there was no dollar number. It had been sent over to you to make sure it was in compliance with what you requested. At the same time we sent it to the electrician for pricing by his fire alarm subcontractor.

BISHOP Mr. Bishop stated that approval was needed for the contractor to go ahead with this work.

MR. SCHENCK MOVED THAT THE BOARD OF SUPERVISORS APPROVE THE CHANGE ORDER REQUEST IN THE AMOUNT OF $13,695.00 TO BRING THE FARMHOUSE WIRING COMPLETELY UP TO CODE AND THE CHANGE ORDER REQUEST FOR $11,059 TO UPGRADE THE FIRE ALARM SYSTEM. THESE ARE FOR SHANNON A. SMITH ELECTRICAL. MR. BISHOP WAS SECOND. MOTION CARRIED.

6. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 8:40 p.m.

Respectfully submitted,

Paul W. Amic
Secretary

PWA/ja

BOARD OF SUPERVISORS **JANUARY 13, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors held their regularly scheduled meeting on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Ken Pasch
Don Bishop
Nick Gurreri

ALSO IN ATTENDANCE:
Paul W. Amic, Township Manager
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Robert Halbert, R. K. & K.
Mike Myers, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Mark Hodgkinson, Superintendent – Wastewater Treatment
Betty Speicher, Director of Human Resources
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m. Chairman Mitrick wished everyone a Happy New Year. She announced that following the Regular Meeting there would be an Executive Session regarding legal matters.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

B. Swearing in of Police Recruits – Hardy, Miller, Hess, Kochansky and James

MITRICK Chairman Mitrick stated that five gentlemen were present to take the Loyalty Oath for the Springettsbury Township Police Department. She explained that each one would come up individually with Police Chief Eshbach for introduction and to repeat the Oath. She added that if family members were present and photographs were desired that would be acceptable.

ESHBACH Police Chief Eshbach addressed the Board of Supervisors and the public. He stated that it was his pleasure to introduce five new members of the Springettsbury Township Police Department. He explained that five retirements over the past year necessitated the hiring of five new officers. Those officers had gone through a very rigorous application process including a written aptitude examination, physical agility test, a polygraph test, an oral interview, a thorough background investigation, a psychological examination, a doctor's physical examination, and drug screening test.

ESHBACH Chief Eshbach called Christopher M. Hardy forward. He provided information regarding Chris. He graduated from Millersburg Area High School in Millersburg, Pennsylvania and recently completed his 9th Modular Police Academy at the Harrisburg Area Community College. Chris worked full time for one year and put himself through the Police Academy every Tuesday and Thursday night and every Saturday for one year to complete his training. Chief Eshbach applauded Chris for his efforts.

SCHENCK Mr. Schenck led Chris through the Loyalty Oath.

ESHBACH Chief Eshbach presented Chris with his official Springettsbury Township ID badge. Chief Eshbach congratulated Chris.

ESHBACH Chief Eshbach called James A. Miller forward. Chief Eshbach provided information regarding "Jamie." He stated that Jamie had graduated from Altoona Area Vocational Trade School and was previously employed as a police officer in Lower Windsor Township Police Department. Chief Eshbach indicated that Springettsbury was fortunate that Jamie had chosen to come with the department.

GURRERI Mr. Gurreri led Jamie through the Loyalty Oath.

ESHBACH Chief Eshbach presented Jamie with his official Springettsbury Township ID badge. Chief Eshbach congratulated Jamie.

ESHBACH Chief Eshbach called Christopher W. Hess forward. Chief Eshbach introduced Chris to the public and stated that he held a Bachelor's degree in Biology from King's College in Briarcliff Manor, New York. He had served in the United States Army for five years and was honorably discharged with the rank of Sergeant. He welcomed Chris to Springettsbury Township Police Department.

SCHENCK Mr. Schenck led Chris through the Loyalty Oath.

ESHBACH Chief Eshbach presented Chris with his official Springettsbury Township ID badge. Chief Eshbach congratulated Chris.

ESHBACH Chief Eshbach called Stephan P. Kochansky forward and introduced him. Stephan graduated from Spring Grove Area High School and attends York College of Pennsylvania enrolled in a Bachelor of Science Criminal Justice degree program.

PASCH Mr. Pasch led Stephan through the Loyalty Oath.

ESHBACH Chief Eshbach presented Stephan with his official Springettsbury Township ID badge. Chief Eshbach congratulated Stephan.

ESHBACH Chief Eshbach called Scott S. James forward and introduced him. He stated that Scott holds a Bachelor of Arts degree in Speech Communications from York College of Pennsylvania and was most recently employed with the York County Sheriff's Department. He added that the Sheriff's Department's loss was Springettsbury Township's gain. He recognized Chief Deputy James Van Green as present in the audience to see Scott sworn in. Mr. Van Green and Sheriff Hose had provided very high recommendations of Scott.

BISHOP Mr. Bishop led Scott through the Loyalty Oath.

ESHBACH Chief Eshbach presented Scott with his official Springettsbury Township ID badge. Chief Eshbach congratulated Scott.

AMIC Mr. Amic commented that the first person sworn in has the most seniority.

BISHOP Mr. Bishop commented that this was probably the largest group sworn in at the same time.

ESHBACH Chief Eshbach responded that to his knowledge it was. He then invited the families of each new officer back to the department for a tour.

MITRICK Chairman Mitrick, on behalf of the Board of Supervisors, welcomed each one to the Police Department. She stated that the Board believed that Springettsbury has the finest force in the area and that they were aware of the very selective process. Chairman Mitrick stated that they were honored that they are part of the community and wished them well.

2. **COMMUNICATIONS FROM CITIZENS:**

MITRICK Chairman Mitrick asked whether there were any citizens present who would like to address the Board.

GORDOS Mrs. Irmgard Gordos of 3400 Eastern Boulevard, Apartment B-1 addressed the Board with a grievance against an officer. She stated that he had responded to her call and had come to her apartment because she was hearing music. She stated that she had done research and provided the Board with some written information.

MITRICK Chairman Mitrick asked whether Mrs. Gordos' concern related to a specific officer who had come to her home.

GORDOS Ms. Gordos responded that it was Officer Brewer Staub.

MITRICK Chairman Mitrick stated that since it was related to a specific officer, she would prefer that Mrs. Gordos make an appointment with Mr. Amic and discuss the matter in his office.

GORDOS Mrs. Gordos indicated that would be acceptable.

MITRICK Chairman Mitrick stated that it would go on record of her concern regarding police activity.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported a quick update to his written report. No relining had been done in reference to the contract on Harrowgate/Raleigh Drive. There had been correspondence with the contractor who is concerned with the muddy conditions, and he will wait until it dries up or freezes over so he can get his equipment in and out.

BISHOP Mr. Bishop commented that he would assume there was no real problem with the waiting. He asked if part of the problem had been fixed.

SCHOBER Mr. Schober responded that the replacements had been done, and they all look good. It may end up in a no cost change order to extend the contract time.

AMIC Mr. Amic interjected that that was what it would be. The fact of the matter is that this particular contractor asked for the delay himself. Originally Buchart Horn had him scheduled to do this work in conjunction with the other contractor and he asked for the delay.

SCHOBER Mr. Schober stated that this contractor requested not to get Notice to Proceed until Springfield was done with their work. Now he is complaining that Springfield's work caused the situation with the mud problem.

SCHOBER Mr. Schober continued with his report that the PLC system started up and a pay estimate was to be considered during this meeting. Mill Creek was also on the Agenda for award. Mr. Schober thanked the Board for appointing B-H as environmental engineer again and added that he looked forward to working with the Board again.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani reported that he, Messrs. Amic, Lauer and Stern met briefly to review several of the following items. Some widening would be taking place on Eastern Boulevard as part of the Caltagirone apartment project that was approved many years ago. There was some wetland mitigation to be completed. Mr. Lauer wanted to put a concrete bottom in that box culvert and extend that, and a proposal to do the township's end of that will be submitted. Mr. Luciani continued that in their meeting Mr. Amic laid out a number of township projects to move forward, one being the traffic calming project. A study was planned to try to eliminate cutting and speeding through neighborhoods. Some master planning traffic issues are being reviewed with TRG. A meeting had been set up with PennDot tentatively to discuss some bigger traffic improvement plans on January 25, 2000. This is not confirmed as yet but is a potential date. Mike Lopano from PennDot was invited to talk about some specific areas of improvement in the township.

C. Design Engineer – Rummel, Klepper & Kahl

HALBERT Mr. Halbert provided an update to his January 6 report. Regarding the parallel interceptor, documents were received back from the contractor and are now in the township's hand for signature. Notice to Proceed will be issued following signatures. Mr. Halbert commented that allowances had been made within the contract for changes in schedule. Mr. Halbert reported that testing had been conducted on the standby generator, with good results. An electrical engineer will do a walk through in order to close out the contract.

MITRICK Chairman Mitrick commented that there would be discussion regarding the tri-fold in the near future.

4. ACCOUNTS PAYABLE:

A. Regular payables As Detailed in The Payable Listing of 1/13/00
B. Buchart Horn, Inc.-Progress Billing #8-Mill Creek Interceptor-$354.40
C. Buchart Horn, Inc.-Progress Billing #12-Harrowgate/Kingston-$646

D. Springfield Contractors, Inc.-Progress Billing-Harrowgate/Kingston-$63,705.31
E. GES Technology, Inc.-Progress Billing #2-PLC System-$97,550
F. Rummel, Klepper & Kahl-Progress Billing #2-Biosolids Program-$2,296
G. C. S. Davidson-Progress Billing #10-East/West Interceptor-$190.17
H. Murphy & Dittenhafer-Progress Billing #15-Municipal Building-$3,219.43
I. Reed Smith Shaw & McClay-Progress Billing #9-Phase II Federal Grant-$2,527.69
J. Rummel,Klepper & Kahl-Utility Water System-Progress Billing #2-$1,371.

GURRERI Mr. Gurreri asked whether item H related to the farm house.

AMIC Mr. Amic responded that item H related to the construction and administration for the combination of the farm house and the present building under construction. The construction percentages are listed as 30% complete; that is probably largely for the farm house.

MR. GURRERI MOVED TO PAY ACCOUNTS PAYABLE A THROUGH G. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. SCHENCK MOVED TO APPROVE PAYABLE H. – MURPHY & DITTENHAFER PROGRESS BILLING #15 IN THE AMOUNT OF $3,219.43. MR. PASCH WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS I. AND J. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & QUOTES:

A. Mill Creek Interceptor Repair Project – Stewart & Tate, Inc.-$25,500 (recommend award)

AMIC Mr. Amic provided commentary regarding the Mill Creek Interceptor Repair bid. He had provided information to the Board relating to the project. The bid had been re-opened and a reasonable bid had been received from Stewart & Tate, Inc. of York, PA for $25,500.

BISHOP Mr. Bishop asked for a level of confidence regarding the bid in that it was for less than half of the other two.

SCHOBER Mr. Schober responded that Stewart & Tate was confident that they could do the work without a by-pass.

SCHENCK Mr. Schenck asked whether there was any concern about the minor omissions in the bid process.

SCHOBER Mr. Schober responded that none of the items were significant.

MR. BISHOP MOVED TO AWARD THE MILL CREEK INTERCEPTOR REPAIR PROJECT TO STEWART & TATE, INC. IN THE AMOUNT OF $25,500.00. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. Planning Module-A3-67957-305-3-Wawa Food Market-1,861 GPD (recommend approval)

STERN Mr. Stern explained item A. related to the Wawa Food Market planned for Stonewood Road and East Market Street for 1,861 GPD.

MR. BISHOP MOVED FOR APPROVAL OF THE PLANNING MODULE FOR WAWA FOOD MARKET – 1,861 GPD. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Subdivision 99-08 – Wawa – Granting Extension to 2/25/00

C. Land Development 99-12 – Wawa – Granting Extension to 2/25/00

STERN Mr. Stern explained that items B. and C. were extensions of time for Wawa Land Development and Subdivision Plans until February 25, 2000.

MR. BISHOP MOVED TO ACCEPT THE GRANT OF EXTENSION FOR SUBDIVISION 99-08 WAWA TO FEBRUARY 25, 2000. MR. SCHENCK WAS SECOND. MOTION UNANINOUSLY CARRIED.

MR. BISHOP MOVED TO ACCEPT THE GRANT OF EXTENSION FOR THE LAND DEVELOPMENT 99-12 FOR WAWA TO FEBRUARY 25, 2000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATIONS FROM SUPERVISORS:

GURRERI Mr. Gurreri commented on the newspaper article about Shirley Glass having cancer and asked for prayers in her behalf. He also reported that Bob Minnich was in the hospital with pneumonia.

GURRERI Mr. Gurreri reported that the Days Inn had invited the Supervisors to a luncheon on Jan. 19, 2000 to sample their food. They would like to have our business.

GURRERI Mr. Gurreri inquired about the food vendor at Lowe's. He thought they were going to leave there and they are still operating.

STERN Mr. Stern reported that they had been given their decision letter, and they are still within the 30 day trial period.

GURRERI Mr. Gurreri commented that the Home Depot building really was intrusive with the size of the structure. He asked Mr. Stern if the building was in compliance.

STERN Mr. Stern responded that it was in compliance.

SCHENCK Mr. Schenck commented favorably on the facade they are putting on the building that was torn down to tie them together.

GURRERI Mr. Gurreri stated the Board was invited to the Local Government Advisory Committee meeting Feb. 2, 2000 at Grandview Golf Course and Restaurant, Carlisle Rd., Dover, PA at 6:30 p.m. and to the Stats Convention April 9-12, 2000. He stated he would attend, along with Mr. Pasch and Mr. Schenck.

GURRERI Mr. Gurreri commented that he had completed two full years on the Board. He stated that when he first came on the Board Mr. Pasch told him it would take about two years to get oriented to this Board. Mr. Gurreri commented that he had been very proud to have been part of the sewer capacity project with the city. He added that Paul Amic had done a great job with that project. Thinking about Regionalization and the fact that nine municipalities had been involved in that was great. He stated that the Development Zone, which Mr. Stern had put together was a great opportunity for the Township. He had been proud of the Board for adopting the new zoning. Mr. Gurreri stated that one thing that he did not like was the farm house issue. The costs started out at $60,000 and now are at $120,000. He commented that this was a bleeding ulcer and the Board should have stopped it. The Chairman wanted this house to stay and everybody went along with it, and Mr. Gurreri had indicated it was a big mistake.

When Advent Lutheran was here for their buffer zone, there were 70 upstanding citizens, and the Board could not trust that they would do what they said they would do. The Board had to file an injunction against them.

The contractors snookered us and were awarded an $80,000 contract. The worst thing about it was at the staff meeting they admitted that they low-balled this contract. If they would have said costs were expected to be $100,000, the Board would have never fixed the house. The worst thing

you can do to a Supervisor is to give false information so that he can't make intelligent decisions. They said that somebody on this Board or somebody in this room told them to do that. Mr. Gurreri recommended that the Supervisors should follow up on that serious matter and should insist upon them telling us who told them. How can the township use someone that does that to us. Back in October the Chairman said that all Mr. Gurreri does is complain about that house, and he did not know what he was talking about.

MITRICK Chairman Mitrick interjected that she wouldn't have said that.

GURRERI Mr. Gurreri indicated it was in the minutes. He asked who knows what they are talking about when it comes to that house.

MITRICK Chairman Mitrick responded that the vote indicated that the Chairman was not the only one in support of the renovation of the farm house. The minutes indicate it.

PASCH Mr. Pasch indicated he would not be present at the meeting on February 10th.

GURRERI Mr. Gurreri stated that discussion had been held about the Appreciation Dinner to be held on Oct. 27, 2000 at either the Days Inn or Heritage Hills. Mr. Gurreri urged the Board to make a decision on either place. He asked whether more investigating on this matter was needed.

PASCH Mr. Pasch asked whether a budget had been established and added that as far as he was concerned if you are within the budget Mr. Gurreri was Chairman. Mr. Pasch had no problem with where it would be held as long as we can accommodate the people and it would be within the budget.

MITRICK Chairman Mitrick stated that she had asked Betty Speicher if she would give us a cost estimate and also measure what both places would offer, which was important. They both may come in at very close costs, but they may offer different things. Chairman Mitrick asked whether the Board would mind delaying it until the next meeting, when she thought they would have a fuller picture of what we would get at those places.

BISHOP Mr. Bishop stated that he agreed with Mr. Pasch that this is not necessarily something that has to come back to the Board. If Mr. Gurreri was willing to take responsibility for this and had all along and there was a budget established, he should proceed and make the decision. Mr. Bishop stated he did not want to micro manage every little decision that came along.

MITRICK Chairman Mitrick responded that her recommendation had been made because Mr. Gurreri had given her the information to look at and she did not feel it was a decision that she should make.

GURRERI Mr. Gurreri asked whether there was a preference of the two mentioned places. Hearing none, he indicated that it would be Days Inn.

GURRERI Mr. Gurreri mentioned the Community Day Picnic in June or July. Nothing had been done and someone needed to take that over. Mr. Schenck had expressed some interest.

SCHENCK Mr. Schenck indicated that he would be unable to take it over and further stated that it was a big job.

BISHOP Mr. Bishop reported that the last couple of meetings with the Emergency Services Commission had been really disappointing, because the fire companies were encouraged to go on their own to come up with some kind of a plan. Nothing had happened and no progress reports have been made. In fact, they have not showed up at many of the meetings. The other approach that was being pursued along with Solicitor Yost and Mr. Gurreri, was that Solicitor Yost had been working on changes to some of the township ordinances that would cause some significant changes in the way those organizations are to function. Mr. Bishop did not think it was appropriate to get into that but he wanted to alert the Board that those drafts of proposed ordinances either exist or would exist very shortly. Mr. Bishop had read two drafts and stated that Solicitor Yost had done a real good job. The Board should schedule some time to be briefed on them. There are some relatively significant as well as productive changes.

SCHENCK Mr. Schenck asked how Mr. Bishop would suggest that time to be set.

BISHOP Mr. Bishop indicated that the Board could probably understand the ramifications of it in about an hour session with questions to see the approaches being taken and some of the details and the kinds of decisions that need to be made to implement what is being proposed, if we decide to go that way.

PASCH Mr. Pasch asked what kind of time he would expect to spend.

BISHOP Mr. Bishop asked Solicitor Yost if the drafts were ready to go.

YOST Solicitor Yost indicated the drafts are available.

BISHOP Mr. Bishop added that the drafts are really final. There are a number of Board decisions on how things would be implemented, but Solicitor Yost had done his job.

PASCH Mr. Pasch indicated he wanted to be part of examining those ordinances and the drafts and where we go with it. Unfortunately, Mr. Pasch stated that he would not be in the area from February 1 until February 21, 2000. Mr. Pasch stated that if a meeting could be held either before that or after that time he would appreciate it.

BISHOP Mr. Bishop stated it could be done next week.

MITRICK Chairman Mitrick asked for a suggested date.

Consensus was to meet at the township building on Thursday, Jan. 20, 2000 at noon.

YOST Solicitor Yost indicated he would send copies of both ordinances to the Board members so they would have them in advance. This information will be mailed to the homes of the individuals.

BISHOP Mr. Bishop commented on an item for Mr. Stern's review. The Village Green Shopping Center is getting "trashy" looking. Banners, temporary banners, flyers and signs are looking bad.

BISHOP Mr. Bishop stated that the pump station would be discussed in Executive Session. He made two points, one that it might be valuable for the Board to determine what subjects would be discussed in Executive Sessions. Mr. Bishop viewed that as controversial from time to time. He added that with respect to the pump station, the Board had agreed that this was a project that it was very much interested in completing quickly. Mr. Bishop stated that completely it quickly was not the only priority that he would be in favor of pursuing at the expense of others.

BISHOP Mr. Bishop reflected upon some of the difficulties with the farm house and stated that it appeared to him that people who are working for the township may well have the opinion that when one is working for Springettsbury Township that the laws do not apply. Mr. Bishop does not have a level of confidence that all current projects are moving forward with all of the appropriate approvals and following all of the regulations of Springettsbury Township. He added that he did not have anything specific in mind and was not accusing anyone of anything. He added that he did not expect a response during this meeting, but that he would like to feel better about this some time in the near future.

MITRICK Chairman Mitrick responded that what was important was to emphasize that Mr. Bishop was speaking from what he felt because what he had stated was that he did not have concrete information to back that up but just an impression.

BISHOP Mr. Bishop stated he did not have any reason to believe that the laws had not been followed, but likewise no reason to believe that we have followed all of the procedures that would be required of someone else to follow.

MITRICK Chairman Mitrick noticed that the Springettsbury Township Planning Commission Meetings had been changed to the third Thursday of the month at 6:00 p.m. She added that there was a change in the Springettsbury Township Zoning Hearing Board Meetings, and they would be meeting on the first Thursday of each month at 7:00 p.m.

MITRICK Chairman Mitrick stated that she had received a letter from Mr. Schell from the Martin Library indicating in September that he requested an appropriation of $31,000.00 to continue the library work for the residents of Springettsbury Township. He was asking the township to follow up now that we are in the new year. The December report from Martin Library was also accompanied by a year end report for 1999, and based on their information there were over 2,000 residents who participated at the library that Springettsbury Township is partnering with Bradley Academy and Martin Library.

PASCH Mr. Pasch asked whether that was the number of hits they had or could those residents be repeats.

BISHOP Mr. Bishop indicated his understanding was that they were individual visits.

MITRICK Chairman Mitrick added that some of those were children, teens, adults and seniors.

MITRICK Chairman Mitrick reported that she had received a call from a resident by the name of Jodie Randall who lives at 2211 Rocky Ridge Court. She called in response to an article that she had read in the newspaper related to business at one of our recent meetings. She spoke about the “no outlet” sign that had been requested for Rocky Ridge Court because many people go on to her road thinking that they are going back to Rocky Ridge. Mrs. Randall stated that she did not want the Board to have the impression that the resident who requested the sign was speaking for all of the residents on Rocky Ridge Court. There are some residents in that area that did not want a sign put up.

AMIC Mr. Amic stated that the sign was put up today.

BISHOP Mr. Bishop asked why they would not want a “no outlet” sign.

MITRICK Chairman Mitrick indicated she had given a few reasons and one was that there aren’t that many homes back there, and she felt that the sign made it

look less welcoming. Also, basically some of the residents on that Court just did not like the sign itself. Possibly that sign could have been placed on the edge of her property.

AMIC Mr. Amic stated that he would look into the matter again.

MITRICK Chairman Mitrick indicated she had received a call from a Mrs. Hayes on Eberts Lane. She is very concerned about the adjacent property and the number of automobiles that are allowed to sit around the property. Some of the vehicles are in various stages of decay, and she was wondering if someone from the staff could call her and explain to her how a business such as that is allowed in a residential zone. Chairman Mitrick indicated she would provide the address and phone number for Mr. Amic.

MITRICK Chairman Mitrick asked whether Mr. Amic had received a copy of a letter from Police Officer Ziegler.

AMIC Mr. Amic responded that he had received the letter and one additional one to bring to the next meeting.

MITRICK Chairman Mitrick explained that Retired Officer Ziegler had sent her a letter regarding the status of his pension.

8. SOLICITORS REPORT:

YOST Solicitor Yost reported that last week following the reorganization meeting, he had filed an Appeal in the Advent Lutheran Church zoning case as a protective action after determining that the extension of the time agreement that the church had offered would not be legally effective. Solicitor Yost stated that he knew the Board could not take action either authorizing or directing that the Appeal not be filed. It can always be withdrawn if that is the Boards' interest. No one has spoken to me since the filing of the Appeal to try to adjust any differences that may exist.

PASCH Mr. Pasch stated that, as he had told Attorney Malone, he was acting like our attorney in telling us what could be done and indicating that it would be legal. He had assured the Board that it was. Mr. Pasch further stated that had he known at that time that it was not a legal possibility, I would have said to file the Appeal right then. Mr. Pasch stated that he thought the Appeal was the appropriate step to take. Advent Lutheran Church must come up with in an agreement that will be satisfactory.

MR. BISHOP MOVED TO RATIFY THE SOLICITOR'S ACTION IN FILING AN APPEAL. MR. PASCH WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

YOST Solicitor Yost reported on the THF Realty zoning appeal and stated that a settlement agreement had been signed by THF Realty. The only change made from the draft was in Paragraph 3, which had said that "THF agrees that the sign to be erected pursuant to Paragraph 2, hereof, shall be the only free-standing sign erected or installed in the shopping center generally known as York Mall including the Sam's Club site." They would not accept the language stating "including the Sam's Club site" on the theory that this was technically no longer a part of the York Mall complex insofar as ownership is concerned because WalMart or Sam's cut off that parcel for financing, or tax reasons. It is on a separate parcel of land. Solicitor Yost's position was that it now at most is ambiguous. Sam's Club is a part of the York Mall complex regardless of whether THF owns legal title to it or not. It had always been a part of it, and the only reason the subdivision was permitted was because they asked for it specifically in their financing or for tax reasons just as over at the Galleria a few of the anchor stores have done the same thing. Solicitor Yost was satisfied with this agreement. His only concern was that Sam's Club would come in and say that they wanted a free-standing sign on Northern Way. Solicitor Yost added that he could live with this agreement. It had been signed by THF and approved by WalMart. Solicitor Yost asked for the Board's signature on the agreement.

PASCH Mr. Pasch asked what the township's position would be if Sam's were to come in and ask for a free-standing sign on Northern Way.

YOST Solicitor Yost stated that the position was that this agreement permitted only one sign on the York Mall complex. The sign would be denied. They could come back and say THF Realty, which owns the York Mall doesn't own the Sam's Club site; we'll go back and show the history. They wanted to write down the building as opposed to expense lease hold. We understood that, and that is why it was subdivided. My recollection was that they do not have sufficient parking on their parcel to support their building. The parcel they own has the box on it but that's it.

PASCH Mr. Pasch stated that if they pursued it too far they'd put themselves out of business.

STERN Mr. Stern added that Sam's Club bought some signs last year. The Zoning Hearing Board heard their arguments that Sam's Club was separate and ruled that it was part of the shopping center.

PASCH Mr. Pasch stated that based on the history it looked like we are in good shape.

YOST Solicitor Yost added that they can not stand alone without the parking of the York Mall. That is the only change from the original draft that the

Board had seen, and I think approved. Solicitor Yost asked for signatures on this, because I think they were in today looking for a permit from Andrew.

MITRICK Chairman Mitrick asked whether that should be done by motion.

YOST Solicitor Yost recommended that it be done by motion approving this agreement authorizing the signature by the Chairman and the Secretary.

MR. PASCH MOVED THAT THE SETTLEMENT AGREEMENT BE APPROVED ON THE THF YORK DEVELOPMENT ZONING APPEAL AUTHORIZING SIGNATURE BY THE CHAIRMAN AND THE SECRETARY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. MANAGERS REPORT:

AMIC Mr. Amic reported that he had received a letter from Mark Hodgkinson relating to a Risk Management Plan that the Board approved last year and of which the filing was required by June 21, 1999. This related to conditions in our plant, and particularly chlorine. All filing requirements were met. The Environmental Protection Agency required that a Public Hearing be held on this matter. This Public Hearing should be announced and held prior to February 1, 2000. Mr. Amic suggested that the Board have this meeting prior to the next January meeting. Mr. Hodgkinson suggested that Acer engineers who were prepared the report should make the presentation. Their name has now been changed to Hyder Consultants and the cost for this service is $1,775.00. Mr. Amic asked whether anyone was present representing Hyder, and there were none. Mr. Amic objected to hiring the firm for $1,775.00 even though Hyder claimed that they do this all of the time and are very experienced. He questioned whether anyone on staff here could answer all of the necessary questions.

HODGKINSON Mr. Hodgkinson stated that he would feel confident to answer questions.

BISHOP Mr. Bishop questioned who might be asking questions.

AMIC Mr. Amic stated that since it would be a Public Hearing anyone might question.

BISHOP Mr. Bishop asked what would happen if we don't have the answers.

AMIC Mr. Amic responded that an answer would be prepared and presented later. Mr. Amic added that he did not expect the meeting to last more than a half hour prior to the next meeting.

HODGKINSON Mr. Hodgkinson responded that he had spoken with a representative of Hyder who had made several presentations. Only one citizen showed up. This Hearing would be basically to let the public be aware that the township has chlorine (over 2500 lbs.) on site, which is a highly hazardous chemical and additionally to explain to them that there is training and an active plan enacted if there were a leak.

Consensus was to hold the Public Hearing on January 27, 2000 at 7:00 p.m.

10. ORDINANCES, RESOLUTIONS, AND AGREEMENTS:

A. Resolution 00-18-Christopher W. Hess-Basic Training Program
B. Resolution 00-19-Stefan P. Kochansky-Basic Training Program
C. Resolution 00-20-Scott S. James-Basic Training Program

MR. BISHOP MOVED FOR APPROVAL OF RESOLUTIONS 00-18, 00-19 AND 00-20 AUTHORIZING THE BASIC TRAINING PROGRAM FOR POLICE RECRUITS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Resolution 00-12-Appointing Members to the Emergency Services Commission

AMIC Mr. Amic commented that Resolution 00-12 had been questioned during a previous meeting. The questions had been clarified.

BISHOP Mr. Bishop stated that Mr. Krout recently had been contacted, and he indicated he would be willing to serve on the Commission again.

MITRICK Chairman Mitrick asked whether continuity was important at the point of business and in the nature of the work of the commission right now.

BISHOP Mr. Bishop responded yes, and no, depending on what the Board decided to do. He could visualize that this Commission might not be particularly important at all. Chief Eshbach is the only one with continuity.

MITRICK Chairman Mitrick asked Mr. Bishop if he was willing to serve again on this Commission.

BISHOP Mr. Bishop indicated he was willing to do it again. The work will continue whether he was involved or not.

GURRERI Mr. Gurreri stated that the volunteer fire people do not respect us. They do not show up at the meetings. He suggested that it might be good to have other representation from the Board. Mr. Gurreri stated that he did not feel that he had been able to accomplish anything in the last two years

and did not wish to be reassigned for another two years. He thought Mr. Pasch would do a very good job.

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 00-12 APPOINTING THE MEMBERS TO THE SPRINGETTSBURY TOWNSHIP EMERGENCY SERVICES COMMISSION. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Resolution 00-14-Appointing Member to the Zoning Hearing Board

AMIC Mr. Amic commented that the Board had pointed out during the previous meeting that Resolution 00-14 had two names, which were not correct. Dates and names had been corrected.

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION OF 00-14 RE-APPOINTING JOHN SCHMIDT TO THE ZONING HEARING BOARD UNTIL JANUARY 2004. MR. GURRERI WAS SECOND. MOTION UNAIMOUSLY CARRIED.

F. Resolution 00-21-Approving License Agreement-Norfolk/Southern 1029567

G. Resolution 00-22-Approving License Agreement-Norfolk/Southern-1029042

AMIC Mr. Amic commented that the Board had passed agreements with Norfolk/Southern Railway related to the pump station project. Additionally Resolutions are required. The following Resolutions will close the project.

MR. BISHOP MOVED FOR THE ADOPTION OF 00-21 AND 00-22 AUTHORIZING LICENSE AGREEMENT WITH NORFOLK/SOUTHERN RAILWAY CO. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. Main Extension Agreement-York Water Company/First Baptist Church

AMIC Mr. Amic explained that item H. relates to a standard water company agreement.

MR. GURRERI MOVED TO APPROVE YORK WATER COMPANY FIRST BAPTIST CHURCH MAIN EXTENSION AGREEMENT. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. **ACTION ON THE MINUTES**:

A. Board of Supervisors Budget Work Session-November 15, 1999

PASCH Mr. Pasch commented that in many instances during meetings, a number of action items are called for; however, Mr. Pasch had not seen those item surface as any Old or New Business Items on the agenda for discussion. He provided several examples from the Budget Work Session on November 15th. He was particularly interested in the CPA firm from the Scranton area, which performed audits for a percentage of what was collected. Mr. Pasch recalled that they had submitted a letter to the township 4 to 6 months ago.

AMIC Mr. Amic agreed to follow up on the matter.

MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS BUDGET WORK SESSION NOVEMBER 15, 1999. MR. PASCH WAS SECOND.

MITRICK Chairman Mitrick stated that, inasmuch as Mr. Gurreri had not been in attendance at that meeting, she did not think it was appropriate for him to make the motion.

GURRERI Mr. Gurreri rescinded his motion.

MR. BISHOP MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS BUDGET WORK SESSION ON NOVEMBER 15, 1999. MR. PASCH WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT IN ATTENDANCE. MR. SCHENCK ABSTAINED AS HE ALSO WAS NOT IN ATTENDANCE.

B. Board of Supervisors Public Hearing – Flexible Development Zone – November 18, 1999

PASCH Mr. Pasch commented that on page 16 there had been comment from Jan Eisenhart about getting a path approved around the Development Zone. He asked whether anything had been done.

STERN Mr. Stern had heard nothing since the night of the Public Hearing.

PASCH Mr. Pasch asked whether the township should be pursuing this. Ms. Eisenhart had indicated that it would be legal to do that as much as sidewalks.

STERN Mr. Stern responded that he would contact her. It was his understanding that she would provide the township with information that she said she had.

BISHOP Mr. Bishop stated that he recalled specifically asking her if her information was relevant to Commonwealth of Pennsylvania law.

PASCH Mr. Pasch liked the idea of the path. He would like to see someone contact her.

MR. GURRERI MOVED FOR APPROVAL OF THE BOARD OF SUPERVISORS PUBLIC HEARING FLEXIBLE DEVELOPMENT ZONE NOVEMBER 18, 1999 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. **Board of Supervisors Work Session – November 22, 1999**

PASCH Mr. Pasch again commented on action items noted in the minutes on pages 5, 10, 12, 22, 24, 31. On page 21 comment was made regarding the Ambulance Club. Mr. Pasch asked whether that matter had been resolved.

AMIC Mr. Amic responded that a weak agreement had been drafted, but nothing had been resolved. The Board would have to address this in some manner.

PASCH Mr. Pasch would like to see action on that matter.

BISHOP Mr. Bishop stated that the matter was one of the subjects for discussion at the next meeting.

Because several of the Supervisor's copies were not complete, consensus was to hold these minutes in abeyance until full copies are available.

C. Board of Supervisors Development Zone Work Session-Nov. 22, 1999

MR. GURRERI MOVED FOR APPROVAL OF THE MINUTES OF THE BOARD OF SUPERVISORS DEVELOPMENT ZONE WORK SESSION NOVEMBER 23, 1999. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Board of Supervisors Public Hearing – On-Lot Systems – Dec. 9, 1999

MR. GURRERI MOVED FOR APPROVAL OF THE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING ON LOT SYSTEMS DECEMBER 9, 1999 AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Board of Supervisors Regular Meeting – Dec. 9, 1999

PASCH Mr. Pasch again raised his point about action items mentioned in the minutes. He also asked about Mr. Stern's statement concerning traffic counts to the extent of the validity given them.

STERN Mr. Stern responded that this was not an across-the-board general comment. He would agree that for certain traffic counts there is validity, but not across-the-board.

PASCH Mr. Pasch asked how one could distinguish between those that are valid and those that are not.

MITRICK Chairman Mitrick asked whether Mr. Stern's comment had been made as related to the uniqueness of the zone.

STERN Mr. Stern responded that the actual counts are valid. The meaning those counts have isn't always valid, especially in relation to this new Flexible Zoning district. There would be no way of forecasting future uses.

PASCH Mr. Pasch suggested that if that were the point, then it would be important to have that in the minutes. It should be stated that Mr. Stern's concern was related to the new type of Flexible Development Zone where there was insufficient data to project traffic for the future. Mr. Pasch added that the Board must do something about this traffic problem.

AMIC Mr. Amic commented that, referring to Mr. Luciani's earlier report, there had been a kick-off meeting earlier this week on Wednesday. In addition to discussions with Mr. Risetto, all that information had been discussed. Mr. Risetto is to explore the possibility of federal transportation grants for this area. TRG had attended, and they are excellent traffic people. They were asked to begin to prepare certain things for the Board that something should be prepared for discussion by the second week of January, 2000. Mr. Amic added that the point was well taken because that was a concern of all the Board members.

PASCH Mr. Pasch stated that a real problem would be created with what was being planned, and unless something is done in advance of all of this happening there may be severe problems. Mr. Pasch continued that he would expect follow-up on the entire traffic issue.

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING-DECEMBER 9, 1999 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

There was no Old Business brought forward for discussion**.**

BISHOP Mr. Bishop stated for the record that item D. shown on the Agenda should have read "Extension to 7/31/2000."

13. NEW BUSINESS:

A. Labor Counsel – Reed Smith Shaw & McClay Proposal

AMIC Mr. Amic commented that item A. appeared on the Agenda for the Board's consideration. One proposal had been received in December and there had been questions about that particular proposal.

BISHOP Mr. Bishop asked whether he missed something in reading this proposal. He had received only a brochure about a law firm.

AMIC Mr. Amic stated that there had been a letter included.

BISHOP Mr. Bishop indicated he had not received the letter.

Consensus of the Board was that none of them had received the letter.

PASCH Mr. Pasch commented that the firm had excellent credentials

GURRERI Mr. Gurreri commented on Mr. Amic's report regarding the York County Planning Commission. The priorities shown for the77 total transportation projects indicate that Camp Betty Washington Road is number 2 in priority, Mt. Zion and Deininger Rd. are number 3, Route. 30 and Memory Lane are number 8, as well as East Market Street and Pleasant Acres Rd. and Sheridan Road. That is good news.

SCHENCK Mr. Schenck commented that there had been copies of letters back and forth from the Emergency Health Services Federation.

BISHOP Mr. Bishop commented that to an extent the issue would be addressed next Wednesday.

SCHENCK Mr. Schenck stated that he had some personnel concerns. He added that he considered this matter to be Executive Session material.

Joint Partnership Application – Federal Grant Funding

MITRICK Chairman Mitrick asked Mr. Amic to report on the meeting with Mr. Risetto.

AMIC Mr. Amic reported that a meeting had been held with Chris Rissetto, funding counsel, Mr. Pasch, Chairman Mitrick and Phil Briddell and one additional member of York County Sewer Authority.

Mr. Amic reported that a lengthy discussion had been held regarding Mr. Briddell's request that a joint application or proposal be placed before our public officials in Washington. That proposal would contain nearly $4,000,000 of items to be built and re-built inside the York City Plant, and of course, Springettsbury Township's additional $1,000,000 would total the grant at $5,000,000.

Mr. Amic addressed concerns voiced in the meeting. The York County Sewer Authority indicated that they were going to apply for their own funding through the same programs with which Springettsbury had been successful. The competitive nature of that with what Springettsbury had filed for, and adjacent to our application would be another York County community filing for funding as well. The question was raised as to Springettsbury's position at that point. It may very well be that we have received funding the last two years and now someone else might receive funding. This would be a competitive situation if the joint application were not filed.

Mr. Amic commented a further discussion centering around the fact that Mr. Risetto could not represent the York County Sewer Authority unless we would permit that, a point which Mr. Risetto made clear. Springettsbury would have to sign the necessary legal documents releasing him to represent both Springettsbury and York County Sewer Authority. Splitting Mr. Risetto's fees was also discussed.

The initial decision to make would be whether to jointly apply for the federal grants with the Sewer Authority or not. If we do, there is a possibility that we will receive $1,000,000, which we received the last two years, but only will receive a portion of it and York City will get a portion as well. There was also the possibility that to receive the whole thing, which is $5,000,000. There is the possibility that if the Sewer Authority submitted a competitive request they would receive funding and Springettsbury would receive nothing.

Mr. Amic stated that he could not see where this would benefit Springettsbury Township. It was made clear by counsel that he was very enthusiastic and almost positive that we would receive third-phase funding. He also did point out in fairness that other areas of the country have been funded in unlike type projects which concerned Mr. Amic

because there is the rehabilitation of the sewer plant in conjunction with the construction of a joint access system, so the nature of that is different. Mr. Rissetto pointed out other locations and brought some documents along to show us that joint applications do get funded.

Mr. Amic added that the fact that we did it together (with the Sewer Authority) would not preclude that Springettsbury couldn't be funded. He was optimistic that this would be successful. Of course, being the nature of the business, there are no guarantees. York City Sewer Authority is going to apply either with or without us, and if it is without us it will be competitive and then who knows the outcome. Mr. Risetto will not be representing them. We will have our Congressman and Senators being lobbied by two different law firms.

PASCH Mr. Pasch felt it important to add that Mr. Risetto gave very positive encouragement in terms of the possibility of getting more money. He stated that the split of money would not be up to us or the Sewer Authority but that a decision would be made by the Congress in terms of a split being made and direct it to the EPA as to how it is going to happen. Springettsbury was asking for another million, and the Sewer Authority would be asking for four million. The largest share of this is going to be asked for by the York City Sewer Authority. If it gets split on a percentage basis, no matter what would be received, it would be divided among Springettsbury Township and the nine other communities that we service with the plant, and they would participate in the $1,000,000. Anything received less than the $5,000,000 would be less than what we asked for.

BISHOP Mr. Bishop pointed out it would be proportionally less, i.e., if the township receives half of the $5,000,000, we actually end up with less than the $1,000,000.

PASCH Mr. Pasch commented that it was a 20/80 ratio without any question.

AMIC Mr. Amic responded that based upon all of the cost data that we have at this point, the $3,000,000 would be enough for us to do the project comfortably. Last year in this Commonwealth of Pennsylvania there were two projects funded under this program. The funding was between Springettsbury and the City of Pittsburgh on a waterfront project. Mr. Risetto stated that there will be a lot more funding this year due to conditions changing.

BISHOP Mr. Bishop asked Mr. Pasch for his impression of the downside for Springettsbury if it goes in with our counsel and the Sewer Authority goes in with a different counsel.

PASCH Mr. Pasch responded that as far as he was concerned, the only way that Risetto's firm could do it with the City was for Springettsbury to sign off and say that we agreed to it.

BISHOP Mr. Bishop stated that his question was related to Springettsbury saying "no" to that scenario.

AMIC Mr. Amic added that the downside would be that they would possibly ask for their $4,000,000. We are going to ask for our $1,000,000, and what our good public officials might say is that they funded Springettsbury two years in a row for a million and now are going to fund the City Sewer Authority of York. Springettsbury may get nothing.

BISHOP Mr. Bishop added that there also would be the possibility that they may fund both as opposed to the possibility that they would take both of them and say cut it in half, wherein which case Springettsbury is better off separately then together.

PASCH Mr. Pasch stated that he had a real problem with our counsel also representing them and added that he would have difficulty recommending to the Board that we agree that his firm can represent both. In addition, Mr. Pasch had suggested a separate agreement that no matter what the EPA says on the manner of the split it could be split how we want and he said that can't legally be done. The EPA would make that decision.

MITRICK Chairman Mitrick commented on an additional issue that they brought up, which was that the people in Washington would be discussing the allocation of "x" amount of money already to Springettsbury. Consideration must be made of the position in which we would be putting Congressman Goodling, as well as Senator Santorum, who have both given a tremendous amount of support to our funding. It is difficult to measure how they would view these projects if they came in separately or if it was a joint venture.

PASCH Mr. Pasch stated that with the type of grant it is extremely difficult to prognosticate what would happen.

AMIC Mr. Amic commented that he did not see any way that Springettsbury would not be damaged unless we get all of the money that everybody wants.

MITRICK Chairman Mitrick stated that the York City Sewer Authority wanted to put this on a fast track for themselves because they know that activity is already going on in Washington, and they have a meeting next week. They would like this Board to send forward some decision so that they can respond and do what they have to do.

PASCH Mr. Pasch added that it was important also to point out that Mr. Risetto indicated that what they call Springettsbury's "white paper," outlining what the project is, had already been submitted. That white paper would have to be amended.

MITRICK Chairman Mitrick stated that that specific question had been asked, and the response was that basically a very logical story could be built upon the fact that this new part of the request is being tacked on, a scenerio could be built from that.

BISHOP Mr. Bishop commented that Springettsbury does not have a particularly good track record of being able to easily cooperate with the York City Authority.

AMIC Mr. Amic responded that they have their own interests, and he would not find fault with that. However, this may put us in a position to receive less money unless there is a lot more money to be passed out in Washington.

GURRERI Mr. Gurreri stated that when we first started this that Phil Briddell was a lot of help. The way Mr. Gurreri viewed this, he thought the township should stay with our own million and take our chances.

MITRICK Chairman Mitrick added that one of her concerns was that it took a lot of time to establish the agreement. She wondered why York City Sewer Authority is coming in at the eleventh hour basically, in relation to our grant applications, with what they need. She thought that they would have determined what they had to do within their own plant prior to their signing any agreement for additional flow. We might be attaching ourselves to an application that looks weak because it wasn't prepared in a timely manner which means two applications and agreements two years ago.

SCHENCK Mr. Schenck suggested that Springettsbury proceed as we had, and if they want to engage someone else, let them.

PASCH Mr. Pasch added that it would cost more money initially, but in the long run it would cost us less money as far as the attorneys fees and the representation fees are concerned if it were a joint agreement, that was the least of Mr. Pasch's concern. Springettsbury Township had been very successful thus far getting $2,000,000 for a $120,000 total investment. If we drop that million dollars and drop it to $30,000.00 as our share, $20,000 to $30,000 was saved, but if we jeopardize 50% of what we went in for we've lost $500,000. It is not an easy decision except that on a pro-rata basis all we stand to do on this is to lose funds. I think it is important to point out that this includes not just Springettsbury Township but also all

of the users of the Springettsbury Township Plant which include York Township, Manchester Township and all the municipalities involved. They all benefit from it.

AMIC Mr. Amic stated that would present another complication in that they would want to know what kind of an agreement we signed with them. Mr. Amic was unsure whether the township could sign this kind of an agreement with them without concurrence with the other municipalities.

SCHENCK Mr. Schenck stated that the township got concurrence originally.

AMIC Mr. Amic added that, given the fact that we fail because of this, all the other communities are involved also.

PASCH Mr. Pasch added that if Springettsbury pursues another million and comes up with zero, they all have to put in a share of that which they would not have had to put in.

BISHOP Mr. Bishop commented that according to Mr. Briddell's schedule, it would be a virtual impossibility to get an agreement from all nine municipalities.

AMIC Mr. Amic stated that the last time we received an inter-municipal agreement, it took six months of circulation of the document to have the Board vote on it, which public officials have to do. You just can't have this done immediately.

MITRICK Chairman Mitrick asked for a consensus.

SCHENCK Mr. Schenck stated that the response should be thanks for considering us, but no thanks.

YOST Solicitor Yost suggested that the action be done in the form of a motion.

MR. SCHENCK MOVED THAT THE BOARD OF SUPERVISORS AUTHORIZE THE MANAGER TO DRAFT A LETTER AND COMMUNICATE WITH YORK CITY SEWER AUTHORITY THAT WE APPRECIATE THEIR OFFER BUT CHOOSE NOT TO PARTICIPATE IN THEIR SUGGESTED PARTNERSHIP FUNDING APPLICATION. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick commented that discussion had taken place with Attorney Hoffmeyer relating to Springettsbury Township and having our staff representing concerns at Zoning Hearing Board meetings. A few years ago there had been a situation where somehow an impression had been received at a particular meeting that it was inappropriate for someone from our staff to represent township matters or positions. I believe that

Mr. Amic and Mr. Stern need to know very clearly from the Board what we heard Mr. Hoffmeyer say in that meeting and also what we would like the staff to do in regard to representation with zoning cases. She asked whether anyone on the Board could recall what had been discussed.

GURRERI Mr. Gurreri responded that he and Mr. Pasch had attended a meeting in Shippensburg where they reported that they always had a representative at the Zoning Hearing Board, and they stand and state their position about the projects on the agenda.

MITRICK Chairman Mitrick indicated that the township had not been represented because there had been confusion over the status of that question. She asked what the Board would like the staff to do.

SCHENCK Mr. Schenck responded that the staff should definitely defend the township's position at those hearings. He instructed that this could be done.

PASCH Mr. Pasch added that that had been his impression from Attorney Hoffmeyer as well as this seminar that we attended.

YOST Solicitor Yost agreed 100% and added he never thought it was an issue.

PASCH Mr. Pasch echoed agreement that the staff should represent the township.

AMIC Mr. Amic stated he was pleased to hear that because he had never understood the previous position taken by the Zoning Hearing Board solicitor. He added that Mr. Stern and he had a discussion about that and he wanted to know what my position was. Mr. Amic advised Mr. Stern that, as far as he was concerned Mr. Stern was the Deputy Zoning Officer and Mr. Amic the Zoning Officer. Mr. Stern would be interpreting the zoning law which is what his privilege and responsibility is, although literally, but the fact is he would certainly have a right to step up in front of the Zoning Board and expound his position.

BISHOP Mr. Bishop agreed and would take it a step further. He suggested that someone was needed to enforce some discipline upon the Zoning Hearing Board so that the rulings they make actually make sense. The specific situation that I can recall, because I was there, and I read the minutes again today on this Lowe's food wagon where they came up with a motion which was exactly the right motion and then they tagged on a sentence. They upheld the cease and desist order, which is what they should have done, and then they went on to say what the applicant could do next in the process. Mr. Bishop stated that what had taken place, in his opinion, was totally ridiculous, illogical and counter productive because it really took some leverage out of our hands. When a cease and desist order is upheld

and it is stated that you can do this or that, you shouldn't try to altar it. We need to encourage someone on our staff to challenge those kinds of things. It sounded as though they gave it and then took it away. In the minutes it was made a little more clear, and I assume the minutes were ratified. Somebody needs to ask questions as to the meaning of certain things when you make a motion like that.

AMIC Mr. Amic asked Mr. Bishop, from his experience on the Zoning Hearing Board, whether that was proper. If they concurred with a cease and desist order, why would advice be given as to how to address the order?

BISHOP Mr. Bishop stated he didn't think it was proper at the time; they should either uphold the cease and desist order or not, and certainly do not advise them what they should be doing next. You are not their legal counsel.

AMIC Mr. Amic indicated that internally they have learned that. Over the years people come to the township and want to know what the reaction might be on the Zoning Hearing Board and how they might approach getting a variance/special exception. I have been told many times not to offer any advice on that issue. We are there to interpret the code literally.

PASCH Mr. Pasch stated that it was his impression that this was the stance of the Zoning Hearing Board all along, i.e. that we are not there to be their legal counsel and we have told them that on many occasions. They are not there to be legal counsel for the applicant. They can come up with a decision, which may seem harsh, but they are there to represent the whole community as a Zoning Hearing Board and they have no legal counsel representation.

BISHOP Mr. Bishop commented that Attorney Hoffmeyer agreed with that and has always taken that position. The problem in this particular instance is that there is a lot of turnover in members of the Zoning Hearing Board, and they are not abreast of all situations. Attorney Hoffmeyer didn't speak up and challenge his members.

PASCH Mr. Pasch indicated that Attorney Hoffmeyer is the one who should be stepping in.

AMIC Mr. Amic added that it should be discussed with Attorney Hoffmeyer because advice was being given to an applicant on how to address a problem.

GURRERI Mr. Gurreri commented that Mr. Hoffmeyer said at one particular meeting that there are some cases that they actually do help some people. For example, a woman's husband was sick, and they needed to add a room addition, and they helped her through the process.

PASCH Mr. Pasch responded that that would be a compassionate instance where you are trying to help an individual citizen where it is very tough for them to be involved, but Lowe's has an extreme amount of counsel, and that is not one where we should be involved. Mr. Pasch suggested that this should be discussed with Mr. Hoffmeyer.

BISHOP Mr. Bishop stated that this is a management responsibility. If it was not handled at that time, there is nothing you can do about it now. Mr. Bishop hoped that Andrew would be in a position where he felt comfortable speaking up in that situation, not necessarily to say that a wrong decision was made, but to be able to ask them to clarify.

PASCH Mr. Pasch indicated he would not want to see our staff and the Zoning Officer in a spitting contest with them either.

BISHOP Mr. Bishop asked whether any training whatsoever is made available to any members of the Zoning Hearing Board.

STERN Mr. Stern stated that several things are offered. The state has training. We can provide the training information to the Board, and we offer to pay for the training. However, none of them wanted to go for training. I have encouraged them that in the months where we have no cases to meet with Mr. Hoffmeyer and the Board members to go over the new Flexible Development Ordinance and the new sign Ordinance and other things of that nature. They have declined each time they are approached about this.

PASCH Mr. Pasch indicated that there should be a requirement that if someone wanted to sit on this Zoning Hearing Board they must understand that they will attend whatever classes are necessary. We expect that a member would do this before you appoint to the Zoning Hearing Board. It seems to me that you pick somebody out of the community that has little or no knowledge of what the legalities are and what the process should be for the Zoning Hearing Board. It should be a requirement.

GURRERI Mr. Gurreri asked who informed the new members of the education.

STERN Mr. Stern responded that he would do so. He added that there are no classes right now. They are aware that they do exist, and letters are sent out asking that they sign up for classes, but no response is ever given as to interest in this.

BISHOP Mr. Bishop stated that there might be some other things that we could do to encourage attendance, such as providing transportation for all of them together.

MITRICK Chairman Mitrick asked whether Mr. Amic was clear on that matter.

AMIC Mr. Amic indicated he understood.

STERN Mr. Stern indicated he understood.

Fire Department Work Duties

MITRICK Chairman Mitrick stated that, along with Mr. Pasch, she had started an "action list" as she had gone through the minutes. One thing that was in the minutes, which she had requested, was a report from the Fire Chief related to the work duties of the paid firefighters. All of you are aware that we had spent quite a bit of time with our former Fire Chief related to the responsibilities. Her request was in reaction to a statement that Mr. Amic had made in one of our sessions stating that he felt that these work duties were no longer being enforced. Chairman Mitrick asked for a status report, which she received and copied for the Board. She stated that she was insulted by the information that was passed forward especially when she read at the bottom that it was revised 3/5/87. There may have been some miscommunication somewhere on what was being requested. What the former Fire Chief had worked through and accomplished from Mr. Amic's opinion/statement was no longer being implemented. The report that she had received and copied to the Board did not answer her question.

AMIC Mr. Amic responded for the record that what had raised this whole question was additional billings that had been occurring within the fire companies themselves for maintenance functions. Since the township had never paid for those functions, it was investigated and found that it was a mistake for them to send us the bill. The amount will be deducted from that next payment. Given that doesn't answer the question, and what you were handed here was a copy of the work rules on the bulletin board that they follow.

MITRICK Chairman Mitrick stated that she would like an updated report from this one of 3/5/87, just to inform the Board.

Fire Police – Police Department Radio Communication

MITRICK Chairman Mitrick reported that correspondence had been received from our Police Chief regarding the Fire Police radio concern. Mr. Lauer and the former Fire Chief sat here and discussed the concern a few years ago about the lack of communication between emergency services particularly during bad weather or other types of emergencies. Chairman Mitrick stated that she thought this Board was under the impression that all of our emergency departments were able to have direct communication with one another;

She stated it appeared that the communication, which had been established a few years ago, is no longer in full effect. It might be the right decision, but it was news to me and to Mr. Amic as well.

AMIC Mr. Amic stated that the report also indicated that there are certain problems that need to be worked out with the Fire Police. Meetings are going to be held between Fire Chief Hickman and Police Chief Eshbach to see who can address this problem with the Fire Police.

SCHENCK Mr. Schenck responded that when this Resolution came up, it was after a very bad storm. There was a need in that emergency for public works and the police and fire police and for everybody to be able to talk. Mr. Schenck's understanding was the conclusion was that everyone was given the proper radios and the license was upgraded so that they could all talk on what you call, Zone 42. Mr. Schenck asked whether that ability was still intact.

ESHBACH Police Chief Eshbach responded that they have Zone 42. The Fire Police have Zone 42. The township Maintenance has Zone 42. Township Wastewater has Zone 42. When the licenses were originally upgraded and added those capabilities about three years ago, we did not have the capabilities that we have now in cars with computers to use them on a cellular phone line as opposed to a radio frequency. Therefore, the channel that we used for computer communications just was not feasible. Voice communications and computer communications would cancel one another out. Therefore, this resulted in Zone 42. There have also been things done in County Control, which gives the Fire Police a channel of their own which, through a misconception, he was under the impression that County Control monitored the channels. Just recently Chief Eshbach learned that this was not the case. The Zone 42 is the only zone that County Control does not have the capability to monitor.

SCHENCK Mr. Schenck stated that he understood that frequency was for local incidents.

ESHBACH Chief Eshbach added that an additional item he had not been aware of was that Fire Police do not have portable capability on the fire channel, because this channel is a low beam frequency and Zone 42 is high beam frequency. Chief Eshbach stated that his greatest concern with this issue was that it was brought up about six months ago, and it seemed as though everything was fine. A memo had been put out to the officers asking that they monitor these channels, especially at an accident scene or with a serious traffic control problem. The Police Department was under the impression that all communication was good. We have always had a liaison between the Fire Police and the department. Somewhere along the line it had gotten lost, because rather than them coming to us and telling us

that they were having this problem, we were under the assumption that everything was fine because we're not hearing anything else, and all of a sudden it's not. Chief Eshbach suggested that the solution to it would be getting them put on our frequency which no longer has the mobile data computer communications on it. County Control has power over everything. County Control is talking about splitting zone 4 so that there are not as many units on the same frequency. At any given time we are carrying 39 to 50 units on that at one time. So there is pretty much constant radio traffic, which knocks out the side channels taking priority over those.

SCHENCK Mr. Schenck asked whether the process as he understood it was still intact.

ESHBACH Chief Eshbach responded that it was still intact and they have the capability to get on the township Zone 42 frequency.

GURRERI Mr. Gurreri asked whether the EMT'S had not been able to call Charlie Lauer to get a truck out to plow to get somebody out because they weren't on the right frequency. Certainly the Fire Chief and the others should be able to have contact with the Police Department if they have an emergency rather than have to call 911.

ESHBACH Chief Eshbach indicated that was one way they can make contact. The other way is on the channel Zone 42. The better fix for the whole situation is going to our side police frequency.

SCHENCK Mr. Schenck stated that was for the Fire Police. He added that the next thing would be Charlie needs the same.

ESHBACH Chief Eshbach stated that the Fire Police would have quicker communication with us directly and the only people on our side frequency are the Police Department. During the day if we have a problem, nobody is being cut out. The Fire Police can communicate with us or communicate with each other on Zone 7 or Zone 42, but they cannot communicate directly with County Control because they can't get on the fire frequency, and County Control doesn't monitor Zone 7 or Zone 42. They communicate with us, and he thought what would work best would be to put them on Zone 42.

SCHENCK Mr. Schenck stated that his concern was that the original process was that all fire police departments would have a place to communicate in any emergency. We had an emergency where we had sewer manholes blown off and water blowing up in the street when people were plowed in and ambulances couldn't get through and police were in large vehicles. There was a need for all the people we could get. Your suggestion is

modification for this. He did not want to get away from the ability for all the departments to be able to communicate.

ESHBACH Chief Eshbach indicated we would just put the Fire Police on a frequency where they can better access us because of the radio traffic on the other zone. The fact that Zone 42 isn't a priority channel can't be changed.

SCHENCK Mr. Schenck stated that you have to have County Control first.

ESHBACH Police Chief Eshbach stated that the more people that are on one channel, then the more chances of someone's transmission stepping on another and cutting someone out. We wouldn't take away that ability for everybody to talk on Zone 42; I just think it would give them better accessibility to us on Zone 43. I would have no intent to put Maintenance and Wastewater on that channel also. We still have a way to contact them and they have a way to contact us on zone 42. It would be easier accessibility for the Fire Police to get to us on Zone 43.

GURRERI Mr. Gurreri asked whether the Fire Chief would be on that same channel.

ESHBACH Chief Eshbach responded that he was not sure whether the Fire Chief has that channel or not. He would have the capability to program it.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10:20 p.m.

Respectfully submitted,

Paul W. Amic
Secretary

PWA/ja

BOARD OF SUPERVISORS **JANUARY 20, 2000**
FIRE & RESCUE ORDINANCES WORK SESSION **APPROVED**

The Board of Supervisors held at 12:00 p.m. work session on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick – Chairman
Don Bishop
Nick Gurreri
Ken Pasch
Bill Schenck

ALSO IN ATTENDANCE:
Paul Amic – Township Manager
Attorney Donald Yost – Township Solicitor
Dori Bowders – Manager of Administrative Operations
Michael Hickman – Fire Chief
Andrew Stern – Director of Economic Development
Jewel Frey – Receptionist/Administration Office Support

MITRICK Chairman Mitrick called the meeting to order at 12:00 p.m. The purpose of the meeting is to discuss fire and rescue ordinances. Chairman Mitrick thanked everyone for coming and stated there would be an executive session following the meeting. Chairman Mitrick turned the meeting over to Don Bishop.

BISHOP Mr. Bishop stated that the Joint Operating Agreement was voted down and he also noted that everyone thought it was a good idea that fire and ambulance combine, but no one volunteered to work on an agreement. The two fire companies are currently, in theory, working on coming up with a plan and the results are pretty dismal. Mr. Bishop and Mr. Gurreri met with Attorney Yost to try to come up with alternate ways to achieve objectives and came up with the concept of drafting ordinances that were permitted by the Second Class Township Code.

GURRERI Mr. Gurreri stated that he sat on the Emergency Services Commission for two years and was frustrated that it seemed that nothing was accomplished and that we were right back to square one. Mr. Gurreri stated that the "word on the street" is that the Emergency Services Commission doesn't have the fortitude to make the changes happen, and that the Board of Supervisors need to take action on this matter.

HICKMAN Fire Chief Hickman agreed that the ordinances need to be acted upon. Chief Hickman felt that two members of the Board of Supervisors should be on the committee and possibly the Township Manager should be involved somehow. Chief Hickman noted that none of the volunteers has the desire to start a project and follow through with it. The volunteers

really don't seem to care what is going on, and the Township needs to take control before is gets any worse.

MITRICK Chairman Mitrick questioned the size of the committee and thought the intention was to have 1 career and 1 volunteer from each organization on the committee.

BISHOP Mr. Bishop felt there should only be volunteers on the committee and noted there are other avenues for career people to voice their opinion. The major objective is to continue volunteerism in the Township.

HICKMAN Chief Hickman was very frustrated that when people want to volunteer and become a member and are approved and were never notified that they were a member.

BISHOP Mr. Bishop expressed concern that the Board of Supervisors needs to act on these ordinances so that the committee could have the power to make other sub-committees so the volunteers could be implemented in a proper and institutional manner, instead of these volunteers falling by the wayside.

SCHENCK Mr. Schenck noted that the committee should have direct input to encourage volunteerism.

HICKMAN Chief Hickman mentioned that the volunteers coming in don't want to do the administrative part and thought the committee would be responsible for the administration.

YOST Attorney Yost mentioned that the ordinance, through the Fire Chief and the committee, would effectively take over the operation and administration of the fire and rescue services.

HICKMAN Chief Hickman stated that he if would be in control of the administration part there would be a priority in getting members in and the process would get done, instead of waiting several months for a volunteer to get in.

BISHOP Mr. Bishop mentioned the committee would encourage volunteerism and also set up sub-committees to take care of certain areas, such as a house committee responsible for renting halls, etc.

STERN Mr. Stern mentioned that the paid personnel are essential to the volunteer fire company. He stated when he was a volunteer with the fire department, it was the paid personnel that helped him with the gear and equipment, not the volunteers. Mr. Stern also mentioned that the paid personnel are at the fire hall every day and the volunteers that had the keys for the gear were never around. Mr. Stern noted that the paid and volunteers need to work together and that the paid people are always there and you can't expect a volunteer to be there all the time, as he is only

volunteering. Mr. Stern pointed out that the paid personnel have to follow work rules but the volunteers didn't have to follow any rules and were breaking the very same rules that the paid personnel had to abide by.

HICKMAN Chief Hickman mentioned that the majority of the things that get done are by the career personnel.

The Board members along with the Fire Chief and Attorney Yost discussed the changes and wording for the ordinances so that the ordinances could be put on the agenda for the Board meeting held on January 27, 2000.

It was Board consensus to schedule another work session on Wednesday, January 26, 2000 at 7:30 a.m. to further discuss changes to the proposed ordinances. It was also the consensus of the Board to name the fire operations committee the "Springettsbury Township Department of Fire and Rescue Services Committee".

MITRICK Chairman Mitrick adjourned the meeting at 1:52 p.m.

Respectfully submitted,

Paul W. Amic
Secretary

PWA/jaf

BOARD OF SUPERVISORS **JANUARY 26, 2000**
FIRE & RESCUE ORDINANCES WORK SESSION **APPROVED**

The Board of Supervisors held a 7:30 a.m. work session on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick – Chairman
Don Bishop
Nick Gurreri
Ken Pasch
Bill Schenck

ALSO IN ATTENDANCE:
Paul Amic – Township Manager
Dori Bowders – Manager of Administrative Operations
Dave Eshbach – Chief of Police
Michael Hickman – Fire Chief
Jewel Frey – Receptionist/Administration Office Support

MITRICK Chairman Mitrick called the meeting to order at 7:35 a.m. The purpose of the meeting is to discuss the fire and rescue service ordinance and the emergency medical and transportation services ordinance. Chairman Mitrick thanked everyone for coming and turned the meeting over to Don Bishop.

BISHOP Mr. Bishop distributed January 20, 2000 minutes from the Emergency Services Commission and January 17, 2000 minutes from the Consolidation Committee. Mr. Bishop made the rest of the Board aware that the Fire Chief was not aware of, or invited to attend this consolidation meeting. This was the first meeting they called since October when the Joint Operating Agreement was voted down. Mr. Bishop's main objective is to fine-tune the ordinances and come up with a final draft. Mr. Bishop also distributed a letter from Dave Eckman with his comments on the proposed fire and rescue ordinances.

MITRICK Chairman Mitrick voiced her concern of only having five members on the fire operations committee. She noted that she feels it would be beneficial to have a seven member committee, as there would be no need for alternates. Chairman Mitrick's main goal is to create a better atmosphere so that the paid and volunteer personnel can work together and also give better structure for administration.

PASCH Mr. Pasch stated that it is extremely important to have the whole company involved, both paid and volunteer.

SCHENCK Mr. Schenck questioned whether or not a member would be covered under insurance if he/she wasn't an active member when participating in any functions in the Township.

AMIC Mr. Amic said that wouldn't be a problem of not being a member and helping with the function, as they would be covered under the Township's insurance.

GURRERI Mr. Gurreri questioned if the new committee's meetings would have to be advertised.

AMIC Mr. Amic said that the meetings would be advertised for the whole year unless there would be a change in the dates.

Discussion continued on Funds A and B and the language that should be written into the new ordinance.

PASCH Mr. Pasch cautioned the Board that they need to be careful on how the ordinance is written and not give the impression that the Township is taking over the funds and telling the companies what to do.

BISHOP Mr. Bishop stated that with the new seven member committee the Township wouldn't have a say in telling the companies what to do. The committee would control the funds.

AMIC Mr. Amic pointed out that the chain of responsibility still comes under the Board of Supervisors according to the Township Code for any committee that is created. The ultimate responsibility comes back to the Board of Supervisors as it does now. Nothing will change in that aspect.

SCHENCK Mr. Schenck agreed with Mr. Pasch that we need to send the right message to the companies and be careful of the language written within the ordinance as to not make it confusing or misconstrued.

Discussion continued on the wording concerning the funding section of the ordinance.

HICKMAN Chief Hickman made it clear to the Board that no one has come to him with questions about the proposed ordinances. He noted there is very limited number of people interested in attending any of the advertised meetings; only three people attended.

BISHOP Mr. Bishop said he would give the changes to Attorney Yost so he could draft a clean copy for the Board to vote on and advertise. Mr. Bishop said he was satisfied with the ambulance ordinance the way it was written. There could be more discussion, if needed, at the Board meeting, Thursday, January 27, 2000, as they are only voting to advertise it and to have a public meeting.

MITRICK Chairman Mitrick asked Mr. Amic for an updated report on the progress of the deputy fire chief position.

MITRICK Chairman Mitrick adjourned the meeting at 9:03 a.m.

Respectfully submitted,

Paul W. Amic
Secretary

PWA/jaf

BOARD OF SUPERVISORS **JANUARY 27, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors held on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Ken Pasch
Don Bishop
Nick Gurreri

ALSO IN ATTENDANCE:
Paul W. Amic, Township Manager
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Robert Halbert, Rummel, Klepper & Kahl
Mike Myers, Rummel, Klepper & Kahl
Dori Bowders, Manager of Administrative Operations
Jim Crooks, Superintendent – Wastewater Treatment
David Eshbach, Police Chief
Michael Hickman, Fire Chief
Andy Hinkle, MIS
Mark Hodgkinson, Superintendent – Wastewater Treatment
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m. She stated that the meeting was a General Meeting of the Board of Supervisors of Springettsbury Township.

GURRERI Mr. Gurreri led the Pledge of Allegiance and offered a short prayer.

MITRICK Chairman Mitrick announced that there would be an Executive Session immediately following the General Meeting regarding legal matters.

2. COMMUNICATIONS FROM CITIZENS:

KELLER Ms. Frances Keller, 1142 North Sherman Street, York, a representative of Martin Library presented the Board with a picture in appreciation for the support of Martin Library and the library at Bradley Academy. The poster had been designed by a student from Bradley Academy and will be displayed throughout various businesses in Springettsbury Township to encourage people to use the Bradley library.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported that there was nothing new regarding the Harrowgate project. The relining contractor is currently waiting for a weather change. Regarding the Millcreek project the Notice of Award had been sent to Stewart and Tate, and authorization had been received to proceed with the recalculation of the tap-in fee, which should be available in about four weeks. Mr. Schober forwarded the completed application for the annual Act 339 state subsidy, which is due at the end of January.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani provided an update regarding the traffic meeting planned for January 25th which had to be cancelled because of the weather. That meeting was rescheduled for February 2nd to discuss traffic issues in the township. Mr. Luciani also provided cost work for the bridge widening on Eastern Boulevard.

SCHENCK Mr. Schenck asked whether the expense for that project would be Township expense.

LUCIANI Mr. Luciani responded that the developer (Caltagirone) planned to widen Eastern Boulevard two lanes in each direction and had bonded that amount. Cost estimates had been reasonable but significant and added that Mr. Caltagirone wanted to complete his improvements at this time. Mr. Luciani added that he had discussed the matter with the contractor. There are wetlands in that area, as well as some land acquisition that would be necessary.

PASCH Mr. Pasch asked whether the Eastern Boulevard traffic would be disrupted once that construction started.

LUCIANI Mr. Luciani indicated that a grass median could provide a place for a cross over median temporarily. Mr. Caltagirone did not believe a detour would be necessary.

C. Design Engineer – Rummel, Klepper & Kahl

HALBERT Mr. Halbert provided an update regarding the parallel interceptor, all of which information had been sent to DEP. Their authorization is expected. Once that is received negotiations can begin with the contractor for Notice to Proceed conducive to his, as well as the township, schedule. Secondly,

with regard to the subsurface investigation on the pump station site, they are working in concert with DEP.

PASCH Mr. Pasch asked about the bio-solids report. He asked about referring to the opposite opinion as to whether bio-solids are safe, and asked whether that had been studied in order to have taken advantage of all the information.

HALBERT Mr. Halbert responded that it had been and added that all of the information available may not have been presented. A consolidation had been presented generally within the industry. He indicated they are waiting for input of that nature from the Supervisors in order to provide a consensus of the township.

PASCH Mr. Pasch stated that his only concern was that all of the other opposite opinions would be evaluated.

GURRERI Mr. Gurreri commented that the real question is whether it is safe.

HALBERT Mr. Halbert commented that as far as presenting it in a tri-fold it would probably be a general opinion of the community. The weightiness of the general opinion relative to its ability to be applied safely to agricultural properties would be represented.

PASCH Mr. Pasch stated that there would be some flack coming and the Board and the staff should be prepared to answer questions that might be presented.

MITRICK Chairman Mitrick asked the Board to provide their input to Mr. Halbert prior to the next meeting on February 10th.

HALBERT Mr. Halbert indicated the input could be written or informal comments.

BISHOP Mr. Bishop asked whether there had been opportunity for other Citizen Comment.

MITRICK Chairman Mitrick indicated that there had been opportunity, but that she would re-open the Communications from Citizens portion of the meeting.

SURTASKY Anthony Surtasky of 2245 Mt. Zion Road, York asked whether discussion would be held toward the adoption of an Ordinance regarding Emergency Services. He asked whether this was the proper time to address it or not.

MITRICK Chairman Mitrick asked Mr. Bishop to address Mr. Surtasky's question.

BISHOP Mr. Bishop responded that it would be perfectly fair to address it and not to make people who want to comment wait until later. He stated that an Ordinance would not be adopted during this meeting.

MITRICK Chairman Mitrick provided information for those people interested in the Ordinance. The Board had a Work Session on January 26th, which had been an advertised meeting. The public had been welcomed to attend. The Board had made some changes to the Ordinance and those changes had just been received in print prior to this meeting. The public had not had an opportunity to review what was considered the most recent draft. Chairman Mitrick asked that copies be provided to the public for review. The Ordinance appeared on the agenda for permission to advertise. Both Ordinances would come up for action.

SURTASKY Mr. Surtasky stated that he was not representing the Fire Company. As a citizen he had some comments about the Ordinances.

MITRICK Chairman Mitrick stated that a Public Hearing was not necessary related to that Ordinance, but there had been some question among Board members as to whether it should be opened for a Public Hearing. At that time the forum would be created where the Ordinance would be in hand to be able to asked educated questions. A Public Hearing could be established.

SURTASKY Mr. Surtasky asked when the proper time for discussion would be during this meeting, now or during the Ordinance discussion.

SCHENCK Mr. Schenck stated that this type of Ordinance did not require a Public Hearing and the Board of Supervisors was in the process of deciding whether to have a Public Hearing even though it is not required. Mr. Schenck further stated that the Board would not be prepared during the meeting tonight to go into a full-blown explanation of the Ordinance.

SURTASKY Mr. Surtasky commented that the date of April 1 appeared as a proposed date and there would not be too much time left. He would be in favor of a public meeting.

SCHENCK Mr. Schenck stated that, as much as he was in favor of a Public Hearing, he was also as much disappointed that up to this point there really had not been any participation. The meetings had been scheduled for weeks prior and were publicly advertised, and no one attended.

MITRICK Chairman Mitrick asked for the Board's consensus regarding holding a Public Hearing.

PASCH Mr. Pasch was in favor of a Public Hearing provided it would be after February 21. He added he would like to participate.

GURRERI Mr. Gurreri indicated he would be in favor.

BISHOP Mr. Bishop indicated he had no problem with a Public Hearing. He added he was concerned about waiting too long.

MITRICK Chairman Mitrick indicated there would be a Regular Meeting on Thursday, February 24th. Time for the Public Hearing was set for 6 p.m.

PASCH Mr. Pasch suggested that anyone who requested a copy of the final Ordinance should be allowed to have a copy.

BISHOP Mr. Bishop suggested that those people who had come for discussion on the Ordinance be permitted to speak. Mr. Bishop was interested in feedback from the public.

PASCH Mr. Pasch agreed and indicated comments should be permitted at this point in the agenda.

MITRICK Chairman Mitrick commented that the Ordinance would be available by the next day. She requested that those interested parties familiarize themselves with the Ordinances and prepare for that Public Hearing.

ASTER Bob Aster, 2950 Chesapeake Road voiced his displeasure with the Emergency Services Council and the manner in which they dealt with the volunteer fire companies. When the Joint Operating Agreement was proposed to the fire companies and they were given the opportunity to vote on that and it was voted down, that Council came back and made a request to us to come up with a better document. We advised them that we would not be meeting during the month of December because of the holidays but that we would report back to them in January. Each individual company met; they selected a committee; those committee members met, outlined the details of what it was they wanted to accomplish and what they felt was important as far as educating themselves to the history and background, the previous Joint Operating Agreement and Tasks. They forwarded those minutes to the Council. At that time the Chairman of the Council sprung the upcoming Ordinance on the other members the Council and the fire companies. If it was not their intention to give us the opportunity to present a Joint Operating Agreement back to them, that should have been made clear initially. The question was posed as to whether there was anything non-negotiable which needed to be included and the response was no.

BISHOP Mr. Bishop responded that the chronology was important. This idea that he had said that there was nothing that was non-negotiable is very true. He always had maintained that in the process of coming up with a Joint

Operating Agreement there were no requirements from the Board of Supervisors that had to be in any kind of agreement that developed. From Mr. Bishop's point of view there had been absolutely nothing happening since the Joint Operating Agreement had been voted down. There was no evidence that there was any activity moving in any direction. There was no volunteer attendance whatsoever at the December meeting of the Emergency Services Commission. There was no report at that point that anything was happening. The meeting that was held among the two fire companies happened during the same week that the Emergency Services Commission presented the Ordinance. Mr. Bishop's understanding was that the Fire Chief had absolutely no knowledge that that meeting had taken place. The assumption was that nothing was happening and the Ordinance was developed as a response to the total lack of participation in the December meeting of the Emergency Services Commission where none of the volunteer members at all showed up. No one advised Mr. Bishop that they were not coming because of the holidays. It was held December 16th and well in advance of the holidays. Mr. Bishop regretted that, if there was a good faith effort on the part of the two companies to come up with a plan and to do so quickly, he would encourage them to continue in those efforts. There is nothing that is non-negotiable.

ASTER Mr. Aster asked whether the Ordinance would be voted on to advertise.

BISHOP Mr. Bishop responded that the Board had had an opportunity to review the Ordinance, and it was on the Agenda for advertise.

GURRERI Mr. Gurreri interjected that there had been some things revised which show in the revised Ordinance.

BISHOP Mr. Bishop stated that the process is that the Board is required before any Ordinance is adopted to advertise the fact that we are considering adoption of an Ordinance. Advertising an Ordinance for adoption does not mean that we're going to adopt the Ordinance; it means that we're thinking about adopting the Ordinance. We can't adopt it without advertising it, but just because we advertise it doesn't mean we have to adopt it.

ASTER Mr. Aster asked about the timing.

BISHOP Mr. Bishop indicated that seven days is the legal requirement that an Ordinance must be advertised before adoption. He added that nothing would be done before the 24th.

ASTER Mr. Aster asked whether the committees from the two fire companies with an interest in presenting a Joint Operating Agreement would have until that date to make a proposal or to make that Joint Operating Agreement available to the Emergency Services Commission.

BISHOP Mr. Bishop stated that it's out of the Emergency Services Commission's hands at this point. It's now an action of the Board of Supervisors.

ASTER Mr. Aster stated that if the committees from the two fire companies that are working on the Joint Operating Agreement completed their work, whom do we make aware that we have done this work and proposed this for your acceptance.

BISHOP Mr. Bishop suggested that it be communicated to the Fire Chief who will communicate it with the Township Manager and to the Board members.

ASTER Mr. Aster asked whether that met with Chief Hickman's approval.

HICKMAN Chief Hickman responded that it absolutely met with his approval.

MITRICK Chairman Mitrick stated that there was always a possibility that if something is given to the Chief and to Mr. Amic and it comes to the Board there's always the possibility that the dates outlined tonight can be held off. There's a chance that if what is presented may require Work Session with the Board and the fire companies.

ASTER Mr. Aster responded that at this point the Board had now given them less than 30 days to attempt to accomplish something that the Emergency Services Commission took years to do.

BISHOP Mr. Bishop stated that they had had ample time.

SCHENCK Mr. Schenck stated that he had seen two years of work go into this.

BISHOP Mr. Bishop interjected that they had been a part of the two-year process.

SCHENCK Mr. Schenck indicated that the fire companies were very much a part of that process with no result.

MITRICK Chairman Mitrick called upon Don Eckert for comment.

ECKERT Don Eckert, 622 Merion Road, York stated that he wished to focus on moving forward. It appeared to him a Joint Operating Agreement was proposed which was discussed and voted down. Now there is an Ordinance and a revised Ordinance, which is even more restrictive and more severe than it was in the one he received the time before. Mr. Eckert suggested that they were wasting their time regardless of who it would be presented to. This states that only one member from every company from a seven-member committee to five. You already have a majority of the operating committee that will run the services.

GURRERI Mr. Gurreri stated that it was a seven-member committee.

BISHOP Mr. Bishop stated that there were two different drafts of the Ordinance. There is some confusion about whether it's five members or seven members, and until the Board would vote, it's no where.

ECKERT Mr. Eckert stated that he sat on the Board and knows what's going on.

BISHOP Mr. Bishop again stated that there had been changes to the Ordinance.

PASCH Mr. Pasch indicated that the Board would provide final draft to everyone who requested one. The final draft would say things differently than what had been stated in either one of the previous drafts. Mr. Pasch indicated that Mr. Eckert was present, along with the others because something was stated that indicated something would happen, and if all this was a catalyst then it's great because it has all of you folks thinking about it. As a catalyst it does what really should've been done to get this done. It is critical for Springettsbury Township to have good emergency services. What we want is something that's really going to work, not only for the volunteers, but also the career people, for the citizens of the township. What had been disturbing to Mr. Pasch was that there were so many advertised meetings, and no one showed up. Now all of a sudden because something is going to be done which you disagree with (which was great) but all the disagreements should've been at all these other meetings so that something valid can come out of that. Until the Board knows what the thinking is it doesn't mean anything.

HOSTETTER Mr. John Hostetter, 2460 Auburn Road asked about whether the revised copy of the Ambulance Club Ordinance picked up on the table was correct. It was dated January 21, 2000.

MITRICK Chairman Mitrick was unsure what had been handed out. The corrected versions of both Ordinances would be available on Monday, January 31, 2000. Related to the Ambulance Ordinances, Chairman Mitrick questioned the amount of workload that would be directed to the Fire Chief's desk. She would like some discussion related to it because there's a tremendous amount of work that would be in his office. At the same time looking at the Ambulance Ordinance, she was also concerned about the status of the hiring of the Deputy Fire Chief.

WOLF Doc Wolf stated to Don Bishop, as far as him not receiving information of what had taken place at their December meeting during the beginning of December, a committee was appointed at that time to work on this. He could not recall whether the Chief was in attendance.

HICKMAN Chief Hickman responded that, even though a committee had been appointed, there was no meeting scheduled. He added that he had been in the station every day and there was no advertisement in the station.

MITRICK Chairman Mitrick stated that she was happy that the public was in attendance regarding this issue, and she encouraged them to keep moving on this. She re-stated that a Public Hearing had been established for 6 p.m. on Thursday, February 24th. If there were other communications they should be sent to the Fire Chief and Mr. Amic and to the Board; that information should go through those channels.

SURTASKY Mr. Surtasky stated that he had not seen any legal advertisement that stated that the Commission was meeting on the third Thursday.

BISHOP Mr. Bishop stated that the Emergency Services Commission still existed.

MITRICK Chairman Mitrick stated that the Emergency Services Commission was established in November of 1997. For those who did stay involved she thanked them, and also thanked Mr. Bishop and Mr. Gurreri who put in a tremendous amount of time bringing the matter to where it is today. If there is something that they are not satisfied with, please recognize that a lot of time and effort did go into that on their part and for some of you on your part as well. She asked that they continue to work with the Supervisors.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 1/27/00
B. Rummel, Klepper & Kahl – Progress Billing #12 – Diversion Station - $5,334.25
C. Rummel, Klepper & Kahl – Progress Billing #8 – Overview/Mt. Zion Sewer - $2,250.68
D. Springfield Contractors, Inc. – Progress Billing #4 – Harrowgate/Kingston - $31,892.37
E. Rummel, Klepper & Kahl – Progress Billing #3 – Utility Water System - $7,186
F. Rummel, Klepper & Kahl – Progress Billing #3 – Standby Generator - $1,387.50
G. Rummel, Klepper & Kahl - Progress Billing #3 – Biosolids Education - $744
H. **Rummel, Klepper & Kahl – Progress Billing #13 – Diversion Pumping Station - $16,737.45**

MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A. THROUGH H. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & QUOTES:

A. Dissolved Oxygen Meter – Thomas Scientific - $1,116.58

AMIC Mr. Amic provided information regarding Item A. Three quotes had been received and the low quote was from Thomas Scientific for $1,116.58. Permission to purchase was requested.

PASCH Mr. Pasch asked whether this unit is state-of-the art.

AMIC Mr. Amic assured him that it was, but added that the equipment had not changed much from previous models.

MR. GURRERI MOVED FOR APPROVAL OF THE DISSOLVED OXYGEN METER – THOMAS SCIENTIFIC - $1,116.58. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Purchase of One Ford Ranger 4WD Pickup Truck on State Contract – Not to Exceed $17,000.

AMIC Mr. Amic commented that Item B. was a request of the Economic Development Director for permission to purchase on the Commonwealth Piggyback Program one Year 2000 Ford Range 4WD Pickup Truck. A report had been provided by Mr. Amic regarding mileage on vehicles requested during Budget Sessions.

SCHENCK Mr. Schenck complimented Mr. Stern for a nice job of justifying the need for a pickup truck.

GURRERI Mr. Gurreri agreed with the justification, but he had a hard time justifying $17,000 for a new vehicle to drive 5,000 miles a year.

PASCH Mr. Pasch agreed with the capability of a truck for hauling signs, etc. but if the signs were damaged because of being forced into a truck he would have trouble with that as well.

MITRICK Chairman Mitrick commented that an important point was that during the snowstorm they were calling on people with four-wheel drives to come forward to help in emergency situations. She was not aware of many four-wheel drives in the township.

MR. SCHENCK MOVED TO APPROVE THE PURCHASE OF ONE FORD RANGER PICKUP TRUCK ON THE STATE CONTRACT NOT TO EXCEED $17,000. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Pulverized Quicklime

AMIC Mr. Amic stated that the current contract for pulverized quicklime used for the lime stabilization expires on February 1, 2000.

MR. BISHOP MOVED TO AUTHORIZE STAFF TO DRAW SPECIFICATION AND BID FOR THE PULVERIZED QUICKLIME. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Front End Loader – Wastewater Treatment Department

AMIC Mr. Amic commented that the Wastewater staff requested the purchase of a Front End Loader. Mr. Hodgkinson had written a very thorough memo. Permission was requested to draw specifications and bid the item, which had been included in the Capital Budget.

MR. SCHENCK MOVED TO AUTHORIZE THE WASTEWATER TREATMENT DEPARTMENT TO DRAW SPECS AND ADVERTISE FOR BIDS FOR A NEW FRONT-END LOADER. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. KDV Orthopedics – Request to Waive Land Development for MRI Addition

STERN Mr. Stern explained that the request was for a 700-sq. ft. addition at the rear or the north side of the property. Mr. Stern stated that the addition was a modular unit to house an MRI unit which was intended to be an attached permanent structure. Mr. Stern advised that having reviewed this addition, there really was no need for Land Development Plan. No major traffic would be created. Sandy Eckert represented KDV.

ECKERT Sandy Eckert advised that KDV would like to add to an L-shaped building. The building was designed with large glass windows to be used as a walkway. The modular building would go on concrete pillars so no excavation would take place. The only concrete is 100-sq. ft. from the walkway. There would be no impact on the land nor would it cause any water runoff. Key for them is to be able to get the patients into the modular building without having to take them outside. This will make it a lot nicer and obviously a lot of the patients may have wheelchairs and have a cane or walker and it would be very inconvenient to bring them around to the outside and have them come in another entrance. There are no restroom facilities in the modular unit.

PASCH Mr. Pasch questioned whether this modular unit would be classified as a mobile unit.

ECKERT Ms. Eckert responded that the unit was transportable and could be moved but the intent was for it to be permanent.

PASCH Mr. Pasch asked Mr. Stern whether the Ordinance regarding mobile units was limited in terms of time.

STERN Mr. Stern indicated that was something the Board had imposed during projects which needed temporary quarters.

PASCH Mr. Pasch asked whether there was anything in the Ordinance that sets a time limit.

MITRICK Chairman Mitrick asked what type of trees border the property.

STERN Mr. Stern responded that large evergreen trees border the property.

SCHENCK Mr. Schenck asked whether there was any concern about landscaping.

STERN Mr. Stern responded that they were willing to add trees if necessary.

ECKERT Ms. Eckert responded that they would add trees if any neighboring trees were removed.

GURRERI Mr. Gurreri asked whether Mr. Schenck was talking about high trees.

SCHENCK Mr. Schenck commented that he was not being specific, but if the screen that existed today were removed that trees would be replaced.

ECKERT Ms. Eckert commented that the gas line runs up through that area.

MITRICK Chairman Mitrick asked whether it would be a problem if the approval were conditioned by requiring that some pine trees be planted now in order to provide for its own screening.

ECKERT Ms. Eckert responded that would not be a problem.

MITRICK Chairman Mitrick asked about seven or eight MRI's per day at one hour each. She wondered if that was the total planned for each day or would it be in operation 10 hours a day.

ECKERT Ms. Eckert responded that they expect to do about 10 each day. Some studies take an hour and a half.

GURRERI Mr. Gurreri asked whether they would consider trees rather than evergreens.

STERN Mr. Stern commented that evergreens have year-round capacity.

SCHENCK Mr. Schenck indicated that Mr. Stern should follow up on the screening issue.

MITRICK Chairman Mitrick stated that trees would be very fitting on the property and she asked Ms. Eckert to work with Mr. Stern on the matter.

PASCH Mr. Pasch asked whether any problems were being created by allowing the addition.

YOST Solicitor Yost responded that he did not think so, because the ones discussed before were temporary mobile units that became permanent. This is a movable structure, but would be a permanent structure.

PASCH Mr. Pasch stated that what he had been referring to was the need for Land Development because it's an accessory building but if it was permitted, it would become a part of the building.

YOST Solicitor Yost responded that a slight precedent was being created. The Board does have the right to waive it and not be bound by the precedent. This is a unique situation.

BISHOP Mr. Bishop asked whether this unit had wheels.

ECKERT Ms. Eckert responded that it did not.

MR. GURRERI MOVED TO APPROVE KDV ORTHOPEDICS' REQUEST TO WAIVE LAND DEVELOPMENT FOR MRI ADDITION. MR. BISHOP WAS SECOND.

SCHENCK Mr. Schenck stated that he wanted to be sure KDV understood they were to work with Mr. Stern on the screening and landscaping.

MOTION UNANIMOUSLY CARRIED.

B. York County – Request to Waive Land Development for Prison Addition

STERN Mr. Stern stated that Item B. was a request for the York County Prison. Mr. Stern advised that no representatives were present for discussion, and his recommendation was to not approve the request.

PASCH Mr. Pasch indicated that the staff's advice was sufficient.

SCHENCK Mr. Schenck indicated he did not need a lot of discussion about it.

MR. BISHOP MOVED TO DENY THE REQUEST TO WAIVE LAND DEVELOPMENT FOR THE YORK COUNTY PRISON ADDITION. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick requested Mr. Amic to contact Mr. Hogan at the prison to obtain a full report on the types of inmates that are housed there and the types they anticipate coming in. During late 1996 they requested 400 to 500 additional beds. The morning paper indicated the money they thought they would get from INS was far short of what they thought they would receive. The detainees seeking asylum are now being sent to a prison in Elizabeth, NJ. She would like to know who is being housed at York County Prison.

PASCH Mr. Pasch asked whether they needed additional sewage capacity. There had been no mention of that.

AMIC Mr. Amic indicated that they purchased adequate sewage capacity.

SCHENCK Mr. Schenck agreed with Chairman Mitrick that some serious discussion was needed about the prison.

MITRICK Chairman Mitrick commented that one of the statements made in our early discussions with them was that the typical inmate would only be held in York County Prison for two years. If they had a longer sentence they would be shipped elsewhere. Chairman Mitrick stated that she wanted, in writing, to know whether that were true. Chairman Mitrick had requested information from Commissioner Reilly several months ago as to the status of the prisoners in York County Prison, and he quickly referred that on to Mr. Hogan. She was somewhat disappointed because Mr. Reilly is President of the Prison Board.

C. Land Development 99-17 – Diehl Motor Co. – Granting Extension of Time to 3/24/00

MR. BISHOP MOVED TO ACCEPT THE GRANT OF EXTENSION OF TIME UNTIL MARCH 24, 2000 FROM DIEHL MOTOR COMPANY LAND DEVELOPMENT 99-17. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

GURRERI Mr. Gurreri reported that the Community Picnic would be tabled for 2000 as the staff thought that too many things would be going on especially the building project along with the planned dinner. Mr. Gurreri advised that the Full Committee meeting of the Local Government Advisory

Committee would be held at Grandview Golf Course, and the speaker is Jim Wolf, Director of County Assessments.

GURRERI Mr. Gurreri presented the 250th Anniversary flag.

GURRERI Mr. Gurreri stated that he would like to see the chairmanship and vice chairmanship of the Board change. He stated that Chairman Mitrick does a great job, but he stated he thought it was unfair to have her do all the work. Mr. Gurreri proposed that the subject be discussed toward changing every two years.

PASCH Mr. Pasch stated that in order to do that some type of mechanism would have to be put in place indicating a term limit.

BISHOP Mr. Bishop stated that the matter would have to be handled by an informal agreement because by state law we have to reorganize every year; therefore, no decisions can be made about next year.

SCHENCK Mr. Schenck commented that Lower Windsor rotates automatically. He added that Chairman Mitrick puts in a lot of time as Chair for the Board.

GURRERI Mr. Gurreri added that a policy could be set up to change every two years. If one can not take it that two years, then someone else would take it. We should all do our part. In the past a gentleman was Chairman of this Board for fifteen years. That may not be good for the Township.

PASCH Mr. Pasch stated that he felt that Chairman Mitrick had done a tremendous job; and as long as she would be willing to do it and willing to put in the time, Mr. Pasch appreciated what she does. He indicated he had mixed feelings about the whole thing.

MITRICK Chairman Mitrick thanked the Board for their positive comments. She added that chairing the Board was not an ego trip, and it is a lot of additional work. She stated she was not opposed to the possibility of someone else taking the chairmanship.

GURRERI Mr. Gurreri stated that if some kind of policy were set up to do that and it does not happen, it will be referred back to her anyhow. He thought it was a good thing to do.

SCHENCK Mr. Schenck advised Mr. Gurreri that the Board had an option to reorganize the Board any time we choose. There isn't even any magic to Jan. 1, 2000.

GURRERI Mr. Gurreri stated that he had been on the Board, through his third election, and it had never been discussed. If you would suddenly come on

Jan. 1st and all of a sudden elect somebody else, and Lori wasn't prepared for it, it would be very embarrassing for her. Mr. Gurreri stated he was sure there would be other people that would like to be chairman. Certainly people coming on the Board might be interested.

SCHENCK Mr. Schenck indicated he understood Mr. Gurreri's thoughts.

BISHOP Mr. Bishop commented that it was an awkward policy. The most valid thing brought up was that it had never been discussed. That happened because that at the end of the year with budget and other things the Board is so burned out that we are lucky to make it to Jan. 4th or whatever the date is for reorganization.

SCHENCK Mr. Schenck stated that he was sure he had discussed it this year – about 20 minutes before the meeting.

MITRICK Chairman Mitrick indicated the subject would be discussed later in the year.

SCHENCK Mr. Schenck stated that he had ridden with Charlie Lauer on Tuesday night during the snowstorm. The work that Charlie and his people did in the snowstorm was unbelievable. Days and days were spent with little or no sleep. Total dedication was shown by everyone on the force. He added some comments about going forward in the next few years with retirements. He stated that he thought the work ethic that is presently in that department had been taken for granted, and after a few retirements occur, we would be looking at a little different scenario as far as costs, overtime, and willingness to work. This is something on the horizon that we will have to deal with in the future.

MITRICK Chairman Mitrick commented that the township had lost the Superintendent of Public Works.

AMIC Mr. Amic stated that Mr. Lauer had selected someone to take this position. The process is near completion.

SPEICHER Betty Speicher reported that the new person was expected to come on board on February 14, 2000.

Shipley Field – Master Park Plan

MITRICK Chairman Mitrick discussed Shipley Field. She stated that there was a need for a meeting on this due to some confusion in reviewing the Master Park Plan. She did not see Shipley Field sitting where it is, and yet had read that we have committed to them that it will not be moved. There was a need to have a discussion so that there is a full understanding of where

this is going. She asked Mr. Amic to pull some information together and bring it to the Board.

MITRICK Chairman Mitrick asked about the next newsletter. She added that she had noted in Mr. Amic's memo the concern with the Park Grant.

AMIC Mr. Amic stated that part of the difficulty that was in the phasing and obviously the Board's involvement with a fundraiser. Mr. Amic had been advised that a report would be forthcoming in a few days from the fundraiser. Part of the problem is that the phases had never been prioritized that appeared in the Master Park Plan. The grant money would be lost if something was not done rather quickly. We still have the opportunity to use the money for some access roadway through the park or something similar. This does not commit anything except the grant. The grant is $25,000.00. If the work is not completed by June 30, 2000 we will lose the grant money. Mr. Amic suggested that he and Mr. Luciani review the matter and come back with what should be done.

GURRERI Mr. Gurreri asked how much money was planned for the Park.

AMIC Mr. Amic responded that the amount was $2,600,000. If the Board determined that they want to go forward, then Mr. Amic would like to take advantage of Senator Armstrong's grant. We have a lot of work to do in the Park and certainly can do site improvements for $25,000.00. Mr. Luciani and Mr. Amic could get together and determine what we need to do for site improvements. Bids are needed on this, and there is not much lead time.

PASCH Mr. Pasch added that it should be done quickly.

AMIC Mr. Amic commented that the park had been discussed during budget sessions.

PASCH Mr. Pasch suggested that if Mr. Amic and Mr. Luciani could get together and present some options for where the money could be spent and what could be done which are absolute necessities within the park, no matter what we do in the phasing, those options could still be done. If two or three options would be presented to do this, that, or the other, all of which are necessary to the Park, it would work out to be approximately the $25,000.00.

AMIC Mr. Amic stated that he thought that was a real good approach, and he and Mr. Luciani would get together next week and look at this Master Plan and have a positive outcome.

Penn Oaks Regrading

MITRICK Chairman Mitrick asked about the Penn Oaks Regrading.

AMIC Mr. Amic responded that he had been sent an address and an instruction sheet as to what should be done. Mr. Stern provided some hand made maps. Tomorrow we will meet with the Corps of Engineers explaining what we need to do with the project, and if the Corps did not respond, then he had instructions as to what to do. Mr. Amic expected that would be resolved tomorrow.

Brick, Grout, Tile, Window Colors, Trim

MITRICK Chairman Mitrick indicated that Todd Grove provided samples of the brick, grout, and window covers. There are a few things on which they would like to have the Board's comments for selection.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost reported that things were relatively quiet, and he had nothing further to add to his written report.

MITRICK Chairman Mitrick asked whether any statement was needed regarding Advent Lutheran.

YOST Solicitor Yost responded that if everyone had seen the draft agreement, he would like to have the agreement approved. He had not received one signed back from Advent yet, but once they have signed it, authorization for the Chair to sign the agreement would be in order.

9. MANAGER'S REPORT:

AMIC Mr. Amic stated he had nothing further over and above his written report and including the Economic Development Grant, previously discussed on the Agenda.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Agreement-Intermunicipal Sewage (recommend approval)

AMIC Mr. Amic provided background information regarding Item A. related to a subsequent agreement between Springettsbury and sister municipalities related to the increase in the flow of the proposed pump station from 3.5 MGD to 4.3 MGD. He stated that Solicitor Yost could advise about meetings and information about the matter. Originally when we discussed

this some months back we felt the other additional 800,000 gallons for the York Township should obligate them to additional debt service. However, after discussing this with the Solicitor, we are not paying any more debt service. The City is accepting additionally 800,000 GPD with no additional debt service cost. What we decided upon was that might be fine, but due to the fact that York Township is going to flow more through the system, they should pay more of the capital costs. They did agree to do just that. Should they not have the reserve to do that in our present system, they had also agreed to make up the difference by any way that they can perceive to make it up. We will have all of these numbers on February 3, 2000. We will be having a inter-municipal meeting at the Windsor Township Municipal Bldg. at 9:30 a.m. All these numbers will be updated and presented to our sister communities. Mr. Amic asked Solicitor Yost for his comments.

YOST Solicitor Yost stated that Mr. Amic had covered the matter, but added that the debt service was to the City. The City was not increasing their cost to Springettsbury for the diversion; that would remain the same. There was no increase in the cost of the pumping station as designed. York Township will be using more of it, so they are going to be paying more.

AMIC Mr. Amic added that it was not known whether this would be accepted by the sister communities, however, he was confident enough to recommend that it be approved. Springettsbury definitely has input as to what York Township would pay for this 800,000 gallons.

SCHENCK Mr. Schenck asked whether the agreement referred to the construction costs.

AMIC Mr. Amic responded that the agreement was written in a strange way. The formula uses the plant flows. The 1981 agreement in the plant flows was the formula. When we get to that point there will be some discussions on just how that works.

SCHENCK Mr. Schenck commented that the intent was to resolve the construction costs. Other issues would be addressed later.

YOST Solicitor Yost responded that it would really be York Township's problem to figure all of that out. They tell us how much sewage crosses the line and then they bill the people who tap into their system. Springettsbury just bills them, and that is not going to change.

AMIC Mr. Amic added that it reduces the number of parties in the treatment cost calculation. We don't care what Dallastown, Red Lion, Yoe Borough, etc. flow because we are going to treat York Township as the billing agent. We are going to bill York Township and York Township will pass back those

costs to their customers. Be aware that Manchester Township is not using the system. Spring Garden Township isn't even in the agreements. We have Windsor Township out there that presents a problem.

PASCH Mr. Pasch asked whether the flow to the City can be delineated as opposed to the Springettsbury plant.

YOST Solicitor Yost responded that it could only be done by volume.

AMIC Mr. Amic added that once it gets into our interceptor, there is no way to know whose sewage it is.

PASCH Mr. Pasch commented that there would be a difference between the sewage rate that Springettsbury would be charging to the other municipalities as well as what the City would be charging.

AMIC Mr. Amic stated that he had made very clear that Springettsbury wanted a state-of-the-art pump station to be built here. Our people are to be trained to operate this pump station because we need to control the flow and design it in a manner where we can control it with our people. We do not want to put one drop into it until we absolutely have to. We have to manage the flow into the City.

PASCH Mr. Pasch agreed but added that there should be an agreement as to who pays for the higher processing costs.

AMIC Mr. Amic stated that was correct because the same percentages would be used in the schedules. Windsor still has a lot of capacity on the original agreement.

PASCH Mr. Pasch stated that there may be questions as to why other municipalities should pay anything to the City, and he thought that question should be resolved.

MR. GURRERI MOVED TO APPROVE AGREEMENT – INTERMUNICIPAL SEWAGE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Ordinance #00-01- Providing Emergency Medical and Transportation Services in and for the Township of Springettsbury (permission to advertise)

PASCH Mr. Pasch asked whether there was a requirement for a Public Hearing.

YOST Solicitor Yost responded that there was no requirement for a Public Hearing.

PASCH Mr. Pasch stated that if a decision were made to have a Public Hearing, then it would be necessary to advertise the Hearing. He asked whether there was adequate time to do that.

AMIC Mr. Amic indicated there would be time.

SCHENCK Mr. Schenck indicated his intention would be to advertise the Ordinance as well.

PASCH Mr. Pasch asked whether there was a time limit if the Ordinance was advertised and when action would be taken.

YOST Solicitor Yost indicated that he did not think so, but action would have to be adjourned if no vote was taken. He added his concern about scheduling a Public Hearing and advertising the Ordinance for adoption in that form before input from the public had been received on it. The advertising of the meeting could reiterate that copies would be available here if someone wanted to review it.

PASCH Mr. Pasch asked whether all that was needed was a seven day notice as far as the Ordinance was concerned.

YOST Solicitor Yost indicated that was correct.

PASCH Mr. Pasch continued that the Ordinance could then be adopted at the next meeting.

AMIC Mr. Amic indicated there was plenty of time between meetings to adopt ordinances, unless the zoning ordinances we proposed to be changed, but if they were normal ordinances no public hearing was necessary.

GURRERI Mr. Gurreri commented that if we get permission to advertise tonight, we have to do something in 45 days. He questioned why not act now instead of waiting.

PASCH Mr. Pasch responded that the perception (of the ordinance) was pretty tough. If the hearing and ordinance would be advertised at the same time, as Mr. Eckert was saying, it would indicate that the Board had already made a decision.

BISHOP Mr. Bishop stated that the only benefit to advertising the ordinance would be to clear up any confusion about what it says.

MITRICK Chairman Mitrick asked whether the advertisement needed to indicate when action will be taken, i.e., having the Public Hearing on Feb. 24th, and waiting until the 6th of March to take action.

YOST Solicitor Yost indicated it could be finalized that night.

PASCH Mr. Pasch commented that it could be done at the next meeting.

YOST Solicitor Yost stated that he may have contributed to the confusion, having not been at the meeting, and having incorporated what he thought were the consensus comments from the previous week's meeting.

MITRICK Chairman Mitrick indicated that some things had changed.

GURRERI Mr. Gurreri indicated he did not want to slow the process down. He stated that Board is serious about this and need to keep on moving. He continued that it could wait until the 6th, but asked why it could not be done now.

PASCH Mr. Pasch indicated it would only be about two more weeks. If we determine that night that we are going to do it, just say we are advertising it for adoption on the 6th and that is it.

BISHOP Mr. Bishop commented that realistically if a Public Hearing would be held on the 24th and the Board listens to the public and then at the end of that same day indicate it would be advertised, has the Board really listened. It can't have been changed by then.

PASCH Mr. Pasch indicated that if that were true at that point, it holds doubly true for advertising it now.

BISHOP Mr. Bishop added that, as Solicitor Yost had mentioned, ordinances are sometimes changed from when they are advertised and when they are adopted.

PASCH Mr. Pasch did not disagree but added that it would set the tone for what was being said earlier, i.e., the Board had already made up its mind and was not going to listen to the public.

BISHOP Mr. Bishop responded that it also sets the tone that the Board would back down.

PASCH Mr. Pasch stated that he would approach it on the basis of advertising the Public Hearing and he would not have a problem with deciding that night. If you listen closely, there was nothing said that indicated the ordinance should be changed.

BISHOP Mr. Bishop echoed Mr. Pasch's statement in that the comments made earlier during the public comment indicated no arguments whatsoever against the ordinance, the approach or anything.

PASCH Mr. Pasch commented that there was no new input. We are going to go ahead and vote. On the other hand if they came in with something which is informational and substantive and could convince us to change it, we should be willing to listen to it with an open mind.

GURRERI Mr. Gurreri stated that even if that were done now, it could still be changed.

PASCH Mr. Pasch agreed but indicated it would not send the right message.

GURRERI Mr. Gurreri indicated that for two years they had tried to get them to do something and they haven't done it yet.

PASCH Mr. Pasch indicated that the one thing that had happened in coming up with this ordinance was get some attention.

HICKMAN Chief Hickman stated that the message was sent loud and clear, last October or November as to what should occur. He had seen no attempt to move forward since then. Chief Hickman stated that more forward progression by the Board was necessary to steer in the right direction what the fire service should be.

PASCH Mr. Pasch indicated that there may be no substantive argument whatsoever. There had been a lot of press and television coverage, and there may be animosities created. What we are trying to do is build a volunteer service that would work. If a situation were being created indicating says that we are nothing but a bunch of dictators that tell the volunteers what to do, no volunteers would come and join up.

HICKMAN Chief Hickman agreed; however, the majority of the feedback he received was positive. He expected a lot more people to attend the meeting. He believed the majority was looking forward to the change.

PASCH Mr. Pasch was still concerned about sending the wrong message.

GURRERI Mr. Gurreri indicated that Chief Hickman had been getting a lot of flack from this and would like to see this go forward. They know we are not going to back down.

YOST Solicitor Yost indicated that the Board had already backed off until the 24th of February.

MITRICK Chairman Mitrick indicated that there had been communication problems in the department for at least eight years. If it is going to cost us two additional weeks to further open the avenues to work together with them, then she felt it was worth it. They know we mean business. They will receive a copy of the final draft of the ordinance. Chairman Mitrick indicated that it is worthwhile to let them have that in hand and digest it. Chairman Mitrick understood the frustration of those who had worked first hand on this, but what we are trying to get at is people working together. To further the attempt for two more weeks is worth it.

HICKMAN Chief Hickman responded that he did not want the Board to lose sight of the history or the focus that you had in the past several meetings. Chief Hickman stated it was a very positive step for the township, and he did not want the vision to become clouded by a smoke screen put in place by the fire company several times and delay what has to occur in order to proceed. That just complicated his job even further and takes away credibility from the township and from his office.

Consensus of the Board was to hold a Public Hearing on February 24th. The ordinances would appear on the Agenda for the 6th.

SCHENCK Mr. Schenck indicated his intention would be to put these two items as they appear tonight with permission to advertise to be put on the next Agenda.

BISHOP Mr. Bishop commented that the most important thing that the Chief said tonight that the Board ignored was that in this case when one person stands up and says we are a bunch of idiots effectively that there are at least five people sitting down and being quiet and saying thank God they are finally doing something.

GURRERI Mr. Gurreri recalled the first meeting we had with the Emergency Service Commission, the volunteers said that every time the Board gets involved with something the Board does not know what it is doing. That is still the same attitude now. They have no respect for the Board.

PASCH Mr. Pasch responded that that does not bother him in that the Board is trying to create an atmosphere that would encourage volunteerism.

GURRERI Mr. Gurreri commented that the volunteers at the fire hall say we do not have the fortitude to do this.

HICKMAN Chief Hickman indicated that the volunteers believe they are untouchable. You may lose a few people; however, what is created from this is an organization that runs better, smoother, and if there is an option of being a

member of a department that is always in the media for having troubles, and not communicating well with the Board of Supervisors, would you want to be a part of that group or one that is running smoothly and is seeing and reaching for the future and the brass ring. Chief Hickman would much rather be a part of a progressive organization that was moving forward. Right now you are catering to the minority. If you remember what was brought here in October or November, the room was full. You only had a handful of people here tonight, several which he had never seen before.

PASCH Mr. Pasch stated he had not been in attendance when the vote was taken. It seemed to him that when the vote was taken, the vote was not to accept this. That is the majority of the people that voted and said no. This talk about the people on the street and the volunteers are in favor of us doing it, does not jive with what the vote that was actually taken from the people that were present.

HICKMAN Chief Hickman commented that the people that were present were people that hadn't been seen in three or four years. One gentleman came in here and looked at him and had no idea what he was voting on. He hadn't been to the firehouse in two years. They stacked the vote to get done what they wanted to show the Board of Supervisors that they had the power to dictate.

MITRICK Chairman Mitrick stated she really did not care what they think on the street as far as who has the teeth in this issue. The whole focus of this was volunteerism. The Board had made the statement that we want to promote volunteerism in this township, and she believed that given the fact that they did come here and yes it is the 11th hour and yes those who have been directly involved can be furious that they waited to this time, but when you look at the full picture, postponing it a few more weeks doesn't take any teeth out of what this Board thinks about the Ordinance. The problem has been communication, and to her it would be worth the next couple of weeks, because it may happen that if we vote without hearing them, we will be stripped of all volunteers. I think then, that this will be a sad situation.

HICKMAN Chief Hickman agreed with what the Board was saying about the time frame. However, he believed that if you do not vote to advertise this evening, you are sending the opposite message. Basically you are taking the pressure off of them to do it as quickly as you want it done. Also, by doing that you lessen your credibility, and in turn lessen my credibility. I have my authority to govern the operation in the Fire Company because of the Board. Chief Hickman indicated he supported the Board 110% in these ordinances. They are absolutely necessary. If you back down tonight, my authority and your credibility is backed down also. It will be a

lot harder to gain that back. The advertising shows that they exist and there is a possibility that they will be adopted later on. We need to move forward with this and show that we are not backing down and that could possibly be reality in a month. If you don't advertise it today, you are sending the opposite message.

PASCH Mr. Pasch stated it wouldn't mean it won't be a reality. He suggested that the Public Hearing be advertised for the 24th and advertise the ordinance for adoption on March 6th. That at least would give the impression that we are going to listen to what they have to say.

HICKMAN Chief Hickman stated he had no problem with that whatsoever. Right now he was dealing with the credibility issue with the authority that the Board has to actually do this, which placed him in a very awkward position.

GURRERI Mr. Gurreri commented about credibility and the fact that this Joint Agreement was made by them. They met and they came up with this agreement and the people that made the agreement voted against it. They said they didn't like it, and they were the ones that made it. He stated that it made no sense.

MITRICK Chairman Mitrick stated that she supported Mr. Pasch's statements advertise tonight for Public Hearing on Feb. 24th and action on March 6th. That gives an ending date and if they have something to bring to us that is reasonable then we will have it in time.

BISHOP Mr. Bishop stated that the Board had already determined to have the Public Hearing. All that was needed was the motion to advertise this for adoption on the 9th, not the 6th.

YOST Solicitor Yost asked whether the Ordinance should be advertised in full, which would be quite expensive, or just in summary.

PASCH Mr. Pasch responded that they had been presented the opportunity to request the ordinances if they want.

YOST Solicitor Yost added that the advertisement itself would say that. He added that copies are required for the newspaper.

MR. SCHENCK MOVED THAT PERMISSION BE GRANTED TO ADVERTISE ORDINANCE 00-01 WITH THE INTENT TO ADOPT ON MARCH 9, 2000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Ordinance #00-02 – Establishing a Fire Operations Committee with Responsibility for the Operation of Fire Protection and Rescue Activities (permission to advertise)

MR. SCHENCK MOVED THAT WE GRANT PERMISSION TO ADVERTISE ORDINANCE 00-02 WITH THE INTENT TO ADOPT ON MARCH 9, 2000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick cautioned to be sure that they are working with the most recent draft.

BISHOP Mr. Bishop stated that Mr. Amic has the final draft that he had marked up in the meeting of the fire ordinance.

MITRICK Chairman Mitrick stated that when the final draft was in hand, a copy be sent to the President of each company.

HICKMAN Chief Hickman indicated that there would be copies placed here and at both stations. That way everybody will have the opportunity to read it.

D. Agreement – Advent Lutheran Church – Springettsbury Township

YOST Solicitor Yost asked the Board to review the Settlement Agreement he drafted and approve that for execution by the Chairperson when the signed copies are received back from the church.

MR. BISHOP MOVED THAT THE CHAIR BE AUTHORIZED TO EXECUTE THE SETTLEMENT AGREEMENT AS APPROVED BY ADVENT LUTHERAN CHURCH. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Budget Work Session – November 22, 1999

PASCH Mr. Pasch thanked Mr. Amic for his quick response to Mr. Pasch's questions about action items brought forth from the Minutes.

MITRICK Chairman Mitrick stated that with Mr. Pasch's question and Mr. Amic's response it came to mind again how the Board discusses things and pass the job to Mr. Amic.

AMIC Mr. Amic stated that he appreciated the reminder because as the Minutes are prepared and reviewed and time slips by and there's new work on the plate.

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS BUDGET WORK SESSION NOVEMBER 22, 1999 AS AMENDED. MR. PASCH WAS SECOND. MOTION CARRIED. MR. SCHENCK AND MR. BISHOP ABSTAINED. MR. SCHENCK WAS NOT IN ATTENDANCE; MR. BISHOP HAD NOT TAKEN TIME TO REVIEW THE MINUTES.

B. Board of Supervisors Budget Work Session – December 6, 1999

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE DECEMBER 6, 1999 BOARD OF SUPERVISORS BUDGET WORK SESSION AS AMENDED. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. BISHOP ABSTAINED AS HE HAD NOT TAKEN TIME TO REVIEW THE MINUTES.

C. Board of Supervisors Budget Work Session – December 23, 1999

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS BUDGET WORK SESSION DECEMBER 23, 1999 AS AMENDED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Board of Supervisors Reorganization Meeting – January 4, 2000

BISHOP Mr. Bishop asked whether it was really necessary to have all of the information about the Pledge of Allegiance and would it be recorded in every single Minute. He asked whether the text of Mr. Gurreri's prayer should be included.

GURRERI Mr. Gurreri indicated he liked the reference to the Pledge. He added it was up to the Board.

SCHENCK Mr. Schenck indicated it was not a big deal to him.

PASCH Mr. Pasch stated he was pleased that Chairman Mitrick brought it up and pleased that Mr. Gurreri wanted to provide the Pledge. He added that there was not enough emphasis on patriotism. He would like to see it in the Minutes.

SCHENCK Mr. Schenck added that he did not think the entire text of the prayer should be in the Minutes—only the fact that he offered a short prayer.

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REORGANIZATION MEETING JANUARY 4,2000 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Chairman Mitrick commented to be sure that the accurate, updated Ordinances are available.

PASCH Mr. Pasch commented on the report on Transportation. He thanked Mr. Amic for the well done report. The report places us in the position to get some things done. He appreciated the effort.

12. OLD BUSINESS:

A. Labor Counsel

AMIC Mr. Amic indicated he had passed along a letter he had received regarding this item.

B. Resolution 00-17 – Appointing a Member to the Township Plumbing Board

SCHENCK Mr. Schenck recommended Ed Sowers be requested to provide names of interested people. The Board is not going to solicit plumbers.

C. Cortleigh Drive Storm Water Rehabilitation (civil engineer)

AMIC Mr. Amic indicated that this item was waiting on some cost data from the Wastewater people so Mr. Luciani could follow through on when this information is collected.

13. NEW BUSINESS:

There was no New Business brought forward for discussion.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10:10 p.m.

Sincerely,

Paul W. Amic
Secretary

PWA/ja

BOARD OF SUPERVISORS **JANUARY 27, 2000**
PUBLIC HEARING **APPROVED**

The Springettsbury Township Board of Supervisors held a Public Hearing on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Bill Schenck
Ken Pasch
Don Bishop
Nick Gurreri

MEMBERS NOT IN ATTENDANCE: Lori Mitrick

ALSO IN ATTENDANCE: Paul W. Amic, Township Manager
Mark Hodgkinson, Superintendent - Wastewater Treatment
Mike Schober, Environmental Engineer
Jean Abreght, Stenographer

1. CALL TO ORDER:

SCHENCK Vice Chairman Bill Schenck called the meeting to order at 7:00 p.m. He explained that the meeting was a Public Hearing of the Springettsbury Township Board of Supervisors held for the purpose of an overview of the Risk Management Plan, a plan that was put in place due to EPA regulations concerning the use and storage of chlorine at the Wastewater plant. The Hearing was to educate, inform and allow public comment for the citizens of Springettsbury Township.

2. EXPLANATION OF RISK MANAGEMENT PLAN:

HODGKINSON Mark Hodgkinson, Superintendent of Operations and Technical Services provided a slide presentation regarding the plant overview. He explained the chlorine handling and risk management plan. Hard copies were provided as handouts. The Wastewater Treatment Facility, located at 3501 North Sherman Street, has been in operation since 1972. Currently there are 28 employees. The Facility is a Regional Facility treating sewage for nine municipalities in York County. The Facility is permitted for 15 million gallons of wastewater a day.

Mr. Hodgkinson stated that in 1996 the EPA revised the Clean Air Act to require all industries that store certain chemicals at or above a threshold limit to provide a Risk Management Plan by 6/21/99. Springettsbury Township had complied with those requirements in conjunction with the Police and Fire Departments. Prior to any

wastewater being discharged into the Codorus Creek, a chlorine solution is added to kill pathogens. Mr. Hodgkinson provided slide photographs showing how the chlorine as a liquid is stored at the Treatment Facility in one ton cylinders. The threshold limit for a risk management plan in chlorine is 2,500 lbs. and Springettsbury Township has no more than 12,000 lbs. on the facility at any given time. He explained how the chlorine gas is dispensed at a controlled rate into the wastewater.

The Risk Management Plan is a tool used to assess potential chemical hazards and define actions to minimize issues and to respond effectively to a problem. The RMP is shared with the Local Emergency Planning Commission of York County and Springettsbury Township Police and Fire Departments to provide information to the Emergency Response Team in the event of an emergency. Chlorinators are used to remove the chlorine gas from the cylinders and dispense it under a vacuum at a controlled rate into the wastewater.

Mr. Hodgkinson reported on the Primary Components of the Risk Management Plan, which are Prevention, Preparedness and Response. Prevention: Process Safety Management included an engineering review, ongoing preventative maintenance and inspection and emergency response training. Possible failures included human errors, mechanical failures, and natural disasters. Mr. Hodgkinson stated other preventative measures, such as an early warning leak detection system. The chlorine building is used only for chlorine storage cylinders. Modifications had been made for delivery to minimize accidents. Staff has comprehensive training on the handling of chlorine and safety equipment.

Mr. Hodgkinson continued with the issue of Preparedness and discussed some worst-case scenarios including a cylinder wall hole, wind, temperatures, minor leaks and failed safety systems. A release could affect an area with a 2.02 mile radius. The most important fact brought out was Springettsbury Township's safety record. With chlorine on site over a period of 28 years the Township never had a release that could have affected people or the environment.

Mr. Hodgkinson explained the WWTF emergency response capabilities, including a fully trained and equipped staff. He added that staff wears SEBA during all chlorine cylinder changes. Additional capabilities include close coordination with the Fire Department, on-going training, and review of emergency procedures. The Hazmat Team could be called on, which procedure is included in the Risk Management Plan.

Mr. Hodgkinson asked whether there were any questions.

SCHENCK Mr. Schenck asked whether there were significant changes that had to be made as a result of being essentially required to implement the plan.

HODGKINSON Mr. Hodgkinson responded that there had been minor changes made, but one major change was that the full cylinders of chlorine had been stored outside the building in the loading area. The risk could significantly be reduced if the cylinders were moved inside. The second item was putting up a wind sock. Mr. Hodgkinson added that the WWTF had been nominated and won the Central Pennsylvania Safety Award for water quality. EPA had investigated the site and were well pleased with the chlorine handling.

3. QUESTIONS FROM CITIZENS:

SCHENCK Mr. Schenck indicated that, inasmuch as this meeting was a Public Hearing, the purpose was to inform the public of this plan. He asked for comments from the citizens.

There were no comments made by citizens.

4. QUESTIONS FROM BOARD OF SUPERVISORS:

PASCH Mr. Pasch asked about a preparedness issue. A small leak would affect an area of a 30 ft. radius. He asked whether that was because the chlorine dissipates quickly into the air.

HODGKINSON Mr. Hodgkinson responded that with a small leak chlorine inside the cylinder is boiling. When a leak occurs and it finds its way into the atmosphere it freezes and then thaws. It's not a constant rate.

PASCH Mr. Pasch asked whether a small leak would trigger the warning signal.

HODGKINSON Mr. Hodgkinson responded that the slightest escape into the atmosphere would trigger the alarm system.

PASCH Mr. Pasch commented that in the 28 years there had not been a leak that even affected the staff.

AMIC Mr. Amic thanked Mr. Hodgkinson for his preparation on short notice and the good job he had done.

5. ADJOURNMENT:

SCHENCK Mr. Schenck adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Paul W. Amic
Secretary

PWA/ja

BOARD OF SUPERVISORS **FEBRUARY 10, 2000**
REGULAR MEETING **APPROVED**

The Springettsbury Township Board of Supervisors held a General Meeting on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick
Bill Schenck
Don Bishop
Nick Gurreri

MEMBERS NOT IN ATTENDANCE: Ken Pasch

ALSO IN ATTENDANCE: Paul W. Amic, Township Manager
Charles Rausch, Acting Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Robert Halbert, R. K. & K.
Mike Myers, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Betty Speicher, Director of Human Services
Andrew Stern, Economic Development Director

1. CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 7:30 p.m. Chairman Mitrick stated that an Executive Session would be held immediately following the General Meeting regarding legal matters. Chairman Mitrick reported that Ken Pasch would not be in attendance and introduced Attorney Charles Rausch would be Solicitor during the meeting.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

SCHENCK Mr. Schenck introduced three Boy Scouts from Troop 25: Josh Salvey, Billy Scott, and Andrew Rineberg. The scouts attended the meeting as part of a Citizenship in the Community Merit Badge program. Attendance at a local government meeting was a requirement for this badge.

MITRICK Chairman Mitrick instructed them to raise their hands and ask questions. Chairman Mitrick additionally welcomed students from York College, whose purpose was to write papers regarding the meeting and report to their professors at York College,

2. COMMUNICATIONS FROM CITIZENS:

FULTZ Mr. Don Fultz of 3601 Ridgwood Road publicly thanked the maintenance people who help with the snow removal. He stated that they had done an excellent job for many years.

GURRERI Mr. Gurreri stated it was good to hear from a resident who was happy with the work of the road crews.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported he met with Mr. Amic regarding the 537 Plan to review the state's comments on the sewage management program. Mr. Schober stated that there was nothing new on the PLC system. The contractor was still working on some customized reports required by the contract. Stewart and Tate had forwarded their bonds and insurances which had been reviewed and forwarded to the township with recommendations. The Act 339 submittal had been received.

SCHENCK Mr. Schenck asked when the Act 339 was set to expire.

SCHOBER Mr. Schober responded that it had expired but there were some grandfather provisions. Projects noted in Act 537 continue to be eligible for the program.

SCHENCK Mr. Schenck stated that no new programs could be added to the 537 Plan at this time.

GURRERI Mr. Gurreri indicated that there had been several calls about the smell at the sanitary plant. He asked whether Mr. Schober had found anything during his investigation.

SCHOBER Mr. Schober responded that the previous Thursday, Mr. Bishop had reported odor. Mr. Schober checked with the plant personnel, who indicated they weren't aware of any odors as there had not been any on site. They were not doing anything differently that day than usual. There was no conclusion as to what had caused the odor. He stated that certain atmospheric weather conditions might have worsened the condition.

GURRERI Mr. Gurreri asked whether the odor might come from the incinerator plant or Spring Grove.

SCHOBER Mr. Schober indicated that was a possibility and added that there had been difficulty with odors in Lancaster recently popping up in certain areas and Spring Grove was one of the potential sources.

MITRICK Chairman Mitrick indicated she had received two calls, and she had notified the office of those calls. One of the residents stated that late in the evening the odor became more intense. Another gentleman who had a farm in the low lands near the creek said that it was constant. She stated she was sure that Mark Hodgkinson had received that information.

B. Civil Engineer – First Capital Engineering

LUCIANI John Luciani reported that, in addition to his written report of January 2, there had been discussion at the previous Board of Supervisors meeting regarding the $25,000 grant to be spent on the park. Mr. Luciani had reviewed the new Municipal Building with a focus on the landscaping plan that had been prepared. Review of the overall park plan indicated a few options were available, such as additional plantings and park benches and site amenities. Additional parking might be an additional area for focus.

GURRERI Mr. Gurreri asked about the big pine trees and whether they would be taken down.

LUCIANI Mr. Luciani indicated that the plan for enlarging the radius for vehicular movement may include the loss of some trees.

SCHENCK Mr. Schenck indicated that the $25,000 must be used for physical additions to the park. There had been discussion about the connection to the new parking area for the Creative Playground. He asked whether that had been incorporated in the final building plan.

LUCIANI Mr. Luciani indicated it had been included. In addition, there had been some handicapped spaces in that vicinity.

BISHOP Mr. Bishop asked what landscaping would be required for the new building.

LUCIANI Mr. Luciani responded that there was parking lot landscaping as well as some trees around the perimeters. His focus was for enhancement when driving up Mt. Zion Road, where there are no street trees in that area. Mr. Luciani would like to try to tie this into the general area. If a water fountain or some additional park benches were added, the object would be to keep it in one vicinity. Street trees would mature over time in an area that would not be affected.

SCHENCK Mr. Schenck indicated that enhancements around the pond and to the walkway around the compost park, benches, etc. are areas for consideration.

LUCIANI Mr. Luciani indicated he would have liked to do a portion of a walking trail. However, as far as bidding requirements, the grant must be spent by June 30.

MITRICK Chairman Mitrick asked whether there was a water fountain near the Creative Playground.

LUCIANI Mr. Luciani responded that there was a water stub there. He plans to put a punchlist together of five things that could be done.

MITRICK Chairman Mitrick asked whether the Board would be in agreement to the installation of a drinking fountain.

LUCIANI Mr. Luciani indicated that a drinking fountain and water line could cost in the area of $6,000 to $7,000.

HARTEIS Mr. Tom Harteis (York College student) asked what was the source of the $25,000 grant.

BISHOP Mr. Bishop responded that it was a state grant.

LUCIANI Mr. Luciani indicated he had enough information to proceed with preparation of a plan for the Board's review.

LUCIANI Mr. Luciani continued his Engineering Report to state that a number of developments are on-going. He had faxed to Mr. Amic a memo regarding traffic (calming) improvements. He planned to submit information to Mr. Amic to send to PennDot for the construction of Caterpillar Road. There had been a successful meeting with Mike Lopano of PennDot on how that would all take place and how the time frame could be moved up if the township takes the lead on the project. Mr. Lopano stated that he had more projects than he could handle, and if the township would take the lead it would be a big advantage to them.

MITRICK Chairman Mitrick questioned a comment in Mr. Luciani's report. He had indicated that the Rec Board was interested in taking control of the park area in Hunter's Crossing. She asked whether that assumption had been confirmed.

LUCIANI Mr. Luciani responded that the matter had been mentioned, but in a staff meeting it was made clear that that wasn't a done deal.

GURRERI Mr. Gurreri asked about the county prison and the indication that temporary units were not favorable. He asked why.

LUCIANI Mr. Luciani responded that he wanted to make the engineer aware that a number of temporary structures in the township seemed to stay for an infinite amount of time. Mr. Amic and staff want to establish temporary structures much like a Land Development Plan. Often the temporary structures are not viewed as temporary.

C. Design Engineer – Rummel, Klepper & Kahl

HALBERT Mr. Halbert provided an update to his February 3 status report. They had continued to receive, review and process shop drawings from three contractors for the pump station. They met with Springfield Contractors and worked out a Notice to Proceed date of March 1. The biggest item would be the tunnel crossing of the railroad indicating an 84" diameter tunnel was significant, and an excellent plan was in place to proceed. That would provide access to a 66" interceptor crossing to the pump station site.

HALBERT Mr. Halbert reported on the Bio-Solids Public Education Program. During a previous meeting Mr. Pasch requested a listing of some of the publications referenced. Mr. Halbert obtained a publication listing including state, national and local as well as articles, both unfavorable and favorable, web sites at the state level, and the Department of EPA. The publications and information are available for review in their offices.

MITRICK Chairman Mitrick indicated Mr. Halbert should be sure to fax those to Mr. Pasch for his review.

GURRERI Mr. Gurreri asked about the "heating" of sludge.

HALBERT Mr. Halbert responded that the heating process was done biologically. A tremendous amount of heat is generated in the composting operation which kills pathogens and organisms in the sludge, which then can be applied to agricultural land.

SCHOBER Mr. Schober stated that Mr. Gurreri was probably referring to the Borough of Middletown, which had been in the news recently. They are adding lime to stabilize their sludge. There is a chemical reaction which generates heat, and which kills the bacteria in the sludge.

HALBERT Mr. Halbert continued with regard to Bio-Solids that a few comments/improvements had been received from Chairman Mitrick, along with Mr. Bishop's comments.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 2/10/00.
B. MPJ Construction – Progress Billing #2 – Farmhouse Renovations - $12,326.25
C. East Coast Contracting, Inc. – Progress Billing #1 – New Municipal Building - $213,741.
D. Shannon A. Smith, Inc. – Progress Billing #2 – New Building/Farmhouse - $6,831.
E. Frey Lutz Corporation – Progress Billing #1 – New Building/Farmhouse - $4,043.70.
F. Buchart Horn, Inc. – Progress Billing #13 – Harrowgate/Kingston - $624.15.
G. Buchart Horn, Inc. – Progress Billing #8 – PLC Upgrade - $256.50.
H. Buchart Horn, Inc. – Progress Billing #9 – Millcreek Interceptor - $940.

GURRERI Mr. Gurreri asked what was included in the item regarding First Union Bank – Debt Interest for $1,594.79 – Administration Fee

AMIC Mr. Amic responded that the item related to the bank Administration Fee regarding the Bond Issue.

GURRERI Mr. Gurreri asked about the item for Shoe House Mini Storage and whether there would be a need for this rental following the new building project.

AMIC Mr. Amic responded that the storage rental would no longer be needed upon completion of the new municipal building.

MR. GURRERI MOVED TO PAY ACCOUNTS PAYABLE A. THROUGH C. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. GURRERI MOVED TO PAY ACCOUNTS PAYABLE F. THROUGH H. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. SCHENCK MOVED TO PAY ACCOUNTS PAYABLE ITEMS D. AND E. AS LISTED ON THE AGENDA. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI OPPOSED.

5. BIDS, PROPOSALS AND QUOTES:

A. Replacement of Wastewater Dump Truck – Permission to Draw Specifications and Advertise for Bids.

AMIC Mr. Amic commented on the request from the Wastewater staff to replace a 1983 dumptruck used in the bio-solids program. This item had been

included in the 2000 Capital Budget for approximately $105,000 with an estimated $5,000 trade in. Staff requested permission to draw specifications and bid.

SCHENCK Mr. Schenck asked whether the truck that would be replaced had a snow plow.

HODGKINSON Mr. Hodgkinson responded that it did not.

GURRERI Mr. Gurreri asked about the old truck's condition and whether the township would do well to sell the truck.

AMIC Mr. Amic responded that it was possible that the township could do better to sell the truck, but added that this motion would not include the sale of the old truck. It was a possible trade in, and that could be explored.

MR. GURRERI MOVED TO APPROVE THE ADVERTISEMENT FOR BIDS FOR REPLACEMENT OF WASTEWATER DUMP TRUCK TO DRAW SPECS AND BID. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISION AND LAND DEVELOPMENTS:

A. Planning Module – A3-67957-304-3 – First Baptist Church – 700 GPD

AMIC Mr. Amic discussed the Planning Module for First Baptist Church for 700 gallons per day, which was recommended by the Wastewater staff. The item was included in the Chapter 94 report.

MR. BISHOP MOVED TO APPROVE THE PLANNING MODULE FOR FIRST BAPTIST CHURCH 700 GALLONS PER DAY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATIONS FROM SUPERVISORS:

BISHOP Mr. Bishop addressed Mr. Amic with some concerns about the Police Pension Fund for the prior year. He expressed surprise by the last letter he had received, which stated a 3.6% under-performance in the market.

AMIC Mr. Amic responded that he had not read the communication with that understanding but advised that he would review that again. He thought he read a 12% performance.

GURRERI Mr. Gurreri reported that planning for the Appreciation Dinner is moving forward. He solicited comments/questions at any time. The date had been scheduled for October 27, 2000.

GURRERI Mr. Gurreri received a letter from the Margaret Moul Home soliciting funds. He was unsure of what the Supervisors could do in this regard.

SCHENCK Mr. Schenck stated that he had recently reviewed the matter of charitable donations. Not all charitable non-profits were included.

AMIC Mr. Amic indicated that his understanding was that there was a definitive listing in the township code showing specifics.

RAUSCH Acting Solicitor Rausch responded that any contributions must be related to the governmental business.

SCHENCK Mr. Schenck stated that, as part of the response to Margaret Moul Home, the matter should be investigated. He added that he did not think that the Board could donate to this cause.

AMIC Mr. Amic indicated he would review the Code and respond.

GURRERI Mr. Gurreri commented that there was some focus on regionalization in other municipalities but there had been no discussion in Springettsbury Township. He indicated that Board should have some dialogue. He would like to know how the Board feels about that.

SCHENCK Mr. Schenck asked whether there was anything in particular, or just in general.

GURRERI Mr. Gurreri indicated that in the lower part of the county there was regionalization in the Police Departments. He added that there are positives and negatives to that.

MITRICK Chairman Mitrick indicated that regionalization was a very big issue. She added that the Board had many issues on its plate, but she was in agreement to discuss it at some point. She had been contacted regarding the Board's interest in regionalization in general terms.

BISHOP Mr. Bishop stated he would be more than happy to discuss regionalization with respect to solving any real or perceived problem that needed to be addressed. Regionalization just for the sake of regionalization was not necessarily a good thing. It would be more productive talking about it in specific terms. Places where initiatives are going forward involve people solving problems. One area where regionalization made sense was with the sewer and Springettsbury was a leader.

GURRERI Mr. Gurreri mentioned the fire truck and the fact that municipalities could save money on items such as the new ladder truck, which is costing about $550,000.

SCHENCK Mr. Schenck stated that there should be some discussion about it, but added that he agreed with Mr. Bishop's point to discuss the matter to correct problems, not just for the sake of discussion.

MITRICK Chairman Mitrick stated that, based on questions posed to her personally regarding the position of the Board on possible regionalization of the police force, her response was that no formal discussion had taken place. She added that she was satisfied with how things are right now. In broad terms regionalization issues had been discussed, but specifically she agreed with Mr. Bishop that it was not problem related. There is difficulty when one gets direct pressure from the press.

MITRICK Chairman Mitrick publicly thanked Ron Simmons and Greg Henry. Both men had been heroes in her book the last few weeks. A call had been received from a gentleman concerned about a dumpsite being established out by Village East apartments, and Mr. Simmons and Mr. Henry had that situation cleaned up within hours. In addition, the resident who complained followed up with a formal thank you note that the staff had responded.

MITRICK Chairman Mitrick had also received a call indicating that there was a blind gentleman walking along East Market Street who had to walk in the roadway because the sidewalk in front of Home Depot and Walmart had not been plowed. The man called the next day and said Home Depot had it cleaned up. Chairman Mitrick complimented Mr. Simmons and Mr. Henry because often they unfortunately have to carry bad news that requires work by the recipient of the news. They seem to have a way about them that is extremely successful. She publicly thanked Mr. Simmons and Mr. Henry for their effort.

MITRICK Chairman Mitrick received a letter from Pat Walters who is interested in serving on the Historic Preservation Committee. She had already attended the January meeting and intended to join at the February meeting. She would like to be formally appointed to that committee. Chairman Mitrick asked for a time when the Board could talk with her briefly as had been done with other candidates.

SCHENCK Mr. Schenck asked whether they had an unlimited number on that board.

STERN Mr. Stern commented that they do have a limit of members; the Board had increased the number from five to seven. They presently have six members.

SCHENCK Mr. Schenck indicated that he was not opposed to a 15-minute interview prior to a regular meeting.

MITRICK Chairman Mitrick asked whether that could be scheduled for 7:15 p.m. on March 9, 2000.

Consensus of the Board indicated agreement to meet Pat Walters at 7:15 p.m. on March 9, 2000.

MITRICK Chairman Mitrick thanked Chief Eshbach for his response on the resident's concern related to Eastern Boulevard and Mill Street. A small attachment will be made to the stop signs.

8. SOLICITOR'S REPORT:

RAUSCH Attorney Rausch reported that he had two agreements for the Board. The first pertained to the agreement between Springettsbury Township and Advent Lutheran Church, which had previously been signed by the church. The second was the agreement with CSX Transportation over condemnation signed by CSX. Both agreements had been previously authorized for signature by the Board.

9. MANAGER'S REPORT:

A. PA Department of Community and Economic Development Grant

AMIC Mr. Amic indicated that item A. had been previously discussed and he had nothing further to add.

BISHOP Mr. Bishop asked Mr. Amic whether he felt he needed any Board action at this point.

AMIC Mr. Amic indicated he did not. He had met with Mr. Luciani and discussed a number of issues. Mr. Luciani will get something together for the Board to review regarding item A.

AMIC Mr. Amic added that regarding other matters with the Commonwealth he agreed with Mr. Luciani's comments. The meeting with PennDot was a very good, exciting meeting, an exciting time for the township because a real opportunity to correct many of the highway problems in the next year or two had been revealed. The approaches taken were optimistic and the township now has options for funding.

BISHOP Mr. Bishop commented that the project needed a name. When he read Mr. Amic's memo and Mr. Luciani's memo both referred to the same project with a different name.

AMIC Mr. Amic indicated agreement.

GURRERI Mr. Gurreri asked for a meeting regarding what was going to be done in the park. We have a plan but changes had been discussed.

AMIC Mr. Amic reported that John Klinedinst, of C. S. Davidson, the engineer for York County, requested a Work Session with the Board of Supervisors during the week of February 28 to provide a 15-minute presentation related to the modulars.

BISHOP Mr. Bishop stated he had not heard a case for reconsideration by the Board. He added that the normal process should be followed. .

AMIC Mr. Amic agreed that this was unusual.

MITRICK Chairman Mitrick stated that information she had requested still had not been received from Chris Reilly.

AMIC Mr. Amic stated he had written a letter asking a number of the questions that the Board had voiced. He directed the letter to Mr. Noll the Administrator of the County, who was the one who originally requested the items.

SCHENCK Mr. Schenck stated that the response to the Board's questions are the bigger part of the response necessary.

MITRICK Chairman Mitrick had investigated the Minutes and news articles related to the last expansion of the prison. She stated she had some real serious questions as to who is being housed there, and where the county is going.

AMIC Mr. Amic indicated he had asked those questions in his letter to Mr. Noll. He felt he would pass those comments along to Warden Hogan and the Commissioner and generate a response.

MITRICK Chairman Mitrick indicated she wanted a written response for review.

BISHOP Mr. Bishop indicated he did not want to commit to meeting with any developer who wanted to circumvent the normal procedure.

GURRERI Mr. Gurreri asked why the Board would be concerned with who is housed in the prison.

MITRICK Chairman Mitrick responded that the figures indicated, when they expanded the last time, that expansion would carry the county inclusive of the INS through the year 2020. As they are requesting additional space, she questioned the need based on the factual information that had been presented previously.

BISHOP Mr. Bishop stated that their request for a waiver for a Land Development had been denied. A Land Development Plan must be completed. Mr. Bishop indicated he would not be in favor of any meeting at this point.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Resolution 00-17 – Appointing Member to the Plumbing Board

AMIC Mr. Amic stated that during the last Board meeting it had been suggested by Mr. Schenck that Mr. Sowers, who had been involved in the pluming program, come up with a name of someone who might serve on the Plumbing Board. Mr. Sowers recommended Norman Naftzger for the Board's consideration.

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 00-17 APPOINTING NORMAN NAFTZGER AS A MEMBER OF THE TOWNSHIP PLUMBING BOARD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck asked Mr. Amic to thank Mr. Sowers for his recommendation.

MITRICK Chairman Mitrick asked whether the Plumbing Board was required to meet annually.

SCHENCK Mr. Schenck responded that the Plumbing Board met for appeals and technical review of the licensing results.

11. ACTION ON MINUTES:

A. Board of Supervisors Regular Meeting – January 13, 2000

GURRERI Mr. Gurreri, in his comments regarding the January 13th Minutes, stated that when he commented about changing the officers of the Board, he was not trying to take something away from the Chairman or the Vice Chairman of the Board. He was just suggesting a different way to do it. The Chairman had a lot of work to do, and he felt everyone should do their part. He stated he was not trying to oust the Chairman.

MITRICK Chairman Mitrick commented that she understood what Mr. Gurreri had stated.

MR. GURRERI MOVED FOR APPROVAL OF THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING JANUARY 13, 2000 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Work Session – January 20, 2000

MR. BISHOP MOVED FOR APPROVAL OF THE MINUTES OF THE JANUARY 20, 2000 BOARD OF SUPERVISORS WORK SESSION. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Board of Supervisors Public Hearing – January 27, 2000

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING JANUARY 27, 2000 AS DRAFTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Board of Supervisors Regular Meeting – January 27, 2000

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING JANUARY 27, 2000 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

AMIC Mr. Amic had no items for discussion under Old Business.

13. NEW BUSINESS:

GURRERI Mr. Gurreri stated he would not be in attendance for the Hearing on the Ordinance 00-02. He regretted that he would not be at the meeting and stated that he felt it was a good ordinance and that it would help the volunteer fire department get organized and take a lot of problems they have away from them. It will give the township staff more work and the Supervisors more work. He stated that the Ordinance is good and it's very important to keep going forward. He stated he was 100% in favor of the Ordinance.

SCHENCK Mr. Schenck commented about the letter received from Commonwealth Fire Company and inquired whether that was an official letter.

BISHOP Mr. Bishop stated that was the President's official letter.

HICKMAN Chief Hickman stated that the volunteers voted, and it was their official standing.

BISHOP Mr. Bishop commented that a fairly active media campaign against this action should be expected.

MITRICK Chairman Mitrick stated some concern that with the passage of Ordinance 00-02 there would be a tremendous amount of work on the Fire Chief's desk. She understood that he is busy now, and so as that ordinance is further discussed, she would like to be informed as to how he will manage all that work.

BISHOP Mr. Bishop responded that there is significant responsibility, but not necessarily an inordinante amount of work involved in managing that responsibility. He added that it actually would be easier to manage when one has the authority to manage

AMIC Mr. Amic indicated he really did not know what the new ordinance would mean in terms of workload. He added that a number of shifts would take place and that the Fire Chief would have more responsibility.

MITRICK Chairman Mitrick stated that she did not think the Board had been informed on the status of the Deputy Fire Chief. She asked whether there might be a request for a secretary for that department. She indicated she would like more information from Mr. Amic's office regarding this item for the future.

AMIC Mr. Amic indicated he would put some things together and respond to Chairman Mitrick. He added that there are different approaches which do not necessarily mean new staff. However, a management person had been planned to be on site.

MITRICK Chairman Mitrick stated that she did not want her comments to mean that she is opposed to the ordinance. She would just like some backup information.

AMIC Mr. Amic commented to the York College students that this had been the shortest meeting since he had been the manager and invited them to return.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:10 p.m.

Respectfully submitted,

Paul W. Amic
Secretary

PWA/ja

BOARD OF SUPERVISORS **FEBRUARY 23, 2000**
WORK SESSION **APPROVED**

The Board of Supervisors held a noon work session on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck, Vice Chairman
Don Bishop, Assistant Secretary/Treasurer
Ken Pasch

MEMBERS ABSENT: Nick Gurreri

ALSO IN ATTENDANCE: Paul Amic, Township Manager
Dori Bowders, Manager of Administrative Operations

MITRICK Chairman Mitrick called the meeting to order at 12:00 p.m. She indicated the purpose of the meeting was to discuss restructuring of the Township Administration. Mrs. Mitrick immediately adjourned into an executive session regarding personnel.

The work session reconvened at 1:40 p.m.

MITRICK Mrs. Mitrick stated that consistent with the work session, the Board was going to discuss the upcoming process in light of the fact that they had just received the Township Manager's letter of resignation.

MR. SCHENCK MOVED TO AUTHORIZE THE CHAIRMAN ON BEHALF OF SPRINGETTSBURY TOWNSHIP TO ENGAGE THE SERVICES OF MILLER & CO. TO ASSIST THE BOARD IN THE PROCESS OF RESTRUCTURING THE TOWNSHIP MANAGEMENT AND ASSISTING THE BOARD IN LOCATING AN INTERIM SOLUTION TO THE TOWNSHIP MANAGER'S POSITION. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Mrs. Mitrick pointed out another item in need of discussion was the agenda for the public hearing scheduled for tomorrow evening. Mrs. Mitrick stated she would chair the public hearing and Mr. Bishop would present ordinance 00-01 and 00-02 in total, before the floor is opened for comments and questions.

Consensus of the Board was to limit comments and questions to three minutes per person during the public hearing. They further stated it was their desire to end the public hearing at 7:20 p.m. to afford time for discussion amongst themselves prior to the regular Board meeting scheduled for 7:30 p.m. the same evening.

MITRICK Mrs. Mitrick adjourned the meeting at 2:05 p.m.

Respectfully submitted,

Paul W. Amic
Secretary

PWA/dkb

BOARD OF SUPERVISORS **FEBRUARY 24, 2000**
REGULAR MEETING **APPROVED**

The Springettsbury Township Board of Supervisors held a General Meeting on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick
Bill Schenck
Don Bishop
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Nick Gurreri

ALSO IN ATTENDANCE: Paul W. Amic, Township Manager
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Mike Myers, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Betty Speicher, Director of Human Services
Andrew Stern, Economic Development Director

1. **CALL TO ORDER**:

MITRICK Chairman Mitrick called the General Meeting of the Springettsbury Township Board of Supervisors to order at 7:45 p.m.

A. Pledge of Allegiance

PASCH Mr. Pasch to led the Pledge of Allegiance.

MITRICK Chairman Mitrick announced that there would be an Executive Session immediately following the General Meeting regarding legal matters.

MITRICK Chairman Mitrick requested that Mr. Amic state a few words.

AMIC Mr. Amic stated that he had advised the Board of Supervisors by writing a letter on Monday (2/21/00) and notifying Chairman Mitrick on Tuesday (2/22/00) that he had resigned his position as Township Manager of Springettsbury Township effective March 10, 2000. The Board met with Mr. Amic Wednesday to discuss that matter. The Board had been, for some time, working on a plan for management changes. Mr. Amic commented that the meeting was amicable. A good discussion about the future of Springettsbury Township was held, and he stated to the Board

that he was extremely proud to have worked with this Board. He had been blessed to spend some six and one half years in Springettsbury Township. He added that everyone should be proud of the township. He added that he was extremely proud of the little bit he had to do to help. He was also extremely proud to be associated with the staff. He thanked the Board and also all of the prior supervisors that he served with who are no longer here.

MITRICK Chairman Mitrick responded that, as Mr. Amic had indicated, he had been with the Township for several years. She stated that he had accomplished a great deal. Knowing the fact that he would be in attendance at the next General Meeting on March 9, 2000, the Board would hold any other comments in his regard. Chairman Mitrick stated for the record that the Board of Supervisors of Springettsbury Township acknowledged the receipt of Mr. Amic's letter dated February 21, 2000 tendering his resignation as Township Manager effective Friday, March 10, 2000. The Board hereby accepted Mr. Amic's resignation as of that date.

MITRICK Chairman Mitrick announced that the Board would like an immediate release to the public. The Board of Supervisors of Springettsbury Township began the search for a new Township Manager a few months ago in light of the fact that Mr. Amic had informed the Board of Supervisors of his intended departure from Springettsbury Township in the year 2001. At that time it was anticipated that the search could take six months or more and that search continues. With Mr. Amic's announcement that he will be leaving his position in the township in two weeks, the Board of Supervisors reiterates its commitment to the planned search in its previously established timetable. In the interim the Board of Supervisors is seeking a relationship with a local personnel consultant to put in place a short-term temporary manager or managers to attend to the day-to-day operations of the township until the permanent position can be filled.

2. COMMUNICATIONS FROM CITIZENS:

MITRICK Chairman Mitrick recognized Ken Myers for comment.

MYERS Ken Myers, 3543 Heritage Drive, posed a question regarding the previous meeting. There was a proposed Joint Operating Agreement brought up by the consolidation committee. He asked whether there was a time frame to get the proper documents to the Board, and additionally whether it could be considered at the March 9, 2000 meeting as an alternative to the ordinance.

MITRICK Chairman Mitrick requested Mr. Schenck to respond to that question.

SCHENCK Mr. Schenck responded that the document is a three-way agreement between Springetts, Commonwealth and the township. To date, that agreement has only been ratified by Springetts and is an incomplete document. Commonwealth would have to ratify it as well. Mr. Schenck stated that he had some personal concerns based on what he heard. Some portions were unacceptable but some may be workable. He would not view the document as a take it or leave it document. He was not sure what time frame would be in place.

MYERS Mr. Myers responded that both fire companies and the ambulance club drew up the agreement.

SCHENCK Mr. Schenck commented that they certainly had input, but Springetts entire membership voted on it; at Commonwealth that did not occur.

MYERS Mr. Myers indicated that was correct, but Commonwealth had representation at the meeting.

SCHENCK Mr. Schenck reiterated that Commonwealth would have to sign that agreement, and to move forward with a proposed agreement that one party really hasn't even considered as a body would not be appropriate.

SURTASKY Tony Surtasky, 2245 Mt. Zion Road stated that the Supervisors received a letter written by Commonwealth which stated that if the agreement was agreed upon, they would accept it and that the only event if they would take the township offer was if the Board would not accept that agreement.

SCHENCK Mr. Schenck responded that he had not read the letter with the same interpretation.

SURTASKY Mr. Surtasky stated that he had attended the special meeting that Commonwealth had and knew what was said at Commonwealth. They said they would accept the township's ordinance as is with the proviso that the township did not accept the agreement that the committee was working on. He added that he was part of that committee.

SCHENCK Mr. Schenck indicated that he read that letter only one way, and it said that they supported the ordinance 100%.

SURTASKY Mr. Surtasky added that he agreed that they would accept it only if all other avenues were closed.

SCHENCK Mr. Schenck asked Mr. Surtasky whether he was suggesting that the proposed agreement Springettsbury had ratified that Commonwealth would go along with whatever was written.

SURTASKY Mr. Surtasky responded that was correct.

SCHENCK Mr. Schenck indicated that if he were a member of that organization, he would want to know exactly what agreement was being signed.

SURTASKY Mr. Surtasky stated that he had not read the letter written after that, which was another alternative, but there were representatives at the meeting held last Sunday. It was our understanding that we would be able to present this to the township, and if the township agreed with it then all parties would agree with it. If the township did not agree with it, the Commonwealth would say that they would accept what the township offered.

ECKERT Don Eckert, 611 Merion Road stated that Tony was at a disadvantage in not having a copy of the letter because that is not what the President, Mr. Steve Musser, said in the letter to this township.

MITRICK Chairman Mitrick stated that in order for the agreement to be considered, since it is an agreement that is between Springetts, Commonwealth, and the township, that it would be reasonable for us to expect that the agreement had been voted on by Commonwealth and signatures would be in place. She encouraged Ken Myers to get that document to the Board as quickly as possible if it is going to be signed by both parties.

Public Hearing – March 9, 2000 – 6:30 p.m.

Chairman Mitrick commented to those who had attended the Public Hearing there was a consensus of this Board that there was not adequate time to give the members of the companies a fair shot at commenting or questioning issues related to both the Ordinances 01 and 02. There is a consensus that this Board would like to advertise another Public Hearing related to both ordinances and that Public Hearing would on be on March 9, 2000 from 6:30 p.m. until 7:15 p.m. At 7:15 p.m. this Board does have an appointment for another meeting prior to that General Meeting. The meeting will be advertised, and the Board encouraged the members of the fire companies to come back so that they felt comfortable that adequate time had been provided to make statements related to the proposed ordinances. It would solely be time for questions and comments.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported two items in addition to his written report.
With regard to Millcreek, a preconstruction conference was held with the contractor, who is prepared to start. Mr. Schober expected him to start

next week. Discussion was held on how the contractor was to do the job, along with some other concerns. Mr. Schober had a good comfort level. Mr. Schober was not able to get the tap in fees report completed to date, but the information will be ready for the first meeting in March.

PASCH Mr. Pasch asked about the System Upgrade. Mr. Pasch asked about the results of Mr. Schober's on-site inspection.

SCHOBER Mr. Schober responded that everything was in order. Reports were checked and everything was going very well. The project was 98% done, and no problems are foreseen.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani reported in reference to the grant and time frame within which they needed to work. Plantings were discussed. He pointed out that, with respect to the township's street tree ordinance, some trees would have to be supplemented on Mt. Zion Road. The pond area is pretty barren at this time, and some flowering trees are proposed, as well as some other plantings along the park side. Some benches are proposed to be placed in between the municipal building and the future police station. This would be more like a campus atmosphere, so some benches and landscaping were added to different areas.

BISHOP Mr. Bishop stated that when the whole process of designing the building began with Mr. Dittenhafer, on three different occasions Mr. Bishop had encouraged them to provide information and recommendations about signage for this property which was never forthcoming. It occurred to Mr. Bishop that signs should be a consideration before trees are planted. If there is to be any signage, a plan should be in place.

LUCIANI Mr. Luciani agreed, and he will confer with Andrew Stern as he works with a lot of different sign people. Mr. Luciani suggested that Mr. Stern contact some of the vendors.

BISHOP Mr. Bishop stated that driving north on Mt. Zion, people do not know where to turn a lot of times. The entrance is before you see the building. If people do not see that entrance, they have a long way to go. With trees lining that area it makes it easier toward leading people to the entrance.

LUCIANI Mr. Luciani indicated that the proposed trees are pretty large street trees.

PASCH Mr. Pasch asked whether all of the new planting would be considered a part of the park planning, in spite of the fact that it is in front of the new building.

LUCIANI Mr. Luciani responded that it would. The parking for the park is in this area. The bulk of usage for the park is for the Creative Playground. Referring to Mr. Bishop's concern about signage, Mr. Luciani stated that could certainly be implemented without a problem.

MR. SCHENCK MOVED THAT THE BOARD OF SUPERVISERS AUTHORIZE THE TOWNSHIP ENGINEER WORKING IN CONJUNCTION WITH OUR DIRECTOR OF ECONOMIC DEVELOPMENT TO PROCEED WITH THE SPRINGETTSBURY PARK ADDITIONAL PLANTING PLAN AS PRESENTED AT TONIGHT'S MEETING. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

LUCIANI Mr. Luciani commented that a date had not been scheduled to discuss the traffic calming. This discussion might be more appropriate in a work session. He asked whether the Board wanted to set that date tentatively. He added that he needed to get Tom Austin involved as well.

PASCH Mr. Pasch asked what would be reviewed. He would not want to agree to set up a meeting unless he knew what would be discussed.

LUCIANI Mr. Luciani responded that the purpose of the meeting would be to discuss the necessary traffic improvements on the Memory Lane corridor. The other would be to discuss traffic calming along Industrial Highway and the residential streets back in that area.

PASCH Mr. Pasch stated he knows what the scope is and had expressed that many times. He would be looking for something as to what Mr. Luciani would recommend for the direction to be taken.

LUCIANI Mr. Luciani agreed and added that he just wanted to make sure their approach was something that the Board would endorse. He stated that they want to solve the congestion in a specific area. We would like to walk the Board through those steps of what they would recommend as to time frames and costs involved.

PASCH Mr. Pasch responded that to him it seemed that the plan should be coming from Mr. Luciani and from Tom Austin, not the Board.

MITRICK Chairman Mitrick asked whether John and Tom could provide something to the Board prior to that meeting so that it could be reviewed.

PASCH Mr. Pasch indicated he would like to see the proposal first.

LUCIANI Mr. Luciani indicated agreement.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers reported that there were two brief additions to their previous report. Regarding the sewer rehab, they had been awaiting advertisement. Mr. Sowers had been attempting to secure the last easement. A letter was received from their attorney this week. A couple of minor comments in our agreement were revised, and hopefully we will have the acquisition soon, and we can advertise and begin construction. Secondly, on the standby generator upgrade, the last inspection and testing was done today with the contractor. No problems occurred, and that project should be completed.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 2/24/00.
B. Frey Lutz Corporation – Progress Billing #2 – New Building/Farmhouse - $10,288.80.
C. Williams Service Company – Progress Billing #1 – Farmhouse - $12,010.50.
D. Williams Service Company – Progress Billing #1 – New Building - $41,760.
E. Shannon A. Smith, Inc. – Progress Billing #3 – New Building/Farmhouse - $22,58.50
F. Murphy & Dittenhafer – Progress Billing #16 – New Building/Farmhouse - $3,242.73.
G. Reed Smith Shaw & McClay – Progress Billing #10 – Phase II Federal Grant - $1,250.50
H. Murphy & Dittenhafer – Progress Billing #17 – New Building/Farmhouse - $3,135.62
I. Springfield Contractors – Progress Billing #1 – Wilshire Drive Sewer - $43,535.

MR. SCHENCK MOVED TO APPROVE PAYABLES AS LISTED ON THE AGENDA, ITEMS 4A THROUGH I. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS AND QUOTES:

A. Frey Lutz Corp. – Change Order #1 – Renovation of Farmhouse - $719.20

AMIC Mr. Amic stated that item A related to a small change order regarding the farm house renovation of $719.20. During previous discussions about the farmhouse renovations, this item was kicked around, and it was never voted on. It had been brought to my attention that even though I had this, it was never approved by the Board. Mr. Amic asked that the item, which has been repaired because it was a Code problem, be an approved change order.

MR. SCHENCK MOVED FOR THE APPROVAL OF CHANGE ORDER #1, FREY LUTZ CORP IN THE AMOUNT OF $719.20. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. East Coast Contracting – Change Order #1 – Storm System - $2,246

AMIC Mr. Amic stated that this item related to a recommended change order by the Civil Engineer. Mr. Amic concurred with the item relating to the manner for treating the storm water that will run from the building property over to the pond. Piping the storm water from the building project area to the pond might be a better solution simply because there is an open swale there, and it is possible flooding may occur onto the parking lot in heavy rain. Mr. Amic thought it was the proper thing to do to enclose the piping, and in that matter not have an open swale adjacent to the parking lot and park.

PASCH Mr. Pasch asked whether the pipe would be adequate to handle any drainage in that area.

LUCIANI Mr. Luciani responded that the pipe is larger which makes it quite adequate.

MR. SCHENCK MOVED FOR THE APPROVAL OF CHANGE ORDER #1 – EAST COAST CONTRACTING FOR STORM SYSTEM - $2,246.00. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Replacement of 1983 Dump Truck – Permission to Draw Specifications and Advertise Bids

AMIC Mr. Amic commented that the Director of Public Works asked for replacement of a dump truck. This item has been included in the capital improvements program at a net estimated cost of $80,000.00 for the year 2000. Commonwealth Liquid Fuels money will be utilized for the purchase. Mr. Lauer requested permission to proceed to draw specs and advertise for bids.

PASCH Mr. Pasch stated that all the details had been previously discussed. This exercise is simply a formality.

AMIC Mr. Amic responded that was correct.

MR. PASCH MOVED THAT THE BOARD OF SUPERVISORS GIVE THE STAFF PERMISSION TO DRAW SPECIFICATIONS AND ADVERTISED BIDS ON THE REPLACEMENT OF THE 1983 DUMP TRUCK. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Replacement of 1974 Front End Loader – Permission to Draw Specifications and Advertise Bids

AMIC Mr. Amic commented that this was an additional request by the Public Works Director to be funded from the Commonwealth liquid fuel funds and the request is that the front end loader be purchased on a three year lease at $45,000.00 per year. Comments had been made about the 1974 front end loader presently in service. These are planned out in Mr. Lauer's budget through liquid fuels for a number of years stating that so much equipment is replaced each year. These were the year 2000 items.

PASCH Mr. Pasch asked why this would be handled as a lease.

AMIC Mr. Amic responded that this would be a lease-purchase. In the manner of which the liquid fuels report is compiled, the Township is permitted to spend a certain amount on equipment, which is 20% liquid fuel monies. As this drops down, Mr. Lauer splits this over so many years so he can meet the requirement for liquid fuels.

MR. PASCH MOVED TO AUTHORIZE THE STAFF TO DRAW SPECIFICATIONS AND ADVERTISE FOR BIDS ON A 1974 FRONT END LOADER ON A LEASE PURCHASE AGREEMENT. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISION LAND DEVELOPMENT:

A. Subdivision 99-09 – Hunters Crossing – Granting Extension to 6/23/00.

STERN Mr. Stern explained that an extension of time had been granted to Springettsbury Township for Hunters Crossing Sub-Division 99-09 until June 23, 2000.

MR. SCHENCK MOVED TO ACCEPT THE TIME EXTENSION FOR SUBDIVISON 99-09 FOR HUNTERS CROSSING TO 6/23/00. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO FAMILY MEMBER INVOLVEMENT.

B. Subdivision 99-08 – Wawa – Granting Extension to 4/14/00

STERN Mr. Stern stated that Subdivision 99-08 related to the granting of extension of time from WaWa to 4/14/00.

MR. SCHENCK TO ACCEPT THE TIME EXTENSION FOR SUB-DIVISION 99-08 WAWA TO 4/14/00. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Land Development 99-12 – Wawa – Extension to 4/14/00

STERN Mr. Stern stated that Land Development 99-12 related to the granting of extension of time from WaWa to 4/14/00.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION LAND DEVELOPMENT 99-12 WAWA TO 4/14/2000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Planning Module – A3 – 67966-304-3 – Keystone Custom Homes – Windsor Township – 50,000 GPD.

AMIC Mr. Amic commented that this item appeared in the Chapter 94 report.

MR. BISHOP MOVED TO APPROVE THE PLANNING MODULE FOR KEYSTONE CUSTOM HOME PLANNED RESIDENTIAL DEVELOPMENT IN WINDSOR TOWNSHIP FOR 50,000 GALLONS PER DAY. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

Sexual Harassment Policy

PASCH Mr. Pasch commented regarding an article in Municipal News regarding avoiding sexual harassment liability. He asked Mr. Amic whether there was a policy in place that agreed with everything that was written in the article.

AMIC Mr. Amic responded that he was not sure it agreed with everything but reported that Solicitor Yost had written a policy about that.

YOST Solicitor Yost commented that the policy was better than the article. He added that the policy had been updated about six to nine months ago based on some recent court decisions.

Retail Thefts – Specific Penalty Assessments

PASCH Mr. Pasch asked Police Chief Eshbach about the drop in larceny reporting.

ESHBACH Chief Eshbach responded that retail thefts are down following Christmas.

MITRICK Chairman Mitrick asked about an item under Specific Penalty Assessments, there is one that seemed extremely high which meant that our people are being called out often. She asked whether there was some way that Chief Eshbach could approach that, not only to help the

Township, but also to help this particular business so that we can remedy this problem.

ESHBACH Chief Eshbach responded that he had done that with some of them.

MITRICK Chairman Mitrick stated that it was All First Bank and she mentioned this item simply because their assessment is very high.

On-Lot Sewer

PASCH Mr. Pasch asked Mr. Amic about a meeting being held by York County Planning Commission on Phase II of Act 537. We do not anticipate any problems.

AMIC Mr. Amic responded that was correct. However, he reported he spoke with Mr. Schober about forwarding the documents. After the on-lot systems problems were re-worked into what the Commonwealth wanted, it was forwarded to the Planning Commission. Mr. Schober and Mr. Amic had discussed whether the requirements had actually been met for public comment. It may come back for another 30 days of public comment. That would be the last thing that had to be done. He anticipated no problems.

SCHOBER Mr. Schober added that the passing of the ordinance had included an entire comment period of advertising.

AMIC Mr. Amic stated that when York County Planning forwarded it back to his office, it would then be forwarded back to the Commonwealth and hopefully would be approved. In a two-year period a lot of work needed to be done, and he was not sure whether the present internal staff could handle that.

Public Safety

PASCH Mr. Pasch reported on a letter from Darlene Shambaugh on how well she was treated by our Public Safety people, especially Jim Kimes.

MITRICK Chairman Mitrick asked Mr. Amic whether Mr. Kimes had received a copy of that letter.

AMIC Mr. Amic responded that the letter had been placed in his personnel file.

HICKMAN Chief Hickman stated he had a copy and Mr. Kimes would receive a copy.

Public Hearing Comments

SCHENCK Mr. Schenck spoke about the occurrence during the public hearing. Mr. Schenck expressed regret for what had taken place and took a lot of the responsibility for what happened. He commented that the Board had charged Don Bishop with an enormous task of coming up with a presentation for the ordinances and did not offer any assistance in that area. Mr. Schenck did not feel that the way the public hearing was conducted would be the way that he would have wanted to have occurred. He added that the people who attended had not been offered the time they wanted for discussion. Mr. Schenck apologized to the public and particularly to the fire people who were here earlier this evening.

MITRICK Chairman Mitrick commented on the same matter and felt badly about what occurred as well. She thought that the Board had discussed a format for the public hearing and a time frame as to when a shift could be made from one ordinance to another, which had not occurred. Additionally, Mr. Bishop had a lot to say based on two years plus of extremely frustrating experiences – a whole series of defeats for a lot of effort that he and the rest of the commission had put in to several projects. The Board's response to it is to have another Public Hearing on the 9th of March from 6:30 until 7:15 p.m. which will hopefully bring the members of the company back to this forum so that we can hear further from them. Additionally, Chairman Mitrick asked for agreement that she send a letter to the companies, not necessarily of apology, but a letter of sincere invitation that they return so that they can finish the questions and comments that they have related to those two ordinances. From her perspective their questions and comments are extremely important. She asked for permission from the Board to quickly get a letter off to the companies.

PASCH Mr. Pasch agreed completely because the perception will be that this was not a Public Hearing – it was a township Board of Supervisors hearing. They didn't have any opportunity.

Township Newsletter

MITRICK Chairman Mitrick reported that she had received a memo from Dori relating to the township newsletter. She indicated that the Board of Supervisors had agreed that the township newsletter and the Recreation office newsletter should be brought together as one unit. Chairman Mitrick stated that she recalled discussing that at length but did not remember that it had been agreed that that was going to be the format to be followed. She brought the matter back to the table to make a decision.

SCHENCK Mr. Schenck's recollection of that was that we thought we'd see what the Rec newsletter looked like in the new format first. Even the Rec people

were extremely pleased with. There was discussion that if it was an insert that it be a different size.

STERN Mr. Stern apologized because Dori was not here during last summer and Andrew told her he thought the Board had made that decision. It was his understanding that during June, 1999 that it had been presented. At that time some concerns were raised about the new design. It was impossible at that time to get the two caught up. We were to let the Rec Commission have at least two opportunities to get the new design out and that in spring we would catch the two up. Just to reiterate some of the reasons for that, currently $1,400 is being spent for the postage of the Rec newsletter, and an additional $1,266 for the Township newsletter. In addition, Charles Design Group charges set up fees of about $700 each time. If he is able to do it together, then a portion of the $700 is saved. About $1,000 in postage would be saved. Savings could amount to about $6,000 per year. Mr. Stern proposed that the Rec guide be an insert stapled separately and inserted. A slightly different color could be used for one or the other. Comments could be made on the outside that the Rec newsletter was inside. Mr. Bainbridge indicated that his feedback was that people like the new design. The timeline is such that the two are being planned to go out at the same time. At this point you're either going to have two of these in your mail the same day folded separately with separate postage or stuck together with one postage item.

PASCH Mr. Pasch agreed with Mr. Stern. He thought they had agreed to a combined newsletter.

MITRICK Chairman Mitrick stated her only concern was that the Park and Rec publication is really not a newsletter; it's a production of their programs and goes out in May and September and December. If the township stays with that calendar, its newsletter would be old news by the time it hits the mailboxes of the residences. She had been involved in the original creation of the newsletter. She questioned whether we might be wasting money when we send it out three times a year with a good portion of it being old news. Have we decided to permanently as a combined unit, or are we deciding to do it on a trial basis as a combined piece of information. She added that she checked with two people in the community who produce newsletters. Both told her the same thing, the bulkier the item, the less readability. We may be saving but in the end may be wasting money.

PASCH Mr. Pasch indicated his reaction was if its newsworthy it will be read. He indicated he was in favor of shipping it out with interesting, current articles. He added that he was not convinced that the newsletter is giving our people information they may not already have. Mr. Pasch was in favor of combining the two.

BISHOP Mr. Bishop stated he was in favor of combining as well. The one thing that occurred to him was that the Rec book is probably of more interest to our residents than the newsletter. If that is the case we might want to consider switching it around and having the Recreation portion being the premier piece and the township newsletter being the insert.

PASCH Mr. Pasch agreed. What the Rec people put out is of more importance to the residents. They're interested in terms of what the Rec department has to offer them, what can they get involved in, how can they get involved, what's there and available to them.

Fire Chief's Workload

MITRICK Chairman Mitrick received a copy of a memo from Chief Hickman related to the administration of the companies and the department in response to questions regarding the workload. She wanted only to point that out and was not asking for comment. The ordinances would be on the agenda for the next meeting. In Chief Hickman's memo he stated that prior to the time when he has additional people on board, he believed that there will be an additional workload. He also indicated the additional help that he would need. She did not want to be put in a position where action would be taken on ordinances that we may not be set up to run right away. She asked the Board to please read his memo dated February 18 regarding that.

BISHOP Mr. Bishop commented that he really didn't think that the Board should allow Chief Hickman to express his opinion as to whether he thinks there is a problem there.

MITRICK Chairman Mitrick indicated he mentioned that in his memo. She preferred to discuss it further at the time that the ordinances are discussed.

MITRICK Chairman Mitrick commented about the poster from Martin Library. She asked whether a thank you note had gone out to them.

AMIC Mr. Amic indicated he would do so.

MITRICK Chairman Mitrick thanked Chief Eshbach for an action, which she learned through a memo, that he and Chief Hickman had arranged a meeting with the Springettsbury Township Fire Police. She appreciated his responding to her question regarding that.

PASCH Mr. Pasch added that it was a credit to both Chief Eshbach and Chief Hickman that there is cooperation between the police and fire departments in terms of trying to get resolution. He appreciated it.

MITRICK Chairman Mitrick commented that the in minutes from the Park and Rec Board dated January 19th, an item of confusion is stated under Old Business related to Mrs. Osborne, Chairman of that committee being in contact with the newspapers. Mr. Amic would like to receive copy of information going to the press before it is sent out. That information was conveyed to Mrs. Osborne, who advised that Mr. Amic had previously referred the newspaper to her directly.

AMIC Mr. Amic asked on which item.

MITRICK Chairman Mitrick responded that it related to calming lands for fields.

AMIC Mr. Amic indicated on that particular item he had done so. It was not their policy to go directly to the press.

MITRICK Chairman Mitrick added that in their report it indicated that all capital improvements had been approved. Included were a new van and an automatic shift school bus.

AMIC Mr. Amic indicated that none of it had been approved. What that is is from part of the capital budget. That seems to be an ongoing slight confusion that if an item appears in the capital budget, we may or may not spend the funds. You'll note on your next agenda, Mr. Bainbridge has a Commonwealth quote for the new van. Regarding the school bus matter an estimate is coming from the bus company. The language that is being used in that it is 'approved'.

MITRICK Chairman Mitrick stated that the age-old problem with this committee which was communication. If they are using the term approved, she suspected they think it is approved. She asked for clarification.

Zoning Department Vehicles

MITRICK Chairman Mitrick stated that, as she was leaving the afternoon meeting she noted that Ron Simmons and Greg Henry were in the same vehicle. They indicated that the reason they were out doing inspections together is because they only have one car. With that information she asked Andrew to provide the Board with a quick report on the Zoning vehicles. It was her understanding that their one vehicle is more sick than they thought, and right now for a good portion of their work they are out traveling in the same vehicle or another has to stay in the office when he should be out in the community because there is a no vehicle available.

STERN Mr. Stern commented that there are two cars in his department. One car is a 1992 Caprice, a former police car with 110,000 miles on it. The other is

the 1982 K car, an Aries. A pickup truck had been approved for the department. That was intended to replace the K car, which at the time was the worst of the two. The truck was ordered but delivery is not expected until late March-early April. In the meantime the Caprice has died. Best estimate indicated a minimum of $1,000 to replace the valves with possible additional expense. Consideration should be made as to whether to put more money into that vehicle. Along the same lines $4,000 had been budgeted toward a refurbished police car. Butch (John Beck), the mechanic, indicated he would not put any money in the present police cars. The worst part of the problem is that the employees can't do their jobs properly and inspections aren't being done on time.

PASCH Mr. Pasch asked whether two new cars are needed.

STERN Mr. Stern indicated that he had just been asked to prepare this information today. Best case scenario would be two new vehicles. They should last 10 to 15 years since the department does not drive them a lot of miles. The monies charged for permits should be used to provide services, which they are unable to do efficiently.

PASCH Mr. Pasch asked whether there was a history in terms of the cost of their operation of the 1982 Dodge and 1992 Caprice.

STERN Mr. Stern responded that he did not have that figure for this year but would for the future.

PASCH Mr. Pasch asked whether Butch (John Beck) was capable of making the decision that these are not worth fixing.

STERN Mr. Stern indicated he knows the cars inside and out. He pointed out that before spending the money to fix them, serious consideration should be given not to fix them.

PASCH Mr. Pasch asked when Ron or Greg are riding together is one working and the other can't.

STERN Mr. Stern responded that for the last couple of weeks there had been an advantage to it. They are actually cross training each other. If they both have inspections they do go together. It's not that one is sitting in the car waiting for the other.

MITRICK Chairman Mitrick indicated she did not expect a decision on the item tonight, but asked the Board to think about it toward possibly bringing it up at the next meeting.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost reported that the only additional item would be the matter for discussion during the Executive Session.

PASCH Mr. Pasch asked Solicitor Yost about the Mercantile License Tax. Mr. Pasch looked at the approximately $3,500 a year amount. Unless that is verified, that goes on forever. He suggested some type of audit to be sure that it was being done correctly. He asked whether there was anyone internally capable of doing an audit.

AMIC Mr. Amic indicated someone is capable, but doesn't have the time.

YOST Solicitor Yost added that there would be two items involved in an audit, one involved what they actually do.

AMIC Mr. Amic stated that Stambaugh Ness could be asked to do that audit. They may charge $5,000 or $6,000 to do that. For the first year you'll probably pay them more to do it than $3,500.

PASCH Mr. Pasch added that it was important for a lot of reasons. York area executives meet with other executives and talk about what they did, and comments are made that Springettsbury didn't even bother to check. The word gets around.

YOST Solicitor Yost indicated he had finessed this as long as possible.

AMIC Mr. Amic suggested that the Board authorize Stambaugh Ness to audit this company for the two matters in which Solicitor Yost indicates.

PASCH Mr. Pasch agreed and added that a cap should be placed on it. He would like to have an indication as to what it might cost.

MITRICK Chairman Mitrick asked Mr. Amic to have that for the next meeting.

MITRICK Chairman Mitrick indicated Solicitor Yost had some correspondence related to Yorkshire Animal Hospital.

YOST Solicitor Yost indicated that should have Board action if desired.

PASCH Mr. Pasch indicated this raises a question whether someone really had to expend the money just because of the timing of it. As far as the township was concerned it was not necessary.

STERN Mr. Stern indicated this had gone on for several months. The applicant had contacted his office. He had responded that the plans had to be reviewed by the state and the township for a sprinklered building. They

were advised to submit plans to his office showing an unsprinklered building, and if the state agreed then it would be fine. They chose to have their attorney call Mr. Yost instead. They won't need to waive it if they comply with what we ask.

YOST Solicitor Yost will communicate that with Attorney Senft.

9. **MANAGER'S REPORT**:

AMIC Mr. Amic had nothing further to report.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

There was no action required for this item.

11. ACTION ON MINUTES:

A. Board of Supervisors Work Session – January 26, 2000

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS FIRE AND RESCUE ORDINANCE WORK SESSION – JANUARY 26, 2000 AS AMENDED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Regular Meeting – February 10, 2000

MR. SCHENCK MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING MINUTES FEBRUARY 10, 2000 AS AMENDED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED AS HE WAS OUT OF TOWN (FISHING).

12. OLD BUSINESS:

There was no action required under this item.

13. NEW BUSINESS:

There was no action required under this item.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Paul W. Amic
Secretary

PWA/ja

BOARD OF SUPERVISORS **FEBRUARY 24, 2000**
PUBLIC HEARING **DRAFT**

The Springettsbury Township Board of Supervisors held a Public Hearing on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Don Bishop
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Nick Gurreri

ALSO IN ATTENDANCE: Paul Amic, Township Manager
Don Yost, Solicitor
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Chief of Police
Michael Hickman, Fire Chief
Andrew Stern, Director of Economic Development
Betty Speicher, Director of Human Services
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Lori Mitrick called the meeting to order at 6:05 p.m. She welcomed those in attendance and thanked them for their interest in Springettsbury Township. She explained that the forum would be in the form of a Public Hearing with the focus on two proposed Ordinances. Ordinance 00-01 related to the Emergency Medical and Transportation Services in and for Springettsbury Township, and Ordinance 00-02 related to the Creation of a Fire Operations Committee with the responsibility for the operations of a fire protection and rescue activities in and for Springettsbury Township. She stated that a public hearing is called for the purpose of getting the public's input on the items that have been advertised. The Board of Supervisors does not have to conduct a Public Hearing on these ordinances, but due to the amount of interest and activity related to the business in these ordinances, the Board decided that it would be in the best interest to allow the public hearing to go on this evening. No decisions would be made during the public hearing. Chairman Mitrick provided the framework for the meeting and stated that Mr. Bishop would present a brief history of the events leading to the proposed ordinances. She also stated procedures for comment and specifically asked that names and addresses be provided for the record. Chairman Mitrick indicated she would adjourn the public hearing at 7:20 p.m.

BISHOP Mr. Bishop provided commentary encompassing fire company activities in years past, which have changed distinctively today. He stated that one of the things that he believed had not changed was the willingness of people to be part of something that helps their community. Situations have changed, people and times have changed, economics have changed, but there are organizations that have not changed over the last twenty to thirty years. Mr. Bishop stated that the Board of Supervisors had been attempting to move the fire service of Springettsbury Township in a direction that would allow it to do its mission more effectively and continue to allow volunteers to have a significant role in providing services to the community, and to provide for needs of the community in an economical manner. Mr. Bishop stated that, from an operational point of view, Springettsbury Township needed a structure which would provide streamlined and economical emergency services. Formal efforts of Springettsbury and Commonwealth Fire Companies to consolidate had failed in the past. However, there had been a recognition that there would be some merit to some sort of consolidation even though there may not have been the ability or will to do so. Mr. Bishop stated he had personally become involved when the Board of Supervisors formed the Springettsbury Township Emergency Services Commission which began meeting in the beginning of 1998 with John Krout as Chairman. Participation in the Emergency Services Commission included representatives of the two fire companies, the ambulance club and the fire police along with the Supervisors and representatives from the community. Following participation in the Commission during its first year, it became clear that the idea of consolidation was the one thing that would probably supersede all of the other problems such as communication and organization and have a significant impact on improving the delivery of emergency services in this township. During 1999 the Emergency Services Commission came forward with a Joint Operating Agreement which was essentially an agreement that would have allowed the three organizations, two fire companies, and the ambulance club to come together and operate together with a joint operating committee. This was totally voluntary among the three organizations and required that all three agreed to it and vote on it before it could go into effect. There was no township participation in that effort. In October of 1999 the Joint Operating Agreement was voted down. Once this was voted down it informally came back to the Board of Supervisors, at which time the Supervisors decided to look at it a different way to achieve some of these objectives. One of the primary goals of the Board of Supervisors for the fire service was to create an environment and an organization that people in this community will want to belong to and of which they can be proud. To accomplish that is to have an organization that has a clear mission and the ability to do that mission in a very efficient and effective way. People want to belong to organizations that work. The plans that are put in place will help us get on the road to creating a fire service that will

work very effectively in Springettsbury Township and accomplish those goals. Mr. Bishop stated that there are many people involved in the fire service today who are very committed to the organizations of which they are a part. The impression that Mr. Bishop has received was that there are not a lot of people in the fire service in Springettsbury Township who are proud to be involved in this service because it is the best around. That is the direction that Springettsbury needs to move toward, the creation of a fire service that can be the best that there is. The primary mission of protecting the people and property in Springettsbury Township is imperative; however, there have been and are deficiencies in our fire service and in our emergency medical service. For the Supervisor, this is totally an unacceptable situation and must be corrected. Public safety cannot be compromised. The Board of Supervisors was not attempting to point fingers at anyone to find fault, but trying to solve the problems. Mr. Bishop indicated that he did not intend to go through each ordinance line by line, but would explain the concept behind them, effectively what they do, and why specific issues needed to be addressed.

Ordinance 00-01 - Ambulance Emergency Medical Services Ordinance.

Springettsbury Township employs two EMT's on duty at any time 24 hours a day. There are eight full time employees who are employees of Springettsbury Township and are paid by the Township. There are a handful of volunteers who on occasion will run calls and who perform some of the administrative duties of the ambulance club. This service is primarily performed by Township employees. The ambulance club owns vehicles; pays some portion of the expenses of the operation, and collects revenues from users of the service who pay for those services. It is also important to note that the ambulance club is authorized by the Township to provide these services and is licensed by the Pennsylvania Department of Health to provide emergency medical and transportation services. Mr. Bishop read the most important portion of the ordinance in Article 1 Section 1.01 which was the justification for this ordinance to be put into effect.

"There have been recent operational lapses involving an expired EMT Certification and service deficiencies which appear to be the result of the lack of unified control over the administration of personnel equipment and facilities. The Board of Supervisors has determined that the interest of the Township and its residents can best be served by the Township assuming sole and complete responsibility for the administration of emergency medical and transportation service operations in the Township."

Mr. Bishop explained that the Ambulance Club was responsible for making sure that training and certifications are kept current on the EMT's

and that they are meeting all the licensing requirements of the State and also that they can meet their operational requirements. An organizational deficiency exists in that the EMT's are on one hand responsible to the ambulance club as the holder of the license and as the administrative arm of the Emergency Medical Service, and on the other hand they are employees of the Township and are to a certain extent under the direction of the Township Fire Chief.

This ordinance does not eliminate the ambulance club, but takes the ambulance club out of the loop in terms of administering the requirements from the State for licensing and in terms of being involved in the billing. Essentially the Fire Chief takes on all of the responsibility for operating the Emergency Medical Service. The ambulance club continues to exist and continues to own equipment if it desires to exist and own equipment, but all of the administrative responsibilities reside with the Fire Chief.

MITRICK Chairman Mitrick commented that she was concerned about the work that will very quickly fall onto the shoulders of our Fire Chief but added that this matter would not be addressed in this forum.

BISHOP Mr. Bishop responded that it would encompass the amount of work, but not necessarily the responsibility.

MITRICK Chairman Mitrick stated it would encompass just the workload.

BISHOP Mr. Bishop stated that the goal of the ordinance was to make sure that the organizational responsibility is focused in one place so that there would be accountability and ease of operation.

Ordinance 00-02

BISHOP Mr. Bishop provided commentary on Ordinance 00-02, which was essentially the Joint Operating Agreement discussed and voted on in October of 1999. The agreement was redone in the form of an ordinance so that the organization that was contemplated at that time would be imposed upon the two fire companies. Mr. Bishop added that the Board of Supervisors' primary responsibility is to maintain public safety within Springettsbury Township. Springettsbury Township authorized two fire companies to provide fire protection services within the Township, a procedure generally followed in the Commonwealth of Pennsylvania. An important item to note about the way public safety responsibility is granted to the Board of Supervisors is through the second class township code, the state law which governs the Board of Supervisors and gives the authority to organize volunteer fire companies within our jurisdiction to provide for the public safety. Mr. Bishop read from Article 1.01

"The Township has determined that the most effective and efficient means of meeting the fire protection needs of the Township is achieved by the establishment of a unified fire service unhampered by competitive and parochial interests. The Township has further determined that it is in the Township's interest that each of the fire companies retains its individual identity and existence. It is the purpose of this ordinance to integrate and unify the fire service of the Township by establishing a fire operations committee with responsibility for directing the operation of fire and rescue activities of the fire companies."

BISHOP Mr. Bishop commented further on the structure of the two organizations and how they would operate with members of the Board of Supervisors involved.

BISHOP Mr. Bishop commented on several objections he had heard and explained how the Board of Supervisors would provide for those situations. Of particular importance was that the volunteer fire companies would lose their ability to obtain low interest loans from the State. A letter is on file from the general counsel to the Pennsylvania Emergency Management Agency, the state organization that administers these loans. The counsel specifically addressed the issue of the proposed reorganization in Springettsbury Township who stated in his letter, unequivocally that they would view it as a benefit to have the kind of organization that we are having and not a detriment and no way will it hurt our opportunities to get low interest loans from the State.

MITRICK Chairman Mitrick requested Mr. Bishop's closing comments.

BISHOP Mr. Bishop also commented on several of the reasons why the restructuring will work. Of particular importance was the service of the volunteers working together with the paid fire fighters.

MITRICK Chairman Mitrick thanked Mr. Bishop for his comments. She also reiterated that names and addresses are necessary for the record. She asked that an attempt be made not to repeat questions in order to keep the meeting moving.

SURTASKY Tony Surtasky, 2245 Mt. Zion Road asked whether the building and equipment would be taken over by the committee. He referred to item 5.01. He added that the chain of responsibility still comes to the Board of Supervisors according to Township code for any committee created. The ultimate responsibility comes back to the Board of Supervisors as it does now. Nothing will change in that aspect. The committee still will have all of this power.

BISHOP Mr. Bishop responded that the committee has sole authority over the monies that the committee controls.

SURTASKY Mr. Surtasky asked whether the Supervisors want the keys to the building and the title to the trucks.

BISHOP Mr. Bishop responded that the ordinance does not contemplate transfer of ownership of any real property such as buildings or trucks.

SURTASKY Mr. Surtasky indicated that the ordinance read, 'responsibility for acquisition.'

BISHOP Mr. Bishop stated that would cover future acquisition.

SURTASKY Mr. Surtasky stated it does not say future and added it was not clear.

BISHOP Mr. Bishop indicated that acquisition referred to something that can only be done in the future and re-stated it would not contemplate transfer of ownership of equipment or buildings.

SURTASKY Mr. Surtasky asked about item 8.01-Delegation by Providers. He stated that each fire company could delegate and transfer to the committees without limitation. That means the committee could do as they please. If there are four people in the fire company and three from management, they can say that they would like to give all of this equipment and everything to the township. All they need is one additional vote to three from the management part and have one volunteer that would want to do it. He asked what would stop them from giving equipment and everything to the Township.

BISHOP Mr. Bishop responded that nothing would stop them from doing it today.

SURTASKY Mr. Surtasky indicated he was thinking that in the future some other supervisors might have different ideas. He asked whether the ultimate goal would be an all paid department.

BISHOP Mr. Bishop responded that he had previously stated that this Board had no desire to move in the direction of an all paid department. It would be economically infeasible and not an objective of the management of this Township.

SURTASKY Mr. Surtasky asked what would happen if no money were raised.

BISHOP Mr. Bishop stated that the organizational structure really does not change in any way the ability of the volunteers to raise money. If they don't

desire to do it, somebody will have to take responsibility to figure out how that can get done.

ECKERT Don Eckert, 611 Merion Road stated that he had many questions that could not be answered within a three minute time frame. He had typewritten questions that he indicated he would provide to the Supervisors. As follow up to Tony Surtasky's question, Mr. Eckert pointed out paragraph 6.04 and it reads as follows, "Within ten days of the date of the committee organizes, each fire company shall pay over to and transfer to the committee all money, property and investments…".

BISHOP Mr. Bishop indicated that the wording should say 'property accounts.'

ECKERT Mr. Eckert responded that it only said, "property." Additionally, he commented that the words, "emergency services" had been erroneously left in but had been removed from every other draft. It should be removed.

BISHOP Mr. Bishop indicated he was correct and added that the intention of that paragraph was all the accounts, not property.

ECKERT Mr. Eckert responded that was why he had altered his comments due to the fact that there is not time left to answer the questions that he had because you are talking about a legal document that will be an active document to the Supervisors.

BISHOP Mr. Bishop responded that Mr. Eckert had the opportunity to provide written questions at any time. Mr. Bishop indicated he would have made every attempt to answer each and every one of them.

ECKERT Mr. Eckert stated that the purpose of this meeting was advertised to come and hear this ordinance and have its functions explained for our input. He had not provided written questions for intentional reasons. Mr. Eckert was contesting the language and was not objecting to the ordinance. He added that he was just concerned about the fire service and what the ordinance really means. He indicated that the forum here tonight would no longer accommodate that understanding.

BISHOP Mr. Bishop responded that it was unfortunate that he had taken that position, because if he would have provided those questions to the Supervisors in advance they would certainly have had the answers.

ECKERT Mr. Eckert indicated that he appreciated Mr. Bishop saying that but it didn't happen, and I have a lot of others that do not understand as well.

MITRICK Chairman Mitrick asked Mr. Eckert to please submit to Mr. Amic's office as soon as possible the list that you have.

ECKERT Mr. Eckert indicated he had copies with him. He wanted to know how he could get the answers to his questions. He had been involved too many years in the fire service--a lot more than two years. He was concerned about where the future lies in the operations of providing fire and emergency services to the residents.

MITRICK Chairman Mitrick stated that the Board would make the commitment to him that he would receive answers prior to action. We will stay consistent with our questions and comments related to Ordinance 02 and then will move to 01 when we have exhausted our questions.

ASTOR Bob Aster, 2950 Chesapeake Road stated that the ordinance indicated that the operational committee would have responsibility for all the accounts, monies, funds and things of that nature of the fire departments. He wanted to know the understanding of that operational committee having control of monies as it relates to a non-profit corporation after charitable organizations. He asked whether that was something that was looked into.

There was no recognized response.

ASTOR Mr. Aster indicated that Mr. Bishop had stated earlier that the document was essentially the same as the joint operating agreement that was voted down last year.

BISHOP Mr. Bishop responded that this document was created from that document. That was the organizational model upon which this ordinance was built.

ASTOR Mr. Astor asked who created the document that was voted down.

BISHOP Mr. Bishop responded that the Emergency Services Commission which included one member from Springetts Fire Company, one member from Commonwealth Fire Company, one member of the Fire Police, one member from the Ambulance Club, Fire Chief, Police Chief, two Board of Supervisors members and one community member at large.

ASTOR Mr. Astor commented that Mr. Bishop had stated that there was no one from the Township that was involved in the preparation of that document.

BISHOP Mr. Bishop indicated "You got me, Bob, I am just a "jerk".

MITRICK Chairman Mitrick asked him whether he had another question.

BISHOP Mr. Bishop asked Mr. Astor to explain what was the question. He asked whether Mr. Astor would like to point out that he was an idiot. Mr. Bishop asked whether there was a real question there that has some substance.

ASTOR Mr. Astor stated that goes without saying.

MITRICK Chairman Mitrick attempted to intervene.

BISHOP Mr. Bishop stated that Mr. Astor should leave. Mr. Bishop stated to Mr. Astor "You're out of here. Out of here. You and me outside right now."

MITRICK Chairman Mitrick asked Mr. Astor whether he had another question.

ASTOR Mr. Astor responded not at the moment, no.

MITRICK Chairman Mitrick asked whether there were any other questions.

MYERS Ken Myers, 3543 Heritage Drive asked about the ordinance. The consolidation committee came up with an agreement in response to the ordinance. He asked whether that would be considered prior to any action being taken on the ordinance involved.

MITRICK Chairman Mitrick stated that she could respond to that question. She had become aware that an agreement had somewhat solidified when at 3 o'clock in the afternoon she was invited to a 7:00 p.m. meeting on Monday. When she attended that meeting she had indicated to Mr. Astor, who had given the invitation, that she felt it would be prudent of him to provide Mr. Amic's office and the other members of the Board of Supervisors a copy of that document because they did not know it existed. At that time she assumed, of course that the Fire Chief was aware of it and was informed yesterday that no other Board member had been aware of the document except herself and Mr. Schenck who were at that meeting. She was also informed that the Township Fire Chief was unaware of it as well as Mr. Amic's office. Unfortunately, at this point Mr. Astor had made the invitation and she had responded and encouraged him to make this a full circle, and to her knowledge he had not done so. This Board of Supervisors and the office of the Township Manager was unaware of the document.

MYERS Mr. Myers stated he could not speak for Mr. Astor. He knew that after that meeting the document was to be taken to the attorney to be looked at to make sure it was not inappropriate. Mr. Myers did not know if the document was received back from the attorney as yet. His understanding was that this would not go anywhere until the lawyer looks at it and sends

it back. As far as the Fire Chief not being aware of a special fire company meeting, if he chose not to be in attendance, he did not know about that.

HICKMAN Chief Hickman commented that he did not know anything about it. He asked how he could be expected to attend something that he did not know about.

MITRICK Chairman Mitrick added that, to specifically answer his question, and it's unfortunate because many of you put a tremendous amount of time in compiling your agreement. It is unfortunate that it had not been finalized nor presented to the Board or to the Administration. She added that until such time, the Board could not formally respond to it.

WOLF Dock Wolf, 40 Dietz Road stated that he felt what had taken place was totally unfair for the organizations involved in the amount of time that was set up to get response from the organizations. Time was very, very limited to go over anything at all in great detail for what was being presented. He stated that there are elements within the paid department that he felt somewhere in the very near future would be seen. Mr. Wolf stated that comments are made about the inefficiencies and the laxity in the way the fire companies are operated, and yet nothing is brought forward in substance. He asked what items are so wrong that this whole thing has to be. Having been involved, he thought things had been above board, and there was no question that what had been done over the years, as well as the decisions that were made were above board. He wanted to know what was wrong with it.

SCHENCK Mr. Schenck stated that he could respond to Mr. Wolf's comment. He would measure a portion of what is wrong a declining involvement in the participation of volunteers in these fire companies. The Township today is providing 28 employees to support these two volunteer fire companies. This is over $1.1 million for 28 employees. Mr. Schenck agreed with Mr. Bishop. He had grown up in this area and remembered the heyday of Springettsbury Fire Company and the Commonwealth Fire Companies and the Fire Babies in the parades and all the activities. You do not see that anymore. The volunteers of the future are probably going to look different than the volunteers of the past. Volunteers may only come to the fire company to volunteer for specific aspects of the fire company. Maybe not all of them want to fight fires. Some of them want to volunteer for fund raising and want nothing to do with fire fighting. The current structure is either you do it all or you do none. The Board of Supervisors is trying to create a structure that is going to move into the future. Mr. Schenck quoted a motto from his workplace, "The definition of insanity is doing things the same way that you always have and expecting a different result." The same way is not going to change the result.

KROUT John Krout asked what the next step would be in terms of the Board of Supervisors. I guess you would either vote yea or nay at your next meeting, and I guess I am just interested in the process as you see it happening now. The cooperation agreement outcome and all of those kinds of things and how the Board sees this being resolved.

MITRICK Chairman Mitrick responded with the fact that she had attended the Monday evening meeting in mind. She personally was not comfortable without giving some study and recognition to the document that the volunteers have attempted to put together. At the same time, a deadline had been set based on the two years plus when some of the same people had the opportunity to become involved and produce a document. As Mr. Pasch had said at our last meeting, perhaps the proposed ordinances were the catalyst to motivate. That does not mean that the Board can stop action on our side of the table. This Board can not make decisions in a public hearing. Chairman Mitrick stated she would commit to bringing up the matter of trying to arrange for some type of forum to address such agreement if in fact it truly formally is presented to the township. If not, this Board will move on the same timetable that has been previously arranged.

HOSTETTER John Hostetter – 2460 Auburn Rd. asked whether he could speak on the ordinance related to the ambulance club.

MITRICK Chairman Mitrick stated that she would extend questions until the time of our general meeting and asked whether there were any further questions related to the fire service ordinance.

MYERS Ken Myers asked for the time frame until they could get a copy of the agreement that the Board had.

SCHENCK Mr. Schenck responded that this is a public hearing to take input. The Board can't make that decision. The Board would be going into its regular meeting, and this ordinance is on the Agenda for advertisement this evening. We can discuss the question at the general meeting if we so choose.

MITRICK Chairman Mitrick indicated Mr. Myers was welcomed to stay and bring it up in the general meeting.

GREEN Rick Green – 419 Sarah Woods Drive, Red Lion was a township resident for 12 years or more. He stated that he owns a business in Springettsbury. As a resident he had witnessed numerous incidents where the ambulance and fire company responded. He became active as a volunteer for Springetts in about 1990. He stated he could see where the Supervisors are coming from on an administrative point, and from the volunteer side as

well. He indicated he was more of a social member and had not responded to a call in 6 years, but had sold Christmas trees and done the socials. Having listened to Mr. Bishop he thought that there must be a pile of complaints from Township residents which he had not seen nor heard. He had to call an ambulance two months ago in his office and as he was hung up the phone he could hear sirens. He asked whether there are complaints that are forcing this issue.

BISHOP Mr. Bishop responded that there are two issues one of which was the State Licensing Board. There are some serious issues with the way our service had been run and evidently had not been responded to their liking. What Mr. Bishop had been advised by the Fire Chief was that the fire service was moving in the direction of having a serious deficiency in the availability of volunteers to respond to calls. There is no question that with two paid people, a siren can be turned on pretty quickly. The manpower levels are the concern that he had heard.

GREEN Mr. Green commented a basic township resident would not be aware of that. When they pick up the phone they do not know if paid guys are driving the truck or whatever the scenario might be.

BISHOP Mr. Bishop added that it was not his objective here to create a concern to the public. Generally people in the township believe that they have excellent fire service. Generally they are correct, but the trends are moving in the wrong direction and the number of available volunteers is going down and that there will be a problem in the future. There won't be a problem in getting a truck and a driver there, but the problems happen if more than that were needed.

HICKMAN Chief Hickman stated that statistical data definitely indicates a decline.

MITRICK Chairman Mitrick commented that when Mike Hickman was hired as Fire Chief, Mr. Amic's office hired him, but the Township Board of Supervisors met with Mr. Hickman. The Supervisors made it very clear in no uncertain terms that this Board of Supervisors wanted and expected promotion of the volunteers in the fire companies. It was made very clear; he understood it and that position has not changed.

HOSTETTER John Hostetter – 2460 Auburn Road asked whether he could address the ambulance ordinance. His question related to the fact that there are five directors that oversee the operation of the ambulance club. Were any of the deficiencies noted brought to the attention of the five directors in an attempt to resolve them before the Board or Township takes over the ambulance service.

BISHOP Mr. Bishop responded that in one situation there was a specific request from the State that something be done. His understanding was that a deadline was set for a response to the State and that there had been no response. In answer to your question, did the Township Board of Supervisors go to the Board of Directors of the Ambulance Club and tell them they had a problem, no. It is not the responsibility of the Board of Supervisors of Springettsbury Township to tell the Board of Supervisors of the Ambulance Club what's happening in their ambulance club. It is that Board's responsibility to know what is going on. The Township became aware of problems through the Chief's office. Mr. Bishop asked Chief Hickman whether he could respond to some of the other questions.

HICKMAN Chief Hickman stated that August 2, 1999 had been his first day of work. August 3, 1999 he had a meeting with the State with reference to the ambulance club. The president of the ambulance club at that time was well aware of the situation. He was notified by the State directly in no mixed words were what the problems were. That information was not disseminated to the Board of Directors. This certainly was not the Township's responsibility. The head of the ambulance club was notified of the problems. There was a breakdown in communication. This has been going on for at least six months. Chief Hickman stated agreement that the Township is taking appropriate action to make sure this doesn't happen again.

ECKERT Mr. Eckert raised the question regarding Mr. Hostetter's question as to whether any follow up was made with each of the individuals.

HICKMAN Chief Hickman responded that he and Mr. Amic followed up every letter that was ever sent directly to us by the State.

AMIC Mr. Amic commented that, not only had he followed up, but Chief Hickman and he did the Corrective Action Plan. The State objected to the fact that they did it rather than the ambulance service. He did not think there was anything wrong with the plan except what the Commonwealth said was that the administrative control of the EMT ambulance service must be under the Township, because it is in such a shape that they cannot license it much longer.

ECKERT Mr. Eckert asked whether that had been conveyed to the people that are responsible for the ambulance club.

AMIC Mr. Amic responded that it had been conveyed and that the president was at the meetings with he and Chief Hickman.

BISHOP Mr. Bishop spoke briefly and apologized to the Board and everyone else. He stated that he had learned to know a lot a people that are really

committed to what they do here, and it frustrated him greatly when we play around with some of the frivolity of spelling errors and knit picking things and kind of ignore the big picture here. He added that there was too much at stake.

MITRICK Chairman Mitrick asked whether there were any other comments related to Ordinance 01 or 02.

SURTASKY Tony Surtasky spoke regarding ordinance 00-02. He asked whether statements could be presented when comments are being made by the general public or whether this should for the ordinance which is at the very bottom of the list.

MITRICK Chairman Mitrick responded that she would allow the issue under citizens comment.

GREEN Rick Green – 419 Sarah Woods Drive, Red Lion stated that he was currently active as a volunteer with the ambulance club on the Board of Directors, and had been in that position for three years or more. He was aware of the incident where an EMT's license had lapsed and created the current difficulty. He is a township employee, so who is responsible for him at that level. He asked whether the ambulance club should let him drive the ambulance or whether the Township should say what he should do. He stated agreement that there is a problem, and it is something that should be corrected, not so much for problems in the past, but for future growth. It is a big township. As a member of the ambulance club board, he indicated he did not remember hearing any harsh terms as to the kind he was hearing tonight. He had heard that the PR license was in jeopardy, but to his knowledge we were responding to it within the time frame. He indicated they were not sitting by and letting this slip through the cracks and he wanted to make that clear.

MITRICK Chairman Mitrick asked whether she could assume that all the questions have been asked and that the comments have been made, aside from Mr. Eckert's written questions.

BISHOP Mr. Bishop indicated that Mr. Astor still had some questions that needed to be addressed. The question related to the 501C3 status of the volunteers and their ability to do fund raising under organizations that are not totally volunteer controlled.

YOST Solicitor Don Yost responded that in his opinion there was no problem. The 501C3 organization will continue to exist. Whatever funds that have been dedicated to fire service will remain that way.

BISHOP Mr. Bishop asked about future fund raising that will be conducted under the auspices of the joint operating committee.

YOST Solicitor Yost responded that in all probability it should be organized by the committee and conducted by the organizations. He stated that there would be a logistic problem perhaps, but it is not something that is going to jeopardize the ability to continue as in the past.

5. ADJOURNMENT:

MITRICK Chairman Mitrick asked for any additional comments or questions from anyone that had not yet been heard. She thanked everyone for their participation and announce that the general meeting will start at 7:40 p.m. Thank you very much.

Meeting adjourned at 7:32 p.m.

Respectfully submitted,

Paul W. Amic
Secretary

PWA/ja

BOARD OF SUPERVISORS **FEBRUARY 29, 2000**
FIRE & RESCUE ORDINANCES WORK SESSION **APPROVED**

The Board of Supervisors held a 7:00 p.m. work session on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick – Chairman
Bill Schenck
Don Bishop
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Nick Gurreri

ALSO IN ATTENDANCE: Paul Amic – Township Manager
Jewel Frey – Receptionist/Administration Office Support

MITRICK Chairman Mitrick called the meeting to order at 7:00 p.m. The purpose of the meeting is to discuss fire and rescue ordinances. Chairman Mitrick thanked everyone for coming and provided information related to the creation of the proposed agreement drafted by a group of volunteers and employees of both fire companies. The draft proposal was presented to membership of Springetts at a meeting held Monday, February 21, 2000 at 7:00 p.m. The Springetts Fire Company approved the proposal with minor revisions with a 14 to 1 vote. To this date, there is no knowledge that Commonwealth Fire Company has approved the proposal. Commonwealth Fire Company had sent a letter previously stating they were in support of the ordinance that was proposed. Chairman Mitrick also mentioned that as the Chairman of the meeting, she is committed to maintain a comfortable and courteous environment for everyone involved. If the forum regresses, Chairman Mitrick would use the authority given to her by Robert Rules of Order to remedy the situation. She wanted everyone to be comfortable and ask questions and make comments, as this is an opportunity to have discussion with the Board of Supervisors concerning the ordinances. On Friday February 25, 2000 she notified Chief Hickman and asked him immediately to notify both companies of this meeting tonight. She also talked to Ken Myers from Springetts and Steve Musser from Commonwealth and asked them to make every effort to notify all the membership regarding this meeting. She also mentioned that Chief Michael Hickman would not be in attendance at this meeting, as he is out of town at a conference.

The Board of Supervisors received a proposal from the volunteers of Springetts and Commonwealth Fire Companies. The Board reviewed the proposal and had discussions with the volunteers about the comparisons between the two.

MYERS Ken Myers said 90% of the language in the proposal is mainly the same language used from the ordinance. He was concerned that with a quorum of 4, the quorum could be made of all Township employees and could get a lopsided opinion on any vote. He was also concerned that the committee would have a lot of research and work to do. He knows the Board of Supervisors wouldn't have knowledge of what would be going on in the committee.

PASCH Mr. Pasch mentioned that the Fire Chief should inform the Board of Supervisors of what was going on. Mr. Pasch also thinks there should be a time allowance put in the ordinance if a special meeting is called.

SCHENCK Mr. Schenck remembered talking about the new committee forming subcommittees that would do all the research and leg-work at previous work sessions. The committee wouldn't be bogged down with all the decisions.

MYERS Mr. Myers was concerned that the committee would end up doing all the work if less personnel wanted to be involved. The perception of the volunteers is they don't want to do it because it would be too much work.

WILSON Mr. Wilson talked about recalling a member of the committee if the member wasn't contributing or giving fair representation. The point is to try to elect people to serve well on the committee, but that is something only time would tell if they would be dedicated to that position or not.

SCHENCK Mr. Schenck thought the statement in the proposal about recalling any member is too strong. There should be just cause and reason for the recall, not just because you didn't like the way the person voted or whatever.

ECKERT Mr. Eckert thought is was too restrictive if you miss two meetings you were off the committee. Sometimes there is good reason to miss a meeting, such as a family crisis.

MYERS Mr. Myers said they mainly have active membership. The non-active members are the membership drive that is sent out basically soliciting for contributions. The non-active members can come to the meetings, but are not allowed to vote. Active members would be determined by the bylaws of the organization, not through the new ordinance written.

PASCH Mr. Pasch noted that the Operations Committee should have some avenue to get a member recalled if that member isn't fulfilling their duties. Everyone should be treated fairly.

SURTASKY Mr. Surtasky noted that this should be a two-way coin that if a member of the committee isn't doing their job, then they should be recalled as well.

PASCH Mr. Pasch mentioned again that there should be a notice requirement; a time period, so that members have enough time to respond to a special meeting when called.

SCHENCK Mr. Schenck said it would be the same as the Board of Supervisors having to call a special meeting. It would still have to be posted.

PASCH Mr. Pasch thought the quorum should be 4 members instead of 5. When you have a 7-member committee, all you basically need is a majority at the meeting for a quorum.

MYERS Mr. Myers' main concern is that the committee might have to do all the work if not enough people are available to make sub-committees. The perception out there is that there won't be enough help to participate on the committees.

MITRICK Chairman Mitrick mentioned that once the committee gets hit with the workload the perception would change because the reality would be set into actually forming sub-committees.

BASHIAN Mr. Bashian wondered that if the Board of Supervisors and the volunteer companies worked on this whole idea together, then we might not be here tonight going over this ordinance/agreement document. He believes there is a trust issue and trying to word items in the ordinance for protection purposes.

MITRICK Chairman Mitrick suggested we look to the future and not look back. We need to get on with this document and trust one another to work together to get it done. The Board is here to learn and try to understand what it is that is needed to move forward. The Board hopes you are getting some perception as to where they are coming from. The Board has learned a lot tonight and we need to keep moving forward.

PASCH Mr. Pasch said that once this ordinance is passed, it might not work efficiently right away and that there might be some issues that need addressed and changed.

LAKE Dick Lake recommended that each fire company still have two budgets.

PASCH Mr. Pasch reassured everyone that the Board of Supervisors would still provide assistance once this committee is formed. We wouldn't just leave the committee hanging. It is important that we all understand that we are working for the residents of this Township.

MITRICK Chairman Mitrick mentioned that Fund B needs further defined in the document. It needs to be made clear for everyone to understand.

SURTASKY Mr. Surtasky asked what the next step is to this process.

MITRICK Chairman Mitrick said the Board of Supervisors felt a strong obligation to sit down and listen and discuss the differences with the companies. The Board now needs to research the many questions that arose tonight, and to get some legal input from Attorney Yost.

ECKERT Mr. Eckert reminded everyone that there is another 45 minute public hearing before the next regular meeting.

AMIC Mr. Amic made everyone aware that the ordinances have to be on the agenda because they were already advertised. That doesn't mean that the Board needs to act on the ordinance that night.

MITRICK Chairman Mitrick thought there definitely was progress made at this meeting.

PASCH Mr. Pasch mentioned that we all get frustrated when there is a problem facing the community. Sometimes things don't move fast enough to get the job done. He thought is was great that the volunteer companies met with the Board to have discussions and asked questions to resolve this matter and move forward. He thought the meeting was a breath of fresh air and that he, along with the other Board members, learned a lot at tonight's meeting. He knows that we all need to cooperate and keep this on track as we are so close to getting this matter resolved.

MITRICK Chairman Mitrick said they need to evaluate the magnitude of the work that needs to be done and to look at the questions and concerns produced tonight within a reasonable timetable. If there are dramatic changes in the ordinances then the ordinance would have to be re-advertised. The next public hearing could very well be another informational session as it was tonight. Chairman Mitrick appreciated the input and felt a sense of honesty on all sides and for all of you to give the Board some time to go over all this material.

WILSON Tom Wilson asked if the proposed ordinance as presented would be tabled on the March 9th meeting?

SCHENCK Mr. Schenck stated it could be tabled, voted down, passed as is or anything the Board wanted to do. Until all his questions were answered, Mr. Schenck said he wouldn't act on anything, with open-ended questions no matter what the subject was.

MITRICK Chairman Mitrick requested that when the March 9th agenda is made up, that this matter be put close to the top of the agenda.

WOLFE Doc Wolfe made an open invitation to the Board of Supervisors that with all the information they learned tonight that they could come on board and get active in the fire department.

MITRICK Chairman Mitrick adjourned the meeting at 9:08 p.m.

Respectfully submitted,

Paul W. Amic
Secretary

PWA/jaf

BOARD OF SUPERVISORS **MARCH 9, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors held on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Ken Pasch
Don Bishop

MEMBERS NOT IN ATTENDANCE: Nick Gurreri

ALSO IN ATTENDANCE: Paul W. Amic, Township Manager
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Robert Halbert, Rummel, Klepper & Kahl
Mike Myers, Rummel, Klepper & Kahl
Dori Bowders, Manager of Administrative Operations
Jim Crooks, Superintendent – Wastewater Treatment
David Eshbach, Police Chief
Michael Hickman, Fire Chief
Andy Hinkle, MIS
Mark Hodgkinson, Superintendent – Wastewater Treatment
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:40 p.m. She stated that the meeting was a General Meeting of the Board of Supervisors of Springettsbury Township.

SCHENCK Mr. Schenck introduced Boy Scouts, Justin Sharbaugh and Matt White, who led the Pledge of Allegiance. Mr. Schenck explained that Justin and Matt are working on their Citizenship in the Community and their Communications merit badges. One of the requirements for this badge is to attend a public meeting.

MITRICK Chairman Mitrick invited the boys to ask questions during the meeting.

MITRICK Chairman Mitrick advised that the published Agenda would be revised in order to moving item 10A and 10B to the top of the Agenda under Item 2. Communications from Citizens.

MITRICK Chairman Mitrick invited Police Chief Dave Eshbach to come forward.

ESHBACH Chief Eshbach introduced Sgt. Dave Trott, President of Springettsbury Township Police Welfare Association who made a presentation to Mr. Amic.

TROTT Sgt. Trott indicated that it had been a pleasure to work with Mr. Amic and especially commented about Mr. Amic's involvement in contract negotiations. He had been tough, but fair and had done an excellent job for the township with a true concern for the police officer. Sgt. Trott presented Mr. Amic with a plaque, which he read as follows:

"Presented to Paul W. Amic, Springettsbury Township Manager November 1, 1993 to March 10, 2000. In appreciation for the dedicated service rendered to the citizens of the Springettsbury Township and for the undying support given to Springettsbury Township Police Department in the never-ending pursuit of quality of public safety, presented by the Springettsbury Township Police Welfare Association."

AMIC Mr. Amic responded that the Springettsbury Township had the very best Police Department he had ever seen.

2. COMMUNICATION FROM CITIZENS:

FULTZ Mr. Don Fultz, 3601 Ridgewood Road, commented about his letter written to the York Dispatch supporting Walmart's distribution of the gold coins. He presented one of his gold coins to Mr. Amic.

MITRICK Chairman Mitrick stated that she was sure Mr. Fultz' comments reflected all the citizens of Springettsbury Township.

AMIC Mr. Amic provided a few comments to the public and thanked everyone on the present Board and previous Board members for their help during his tenure as Manager. Additionally, he thanked the staff and stated that Springettsbury Township has an excellent group of people working on staff. He thanked all the professionals who daily have aided him as Manager as well as those from other municipalities who had worked with him, particularly on regional efforts.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Ordinance 00-01 – Providing Emergency Medical and Transportation Services

SCHENCK Mr. Schenck commented that both Ordinance 00-01 and 00-02 had been reviewed in tandem, but are stand-alone ordinances. There had been no major changes regarding Ordinance 00-01, and he suggested that action be taken. He added that Ordinance 00-02 contained a few items he would like to see revised into a final document.

BISHOP Mr. Bishop stated he had heard no reason not to act on the ambulance ordinance.

MITRICK Chairman Mitrick commented that she had consistently questioned who would be doing all the work being shifted from the club to the township. She had commented about this issue at the Work Session, at the Public Hearings, and went on record related to the ordinance that the Fire Chief, Michael Hickman, had assured her that the employees not only are 100% in support of this, but also they offer 110% support to make this work. The work will fall on the township, and Chief Hickman's verbal assurance is very important to her. There is a lot of responsibility, and with it comes a lot of work.

SCHENCK Mr. Schenck raised the question regarding the effective date of April 1, 2000. He asked Chief Hickman if action were taken, would April 1 be enough time for him to be organized.

HICKMAN Chief Hickman indicated it was okay.

MITRICK Chairman Mitrick reiterated that Chief Hickman stated that he had enough help to make the ordinance successful.

HICKMAN Chief Hickman indicated that the current employees could handle it.

PASCH Mr. Pasch asked why the codicil was necessary with the current employees.

HICKMAN Chief Hickman indicated he had assurance from the current EMT's that are working, as well as the secretary that they would continue to function as they had.

MR. BISHOP MOVED FOR THE ADOPTION OF ORDINANCE 00-01. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Ordinance 00-02 – Establishing a Fire Operations Committee

MITRICK Chairman Mitrick commented, as she had during the Public Hearing earlier in the evening, that the final draft had been discussed in a Public Hearing in late February, followed by an additional Work Session with the volunteers in order to further hear from them and understand some of their

concerns and ideas. Chairman Mitrick stated that she felt confident that what the Board has done with the help of Mr. Yost, was take what had been learned from the volunteers and put that information into what the Board of Supervisors felt was very important. What was a final draft which was presented at a Public Hearing a few weeks earlier had been somewhat modified, but not to the degree that it would have to be re-advertised because the items that have been altered are minor.

PASCH Mr. Pasch commented about the problem with the loans. He would like to see that verified. In addition, in the absence of a Township Manager, it is important that there be designated authority in place. Chief Hickman cannot be loaded up with more work. These are much more involved and more work needed to be processed.

HICKMAN Chief Hickman responded that the committee would be doing the majority of the work, not necessarily his office.

PASCH Mr. Pasch responded that most of the responsibility would come from the committee, but he did not see the committee immersed in the actual work.

BISHOP Mr. Bishop stated that all of the concerns expressed are valid ones. He was in favor of the idea that, now that the ambulance Ordinance had been determined, there would be long term benefits to doing the two separately, if only by a short period of time just to allow the Chief and everyone else to digest them.

MR. BISHOP MOVED TO TABLE ACTION ON ORDINANCE 00-02 UNTIL THE MARCH 23, 2000 BOARD OF SUPERVISORS. MR. PASCH WAS SECOND.

MITRICK Chairman Mitrick questioned the Ordinance as to whether it incorporated the changes discussed in the Public Hearing earlier in the evening, or is that in the draft form that originally came to the Board.

BISHOP Mr. Bishop responded that it incorporated the changes in Mr. Yost's memo to the Board as of today. Mr. Bishop added that his objective in making the motion was to incorporate all the changes to get one clean, final draft that everyone has more than two hours to look at and make sure everything was included. In addition there would be more time for communication with PEMA.

MITRICK Chairman Mitrick asked Mr. Yost whether it was reasonable to expect some sort of response.

YOST Solicitor Yost indicated that if they responded as quickly as they did the last time, yes.

MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick commented that, even though Mr. Gurreri was not present, she had received numerous telephone calls from him regarding the item on the agenda. He wanted to personally express appreciation for the volunteers in Springettsbury Township and believed that the ordinances are a streamlining and expansion of the operation. He feels that all the residents in Springettsbury Township would benefit from them.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart-Horn, Inc.

SCHOBER Mr. Schober reported that he had 3 updates to add to his written report. Regarding the Harrowgate relining project, they are in contact with a lining manufacturer trying to get a schedule in order to wrap up the project. The contractor regarding the Millcreek Interceptor project has begun. The pipe had been excavated and he did hit some rock. He would like to propose an alternative correction.

Mr. Schober thanked Mr. Amic for all his help he had given him and wished him the best.

AMIC Mr. Amic asked whether Mr. Schober had any information he would like to relay to the Board regarding Raleigh Drive.

SCHOBER Mr. Schober indicated they had not heard any information from Springfield nor the Water Co.

AMIC Mr. Amic asked whether Mr. Schober had been notified of the occurrence.

SCHOBER Mr. Schober responded that he had been notified.

MITRICK Chairman Mitrick stated that there were some concerned residents, and she wanted to know who would take the lead on the project.

AMIC Mr. Amic responded that there were at least three very angry residents, and he recommended that Mr. Schober contact the residents, who are not pleased with the responses they had received.

SCHOBER Mr. Schober indicated that aside from the water line break, Mr. Crooks had advised him that one of the residents was not happy with the condition that the lining contractor left.

AMIC Mr. Amic responded that there had been heavy damage done to people's homes. There are photographs available. Claims had been received that foundations had been damaged. Swimming pools are damaged and there are people on the staff who are convinced that the contractor did not do what he was supposed to do. There was no proper backfilling and that's what broke the water line. He suggested that Mr. Schober look into the matter to see what the conditions are. Messrs. Simmons and Henry had visited the scene and spoke with the residents. Mr. Amic apologized for springing this on Mr. Schober, but he did not understand what Mr. Schober had been told.

SCHOBER Mr. Schober indicated he had been advised that a water line had broken and that there was some water in people's basements.

AMIC Mr. Amic suggested that after Mr. Schober speaks with the residents that he should feel free, with Mrs. Mitrick and the Board's permission, to speak with Solicitor Yost about the matter as it could become very nasty. He recommended certain actions by the Board related to the payment of invoices.

MITRICK Chairman Mitrick indicated (to Jim Crooks) that any further comment should be held and indicated that Mr. Schober could be contacted for further information.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani reported that there had been 10 plan reviews within the last week. Next month's agenda will be fairly busy with action items if those plans continue to move through the Planning Commission.

Mr. Luciani reported on the landscaping plan for the park. In the next packet, a concept will be provided for the Board to review.

Mr. Luciani received some documentation from Solicitor Yost regarding right-of-way problems with Pleasant Valley Road east of Mt. Zion. Nothing needed to be done at this point. The road is not within the right-of-way.

Mr. Luciani reported that the County is in the process of selecting a consultant for the Kreutz Creek drainage area. That will involve writing a new storm water management program just for the drainage for Kreutz Creek. He was not aware who might be selected. First Capital entered the bidding. This effort would address problem areas of everything east of Mt. Zion Road.

C. Design Engineer – Rummel, Klepper & Kahl

HALBERT Mr. Halbert reported on a few items to add to their March 2 report regarding the pumping station. The trash layer had been removed and they are down to the clay area. During that process about 4,000 yards of trash had been removed. All but three roll up dumpsters had been taken to Modern Landfill. There were 33 dumpsters filled and analyzed. Three went to Envorite. The project geologist will complete that work next Tuesday.

SCHENCK Mr. Schenck asked whether the pace would pick up, once that level was reached.

MYERS Mr. Myers indicated everything now is going to the landfill or going to a waste site.

HALBERT Mr. Halbert continued that there was one foot of clay land to remove which had some debris in it; reach the top of the rock, build a frame around the construction site, install dewatering facilities. As relates to the time to excavate, it was a fairly brief period of time, not too far off the original schedule.

Mr. Halbert mentioned that during a pre-construction conference, RK&K mentioned to the contractor he needed to provide a schedule of values. By contract he is required to have that submitted and reviewed prior to his first payment. It had been mentioned to him a few times since then, two formally; bit he has yet to submit his schedule of values, and he will not have his first payment reviewed until that is received.

HALBERT Mr. Halbert stated that coordination with township funding counsel, Chris Risetto is somewhat out of the loop. They had communicated with him to bring him up to speed relative to the pump station, force main and other issues.

Mr. Halbert added that documents related to the utility water system would be delivered Friday, March 10.

Mr. Halbert reported on the bio-solids educational program. New photos are incorporated into the tri-fold. The text was revised to represent the comments from the Board and staff. It will be sent to re-review next week for another round.

MITRICK Chairman Mitrick thanked Brian Funkhauser and Mike Schober for their very quick response. There was a complaint regarding odor in the area of the Waste Treatment Plant. The complaint came in late one evening, and they were at the site at 7:30 a.m. They corresponded immediately with the resident.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 3/09/00.
B. Rummel, Klepper & Kahl – Utility Water System – Progress Billing #4 - $3,401
C. Rummel, Klepper & Kahl – Diversion Pumping Station – Progress Billing #14 - $24,711.98
D. Buchart Horn, Inc. – Harrowgate/Kingston Road – Progress Billing #14 - $149.88
E. Buchart Horn, Inc. – PLC Upgrade – Progress Billing #9 - $1,163.30
F. Buchart Horn, Inc. – Millcreek Repair – Progress Billing #10 - $1,174.07
G. Murphy & Dittenhafer – Municipal Building – Progress Billing #18 - $3,075.92
H. MPJ Construction, Inc. – Renovations to Farm House – Progress Billing #2Amendment - $1,000

MR. SCHENCK MOVED TO APPROVE THE PAYABLES AS LISTED ON THE AGENDA ITEMS A. THROUGH H. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS AND QUOTES:

A. Authorization to Purchase One (1) 2000 Ford Van on Commonwealth Contract - $20,875

AMIC Mr. Amic commented that during the budget discussions an item was placed in the capital budget for the replacement of 1986 Ford Recreation Van. Mr. Bainbridge requested permission to purchase a new van in the amount of $20,875 on the state contract.

MR. SCHENCK MOVED TO AUTHORIZE THE PURCHASE OF THE FORD VAN FOR THE RECREATION DEPARTMENT PER THE COMMONWEALTH JOINT PURCHASING CONTRACT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Accept the Bid from Highway Equipment and Supply for One Front End Loader - $120,000

AMIC Mr. Amic commented on the condition of the front end loader utilized in the Wastewater plant. This is principally used for the bio-solids program. Authorization to bid had been given. Bids were opened on February 22 – low bidder was Highway Equipment and Supply in Harrisburg, Pennsylvania.

SCHENCK Mr. Schenck asked what was the make of the proposed purchase.

HODGKINSON Mr. Hodgkinson responded that it was a Volvo.

PASCH Mr. Pasch asked about the comment regarding the elimination of the tiller and whether the tiller would be vital to the operation.

HODGKINSON Mr. Hodgkinson responded that it was not vital but recommended for soil conservation plan on the farm fields. It could be postponed another year.

PASCH Mr. Pasch asked whether we're not going after something merely because we have funding problems, and we should really have it.

HODGKINSON Mr. Hodgkinson added that the tiller is needed, but the loader is needed more critically.

PASCH Mr. Pasch indicated that if the tiller is needed, then the Board needs to have the opportunity to say yea or nay. His additional question was the reason for the difference in the pricing was because of the trade in not being nearly what we thought and that the trade in was nominal. He asked whether it would be better to sell this trade individually.

HODGKINSON Mr. Hodgkinson added that the loader is in very bad condition with a bad transmission and tires. He would recommend not selling it on the open market because of its poor condition.

PASCH Mr. Pasch asked what was given for a trade.

HODGKINSON Mr. Hodgkinson responded that Highway Equipment indicated it was probably worth about $10,000. The transmission needed to be replaced.

MR. PASCH MOVED THAT THE STAFF BE AUTHORIZED TO ACCEPT THE BID FROM HIGHWAY EQUIPMENT AND SUPPLY FOR ONE FRONT-END LOADER FOR $120,000. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Pulverized Quicklime – Global Stone Chemstone Corporation - $73 per ton.

AMIC Mr. Amic provided a brief commentary regarding item C. This item had been previously reviewed and bids had been received. Low bidder was Global Stone Chemstone Corporation at $73/ton. This item was recommended by the Wastewater Treatment Plant.

SCHENCK Mr. Schenck asked whether that price would be held for a period of time.

AMIC Mr. Amic responded it was a three-year quote.

MR. SCHENCK MOVED TO AUTHORIZE THE AWARD OF THE PURCHASE OF PULVERIZED QUICKLIME GLOBAL STONE CHEMSTONE

CORPORATION FOR $73.00/TON. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. Land Development 99-17 – Diehl Motor Company – Landscape Waiver/Modification Request

STERN Mr. Stern commented regarding a modification request for LD 99-17 for Diehl Motor Co. He provided an overview showing the plan concerning property at Whiteford Road and Pleasant Valley Road. Diehl needed the Board's input regarding their modification request so they can finalize their plans and bring to the Board for final action. Mr. Stern explained the modification request, which encompassed a buffer yard, a property line between properties, as well as a zoning district line. He expounded on the requirements of the ordinance. Mr. Stern presented three separate options:

(1) Deny completely the modification request and require Diehl to meet the ordinance as written with the buffer yard being completely on their property.

(2) Have a limited buffer yard along the property line.

(3) Work with the owners of the property to the north and to actually put the buffer yard on the north side of the property line.

Mr. Stern explained that the third option was supported by the adjoining property owner, which he recommended as meeting the intent of the ordinance.

PASCH Mr. Pasch stated that it seemed reasonable based on the conditions. Mr. Pasch commented on his concern that the property owners would be held accountable in the future to avoid problems for future boards. He asked Solicitor Yost to assure him that that problem would not exist.

YOST Solicitor Yost responded that the Board should be aware that his law firm does work for Diehl Motor Co. and knowing that if he still wanted Solicitor Yost to respond he would do so.

PASCH Mr. Pasch indicated he wanted a response.

YOST Solicitor Yost responded that he had reviewed the agreement, which imposed the maintenance obligation on the owner of the Diehl property; but he explained that they have the right of access to get there to do the maintenance. More importantly is that the agreement is binding on the

successors and assigns of both parties, and it is also specifically states that it is a covenant running with land so that it is permanent that neither could remove the agreement. It runs with both properties; the obligation runs to the Diehl property, the dominant tenant, and the CNA is the subservient tenant. It would be recorded so that there would be no misunderstanding. Solicitor Yost indicated he would like to see the Township as a party to the agreement so that the Township would have the power to require the responsible party under the agreement to enforce it.

MITRICK Chairman Mitrick asked Mr. Stern about the buffer yard and the fact that it does not fully satisfy the ordinance. She asked what percentage would not be satisfied.

STERN Mr. Stern responded that it was varied over the property.

PASCH Mr. Pasch commented that there are two parties who are agreeing that this buffer is adequate.

STERN Mr. Stern commented that modification is expected to be requested for the standard request for the street scape. More plantings are planned than what are required for the street scape, but they are different and in different places.

MITRICK Chairman Mitrick agreed with Mr. Pasch about the situation and that it was a credit to both parties to have worked on the solution between property owners.

STERN Mr. Stern recommended that approval be granted for the modification, Option 1, to allow the landscaping on the northern property with the commitments, which Solicitor Yost had mentioned regarding the agreements, maintenance, etc. and that the Land Development Plan that is presented is the same.

BISHOP Mr. Bishop asked about 'conditioned upon the Land Development coming back in substantially the same form' and whether there was any way or any need to do that.

STERN Mr. Stern stated that the same had been done on the Galleria West plan.

YOST Solicitor Yost stated that a document should be in place for reference.

MR. BISHOP MOVED THAT APPROVAL BE GRANTED FOR THE REQUEST FOR MODIFICATION TO LANDSCAPE WITH RESPECT TO LAND DEVELOPMENT 99-17 – DIEHL MOTOR COMPANY:

- **CONDITIONED UPON SPRINGETTSBURY TOWNSHIP BEING ADDED TO THE AGREEMENT BETWEEN THE LAND OWNERS,**

- **CONDITIONED UPON ADDITION OF LANGUAGE TO THE EASEMENT AGREEMENT TO INCLUDE MAINTENANCE OF THE GENERAL BUFFER YARD AREA AND,**

- **PROVIDED THAT THIS LAND DEVELOPMENT PLAN, WHEN IT COMES FORWARD FOR FINAL APPROVAL, BE SUBSTANTIALLY THE SAME GENERAL LAYOUT AS THE PLAN PRESENTED TO THE BOARD DATED 2/24/00, ISSUED MARCH 8, 2000 AND TITLED SITE LANDSCAPE PLAN BUFFER YARD PLANTINGS ON ADJACENT PARCEL.**

MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. **Subdivision 99-12 – Suburban Associates – Granting Extension to 3/25/00**.

MR. BISHOP MOVED TO ACCEPT THE GRANT OF EXTENSION TO 3/25/00 FOR SUBDIVISION 99-12 – SUBURBAN ASSOCIATES. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Discussion of Zoning Enforcement Vehicles as Directed by Board on 2/24/00

STERN Mr. Stern requested the purchase of a second vehicle.

MR. BISHOP MOVED FOR APPROVAL OF THE PURCHASE OF A SECOND ZONING ENFORCEMENT VEHICLE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Planning Module – A3-67966-305-3 – Sarah Woods – Phase II – Windsor Township – 2,800 GPD

MR. BISHOP MOVED TO AUTHORIZE PLANNING MODULE A3-67966-305-3 FOR SARAH WOODS PHASE II WINDSOR TOWNSHIP – 2,800 GPD. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

SCHENCK Mr. Schenck had received a letter from the parent of an Eagle Scout, who asked if we would be willing to add to what he will be receiving on May 7 as his recognition – a letter for his recognition from the Township for that accomplishment. Mr. Schenck asked the Board if they would concur, he would work with the staff to do so.

PASCH Mr. Pasch commented that anytime an Eagle Scout does something for the Township there should be a letter as standard procedure.

MITRICK Chairman Mitrick asked whether the Scout could be present to accept it.

SCHENCK Mr. Schenck indicated that it was possible; however, in an Eagle Court of Honor, a ceremony would be held at Rocky Ridge. Normally everything would be presented at that time. Someone could make the presentation there.

Consensus was to go ahead with the letter and that Mr. Schenck would make the presentation during the Eagle court of Honor at Rocky Ridge on May 7.

SCHENCK Mr. Schenck indicated he had received a letter from John Kline, President of the Springetts Youth Sports Association. The subject was the condition of the ball field at Penn Oaks Park, which recently had the backstops redone and fencing, but the field itself still has bricks in it. They had suggested to the Rec board that they could work with them, but they have had no response.

MITRICK Chairman Mitrick commented regarding two pieces of information. She asked Dori Bowders if she would pass it on to Mark Hodgkinson. York County Economic Development Corporation had sent a second request regarding a survey for wastewater treatment. She asked Dori to be sure that the survey was completed and returned if it had not previously been done.

MITRICK Chairman Mitrick commented that in the past several days she would like the Board to know that she had received correspondence from several members of the fire companies and the ambulance club thanking the Board of Supervisors for listening. She chose not to use names, but there were consistent comments.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost indicated he had nothing to add to his written report.

9. MANAGER'S REPORT:

AMIC Mr. Amic indicated that he had nothing further to add.

MITRICK Chairman Mitrick asked about his written report in full. She asked whether he had provided a document that would present all the significant dates and items that need to be accomplished.

AMIC Mr. Amic responded that he was working with internal staff regarding all the items on his desk. He met with Mrs. Bowders and provided all the dates, times and documents, and she had notes on those items. He stated he would complete this work. In addition, she would have his telephone number.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

This item had been addressed earlier during the meeting.

11. ACTION ON MINUTES:

A. Board of Supervisors Work Session – February 23, 2000

MR. BISHOP MOVED TO APPROVE THE MINUTES OF THE FEBRUARY 23, 2000 BOARD OF SUPERVISORS WORK SESSION AS DRAFTED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Public Hearing – February 24, 2000

MR. BISHOP MOVED FOR THE APPROVAL OF THE FEBRUARY 24, 2000 BOARD OF SUPERVISORS PUBLIC HEARING MINUTES AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Board of Supervisors Regular Meeting – February 24, 2000

MR. BISHOP MOVED FOR THE APPROVAL OF THE FEBRUARY 24, 2000 MINUTES OF THE REGULAR BOARD OF SUPERVISORS MEETING AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Board of Supervisors Work Session – February 29, 2000

MR. PASCH MOVED THAT THE MINUTES OF THE FIRE AND RESCUE ORDINANCES WORK SESSION OF FEBRUARY 29, 2000 BE APPROVED AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

PASCH Mr. Pasch referred to the on-lot systems item mentioned in the 2/24/00 Regular Meeting minutes where Mr. Amic indicated he did not anticipate problems. In the Manager's Report of 3/9/00 he read of a lot of potential problems.

AMIC Mr. Amic responded that he attempted to alert the Board of potential problems. He had spoken with Mr. Sowers and asked whether he would be willing to administer this program. Mr. Sowers responded that he

would be willing to do that with Mr. Hengst as the Sewage Enforcement Officer and with the help of Andy Hinkle. A memorandum will be issued regarding that item. In addition, the matter will be presented to the Board for approval following review by York County Planning. Once this is approved, then the funding becomes eligible; then the schedule must be adhered to. Then it becomes a three-year track for each region. Mr. Amic added that Mr. Sowers is capable of doing this job. The Board may want to examine whether there is enough help in place.

12. OLD BUSINESS:

There was nothing requiring action under Old Business.

13. NEW BUSINESS:

MITRICK Chairman Mitrick stated that there were a few additional items to discuss before adjournment. One was to take assignments as "Go To" people for the various departments.

Chairman Mitrick suggested the following:

Go To Person	For:
Bill Schenck	Wastewater Treatment Public Works
Don Bishop	Finance Department Computer Information Services
Ken Pasch	Emergency Services
Lori Mitrick	Economic Development Human Services Park and Rec General Administration

MITRICK Chairman Mitrick indicated she would like to put this together tonight so that she could meet with Dori Bowders and get letters out tomorrow to the Department Heads as well as notification to the consultants.

SCHENCK Mr. Schenck wanted to make sure no one is missed.

BISHOP Mr. Bishop brought up the Purchasing Program and where that would fit.

SCHENCK Mr. Schenck indicated that his interpretation of the action would include that whoever is assigned would be the person to authorize those purchases.

PASCH Mr. Pasch indicated that there had to be assignments for a Go To dealing with RK&K, B-H, First Capital. There are very important projects, such as the pump station project, that must proceed. He suggested that R.K.&K. take a stronger management position but then have a Go To person as well.

MITRICK Chairman Mitrick suggested that since he had been involved with the meetings, would he accept that honor.

PASCH Mr. Pasch indicated he would.

MITRICK Chairman Mitrick suggested that Bill Schenck take the responsibility for the New Building, along with Andrew Stern and Chairman Mitrick.

SCHENCK Mr. Schenck indicated he would.

MITRICK Chairman Mitrick asked Mr. Pasch whether he would take the responsibility of Wastewater Treatment in Bill Schenck's absence.

PASCH Mr. Pasch indicated he would.

BISHOP Mr. Bishop suggested that one person should be delegated who most knows where we are and what our various phone numbers are.

Consensus was that Dori Bowders would be the key to contact other Board members.

MITRICK Chairman Mitrick will sign documents as Manager/Secretary/Treasurer.

YOST Solicitor Yost indicated it should be someone who is bonded.

BISHOP Mr. Bishop, as Assistant Treasurer, is bonded.

YOST Solicitor Yost stated that most of the legal documents are signed by the Chairman and attested by any officer.

MR. SCHENCK MOVED THAT LORI MITRICK BE APPOINTED AS SECRETARY/TREASURER OF SPRINGETTSBURY TOWNSHIP EFFECTIVE SATURDAY, MARCH 11, 2000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick commented that Jodi Keller had located someone interested in the interim position. A management group in Lansdale specializing in government positions has several potential candidates.

SCHENCK Mr. Schenck stated he thought they should talk with the firm.

Consensus was two possible times to meet with potential candidates: Tuesday, March 14 at 9 a.m., and Thursday, March 16 at 8 a.m.

MITRICK Chairman Mitrick formally wished Mr. Amic well and thanked him for his leadership in Springettsbury Township. There are many projects in the midst that are really making Springettsbury a better place.

AMIC Mr. Amic thanked all the Supervisors for their help and stated it had been a very fine place to live. He thanked them for their kindness.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:20 p.m.

Sincerely,

Paul W. Amic
Secretary

PWA/ja

BOARD OF SUPERVISORS **MARCH 9, 2000**
PUBLIC HEARING **APPROVED**

The Springettsbury Township Board of Supervisors held a Public Hearing on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Don Bishop
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Nick Gurreri

ALSO IN ATTENDANCE: Paul Amic, Township Manager
Don Yost, Solicitor
Dave Eshbach, Chief of Police
Michael Hickman, Fire Chief
Andrew Stern, Director of Economic Development
Betty Speicher, Director of Human Services
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 6:30 p.m. She provided commentary with regard to the meeting, a Public Hearing on Ordinance 00-01 and 00-02. A Public Hearing had been held regarding these ordinances on February 24th, as well as an additional Work Session on February 29th to review the proposed agreement forwarded by Springetts Fire Company comparing that to the proposed Ordinance 00-02. After we had those meetings, the Board of Supervisors individually sent their comments to Attorney Yost for review and comments. Where there was a consensus on the suggested changes, Attorney Yost wrote them out so that we could incorporate them into the proposed ordinance. Chairman Mitrick pointed out that additional copies were available for review and suggested those in attendance read them prior to comment or questions.

3. ORDINANCE 00-02 – ESTABLISHING THE FIRE OPERATIONS COMMITTEE WITH RESPONSIBILITY FOR THE OPERATION OF FIRE PROTECTION AND RESCUE ACTIVITIES OF THE TWO OFFICIALLY RECOGNIZED VOLUNTEER FIRE COMPANIES IN AND FOR THE TOWNSHIP, SPRINGETTS FIRE COMPANY NO. 1 AND COMMONWEALTH FIRE COMPANY NO. 1.

MITRICK Chairman Mitrick asked for questions and comments regarding the ordinances. Ordinance 00-02 was addressed first.

ECKERT Don Eckert, 611 Marion Road in Springettsbury Township commented on his observation of the changes that had been made since the last meeting. He reviewed each one with specificity, and asked a question from his previously-presented list to the Board. He asked whether the assets to be transferred from the two individual fire companies to the Operating Committee would require any kind of legal documents, whether they become ownership of the newly-formed committee, whether they become property of the township, whether they are still owned by the individual fire companies. He added that Commonwealth is a non-profit corporation in the state of Pennsylvania. Additionally he asked whether the fire companies would still hold title, or would be only administered by the committee.

YOST Solicitor Yost responded that his opinion was that the money belongs to the fire companies. It would just being administered by the committee. First and foremost all of it has to be used and can only be used for fire protection purposes. Solicitor Yost's intent would be that ownership would not change, and that the committee will be administering those funds.

ECKERT Mr. Eckert added that the concern about the division and the ability for each fire company to generate their needs in an individual financial statement was for purposes of state loans and whether they could legally provide a financial statement.

YOST Solicitor Yost indicated that they could, but added that he would anticipate a joint statement being prepared by the committee. Additionally there would have to be an audit trail between the fire companies and the committee and the committee itself would need an audit trail for every penny that passes through its hands.

WOLF Doc Wolf, 40 Dietz Road questioned whether the Committee would have the control of all funds and would disburse them. The companies themselves will have no control over this money at all.

YOST Solicitor Yost responded that the fire companies would have no control under this Ordinance.

MITRICK Chairman Mitrick interjected that the fire companies would have control to the degree that they have representation on the committee.

WOLF Mr. Wolf indicated he understood. He added that he thought there was concern that the fund raising that the two fire companies do through

calendar sales, room rentals and various functions that each company would maintain control of the money raised by fund drives.

SCHENCK Mr. Schenck stated that the Board members had that consideration as far as funding and the money raised. Mr. Schenck's thoughts were that the committee would to do the mechanics of paying the bills and tracking the money, etc., and his hope in finalizing the Ordinance would be to acknowledge that those funding sources exist, acknowledging that each company raises money, and also has the ability to spend money on non-emergency and social activities. That was what the addition of Item 6 under 601B indicated. Mr. Schenck's interpretation of that was that if the committee decided to allow the individual fire companies to have a slush fund account, there was nothing in the Ordinance that could keep them from doing that. The Ordinance doesn't direct the Committee to create that. The committee has the authority to create whatever accounts they want for the individual fire companies within the guidelines of the Ordinance.

MITRICK Chairman Mitrick made additional comments in agreement with Mr. Schenck's statement. She indicated she had given much thought and consideration of whether it would be important to create a Fund B-1 and a Fund B-2 meaning one belonged to Commonwealth and one to Springetts. Chairman Mitrick stated that the Ordinance, as it is written, would allow for that, if that is what the committee decided to create. The committee could decide to disburse that money or to assign that money however they see fit. The Ordinance, with the suggested changes, does not outline everything that is necessary A through Z. It would simply set the stage and the committee will be making the decisions.

WOLF Mr. Wolf stated that the committee could delegate authority to the fire companies, and they could allow them to have a fund.

SCHENCK Mr. Schenck stated that part of the ordinance states that each fire company submits a budget. If the fire company's budget includes a certain amount of money for those types of activities, which is being done now, that would become part of the overall budget. Mr. Schenck did not foresee any major difference.

MYERS Ken Myers, 3543 Heritage Drive asked whether it is legal for the two non-profit organizations to relinquish control of their assets over to the newly-created organization.

YOST Solicitor Yost indicated he was satisfied that it would be legal, as long as the 501C3 test was met, which indicated that no part of the charitable funds would be to the benefit of the individual members which would not happen.

ASTOR Bob Astor of 2950 Chesapeake Road asked for clarification that the Township Supervisors are the appointed agency.

YOST Solicitor Yost responded that this would be only with the respect to the two Supervisors. The fire companies will each be the appointing agency of their two members. He added that this would apply, not only to the two fire companies, but also to the supervisors that if they have someone who does not participate in good faith, he would be subject to recall. Mr. Pasch recommended that a provision be included that whenever there was a recall that there would be a prompt replacement of that individual so that the business of the committee would not be impaired.

SCHENCK Mr. Schenck asked Solicitor Yost whether the question of property had been clearly stated and was completely understood by everyone.

YOST Solicitor Yost indicated that it was not intended to apply to any tangible property or real estate. That does not apply to machinery, equipment, or real estate. The intent would be to cover intangible property, for example, which could be any type of, not necessarily money, not necessarily an investment, or a security, but it could be a note, it could be a promise to pay as in any type of intangible property with value.

ECKERT Mr. Eckert responded that he agreed.

PASCH Mr. Pasch stated that he had one item for discussion, which related to Mr. Eckert's questions on legal entity. Mr. Pasch had some concern in terms of the approval of PEMA. In a discussion with Solicitor Yost he learned that what had been sent to PEMA previously was the original Joint Operating Agreement and not the ordinance. He recommended that this ordinance be passed before PEMA to insure that there are no future difficulties. Mr. Pasch stated he had the same kind of concern with this legal entity being created and some of Doc Wolf's questions about separate financial statements. Mr. Pasch would like assurance from PEMA that indicates approval that the ordinance satisfies what is necessary. Following the submittal of the Joint Operating Agreement to PEMA there were some changes in the ordinance, which should be addressed before we go down the road and find out that we may have missed something. Mr. Pasch did not think that there was a problem but stated that he had some anxiety about it.

YOST Solicitor Yost responded that he had not submitted it to the counsel for PEMA because he did not know what to submit. An agreement was necessary on the document prior to submittal.

ASTOR Bob Astor, 2950 Chesapeake Road stated that he understood that Mr. Pasch had concerns. He asked whether he was saying that the ordinance should go before PEMA before a vote, or whether there would be a vote first and then have it sent to PEMA.

PASCH Mr. Pasch responded that as far as he was concerned it could be voted on subject to approval by PEMA that it would not interfere with the loans. If they come back with some suggestions or changes in the way that it is written or set forth, then changes would have to be made.

ECKERT Don Eckert asked Solicitor Yost whether it would be possible for an operating committee to appoint a committee to establish some funding money. The statement had been removed in paragraph 502 that reserved for each fire company all fiscal and financial affairs with respect to each fire company having their own activities, which implied that right. In the absence of that statement in your judgment, will the committee have the right under the language of this ordinance to do what is best.

YOST Solicitor Yost responded that the word in question there was "reserved" which indicated that they held it from the outside as opposed to it being paid over and coming back in the form of annual appropriation from the committee.

ECKERT Mr. Eckert reiterated that it was really silent of the ability to do that. It did not really say a lot of things that perhaps the committee would want. It does imply that the committee can set up other operating committees, but the specific item about separate administrative funds was silent.

MITRICK Chairman Mitrick asked whether there were any further questions regarding Ordinance 00-02. Hearing none she called for comment on Ordinance 00-01.

2. ORDINANCE 00-01 – PROVIDING OF EMERGENCY MEDICAL AND TRANSPORTATION SERVICES IN AND FOR THE TOWNSHIP BY THE TOWNSHIP ASSUMING CERTAIN FUNCTIONS PREVIOUSLY PERFORMED BY THE SPRINGETTS AMBULANCE CLUB AND BRINGING THE TOWNSHIP'S EMERGENCY MEDICAL AND TRANSPORTATION SERVICES UNDER THE SOLE CONTROL AND DIRECTION OF THE TOWNSHIP.

MYERS Ken Myers, 3543 Heritage Drive stated that since the ambulance club will not be providing the service, transportation, billing, etc. they won't be able to have the memberships. He commented that any time there had been any change in the membership, such as the amount of coverage, or how

much it costs, the phones ring off the hook. Mr. Myers questioned first, whether it was the intent to maintain memberships and secondly, can the township do that. He asked whose phone number should be given to callers for response.

MITRICK Chairman Mitrick asked Mr. Bishop to respond to that since he was directly involved in the writing of that ordinance.

BISHOP Mr. Bishop asked Mr. Myers to explain what the membership benefits are.

MYERS Mr. Myers responded that each resident of the township is allowed, if they so desire, to contribute $15.00 to the Ambulance Club, which gives them free emergency calls for 12 months (May to May). As opposed to paying a $200.00 fee for ambulance service, a member pays one $15.00 fee. If the member does not use the service, it becomes a donation. If they do use the service, they have escaped paying the $185.00 cost. An additional benefit would be if a member were transported, the Ambulance Club does what is called third party billing which bills, if the person has medical insurance, that insurance and accepts assignment for whatever the insurance would pay, whether it is $10.00, $50.00 or the whole balance that would be left. Those are the benefits. If someone is charged $200.00, and they have contributed the $15.00, they do not get billed. The Ambulance Club has tried over the years to maintain the membership at a reasonable figure. We simplified this by all people over 21 living in one residence at one address is covered in the $15.00 fee. It is definitely something that the folks who use the service will not appreciate if the service is abolished and they have to pay for each service every time that they would use the ambulance.

BISHOP Mr. Bishop stated that he did not know of a requirement one way or the other that memberships be continued or not. He added that he was not sure whether there was a reason not to have memberships in the ambulance club.

MYERS Mr. Myers pointed out that the Ambulance Club would not provide the service through the billing and would not derive the income from that. The Fire Chief's office would handle that according to the ordinance. The Ambulance Club would only own the vehicles and the licenses. The Ambulance Club has no obligation. If they decide that people contribute to the Ambulance Club, it would be simply be a contribution with nothing from it similar to the fire company's membership drive, which is a donation with no implied benefit.

BISHOP Mr. Bishop pointed out that the ordinance doesn't really contemplate at all what kind of rates are involved. They are totally silent on anything in terms of what will be charged anywhere. He could not say one way or the

other what was likely to change or not change. His guess would be that the short run objective would be to change as little as possible so that there would not be any kind of disruption or concern among the people in the township. Mr. Bishop did not believe that the service would change, nor did he believe what people are requested to pay for the service would change, at least in the short run. Beyond that it is an administrative matter on how those rates will be set in the future.

PASCH Mr. Pasch asked Mr. Myers a question regarding the charging of membership. He asked him whether any special authority had to provide permission regarding the charge for membership.

MYERS Mr. Myers responded that to his knowledge there was none necessary.

PASCH Mr. Pasch stated he saw no reason why it couldn't be continued. The fact that the township residents, when there is a change, come back and want to know why is because it is a good deal. It's an insurance policy that you pay $15.00 for and you don't have to pay for any emergency ambulance service, which is great. The Ambulance Club gets the benefit of the third party billing without any question. That should not be disrupted in any way, because that is very important. Mr. Pasch did not think the memberships should be disrupted either. Additionally Mr. Pasch stated he did not see that there were any government authorities or anyone else that had to grant permission for the committee to handle it in an administrative way.

MYERS Mr. Myers pointed out that the Ambulance Club was not part of the committee.

PASCH Mr. Pasch responded that it is still internal in terms of the Ambulance Club and Springettsbury Township handling this in such a way that it can be accomplished and that very little is disturbed. The Board would want to be sure that the benefits in place would not be lost.

MYERS Mr. Myers asked for clarification of his understanding of what Mr. Pasch had said, i.e., you intend for the ambulance club to maintain memberships and third party billing assets.

PASCH Mr. Pasch responded that he was not saying that. He said that the benefit is there for the Ambulance Club and the Township. He added that he was not saying that the Township would maintain that. Administratively, it is a lot better for the Township if somebody is there to handle that for you. As it is now, the Township pays for the individual that handles all that third party billing anyway.

MYERS Mr. Myers stated his perspective that it would be like him paying you for service and he provided it and would not get any benefit from it. That is how he looked at it. You are paying money for this organization. This organization is providing the service. These are not the same entities. They are not the same organizations. If the township is going to administer and take over the billing, etc. then they are the ones that are responsible in having a membership if they so desire. If they do not desire, then somebody's got to be able to tell the public that you are losing your membership, and there is really no good reason why.

PASCH Mr. Pasch indicated that he, for one member of the board, would not say that we would dissipate that membership. It is not logical. It is a good insurance policy. It is good for the residents, and it is good for everybody else.

MYERS Mr. Myers stated that he did not know if the Ambulance Club would be allowed to continue to have memberships if it doesn't provide the service. That was his question. Since they are not the one providing the service, how can they continue to have a membership.

YOST Solicitor Yost commented that if we sat down and thought this through, we would see that the Township as the administrator could offer the same benefit of a membership for an annual fee.

MYERS Mr. Myers responded that it would have to be the Township doing this.

YOST Solicitor Yost stated that the importance of the membership is the service that it provides in the event that you would have to make a call. The Township could provide a similar service.

MITRICK Chairman Mitrick stated on behalf of the Board thanks to all for the tremendous effort that was put into the creation of these new documents. She thanked the Emergency Services Commission and the other members who had been very consistent with their input, as well as to her colleagues who did not serve on the Emergency Services Commission, but did put a tremendous amount of time in reviewing the information that came forward and also gathering your input so that we could come here this evening with a document that was a compilation of all the changes and the various types of input that the companies provided, as well as the information that the Board felt was important to incorporate into these documents.

Chairman Mitrick stated that the ordinances were listed on the Agenda at our general meeting that would begin at 7:30 p.m. She stated that that did not necessarily mean that the Board would take action, but would address them, and there was a possibility that they would be tabled after some

discussion. She stated that the ordinances are listed on the Agenda for number 10. She indicated she would move them right up to the top of the Agenda after Citizens Comments.

4. **CITIZEN COMMENT AND QUESTIONS**:

There were no further citizen comments or questions voiced.

5. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Paul W. Amic
Secretary

PWA/ja

BOARD OF SUPERVISORS **MARCH 23, 2000**
REGULAR MEETING **APPROVED**

MEMBER IN ATTENDANCE: Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Bill Schenck

ALSO IN ATTENDANCE: Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Mike Myers, Rummel, Klepper & Kahl
Dori Bowders, Manager of Administrative Operations
Michael Hickman, Fire Chief
Andy Hinkle, MIS
Mark Hodgkinson, Superintendent – Wastewater Treatment
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m. The Pledge of Allegiance was repeated. She welcomed the public to the General meeting of the Board of Supervisors of Springettsbury Township.

Chairman Mitrick announced that there would be a very brief Executive Session following the meeting regarding personnel matters.

Chairman Mitrick also announced that Item No. 10, Ordinance 00-02, would be moved to the top of the Agenda. She requested Solicitor Yost to summarize what had transpired in the last few days.

YOST Solicitor Yost reported that a response had been received from Mark Goodwin, Chief Counsel to PEMA, who had raised a number of questions concerning the ordinance and how it would affect the ability of the volunteer fire companies to qualify or be eligible for the PEMA Volunteer Assistance loans. The primary concern is with the committee structure in the sense that the committee is neither the fire company nor is it the township; it is a new entity, and he suggested that we rethink that issue. He has also addressed a concern with reference to the Relief Association. Solicitor Yost indicated he did not believe the ordinance would affect the Relief Association one way or the other. Solicitor Yost stated that his

recommendation would be to take the comments under consideration and recommended not taking action on the ordinance until the comments were addressed. He added that Mark Goodwin's letter was dated March 17, 2000 and had just been received on Monday of this week.

MITRICK Chairman Mitrick requested comments from the Board.

PASCH Mr. Pasch agreed with Solicitor Yost and indicated the questions should be reviewed. He added that a hold should be placed on the Ordinance but not indefinitely. Mr. Pasch requested Solicitor Yost to come up with some ideas as to how to address the problem.

MITRICK Chairman Mitrick stated that she hoped a response would be forthcoming as quickly as PEMA had previously responded.

YOST Solicitor Yost agreed that they had been very cooperative and responsive.

BISHOP Mr. Bishop asked what the next step would be and whether a meeting should be scheduled for review.

YOST Solicitor Yost indicated he had some thoughts that he would like to bring to the Board. He added that he could have a plan formalized within six weeks.

PASCH Mr. Pasch indicated agreement and added that the matter could be placed on the agenda for the first meeting in May.

MITRICK Chairman Mitrick clarified that the date would be May 11th.

PASCH Mr. Pasch added that he would like to have a work session or some kind of an Executive Session review.

YOST Solicitor Yost indicated he would provide a draft and a work session within a week or two ahead.

MITRICK Chairman Mitrick asked whether there would be any problem due to the fact that it has been advertised.

YOST Solicitor Yost responded that it would not be a problem. The cost of advertising would be lost in that the process would be starting over again.

BISHOP Mr. Bishop commented that a Work Session for that discussion should be scheduled.

Consensus was to schedule this Work Session for Monday, May 1 at Noon.

MITRICK Chairman Mitrick asked Solicitor Yost what should be done with the present Ordinance.

YOST Solicitor Yost responded that a motion to table the Ordinance would be in order.

MITRICK Chairman Mitrick asked for questions or comments from the public in attendance.

ECKERT Don Eckert, 611 Merion Road, Springettesbury Township indicated he was not sure if he understood everything Solicitor Yost reported. He asked whether Solicitor Yost was waiting for further comments from PEMA.

YOST Solicitor Yost indicated that the ordinance had been forwarded to Dean Fernsler at the Governor's Center for Local Government Services. Mark Goodwin suggested that Solicitor Yost discuss the ordinance with Mr. Fernsler for his recommendations. Additionally, Solicitor Yost reported that Kent Leid, Acting State Fire Commissioner had been sent a copy.

ECKERT Mr. Eckert mentioned two items to review. Section 204 under "Removal and Vacancies" he asked whether a word was missing in item IV. He indicated it had to do with things that would deem the committee's ability to remove somebody. He indicated it stated that "does not accept the office in writing or by attending the first meeting of the committee" He thought it should read "by not attending." The second item Mr. Eckert referred to was under Section 502, "Fiscal Authority" article regarding Finance and Budget, Paragraph 601 under operating budget. It referred to preparing a combined operating budget for the emergency services activities of the fire companies. The previous revisions it 601B6 which also covered the expenditures for non-emergency and social activities for the fire company. Mr. Eckert thought the words "emergency services activities" had been removed.

MYERS Ken Myers, 3543 Heritage Drive indicated that the fire company's attorney raised a question similar to what Attorney Yost reported regarding the fact that the fire companies don't know if they can actually turn their monies over to this group that was set up. He understood that the Attorney General's office has a subcommittee which handles charitable organizations, and they would be the ones that have to make a determination whether the fire companies legally can turn their assets over to another committee that doesn't totally consist of fire company members.

YOST Solicitor Yost responded that the point had been raised in Mark Goodwin's letter.

SURTASKY Mr. Tony Surtasky, 2245 Mt. Zion Road stated that if and when the ordinance would be enacted, he would like to receive a progress report, either written or verbal from the supervisors a year from now. This report should list the pros and the cons of the ordinance as it was enacted. Mr. Surtasky stated that the Supervisors are enacting the Ordinance and are responsible for it. Mr. Surtasky would like to have the report every year to keep the citizens, as well as the fire companies, informed.

MITRICK Chairman Mitrick responded to Mr. Surtasky and assured him that frequent updates will be received from the Fire Chief.

MR. BISHOP MOVED TO TABLE INDEFINITELY ACTION ON ORDINANCE 00-02 ESTABLISHING A FIRE OPERATIONS COMMITTEE. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick stated that the Board action taken does not weaken its interest or commitment toward finalization. She added that the Board felt a strong obligation to take the time necessary to ensure it would be done correctly.

2. COMMUNICATION FROM CITIZENS:

MYLIN Attorney Richard Mylin of 135 S. Duke Street, York, spoke to the Board on behalf of Dora Wolfgang, who submitted a subdivision plan and paid all the fees 10 years ago, but for some reason it was not recorded. Attorney Mylin requested a waiver of the subdivision requirements. The subdivision involved five acres of land behind hers and her son's property. In anticipation of selling her property, they wanted to maintain the five acres behind the properties attached to her son's property. This would not involve any subdivision or building lots. The regulations in place 10 years ago are substantially the same; some notes and elevation marks had been added which were not on the original plan. Attorney Mylin requested that the Board consider waiving of engineering, consulting and/or inspection fees and to expedite this process, as Dora Wolfgang would celebrate her 102 birthday within the week. Attorney Mylin commented that he had discussed this matter both with Mr. Stern and Solicitor Yost.

STERN Mr. Stern commented that the property is located in the vicinity of North Sherman Street and Hammond Road. The action would involve a reverse subdivision and no new lots would be created; there is no new building being suggested. The Planning Commission approved this plan on August 16, 1989, the Board approved it on August 24, 1989; neither had any conditions. Mr. Stern indicated that a search had been conducted and there were no signed plans by the Board, nor any reference that the plan had been recorded. Mr. Stern suggested that the Board should do

whatever it can to process this matter. Following the normal process could involve four months and $2,000.

MITRICK Chairman Mitrick asked whether Mr. Stern had reviewed the Minutes.

STERN Mr. Stern responded that he had reviewed the Minutes.

BISHOP Mr. Bishop asked whether both the Planning Commission and the Board had approved the plan without any waivers or conditions. Mr. Bishop indicated that he did not personally see any reason not to proceed but added that he would be a little uncomfortable with going ahead knowing that both Mr. Stern and Attorney Yost had only known about it for two days.

YOST Attorney Yost recommended that since the Board members have changed, and it was never recorded that the process should be completed. Attorney Yost also recommended that the process be simplified as much as possible and kept as inexpensive as possible. He added that Attorney Mylin could decide whether it would be necessary to notify York County Planning Commission.

BISHOP Mr. Bishop asked Mr. Stern whether he had discussed this with the Planning Commission.

STERN Mr. Stern responded that he had left a message but had not yet received a response.

BISHOP Mr. Bishop asked whether this would be a timing issue only.

YOST Solicitor Yost indicated it was a timing issue and a dollar issue. He did not have any problem bypassing York County Planning Commission, but someone in the future might question it, and that was his reason to have Mr. Mylin make the decision.

MYLIN Attorney Mylin questioned whether, if it were placed on the next agenda that would provide enough time.

STERN Mr. Stern indicated he could work that out with the county.

MYLIN Attorney Mylin agreed that it made sense to table it until the next meeting.

LUCIANI Mr. Luciani asked whether there was a mylar.

MYLIN Attorney Mylin indicated that he had not yet seen the mylar, but one was available with 13 copies provided.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober provided a few updates—one regarding the 537 Plan. York County issued its comments, and had accepted the addendum on the Sewage Management program, which would be forwarded to DEP for their records. Regarding the PLC system, GES had provided a final invoice, but had not provided the signature page. Mr. Schober assumed that in three weeks that would be ready.

BISHOP Mr. Bishop asked whether they had billed for everything and B-H would eliminate what had to be pulled out for the connection to the new pump station.

SCHOBER Mr. Schober responded that a few thousand dollars was being held back for that.

SCHOBER Mr. Schober continued with his report that the Millcreek Interceptor Repair had been completed and required a lot less than anticipated. Once the contractor had excavated that pipe and de-watered, it was determined that the pipe was actually in very good condition. Mr. Schober indicated that the gasket joint material had not been properly installed, and it was a matter of pulling the old gasket out and inserting a new one. The joint was covered up with concrete and back filled, and that took care of the leak. Additionally, instead of installing the connection for the frigid coil in Spring Garden at that location, it was moved up to the next closest manhole and the connection was installed there instead. Some re-grading and re-seeding may be done. A Change Order will be negotiated, since there was a lot less work than had been included in the contract. A review will be done of the construction log and man-hour requirements to determine a final number. Mr. Schober expected to have that available in about three weeks.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani provided a report on the Landscaping Plan included in the Park Grant. Mr. Luciani was prepared to put out bid documents provided by a landscaper for a detailed plan. Mr. Luciani did not wish to discuss the signage in front of the building, but initially there were street trees in front of the new Municipal Building. The trees were moved over to the side to keep some good visibility of the Municipal Building. The plan includes some benches between the new Municipal Building to the police station. The estimated cost included plantings, benches and waste receptacles, for about $27,000. Some fine-tuning is expected, but Mr. Luciani cautioned that if a lot more were added to the $25,000 budget,

something would have to be removed in order to be within that budgeted amount.

PASCH Mr. Pasch asked about the big trees in front of the building. He thought that the Board had decided that they were to be removed.

BISHOP Mr. Bishop indicated the trees were to be removed unless the Board objected.

STERN Mr. Stern stated that the trees were to be removed unless directed not too.

PASCH Mr. Pasch indicated he thought they had already agreed that we were going to take them down. He questioned what type of trees would be planted for future landscaping, so that the same problem does not exist again.

LUCIANI Mr. Luciani responded that the street trees would be pretty high mature trees that conform to the ordinance. There is a very large gap in front of the new building, and Mr. Luciani thought it would have great visibility. The plantings out in front are low shrubs. There are no massive trees in that planting aisle; neither the police station nor the new Municipal Building would be hidden. In and around the storm water pond there will be some higher trees towards the park so there will be a good buffer yard and some flowering trees that give it some color. Other than the street trees they are not the kind of trees that are going to buffer the building from Mt. Zion Road.

LUCIANI Mr. Luciani commented on the pine trees against the existing farmhouse, and stated that with the grading they could remain if the Board decided that; there was one dead tree, which he thought should been removed.

STERN Mr. Stern disagreed in that there were five trees that are nearly dead. Mr. Stern had an arborist look at them and concurred that they needed to come down.

GURRERI Mr. Gurreri stated that the new building would be hidden.

STERN Mr. Stern indicated the location of the trees, as marked with an X.

MITRICK Chairman Mitrick commented that she and Mr. Stern had discussed the matter. She had examined the trees and indicated she was fond of pine trees. She thought they were in good condition. Chairman Mitrick added that because the buildings are close to the street she did not that the buildings themselves had to be totally visible. Those are four healthy pine trees. Chairman Mitrick added that she felt it was ridiculous to take down

four healthy pine trees. The township buildings are in a park and she did not think it would be offensive to have trees around them.

PASCH Mr. Pasch commented that a lot of money was put into the façade of the new building for people to be able to see it. Now the plan is to cover it like we previously did with the pine trees. When they were planted they were really nice, tiny little friendly trees, but now they're not so friendly.

GURRERI Mr. Gurreri stated that they block the view. People are going to have a hard time seeing our new building as it is. Removing the pine trees might provide a little more visibility.

LUCIANI Mr. Luciani reported that his next Engineer's Report would include a proposal to relieve traffic congestion from Exit 7 up to Memory Lane. As part of the rezoning of the Caterpillar sight there were concerns about the traffic problems, and this was a targeted area to evaluate from a traffic standpoint. Intersections of concern have been identified, which need upgrades to improve the traffic flow. The proposal to study those intersections for improvement will include a cost estimate and time frame.

PASCH Mr. Pasch added several roadways to be included, such as Industrial Highway and North Hills and East Market Street coming into Eastern Boulevard. If there was some way to make that flow better in order to utilize Eastern Boulevard.

MITRICK Chairman Mitrick added that there had been discussion about reviewing a "No Left Turn" out of Eastern Boulevard on to East Market Street.

BISHOP Mr. Bishop stated that is a very dangerous intersection where he had been in a near miss there within the last three weeks.

PASCH Mr. Pasch indicated that both of those are tough intersections, and as the Development Zone is expanded they would just become more difficult.

LUCIANI Mr. Luciani added that they are reviewing a proposal to PennDot to do the bypass for Concord Road off Industrial Highway. He added that it would be better to keep the project defined to the Haines Rd./Memory Lane corridor because if we go too far out and start looking at Concord Road and the impact on Industrial Highway, it becomes too complex a project to really analyze the deficiencies and present improvements. He added that those things would be taken into consideration. A proposal would be presented for the Board to evaluate to make sure we have the correct scope.

LUCIANI Mr. Luciani reported that the storm water problems and concerns are being analyzed. A plan for Diehl would be coming forward with channel

improvements to alleviate the problem. He had taken some photographs to substantiate the matter.

PASCH Mr. Pasch indicated that there had been flooding down by the Roadhouse again because the water is flowing off so much faster. Mr. Pasch asked for an update, particularly concerning the entire Meadowlands Development.

LUCIANI Mr. Luciani responded that York County is involved in a 167 Study of evaluating stormwater in various watersheds. The study to be done is Kreutz Creek which is the watershed that involves the Meadowlands. As part of that study they will look at deficient drainage channels, increases of run off, erosion problems, flooding problems, and attempt to modify a storm water management order in the township to address some of those concerns. Mr. Luciani indicated it may not solve the problem but would prevent it from being aggravated. Three firms have been short listed, and First Capital was one of them to study Kreutz Creek basin which not only impacts Springettsbury but also Windsor, Hellam, York Township, and Wrightsville.

PASCH Mr. Pasch stated that Greg Henry had discussed it with him. He reported that after a heavy storm they look at the storm water retention ponds and there is no water. Mr. Pasch indicated that after a heavy storm where there is no water in the retention ponds, it indicated to him that the water is escaping too quickly; the storm water retention ponds are not doing their job to retain it.

LUCIANI Mr. Luciani provided some information regarding other residential areas where stormwater ponds are 100% full but are failing. He provided some photographs of various stormwater ponds for review.

PASCH Mr. Pasch added that a lot of the ground is saturated with water and a condition now exists where the water is all running off rather than soaking in because the ground is saturated.

LUCIANI Mr. Luciani added that when he was in Scranton as City Engineer, there were stream gages along the Lackawana River. The gages would monitor stream elevations to determine crest stages. Along small streams like the Kreutz Creek, there are no gages that can tell you how high the water crested so it's hard for engineers to really calibrate and see the height of water and the volume of water that flows down. One of the things in the 167 is to find modeling and measuring techniques just like sewage flows in manholes are measured to see which ones are at capacity and the peak flows. The areas where we're experiencing problems, such as the Meadowlands and some of Century Woods, there is only a 10 – 12 year

track record of runoff. Typically engineers look at storm water runoff in hundred year events.

BISHOP Mr. Bishop responded that what can be questioned in the Meadowlands for instance, is whether the facilities that have been constructed there are functioning properly.

LUCIANI Mr. Luciani responded as they were perceived in their initial design, they are working properly.

BISHOP Mr. Bishop asked whether it could be determined if they were designed properly.

LUCIANI Mr. Luciani indicated that in the Meadowlands, there is a 30-inch pipe at the very low end of it and underneath Route 30 is a box culvert 12 feet wide by 7 or 8 feet high. That had been sized for a hundred-year storm. That's at the very top of the drainage area. As you go down through the Meadowlands the prison, the county home and all the industrial lands that Kinsley owns are adding to that drainage area. On top of what's coming underneath the box culvert plus the new drainage area that's being pick up and all of which flows into a 30-inch pipe. In Mr. Luciani's initial analysis, a two-year storm indicates that a 30-inch pipe cannot handle that quantity of water. If it fails, the water builds up almost like a stormwater pond. If the water doesn't have enough room, it tops over the tracks, runs down and floods out that area. Some would say the solution is to enlarge that 30-inch pipe. That's a problem in that we'll send more water down through that channel through Food Lion. You just can't randomly do that so it's combination of those things. Charlie Lauer had suggested, with the Meadowlands basin, modifying that outlet structure. Yet, the problem with that is that all the water that's being picked up in the Meadowlands area, that's 90 percent of the water that flows to that 30-inch pipe. No matter what we do with the Meadowlands basin only 10 percent of the flow out of there would be affected.

PASCH Mr. Pasch asked whether there is nothing that can be done.

LUCIANI Mr. Luciani responded that he could not say there would be a reasonable solution to prevent it. To put a regional basin in down below the Meadowlands might cost $100,000 to construct a huge regional basin and allow the storm to store water so that after the storm ends it could discharge slowly and not run down the tracks. Or it could be as simple as putting a berm in, but real estate would need to be purchased.

PASCH Mr. Pasch asked whether the 167 study will determine those things.

LUCIANI Mr. Luciani indicated it would highlight some of the problem areas and make recommendations. For instance, for any new development, any additional runoff that may be generated, not only would it have to be designed for the maximum flow of the site, but also it would have to be cut in half. Any new development would reduce the runoff from the site essentially and it would prevent the problem from becoming worse.

PASCH Mr. Pasch stated he hoped First Capital would get the 167 job.

MITRICK Chairman Mitrick asked Mr. Luciani about Century Woods where there were water problems. She understood that some of the properties on the land development plan had speed bumps, and that would control some of the flow of the water sent to east rather than down towards Century Woods. She requested Mr. Luciani to discuss the matter with Solicitor Yost because she personally had witnessed the water going right over Ridgewood Road and coming right down the long driveway and washing across. She requested Solicitor Yost and Mr. Luciani to come to some conclusion, particularly since the matter had come to the Board previously.

YOST Solicitor Yost and Mr. Luciani had signed off on that last October. He provided a copy of his letter to the Board. He read the entire letter. Excerpts from the letter indicated that:

- There is no legal solution to compel the property owner to do anything.

- From an engineering standpoint, there is little, if anything, the township can do at the intersection of Pine Ridge Road with Ridgewood Road to change the flow of water at that point.

- The only solution is for the township is to reinstall the diversion structure on the Pine Ridge Road at one or more places to channel the water off into the Big Lot 6.

LUCIANI Mr. Luciani interjected that that property is for sale.

YOST Solicitor Yost stated that there was a notation on here that the water from Pine Ridge Road was to be dissipated onto Lot 6. There was a further note that the concept was that the water was going to be diverted into a swale and a drainage easement and there were release points. It was to be released so that it sheeted down over Lot 6.

LUCIANI Mr. Luciani stated that the plan didn't really have the detail really to build those or not.

YOST Solicitor Yost stated that, even though he was not an engineer, he would put diversion structure in to try and channel some water out that drainage easement and maybe another one further down to sheet it onto that Lot 6.

BISHOP Mr. Bishop commented that Pine Ridge is not our road, it's a private road.

YOST Solicitor Yost indicated he would give notice to the owners that the township has a problem, and the township is going to fix the problem. This is what we're going to do and when we're going to do it. He indicated that was part of the original design even though it's not shown on the plan.

LUCIANI Mr. Luciani indicated that the plan says that all storm water generated on Ridge Road will be dissipated in this area.

MITRICK Chairman Mitrick stated that his recommendation would be that in order to take care of the problem just go to Charlie.

YOST Solicitor Yost responded that for years the Township has maintained that it's the property owner's problem and they should take care of it. There is no way the Township can compel them to take care of it. Solicitor Yost stated that it is a Township problem at this point in time and Mr. Luciani should advise what is the easiest, least expensive solution.

LUCIANI Mr. Luciani responded that a bituminous diversion bump could be installed, but what he would really like to do is put a notch in that curb and let that stream flow down through though that property. That property owner is getting all kinds of water, but his house was built in the wrong place; he built it on the stream.

BISHOP Mr. Bishop questioned whether the property owners would try to stop the Township from making the changes.

YOST Solicitor Yost commented that his letter refers to the Township code section, which allows us to enter private property to take care of drainage problems.

BISHOP Mr. Bishop stated that it would be much easier to handle the problem prior to any sale of property.

MITRICK Chairman Mitrick suggested to get the project in motion and see what would be involved.

Consensus of the Board was to get the changes made.

LUCIANI Mr. Luciani indicated he would discuss the matter with Charlie Lauer. It shouldn't take much to redirect the water.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers reported that regarding the pump station, the sheeting and shoring sub-contractor has started to mobilize this week. He anticipated they'll be installing sheeting early next week. Regarding the overview sewer rehab project, Mr. Sauers received the right-of-way agreement and would be presenting it for signature. Advertisement for this job will be done and under construction shortly. The utility water system had been advertised and bid opening is scheduled for the 17th of April. Last is the bio-solids brochure. Mr. Myers met with Tim and Mark yesterday and got their final comments on the revised brochure that we submitted. Those adjustments will be made next week and any others that the Board would anticipate.

PASCH Mr. Pasch asked for a definition of a bio-solids coordinator and a soil scientist.

MYERS Mr. Myers indicated that Mark Hodgkinson could probably answer that better than, some of that is his language.

PASCH Mr. Pasch indicated it sounded great but wondered what it was.

HODGKINSON Mr. Hodgkinson responded that a Bio-Solids Coordinator is a Springettesbury Township employee that oversees the bio-solids annually of the Wastewater Plant.

PASCH Mr. Pasch asked what the requirements for having and holding this position are.

HODGKINSON Mr. Hodgkinson indicated that the requirements of the position when it comes towards planned application is that all the regulations that are set by state are followed. He's responsible for making sure all the setbacks are followed, the outlines are filled, getting the proper mapping.

PASCH Mr. Pasch indicated that it mainly deals with complying with state regulations and that's something that's learned on the job.

HODGKINSON Mr. Hodgkinson agreed that it was learned on the job.

PASCH Mr. Pasch repeated that the current bio-solids coordinator has been in there a long time, knows the regulations, knows what has to be done and follows them up and sees that they're done.

HODGKINSON Mr. Hodgkinson continued that Soil Scientist is a person from York County Conservation that goes out and makes sure all the water ways and the fields are met and have proper swales, proper soil. That is what the soil scientist is doing and they work to together to make sure that the field with be able to contain sludge during the rain events.

PASCH Mr. Pasch asked whether the Soil Scientist is employed by Springettsbury.

HODGKINSON Mr. Hodgkinson responded that he was not employed by Springettsbury.

PASCH Mr. Pasch indicated he thought it would be important to indicate that this is not a Springettesbury Wastewater Treatment employee.

HODGKINSON Mr. Hodgkinson indicated he would add that comment.

MITRICK Chairman Mitrick indicated also that it would be good to see that the Township was working with the York County Conservation.

MYERS Mr. Myers added that an additional qualification of the Bio-Solids Coordinator is that he serves on several of the bio-solids committees at the state level.

HODGKINSON Mr. Hodgkinson added that Tim is extremely knowledgeable when it comes to bio-solids.

MITRICK Chairman Mitrick commented that she appreciated that the frequently asked questions are included on the back. They are simply asked and simply answered.

MITRICK Chairman Mitrick asked about all the letters that the Township received. She asked Solicitor Yost to respond as to there would be any point in considering that some of this may be a nuisance, which is costing our firm time and costing Springettsbury money.

YOST Solicitor Yost indicated that he and Mr. Myers had discussed the matter. The conclusion was that there is very little that could be done or said that would stop it. It is counterproductive on the part of the contractor, but we have already agreed to disagree in the sense that we know, have been told and acknowledge that they are going to make a claim. It's going to be in a substantial amount at the end of the contract which is going to have to be litigated. The contract does not have an arbitration clause so it will not be going before an arbitrator. Solicitor Yost stated that the way their handling this is as if it were going before an arbitrator who would impressed that they have documented and produced all this paper work, etc. But, it is probably going to be resolved before a York County jury, which he did not think would be impressed with the volume of paper work that Myers has

produced to this point in time. Solicitor Yost finally concluded in a letter that I actually dictated to Mike today, his recommendation that notwithstanding the cost involved, continue to respond to their inquires and answer their objections in a timely and courteous manner and let them dig themselves into a hole. They told Mike they'd like to have a 2 inch packet of papers, waving it in front of their witnesses, "Now these are all things you didn't want to do, what were you really going to do for $2.6 million dollars".

MITRICK Chairman Mitrick stated that the matter was unfortunate.

MYERS Mr. Myers stated that if they write a letter, a response is necessary, and R. K. & K. would continue to do so.

PASCH Mr. Pasch indicated that it is important to respond because, although they're threatening a suit at the end, they are proceeding and are getting things done, but the time is justified in the counter suit against these people, and we have loads of documentation that shows this.

MITRICK Chairman Mitrick indicated she was not suggesting that we don't respond and added it was just unfortunate that we keep getting so many letters.

4. ACCOUNTS PAYABLE:

MITRICK Chairman Mitrick called for action on Accounts Payable Items A through E.

MR. BISHOP MOVED FOR APPROVAL OF ITEMS A THROUGH E. MR. PASCH WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

5. BIDS, PROPOSALS AND QUOTES:

A. Frey Lutz Plumbing – Change Order #1 – New Building - $13,642.87

STERN Mr. Stern indicated the above work had been completed and covered the basement of the new building. The original plans showed the floor drains in the basement connected to the sanitary sewer system which Township ordinances don't allow. The second problem was the condensation lines from the HVAC systems were going to be ¾" pipes running across the basement floor to the center of the floor which was going to be connected to the floor drains. That meant that basically you could not use the basement because you'd have to step over 10 or 12 different pipes to walk across the basement floor. That was not acceptable. A Change Order was presented to put in a separate line to take care of the condensate and also to take care of floor drains, take it to the sump pump, and take it outside to the storm sewer system.

BISHOP Mr. Bishop asked whether this would be taken to a sump pump that already existed in the plans or this is new sump pump.

STERN Mr. Stern indicated he could not answer the question. There was a sump pump, but there was discussion about a second sump pump which would have been needed. One plan to us and the staff met and reviewed and we didn't like it. We gave them some suggestions, and they revised it and we agreed to this. Mr. Amic approved the work that's been done, but I couldn't find any reference to it being officially approved; however, that should be done.

PASCH Mr. Pasch indicated that he had been opposed to the large basement and extra space. It had then been engineered in such a way that it would not have been used anyway. He asked what the responsibility of the architect or the engineer that's involved in this is, because they were involved in all of these conversations and then to spec something where it couldn't be used. Mr. Pasch was really bothered to be put in a situation where this was put into the drawings and the specs to have these pipe running criss-crossed across the basement floor.

STERN Mr. Stern indicated he could respond in two parts. The first part is that the condensate line was to be run across the top of the floor. That was a small portion of the $13,000. Instead of putting pipe above they changed it from plastic pipe to iron pipe the same size, and they coordinated with the contractor to put it underneath the concrete floor instead of above it. So it was a relatively small cost that we are glad they caught. The second answer as far as the big part which was the floor drains and how they missed that. The engineer's response was that, had we done it right in the first place, it would have cost an extra $13,000 anyway.

PASCH Mr. Pasch asked what engineer stated that.

STERN Mr. Stern indicated that Rettew Associates did most of the non-architectural design work, which would have been structural design, heating, ventilation, air conditioning, electrical, some storm water (not outside work but the inside part, the sump pumps, piping).

PASCH Mr. Pasch asked whether they don't deal in Springettesbury Township and whether they don't know what the ordinances require.

STERN Mr. Stern responded that Rettew does do work in Springettsbury Township, but the person who did the design stated that he was not aware of it.

PASCH Mr. Pasch asked whether that was a plausible excuse.

BISHOP Mr. Bishop asked whether the contract or whatever the Township has with them indicate that they will design it in accordance with local regulations.

YOST Solicitor Yost indicated Rettew was a subcontractor to the architect.

PASCH Mr. Pasch questioned again what the contract states. They've got to design according to the regulations that the Township has. He lights fire when he gives an answer like that, that we would have paid for it anyway.

STERN Mr. Stern indicated agreement.

STERN Mr. Stern stated that the Board would see a lot of that in the farmhouse and there would probably be a few more for the new building.

BISHOP Mr. Bishop commented that he needed to understand whether anyone is ultimately responsible. He asked whether the architect would be ultimately responsible for that in writing up the specs or whether the general contractor would be ultimately responsible. He also questioned whether the Board would be ultimately responsible.

YOST Solicitor Yost stated his opinion that, without having read the AIA agreement, he believed that the agreement stated the architect would design the building in accordance with state, federal and local requirements.

BISHOP Mr. Bishop indicated it was something that would be worth looking into before any payments are made.

PASCH Mr. Pasch stated that it is required, and we advised the contractor to do the work. The work's all done; it was approved by Mr. Amic to go ahead and do the work. Mr. Pasch personally did not feel that there was a reason not to pay the contractor. He added that there must be some kind of resolution with the engineering people who are responsible.

MITRICK Chairman Mitrick asked Mr. Stern to advise the Board of more Change Orders as soon as possible.

STERN Mr. Stern indicated that there were two that he was aware of at the present time, one of which he had rejected and sent back to the engineer. This had to do with steel studs in the new building, and the engineer turned down the contractor's shop drawings and indicated that they were not sufficient. In a review the architect and he determined that the shop drawings were correct.

PASCH Mr. Pasch agreed, but cautioned that decisions should not be made that would compromise the building.

STERN Mr. Stern indicated that the decisions which had been made involved the specifications which meet the codes. The engineer simply changed his mind and decided we should use a different stud and said it would cost $6,500 and the township should pay for it. The Change Order was sent back with the question as to why the studs were not used in the original submittal, and the Township is waiting for that justification to advise us why the studs need to be changed. The second item is the fire alarm system, which had previously been discussed. A Change Order had been set up for the fire alarm system for the farmhouse about $11,000. A credit was to have been issued toward the alarm system for the new building. The credit should be a $10,000 addition and about a $7,000 negative Change Order, which means an additional cost. It was not in conformance with what had been agreed to at a staff meeting with the architect and the engineer. A meeting is planned with Chief Hickman, myself, the Police Chief and the engineer to determine why there was another change.

GURRERI Mr. Gurreri stated that $125,000 had been spent on the farmhouse, and now you say it will be more.

STERN Mr. Stern indicated that the farmhouse costs are completed and are shown on a spreadsheet previously presented to the Board. Mr. Stern did not expect any other changes.

BISHOP Mr. Bishop asked Mr. Yost whether any rights would be compromised toward challenging anything in the future if the Board approved Change Order #1 for Frey Lutz which appeared on the Agenda.

MR. BISHOP MOVED THAT CHANGE ORDER #1 FOR FREY LUTZ PLUMBING BE APPROVED FOR THE NEW BUILDING IN THE AMOUNT OF $13,642.87. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Capital Computer Equipment/Software Purchase Request – Phase I on Commonwealth Contract - $69,367.85

PASCH Mr. Pasch questioned the leasing of this equipment versus an outright purchase.

BISHOP Mr. Bishop stated that this would be a lease with a $1.00 buyout at the end. It would effectively be a purchase.

PASCH Mr. Pasch responded that he understood, but with the funds available which don't generate a lot of interest, by leasing and not paying directly there may be a loss in the interest that is paid versus what would be earned.

HINKLE Mr. Hinkle commented that Mr. Amic suggested that we look for leases, not only because of the amount of funds that were available for this project this current year, but also because of the changing technology. With the change of technology these systems need to be upgraded every three years. So the old system at the end of the lease terms would be the dollar buyout, and they would then be converted over into workstations and new servers would be leased again.

BISHOP Mr. Bishop asked whether the state contract would give us a purchase price and a lease price and whether there would be an actual interest rate difference between them. He asked whether the lease price over three years would be higher.

HINKLE Mr. Hinkle responded that the cost would be higher.

PASCH Mr. Pasch commented that all of that has to be done on a discounted basis. He just wondered whether a review should be made as to what the present value is of the total lease cost as opposed to putting the money out and then comparing it, using our interest rates, as to what we have to pay versus what we earn.

BISHOP Mr. Bishop indicated agreement but added that the reason that it was being done that way is a budgeting issue in order to itemize it a specific year.

PASCH Mr. Pasch stated that a review of the method should be made, and if it saves a considerable amount of money, change it. Mr. Pasch would like to review all of the purchases on this basis.

BISHOP Mr. Bishop indicated agreement but added that the situation in which the Township finds itself is that it has been putting off information technology upgrades for about five years now and are really behind. The opportunity was present to try to catch up a little bit before we get into a new building.

PASCH Mr. Pasch indicated he would agree but on one condition--that he would get a breakdown so I see whether it's significant or not.

BISHOP Mr. Bishop stated that would change on every item. Each company is going to have a different computed interest rate.

MITRICK Chairman Mitrick asked Mr. Hinkle if he understood Mr. Pasch's request.

HINKLE Mr. Hinkle responded that he understood.

MR. GURRERI MOVED TO APPROVE THE PURCHASE OF 2000 CAPITAL COMPUTER EQUIPMENT SOFTWARE, PHASE I OF COMMONWEALTH

CONTRACT FOR $69,367.85. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Mettler Toledo LJ16 Moisture Analyzer – Fisher Scientific - $2,116.87

MR. PASCH MOVED FOR APPROVAL OF PERMISSION TO PURCHASE THE METTLER TOLEDO LJ16 MOISTURE ANALYZER – FISHER SCIENTIFIC IN THE AMOUNT OF $2,116.87. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. 2000 International Tri-Axle Dump Truck – Five Star International, LLC - $90,642

PASCH Mr. Pasch asked why this is such a good deal with only one bidder.

HODGKINSON Mr. Hodgkinson responded that he had spoken with two of the three companies who picked up bids. He asked those companies why they would not bid. One of the other companies did not bid because it couldn't meet the height requirement.

PASCH Mr. Pasch asked whether there are no other companies that build this unit which could meet the height requirement.

HODGKINSON Mr. Hodgkinson responded that the notice was advertised in the paper, and there were only five vendors who picked up bids. He really did not know why other vendors did not.

PASCH Mr. Pasch questioned whether it had been advertised anywhere else besides the local paper.

HODGKINSON Mr. Hodgkinson stated that it would not normally be placed elsewhere.

YOST Solicitor Yost stated that specs are normally sent out to possible bidders.

HODGKINSON Mr. Hodgkinson stated that was correct and that they had been sent to Freight Liner of Harrisburg. No companies in York were mailed specs due to the fact it appeared in the York area newspapers.

MITRICK Chairman Mitrick asked Mr. Schober for his comments.

SCHOBER Mr. Schober had nothing further to add. He stated that typically that is how it is done. Specific projects, if there are specific suppliers that do that type of work, they might be sent a copy.

PASCH Mr. Pasch stated that if there were specific suppliers for a specific item within a 100 mile radius they should be sent a bid request. Mr. Pasch

would like to see a list of suppliers for various types of projects compiled to be sent bid requests. It would be possible they did not see the ad in the paper. The cost to rebid would involve the advertising and the fact that we may come up with a higher bid than we got, but we don't know what we're going to get on the re-bid.

HODGKINSON Mr. Hodgkinson indicated that was correct.

BISHOP Mr. Bishop commented that there are risks involved that no one else can meet the specs efficiently. Once the bidder that we do have sees that there is no one competing with this, we end up with a worse price.

MR. PASCH MOVED THAT THE BID RECEIVED BE REJECTED AND THAT THE ITEM BE REBID. MR. GURRERI WAS SECOND. CHAIRMAN MITRICK AND MR. BISHOP VOTED NO. MOTION FAILED.

MR. BISHOPMOVED THAT THE BID BE AWARDED FOR A TRI-AXEL DUMP TRUCK TO FIVE STAR INTERNATIONAL IN THE AMOUNT OF $90,642. CHAIRMAN MITRICK WAS SECOND. CHAIRMAN MITRICK AND MR. BISHOP VOTED IN FAVOR. MR. PASH AND MR. GURRERI VOTED NO. MOTION FAILED.

MITRICK Chairman Mitrick asked Solicitor Yost whether anything further needed to be done with this Agenda item.

YOST Solicitor Yost stated that the motion to reject the bid did not pass so the bid is still valid and could be accepted. This matter is limbo until your next meeting and will have to be re-addressed in the next meeting.

MR. BISHOP MOVED TO TABLE ACTION ON THE BID FOR TRI-AXEL DUMP TRUCK UNTIL THE NEXT MEETING. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

PASCH Mr. Pasch asked Solicitor Yost whether there would be any reason not to ask other companies if they would bid on this.

YOST Solicitor Yost responded that was a fairly typical procedure to select a number of heavy truck dealer vendors and send them a bid package soliciting bids. There would still need to be an advertisement.

BISHOP Mr. Bishop indicated that there was nothing to preclude Mr. Hodgkinson from asking potential bidders if they might consider bidding.

GURRERI Mr. Gurreri asked whether the Board wanted to do that from this point, which seemed a logical way to do it--send out bids and get the best price.

BISHOP Mr. Bishop indicated everything possible should be done to encourage as many people to bid on these things.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. Subdivision 99-12 – Suburban Associates

STERN Mr. Stern spoke for SD 99-12 which related to the former Lowe's Building. This plan is simply moving property lines so that the Sheetz property can become larger and the Lowe's property can become smaller. The plan was reviewed by the Planning Commission on February 17, 2000, and recommended for approval. Township staff recommended approval with waiver from the requirements to submit a preliminary plan, modifications and requirements from sidewalks, and the 6 month note is on the plans. Mr. Dennis Potts of C. S. Davidson, Inc. represented the plan.

POTTS Mr. Potts stated that, upon the approval of the plan, the concrete monument would then be placed prior to the recording of the document. Fees, etc. would be paid.

MITRICK Chairman Mitrick asked about the two joint accesses.

POTTS Mr. Potts stated that the preliminary plans for Sheets are to eliminate one.

PASCH Mr. Pasch questioned whether there would be an access that's real wide which would present difficulty in control the traffic coming in and out.

MITRICK Chairman Mitrick asked Solicitor Yost whether this would present any difficulty.

YOST Solicitor Yost responded that it would be shown on the plan itself.

STERN Mr. Stern commented that the property owner currently owns both of these tracts.

YOST Solicitor Yost added that they are creating the joint access on the plan.

LUCIANI Mr. Luciani stated that in a staff meeting with Sheetz, he expressed the concern that driveways were being added, not only to Industrial Highway but also to Memory Lane. The goal is less driveways and not more.

STERN Mr. Stern responded that that had been discussed at the Planning Commission meeting, and the Planning Commission agreed that it would be better not to do so. Mr. Stern added that a letter of awareness had been

submitted to PennDot which provided some teeth. PennDot's consultant had agreed with the Township in that it would be their position as well.

POTTS Mr. Potts stated that once the Sheets plan comes in, the state was looking at a right-in, right-out only for one driveway and full access at the other. That plan will be available in about a month.

PASCH Mr. Pasch indicated that the state would probably look at it in terms of the proximity of the railroad tracks as well.

STERN Mr. Stern stated that they would look at railroad tracks, but also at its proximity to an intersection, as well as the existing entrance.

PASCH Mr. Pasch asked about compliance with the new Development Zone ordinance. Sheets doesn't think they have to comply with that because they were prior to that. Mr. Stern indicates they don't need to come in with a Land Development Plan. Mr. Pasch wondered whether anything could be done later.

STERN Mr. Stern responded that Sheets did not think it fair to have to comply with the new Development Zone requirements since the property had been established under the old zoning requirements. They don't want to have to put trees in since they don't have any right now.

BISHOP Mr. Bishop stated that was a Land Development issue and not a Subdivision issue.

STERN It that point was made very clear, you were there for that. It was made very clear that this is the first one to come before you and that we as staff was not going to recommend it.

PASCH Mr. Pasch stated that this would be considered a different piece of property as far as he was concerned. The Flexible Development Zone had been developed in order to get what we desired in the township, I'm not going to be very agreeable to it.

POTTS Mr. Potts commented that from Sheets' standpoint it was a common sharing of the line along Gimbalvo and the screens between the two. The other point, since it is a common property line between the two, is whether one buffer going to be enough or whether it would be necessary to have 15 feet on each side of the line.

PASCH Mr. Pasch indicated that there should be compliance with the new Development Zone.

STERN Mr. Stern indicated that their biggest concern was that they have no street scape buffer there, and the new ordinance required it.

MITRICK Chairman Mitrick agreed with Mr. Pasch.

MR. GURRERI MOVED TO APPROVE SUBDIVISION 99-12 – SUBURBAN ASSOCIATES WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN,**
- **MODIFICATION FROM REQUIREMENT TO INSTALL SIDEWALKS (STANDARD SIX MONTH NOTE IS ON THE PLANS),**
- **WAIVER FROM REQUIREMENT TO SHOW ALL STREETS WITHIN 400 FEET OF THE PROPERTY,**
- **CONDITIONED ON THE COMPLETION OF ALL REQUIRED SIGNATURES, SEALS AND NOTARIZATIONS,**
- **CONDITIONED ON SUBMISSION OF FINANCIAL SECURITY IN THE AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER.**

MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Land Development 99-17 – Diehl Motor Company – Extension of Time to April 14, 2000

STERN Mr. Stern commented that Item B is for an extension of time for Diehl Land Development.

MR. BISHOP MOVED TO ACCEPT THE GRANT OF EXTENSION OF TIME UNTIL APRIL 14, 2000 FOR LAND DEVELOPMENT 99-17 – DIEHL MOTOR COMPANY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. 1999 Wasteload Management Report (Chapter 94) – Permission to Submit to PA DEP

HODGKINSON Mr. Hodgkinson stated that based on his findings over the next five years we would not be overloaded either hydraulically or organically at the Waste Treatment Plant. He indicated he had approved the plan.

BISHOP Mr. Bishop asked whether the plan had been reviewed by anyone else.

MITRICK Chairman Mitrick asked whether it would be wise to have it reviewed by anyone else.

YOST Solicitor Yost indicated there was a March 31 filing deadline.

HINKLE Mr. Hinkle stated that DEP would review the plan and submit any comments for corrections that need to be made to the plan prior to its approval.

STERN Mr. Stern commented that last year, when Mike Kyle was leaving at the time that this was due, we asked Buchart-Horn for a cost estimate to finish it and/or review it. I think it was over $10,000 for them to review it. In Mr. Stern's opinion, it's a big document and it's significant but it's basically the same document every year the numbers have just changed on the spread sheet. It is simply the next five years in perpetual planning.

YOST Solicitor Yost recommended that it be sent and that the deadline be met. If there are problems during the review, the Township will be notified.

MR. BISHOP MOVED TO AUTHORIZE THE STAFF TO SUBMIT THE 1999 CHAPTER 94 REPORT TO DEP. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

PASCH Mr. Pasch commented on the April road tour. He suggested going ahead with the road tour for April 3rd at 4:30 p.m.

MITRICK Chairman Mitrick indicated she was ready for the tour.

BISHOP Mr. Bishop agreed.

Consensus was to proceed with the road tour on Monday, April 3, 2000, at 4:30 p.m.

MITRICK Chairman Mitrick requested the board to advise Dori Bowders by March 30 if there were any locations to have included on that road tour.

BISHOP Mr. Bishop requested that the Ridgewood Road area should be placed on the list.

GURRERI Mr. Gurreri reported that Stan Saylor has an associate meeting for local elected officials, Tuesday, April 25, 2000, at 7 p.m. at the Meadowhill Family Restaurant. Jack Dunn's is retiring after 35 years of planning for future York County on March 28, 2000.

MITRICK Chairman Mitrick reported that a copy of a letter had been received addressed to Mr. Jordan, the Chairman of the Historic Preservation Committee. In the letter it indicated that Historic York is recognizing the work of Springettsbury Township's Historic Preservation Committee with a 1999 Preservation Award. It goes on to indicate the various things that they felt Springettsbury Township had accomplished. An event will be

held at the AAA Building on East Market on Thursday, April 27, 2000, at 5:30 p.m. Chairman Mitrick asked if anyone would be able to attend that they could notify Dori Bowders. I think that is a nice award for the work that the committee has done.

Chairman Mitrick reported that a memo had been received from Randy Wachter regarding Workmen's Compensation insurance. He reported that the present policy would expire the end of March and that new coverage would begin April 1. He indicated that the carrier for property and liability insurance, Kenco, has provided the best premium, $70,692, for the coverage. He would like us to let him know what we what him to do with it.

BOWDERS Dori Bowders responded that Mr. Wachter wanted to know whether he could go ahead with our agent.

PASCH Mr. Pasch commented that the other carrier doesn't write it anymore and that is why Mr. Wachter had to go to a new carrier. It's about 4% or 5% increase.

MITRICK Chairman Mitrick stated that the Board needed to authorize Mr. Wachter to proceed.

MR. PASCH MOVED TO AUTHORIZE RANDY WACHTER TO PLACE OUR WORKMAN'S COMP INSURANCE WITH E. K. MCCONKEY WITH PENKO INSURANCE AT A STATED PRICE OF $70,692 BEGINNING APRIL 1, 2000. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick received a call from a Mr. Hudock on Raleigh Drive. She provided his telephone number to Solicitor Yost, who indicated that he would contact him.

MITRICK Chairman Mitrick stated that a letter had been received from St. Joe's requesting a traditional meeting with the Township regarding their carnival, and Mr. Stern will handle that for us.

MITRICK Chairman Mitrick thanked the staff and the directors for the help that they had given to the Board of Supervisors in the absence of a Township Manager. She stated that it was amazing the strength that came forward in a time when absolutely necessary, and I think that the board has been extremely pleased with the support we've received.

BISHOP Mr. Bishop reported that the March meeting of the Emergency Services Commission had been cancelled. Mr. Bishop was out of town and left the decision up to the Fire Chief and the Vice Chairman, the Police Chief and no one was around so they decided not to have it. Mr. Bishop stated that

the Commission is in an odd position for the April meeting, and he was not exactly certain whether the Board had strong feelings one way or the other whether those meetings should be continuing at this point. Mr. Bishop could see some value to them but it's not really the form in which he would want to be answering any specific questions, since the full Board is involved in the new things that are going on. Mr. Bishop did not have a proposal one way or the other, but he wanted to see if anyone had any strong feelings one way or the other about holding those meetings. The Commission obviously still exists, but he did not think meetings should be held until action was taken on the ordinance.

MITRICK Chairman Mitrick indicated that the status of the ordinance was fairly well explained, and the other ordinance had already been approved so if it is your recommendation as Chair of that Commission to cancel another meeting, she certainly would support that. I agree though that the Commission still exists.

PASCH Mr. Pasch stated that Commission should not continue to meet at this point until the ordinance issue is completed. After that point the Commission should meet in effect to look forward in terms of what might be done in the future. Mr. Pasch added that the Commission may be dealing with a lot of nitty-gritty issues, and should be there for a long-term kind of approach to it as to where are we going to go in the whole Township with all our emergency services. He would not like to see the Commission abandoned, but at this point it would serve no purpose to continue.

BISHOP Mr. Bishop responded that, with the Board's approval, his plan would be to leave things go right now and check with Chief Hickman maybe a little closer to the date to see if there are any other issues that he thinks may be coming forward. He would leave the option open that we may have a meeting if there are any other things that should be dealt with, but if there aren't it would be canceled.

PASCH Mr. Pasch added a comment that perhaps a note to all these folks who have been involved in the Commission explaining that it is just in abeyance for the time being. The Commission still exists and will continue to function but the meetings will be held in abeyance for a couple of months.

GURRERI Mr. Gurreri commented that he was sorry that Paul Amic left. He indicated he was not surprised, but stated that he had helped him a lot, and he would miss him.

MITRICK Chairman Mitrick asked Mr. Stern about the Historic District sign.

STERN Mr. Stern reported that there are two of them and they have matching posts, redwood paint on the top, and we're still seeking permission to put them up. If that gets turned down they'll make a nice wall hanging in my office.

MITRICK Chairman Mitrick asked from whom he was seeking permission.

STERN Mr. Stern responded that the permission must come from PennDot. Now that we actually have the signs, it should proceed a little faster. Mr. Stern had spoken to Representative Platts, to Senator Armstrong's office, and to a representative of PennDot. Their support was indicated. The committee would like to see it placed between the sidewalk and the curb on Market Street. If PennDot doesn't agree to that because that is their right-of-way, then several property owners have agreed to put it on the property side of the sidewalk rather than the street side of the sidewalk. Mr. Stern added that one would be placed westbound near Royal Street and one eastbound near Oxford Street. He expected that by the end of April the signs will be in place.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost provided an additional item to his written report. He had filed a brief the Zoning Hearing Board's decision in the Dominic's of New York food trailer in front of Lowe's. I assume Mr. Hoffmyer will be filing a brief on the part of the Zoning Hearing Board also. Solicitor Yost briefly explained the procedure in that typically the Zoning Hearing Board makes a determination at that level, but the Township intervenes so that it is a party and can defend ourselves at an appellate level. As a Zoning Hearing Board officer, he can represent the Township at the Common Please level, but not at the appellate level. Both Mr. Stern and Solicitor Yost felt strongly about this issue and had taken a position on it on behalf of the Township.

YOST Solicitor Yost reported on a second appeal which related to the WaWa canopy width. His recollection was that either at a Work Session or an Executive Session of the Board, that the WaWa appeal had come before the Zoning Board regarding the canopy width. He recalled that he would call Attorney Hoffmyer indicating that, knowing the Township's ordinance would change, not to spend a lot of money in defending the appeal. Our ordinance with canopies is not consistent with what is the typical super service center canopy today.

BISHOP Mr. Bishop commented that this had not been enforced in other places.

YOST Solicitor Yost agreed, and he had been under the impression that Andrew was at that meeting and was going to be reworking the ordinance. Apparently he was not there. Mr. Yost had called Mr. Hoffmyer but understood that he was proceeding with defending the appeal. There is a hearing date scheduled sometime in April. Solicitor Yost indicated that he was in the uncomfortable position that one of his partners represented Irv Naylor, who was the seller of the land to WaWa. It had been suggested that defense of that appeal was being held up, but Mr. Yost thought he was carrying out the Board's wishes. If the ordinance is going to be fixed, it should be fixed.

BISHOP Mr. Bishop asked whether the defense was being held up as far as Mr. Hoffmyer was concerned.

YOST Solicitor Yost stated that there is a hearing scheduled. He was under the impression that the Township didn't want to incur any more legal expenses if the ordinance was to be fixed.

STERN Mr. Stern stated that, if the Board did not mind that the appeal were lost then perhaps a way could be found to resolve it and not spend any more money. It was their appeal. The Township is defending it representing the Board's position.

YOST Solicitor Yost stated that apparently they petitioned the court for leave to present additional testimony so there is a hearing scheduled which is going to be expensive and then after that it gets briefed and argued before the court so it is getting to be a rather expensive proceeding.

BISHOP Mr. Bishop stated that the one thing that would be best is if the Ordinance change were drafted.

PASCH Mr. Pasch asked whether there was a problem with what had been presented.

STERN Mr. Stern indicated he did not have a problem other than it doesn't meet the ordinance.

PASCH Mr. Pasch stated that what they're requesting and/or what they presented would be in accordance with the new ordinance that we would adopt.

STERN Mr. Stern indicated that was correct.

YOST Solicitor Yost stated that he will call Mr. Hoffmyer and explain the situation and that we're not here representing Mr. Naylor or Wa Wa's interests but this is the desire of the board.

MITRICK Chairman Mitrick asked Mr. Stern to begin working on that ordinance.

STERN Mr. Stern responded that he had begun the work on the ordinance.

MITRICK Chairman Mitrick confirmed that Mr. Yost was correct in what we discussed.

MITRICK Chairman Mitrick asked about an agreement with Mr. Myers shown on his report as number 3.

YOST Solicitor Yost stated that related to the action on the Indemnification Agreement. If the Board approved this action, he requested the authorization to accept the Indemnification Agreement as modified by Solicitor Yost and Mike Myers, RK&K. He needed authorization for the chair to sign the agreement.

PASCH Mr. Pasch questioned whether the agreement as it stands, as it would be modified, as satisfactory to you.

YOST Solicitor Yost indicated that was correct. This agreement is identified as the one with the hand marked changes on it. The only real change is to define the waste that we're dealing with here as a hazardous waste. That is the only thing that we're agreeing to indemnify that for, because the "residual" waste and "municipal" waste is our position, that's covered by the contract. That is their responsibility and they bear any burdens with respect to that. It's only what has been determined to be hazardous waste that we're dealing with in this agreement.

PASCH Mr. Pasch indicated that all the Board would be doing is agreeing to indemnify them if they find that something else has to be done with it at Modern Landfill.

YOST Solicitor Yost added that EPA might come in ten years from now and say Modern Landfill has a problem here and ask who are your generators; who is responsible for depositing this waste here. The Board would be doing this under the theory that it would have been brought in anyway as the generator of the waste.

PASCH Mr. Pasch added that in a discussion with Mike Myers he had indicated that nothing is really being generated that is a big problem.

MR. BISHOP MOVED TO AUTHORIZE THE CHAIR TO SIGN THE INDEMNIFICATION AGREEMENT AS MODIFIED BY MR. YOST AND MR. MYERS OF R. K. & K. MR. PASCH WAS SECOND. MOTION CARRIED.

PASCH Mr. Pasch had a question on ordinance 205, Good Faith Participation. One sentence that concerned him, "Should any such member fail or refuse to participate use his or her position on the committee in bad faith to obstruct, interfere with or otherwise impede the committees work. Such members shall upon notice for cause be recalled." All of the details on that will be done by the committee.

YOST Solicitor Yost responded that was correct. His thought was that the committee would in effect ask if it was the fire company or if it was a board member that they'd be recalled by the appointing body and someone else on the committee.

9. MANAGER'S REPORT:

MITRICK Chairman Mitrick reported there was nothing to report.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Ordinance 00-02 – Establishing a Fire Operations Committee

This item had been moved to the beginning of the Agenda for action.

11. ACTION ON MINUTES:

PASCH Mr. Pasch indicated that Chief Eshbach sent a note on the Grant Opportunities and requested that their name be put on the mailing list. Mr. Pasch recommended that be done.

A. Board of Supervisors Public Hearing – March 9, 2000

MR. BISHOP MOVED TO APPROVE THE MARCH 9 PUBLIC HEARING MINUTES AS CORRECTED. MR. PASCH WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT IN ATTENDANCE.

B. Board of Supervisors Regular Meeting – March 9, 2000

MR. BISHOP MOVED TO APPROVE THE MARCH 9, 2000 MINUTES OF THE REGULAR MEETING. MR. PASCH WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT IN ATTENDANCE.

12. OLD BUSINESS:

MITRICK Chairman Mitrick asked Mr. Pasch if he was staying abreast of the R.K. & K. matter.

PASCH Mr. Pasch indicated he was doing so.

MITRICK Chairman Mitrick wished to inform the staff that we are still in the process of securing an interim Township Manager and hopefully would be starting in the very near future.

ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10:10 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary/Treasurer

LM/ja

BOARD OF SUPERVISORS **APRIL 13, 2000**
REGULAR MEETING **APPROVED**

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Nick Gurreri
Bill Schenck
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Don Bishop

ALSO IN ATTENDANCE: Robert Sabatini, Interim Township Manager
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Mike Myers, Rummel, Klepper & Kahl
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Mark Hodgkinson, Superintendent – Wastewater Treatment
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:45 p.m.

A. Pledge of Allegiance:

Mr. Gurreri led the Pledge of Allegiance.

MITRICK Chairman Mitrick announced that an Executive Session had been held prior to the general meeting regarding legal and personnel matters. She additionally announced that there would be an Executive Session following the general meeting regarding legal and personnel matters. Chairman Mitrick advised of a change on the Agenda regarding Item 5. A letter G. was added relating to the authorization to purchase for a 2,000 tri-axle dump truck. Under Item 6, letter F. had been changed from an action item to granting an extension until the 12th of May. Chairman Mitrick personally thanked Dori Bowders and Andrew Stern for their work on the Agenda, which had been submitted to the Board in a well organized fashion. The Board was appreciative. Of concern was the length of the Agenda, and Chairman Mitrick stated she would attempt to keep the meeting moving along.

B. Introduction of Interim Township Manager

MITRICK Chairman Mitrick introduced Robert Sabatini as the Interim Manager of Springettsbury Township. Mr. Sabatini serves as Regional Manager for Public Planning and Management Group, Inc., an organization providing a wide range of services to municipalities, not only interim management services, but also human resources consulting, building and code enforcement, and financial services. Mr. Sabatini has over 10 years of experience in local government management and will spend approximately 25 hours per week in Springettsbury Township.

C. Ratification of Agreement – Interim Township Manager

MITRICK Chairman Mitrick asked Solicitor Yost whether this action was to be done in the name of the firm.

YOST Solicitor Yost responded that two actions were to be taken:

1. Engage Mr. Sabatini as Interim Manager
2. Engage the contract with PPMG.

MR. PASCH MOVED THAT MR. ROBERT SABATINI BE APPOINTED AS INTERIM TOWNSHIP MANAGER AS OF APRIL 3, 2000 FOR SPRINGETTSBURY TOWNSHIP. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. SCHENCK MOVED TO RATIFY THE AGREEMENT BETWEEN PPMG AND SPRINGETTSBURY TOWNSHIP, WHICH IS PROVIDING INTERIM TOWNSHIP MANAGER EFFECTIVE APRIL 3, 2000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Recognition of Pennsylvania Recreation and Park Society (PRPS) *Distinguished Member Award* – R. Bruce Bainbridge.

MITRICK Chairman Mitrick asked Mr. Sabatini, as his first responsibility, to present the *Distinguished Member Award*

SABATINI Mr. Sabatini stated that one of the great pleasures of working in local government is working with and for many fine people, who believe their work is an honorable profession to be in public service. Mr. Sabatini commented that the recipient of the award had displayed that and had been recognized by his peers on the state-wide level. Mr. Sabatini requested Mr. Bainbridge, Mrs. Pioli and Mrs. Gladfelter to come forward. Mr. Sabatini commented that Bruce Bainbridge had been with the Township for many years of service and had established a benchmark department in recreational organization throughout the region. Mr. Sabatini congratulated him for becoming a Distinguished Member of the Pennsylvania Recreation and Park Society for the year 2000. Mr. Sabatini recognized the award on behalf of the Board of Supervisors. Additionally,

he provided long-stemmed red roses Mrs. Pioli and Mrs. Gladfelter for their assistance to the department.

E. Recognition of PRPS Agency Publication and Promotion Award – Springettsbury Township Recreation 1999 Fall Brochure

SABATINI Mr. Sabatini additionally congratulated the Recreation Department for recognition by the Pennsylvania Recreation and Park Society for their agency publication and promotion award for their fall, 1999 brochure.

2. COMMUNICATION FROM CITIZENS:

STUHRE Mr. Charles Stuhre of 3680 Trout Run Road asked whether an ordinance would be in effect regarding tractor trailers parked in residential neighborhoods. He had observed a tractor trailer almost nightly parked at the south east corner of Mt. Zion and Druck Valley Roads. Mr. Stuhre was concerned that, if this continually were not enforced, more would occur in the township. He had been attempting to get an ordinance enforced for two years. He had been told that it was his job to get the registrations from the truck so something could be done about it. He did not think it was his responsibility to do so.

PASCH Mr. Pasch added that there were other vehicles parked in that vicinity as well.

STUHRE Mr. Stuhre responded that was correct and added there were campers and so forth.

MITRICK Chairman Mitrick asked Mr. Stern to coordinate that with the Police Chief.

STERN Mr. Stern indicated he would do so.

GUNNING Mr. Paul Gunning of 2205 East Philadelphia Street discussed the fact that big trash collection was scheduled to take place on Monday following Easter Sunday. Personally he starts on Friday and places items on the curb; people root through it and leave a mess in the street. Mr. Gunning stated this was thoughtlessness in planning and he holds someone responsible for this slight to this community. He asked that this be corrected this year.

GURRERI Mr. Gurreri responded that he had discussed this matter with Charlie Lauer, head of Public Works. That date was scheduled with the garbage company. They couldn't do it the week before, but was always done the last of April.

GUNNING Mr. Gunning stated he believed this could have been changed and asked why couldn't it be changed for this year.

GURRERI Mr. Gurreri could not answer the question but added that Mr. Lauer would be the person to contact.

GUNNING Mr. Gunning stated he had telephoned both Waste Management and the Township but was unable to receive satisfaction.

MITRICK Chairman Mitrick stated that the Board would ask Mr. Sabatini to look into this. If changing the pickup week is not realistic at this point, the calendar would be reviewed for next year so that the mistake would not be made again.

SABATINI Mr. Sabatini indicated he would contact Mr. Gunning following his review.

GURRERI Mr. Gurreri thanked Mr. Gunning for bringing the matter to the attention of the Board.

3. ENGINEERING REPORTS:

SCHOBER Mr. Schober provided two updates to his written report. Regarding the Harrowgate Relining Project, B-H had been in contact with the contractor with a request he return to the site; he was hesitant as he was concerned about the site conditions. Some of the staff went out to check it and felt that the conditions were good. Annliner had been informed, and a meeting was scheduled with them. Some complaints had been received from impatient residents. The second item related to the annual update on the tap in fees. Mr. Sabatini had been presented that report, which could be discussed in several weeks. He added there was a modest increase to account for the projects through the year.

B. CIVIL ENGINEER:

LUCIANI Mr. Luciani reported on the landscape plan for the township building. He met with Mr. Sabatini, and in an effort to keep the costs down some of the items would be purchased at the prevailing rate by purchasing them separately.

LUCIANI Mr. Luciani reported regarding Ridgewood Road. Solicitor Yost and Charlie Lauer are going to discuss this effort tomorrow to implement a solution.

SCHENCK Mr. Schenck indicated that the stormwater basin which had been visited on the road tour was in a loop. The Board members hear that there's a problem, but also that it's designed correctly.

LUCIANI Mr. Luciani asked whether he was referring to the basin behind Bradley Academy.

SCHENCK Mr. Schenck responded that was correct. He was not sure how the matter should be addressed but indicated there seemed to be no solution.

LUCIANI Mr. Luciani responded that there was no "quick fix" to it.

SCHENCK Mr. Schenck asked whether there was a fix at all to it.

LUCIANI Mr. Luciani provided his opinion regarding the description of the problem. For the past several years developers have relied upon the stormwater pond in place into which their water is discharged. Additional developments, such as the Meadowlands, York County Prison, Shelly Condos all had been designed as part of that basin. Even though the pond evolved over a long period of time, the problem at the railroad track still exists. Mr. Luciani continued that the problem had been aggravated by the removal of the bridge on Market Street, which is the reason the house is being flooded. He stated that if the railroad tracks had never gone through the big rock cut, the water would never have gone there. Enlarging the pipe underneath the railroad would not solve the problem and would increase stormwater down near the Food Lion. Mr. Luciani stated that a regional basin may be the solution. The 167 Study is still underway, but the consultant had not yet been named, First Capital being shortlisted. Charlie Lauer intended to talk with PennDot about changing some inlets near the tracks. In his opinion a lot of debris was plugging the inlets, and he felt that if the inlets were corrected that might help.

SCHENCK Mr. Schenck asked about the comments heard about the pond being modified to hold some water back. He asked whether that was just speculation.

LUCIANI Mr. Luciani responded that was correct. He had previously reviewed that as a possible "quick fix" and found that only 90% of the water causing the problem comes from downstream.

PASCH Mr. Pasch asked what approach the Township might be able to take toward helping it to work out with areas like the Meadowlands.

LUCIANI Mr. Luciani suggested that near the tracks there was a 20-30 acre tract of land much of which was in the flood plain. What could be done there is to construct another basin in that facility to impound the water in that area,

build an embankment to the east of that area, wrap it around and the water would have a staged area for run off from Meadowlands; the water would go underneath 30 and down into that second area where there would be a holding area. That holding area would release that water over time.

PASCH Mr. Pasch asked him to explain who would be involved.

LUCIANI Mr. Luciani explained that it's all part of a flood plain. Those who would be part of the solution would be first, i.e., the Township which wants to solve the problem. Other people who would contribute to that basin, the developer, possibly Kinsley, and possibly the County with the prison expansion.

PASCH Mr. Pasch stated that it would behoove the Township to make sure that the County, Kinsley, and anybody else involved in future development knows exactly the situation and should be advised in no uncertain terms that if they come in for development plans this would be a key item.

LUCIANI Mr. Luciani stated Mr. Pasch had a good suggestion and indicated he could communicate that through a letter to Kinsley and the County that the Township is aware that they have some development interest in this area and that a stormwater problem exists. They would be advised that the solution may be a regional stormwater pond, and in that effort any future planning should consider a regional pond where we are experiencing the problems.

PASCH Mr. Pasch commented that if where it's going to go is in a flood plain anyway, no building could be done there. It's land that's just going to be sitting there anyway, so if embankments are placed there, it can't be that there's a big expense involved.

LUCIANI Mr. Luciani commented that people might think the land would be taken whether or not it's in a flood plain.

PASCH Mr. Pasch responded that nothing could be done with it anyway; the land would be dormant.

GURRERI Mr. Gurreri commented that some farming is done in flood plain land.

YOST Solicitor Yost indicated he would be a little stronger in the advice than to say this "may be" the solution. He would prefer to state the Township is "determined that this is the only way" to approve additional development.

LUCIANI Mr. Luciani indicated he would be glad to put together a letter in that regard. He had previously been told that they wanted to cooperate. Mr. Luciani will copy the Board with his correspondence.

GURRERI Mr. Gurreri asked Mr. Luciani about the status of the turning lane on Plymouth Road.

LUCIANI Mr. Luciani responded that the PennDot permit had not yet been received. Charlie Lauer will be doing the work.

GURRERI Mr. Gurreri asked when Mr. Luciani expected the work to get started.

LUCIANI Mr. Luciani responded that it should be within the next 30 days.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers reported a few additional items to his previous report regarding the Pump Station. Regarding the Allen Myers' Schedule of Values for Payment, they do not plan to submit an invoice until May; however, R. K. & K. had been assured that all of the subcontractors and suppliers, including Mid-Atlantic Piling will be paid.

MITRICK Chairman Mitrick asked whether that would affect the grant.

MYERS Mr. Myers responded that he did not think it would.

YOST Solicitor Yost commented if they don't ask for money, the Township does not have to pay.

MYERS Mr. Myers added that they still have to submit the Schedule of Values and get it approved before they can submit an invoice.

MITRICK Chairman Mitrick stated that her only question related to the fact that if that money were not being drawn upon it might be in jeopardy.

MYERS Mr. Myers responded that it was being drawn upon for the other contractors. The grant is active.

MYERS Mr. Myers continued that they set up to blast this week. All notifications were made; however, when they got out there the rock had been rippable, so they haven't had to set off any explosives.

SCHENCK Mr. Schenck commented on a document he had received which appeared to be notice that a supplier had not received and you said it was in December.

MYERS Mr. Myers responded that had come from an electrical sub. They said they didn't receive a copy of the signed agreement.

SCHENCK Mr. Schenck stated that it was not any lead equipment that had to be ordered; that's not a potential delay issue.

MYERS Mr. Myers indicated they had provided another copy of the agreement.

MITRICK Chairman Mitrick commented that there had been some sort of agreement that the amount of paperwork would be reduced.

YOST Solicitor Yost responded that it wasn't an agreement per se'. They just wrote a letter saying that they were going to stop writing letters.

MITRICK Chairman Mitrick asked whether that had actually taken place.

MYERS Mr. Myers responded that it had decreased. They took another opportunity to establish their position; we took our last opportunity to show them where they were wrong, and that was the end of it.

PASCH Mr. Pasch asked whether there had been any more letters.

MYERS Mr. Myers responded that he had one letter; actually they mobilized some equipment to take some soil samples, which obviously they aren't authorized to do within the Norfolk Southern Right of Way. Since they haven't complied with Norfolk Southern's insurance yet, they were told they couldn't be in that right-of-way. They proceeded to go against our direction, so we wrote another letter; told them they were in disregard of our directions deliberately. Norfolk Southern obviously hasn't found out, and actually they weren't really too close to the tracks, but they were in the right-of-way.

MYERS Mr. Myers continued that Bids open on Monday at 2 o'clock on the Bio-Solids brochure. He spoke with Mark Hodgkinson. They have some final comments received from their bio-solids guru's that they serve on committees with. Mark and Mr. Myers will review those on Monday. Following that it would be the final version of the pamphlet.

PASCH Mr. Pasch stated that, with regard to the pamphlet, one of the items he had been saying was that it was important everything be reviewed. It's important that recently at the PSATS convention there were people there that are way on the other end of the spectrum in terms of the risks involved. In addition, Mark gave us a lot of information from the Penn State. Mr. Pasch cautioned that, based on some of the things that Penn State said in some of their literature is that there are differing opinions. There are soil scientists who have a differing opinion and are not quite as sanguine about the use of the bio-solids, but they're saying the thing they're concerned about is the trace elements and it's going to take a long time before the trace elements ever get to the point where they're a

concern according to EPA, but there are certain scientists that are saying that the schedule that EPA is setting is maybe way in advance, and is much higher than it should be. Mr. Pasch stated that we should be very careful that we keep up with all of this new information as it comes out. If there is other information that points in the other direction which is solid information, it's fine, but there is some question, and there are some risks.

MYERS Mr. Myers responded that there always would be questions. He added that he did not think there was anything in the document that tries to say that there are no risks.

MITRICK Chairman Mitrick added that it would be advantageous to add the date of publication. She commented about the previous photo on the front cover. She indicated the photo shown on the cover was not acceptable.

MYERS Mr. Myers indicated that he would see what he could do.

SCHENCK Mr. Schenck commented that under the payables he had a question about an item shown. He asked whether that was the final figure.

MYERS Mr. Myers responded that there was additional work to be done in their scope of work.

4. ACCOUNTS PAYABLE:

A. Regular Payables As Detailed In The Payable Listing of 4/13/00
B. MPJ Construction – Progress Billing #4 – Farmhouse - $4,569.97
C. East Coast Contracting – Progress Billing #3 – New Building - $182,712.17
D. Frey Lutz Corporation – Progress Billing #4 – New Building/Farmhouse - $17,696.18
E. Shannon A. Smith, Inc. – Progress Billing #5 – New Building/Farmhouse - $20,649.60
F. Reed Smith Shaw & McClay – Progress Billing #11 – Phase II - $10,980
G. Reed Smith Shaw & McClay – Progress Billing #1 – Phase III - $3,862
H. Rummel, Klepper & Kahl – Progress Billing #15 – Diversion Pump Station/Interceptor - $29,965 (conditioned on approval of Agenda Item 5D)
I. GES Technology, Inc. – PLC System Upgrade - $2,000
J. Stuhre & Tate, Inc. – Mill Creek Interceptor Repair - $22,143.75
K. Buchart Horn, Inc. – Mill Creek Interceptor Repair - $494
L. Buchart Horn, Inc. – Fiscal Year 2000 Retainer - $133.33
M. Buchart Horn, Inc. – Chapter 94 Mapping - $403.75
N. Buchart Horn, Inc. – PLC Upgrade - $171
O. Rummel, Klepper & Kahl - Progress Billing #5 – WWTF Utility Water System - $1,016
P. Rummel, Klepper & Kahl – Progress Billing #4 – Biosolids Education Program - $1,301

MITRICK Chairman Mitrick asked Mr. Sabatini to respond to a few of her questions earlier during the day.

SABATINI Mr. Sabatini responded that the Chairman had raised questions regarding prescription reimbursements and payments. One of the items concerned employees through different unions and also the non-uniform employees could either use Eckerd's or Weis, and an agreement was being set up with Walmart for purchasing of prescription drugs. Some of those facilities do not have the ability to service some of the prescriptions, so in the one instance there was a reimbursement because an employee was unable to purchase their prescription there. The prescription plan is set up through a number of different facilities in the township.

MITRICK Chairman Mitrick questioned the $7,000 to Eckerd.

SABATINI Mr. Sabatini responded that Eckerd was one of the facilities through which the township was permitted to purchase.

GURRERI Mr. Gurreri questioned whether the R. K. & K. item was a progress bill and not a final bill.

SABATINI Mr. Sabatini responded that it was a progress bill.

MITRICK Chairman Mitrick indicated that Item H. would have to be held because the base for that would be later in the Agenda. She asked for any comments or questions for items A through G and I through P.

PASCH Mr. Pasch questioned Item H because it was conditioned upon approval of Agenda item 5D, and he had some concern with 5D where he had just spoken with counsel, and he would like to discuss 5D in Executive Session.

MITRICK Chairman Mitrick agreed and indicated both items could be tabled.

MR. SCHENCK MOVED FOR THE APPROVAL OF PAYABLES AS LISTED IN THE AGENDA, PAYABLE ITEMS A THROUGH G, I THROUGH P. CHAIRMAN MITRICK WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

MR. SCHENCK MOVED THAT ITEM H IN THE PAYABLES FOR R. K. & K. PROGRESS BILLING #15 BE TABLED AND HELD UNTIL THE NEXT MEETING. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MYERS Mr. Myers commented that some of Item H was not associated with the items in additional work. It is for things authorized to do like the inspection.

5. BIDS, PROPOSALS & QUOTES:

A. G. E. Capital Modular – Two (2) Temporary Office Trailers for Recreation Office

SABATINI Mr. Sabatini reported that the township was still in the process of moving people around, and because of the amount of equipment still in storage for the farmhouse, the staff found it necessary to move it to another location, one being a storage shed. Because the Recreation Department is moving into its busy season, request was being made to make use of two office trailers at an approximate cost of $5,000.

STERN Mr. Stern commented for the Parks Department, which normally rents one trailer for the summer for a dressing room. Part of the $5,000 cost would be spent anyway. One trailer would have people in it; the other would have men and women's dressing rooms for concerts and activities in the park. The rest would be utilized as a conference room for the directors and specialists in the recreation program; the second, identical to the first would be intended primarily for storage, but in the event the first trailer becomes too full, the second would be utilized.

SCHENCK Mr. Schenck asked whether the second trailer would be connected to the mechanical system drain lines, etc.

STERN Mr. Stern responded that was correct.

MITRICK Chairman Mitrick complimented Mr. Stern that he took the project on and researched it looking at all the different possibilities. He did a thorough analysis and determined that this was the most cost-effective way to handle it.

PASCH Mr. Pasch echoed Mr. Schenck's comment that this might be an indication of direct damages because of delay. Mr. Pasch indicated Solicitor Yost could address that statement at another time. His second item related to the phone service, i.e., two digital phones. He asked whether there was a lesser contract on the cell phones available. He questioned purchasing 3000 minutes if the usage was only 1200.

STERN Mr. Stern responded that Mr. Hinkle was more intimately familiar with the matter, but Mr. Stern's response would be that 17 phones were purchased for everyone in the township through AT&T. Each of the phones came

with a certain amount of free minutes per month. They lump them all together and end up with 3000 minutes.

PASCH Mr. Pasch stated that phone companies normally do not give you all that time unless you're paying for it. Mr. Pasch would like that item checked.

SABATINI Mr. Sabatini indicated that would be checked, and also overlapping between pager and cell phones.

MR. GURRERI MOVED TO AUTHORIZE ANDREW STERN TO SECURE TWO TEMPORARY OFFICE TRAILERS FOR THE RECREATION OFFICE FROM G. E. CAPITAL MODULAR, MEMO DATED 4/6/00. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Springettsbury Township Municipal Building Project – Amend Contracts for New Construction Schedule

SCHENCK Mr. Schenck stated that discussion had been held to extend that to August 31 for the new building and December 7 for the existing building. Mr. Schenck asked Solicitor Yost whether he would work up the draft.

MR. SCHENCK MOVED TO AUTHORIZE SOLICITOR YOST TO MAKE THE NECESSARY DRAFTS TO AMEND THE CONTRACT TO FIT THE NEW CONSTRUCTION SCHEDULE OF AUGUST 31 FOR THE NEW BUILDING AND DECEMBER 7 FOR THE RENOVATIONS TO THE EXISTING BUILDING. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Reed Smith Shaw & McClay – Proposal for Legal Services – Transportation

MITRICK Chairman Mitrick requested that this item be tabled due to the length of the Agenda.

SCHENCK Mr. Schenck stated that this item is real important, and he understood the time frame, but because of the two he, in good conscience, could not act that quickly.

STERN Mr. Stern indicated that if action were not taken tonight, it would be an indication that they had given up on 2001 funding.

MITRICK Chairman Mitrick favored giving it up for this year.

PASCH Mr. Pasch indicated he hated to see the Township pass it by.

STERN Mr. Stern stated that waiting much longer would be too late. Whenever our Congressmen and Senators submit their lists of projects to the committee, then it's over. It may have already been done.

MITRICK Chairman Mitrick stated that Mr. Stern had taken the representative to some of the other townships. She asked whether the representative recommended that if there were more time that a more comprehensive, regional approach would be more appealing.

STERN Mr. Stern indicated there were many different approaches to take. A large regional approach would be a lot larger project consuming a lot more time. That cannot happen in this billing cycle. Secondly, the main regional problem is Route 24 in both directions which the County is already pursuing and PennDot already has listed for funding in the other direction. He was unsure what or how Federal funding would help unless it's already been worked on. Our problems are more around the Development Zone, Memory Lane, Haines Road, Market Street, Industrial Highway, and those are more internal. York Township just received $185,000 in the T-Grant, Transportation Community Assistance, the grant Springettsbury had applied for last year and did not receive. They were one of two in Pennsylvania to receive the T-Grant.

MITRICK Chairman Mitrick asked Mr. Sabatini, who was familiar with grants, whether he had an opportunity to review the report.

SABATINI Mr. Sabatini responded that, as a general rule, dealing with Federal grants requires a level of talent that is generally not seen in most municipalities. It generally involves a firm that has financial resources but what would be considered centrally lobbying resources with the contacts within the House and Senate. Given the open-ended nature of this particular situation, and not knowing what the full implications are, it would be very difficult to justify to the public at this time. The Board should direct to start the process for next year and get it lined up earlier.

PASCH Mr. Pasch added that a regional effort would take more time. The sewer project was more effective because it included not just Springettsbury Township. Additionally Mr. Pasch commented that PennVest has money available (at rates from 1% to 6%), as well for regional-type projects, i.e., sewer, stormwater, water, transportation. He recommended that this source be investigated, especially with the Development Zone in mind.

SABATINI Mr. Sabatini stated that the regional approach in Pennsylvania is the strongest impetus toward receipt of grants.

GURRERI Mr. Gurreri expressed disappointment to see the grant released until next year. He suggested that it should be addressed now in light of the

Development Zone (Flex.Zone) and traffic issues now that Caterpillar had been sold. He asked for a Work Session to work out details.

PASCH Mr. Pasch responded that personnel had been assigned to review the transportation problems in a study and the money had been earmarked to do so. The funding is a part of it, and the Township should be looking at every possible source. Mr. Pasch agreed with Andrew Stern that the timing for this particular Federal grant had nearly expired.

STERN Mr. Stern responded that York Township's Federal grant receipt of $185,000 had been awarded toward a township-wide sustainable traffic study to determine how to address transportation problems within York Township as well as an environmental management information system to assess the environmental economic and social effects of transportation issues within York Township. An additional item was to assist with the sustainable design and planning for their new public works building.

PASCH Mr. Pasch suggested that the possibility of funding from PennVest should be investigated, especially toward the study of traffic.

SABATINI Mr. Sabatini commented that July 1 would be the start of the budget year for the Commonwealth. He stated that now would be the time to look at opportunities for community revitalization grants, which focus on transportation issues. There are opportunities for inter-governmental cooperation grants through the Department of Community and Economic Development.

PASCH Mr. Pasch read a portion of the information he had from PennVest and stated that it related to Springettsbury's Development Zone. Individual grants and loans may not exceed $1,250,000. Mr. Pasch provided his information to Mr. Sabatini for review.

MITRICK Chairman Mitrick reverted to the Reed Smith Shaw & McClay item and asked for a consensus from the Board whether to pursue it now or for the upcoming year.

PASCH Mr. Pasch responded that, based on Mr. Stern's comments and the time schedule involved, unless something were done within two weeks, it would be a waste of money.

GURRERI Mr. Gurreri asked what could be done to get the information ready within two weeks.

STERN Mr. Stern responded that the only thing he needed was the Board's commitment to move forward and to the cost, whether it be $40,000 or

$50,000. Beyond that Reed Smith Shaw & McClay would prepare the documents.

GURRERI Mr. Gurreri asked how much money had been spent on the grant, which had been received.

MITRICK Chairman Mitrick indicated about $100,000 had been spent.

SABATINI Mr. Sabatini stated that one option the Board might consider would be to spend $40,000 to $50,000 with a "not to exceed figure" of the upper end of that with a final proposal to be submitted for the next Board meeting. This would place the request into the system in Washington.

MR. PASCH MOVED TO AUTHORIZE REED SMITH SHAW & MCCLAY TO BEGIN A PROCESS TO SEEK TRANSPORTATION PLANNING FUNDS FOR FISCAL YEAR 2002 AS PER THEIR PROPOSAL WITH A COST NOT TO EXCEED $50,000 AND THAT THE TOWNSHIP MANAGER BE AUTHORIZED TO PURSUE FUNDING FROM THE STATE FOR THE STUDY ITSELF THROUGH PENNVEST AND OTHER STATE FUNDS BEGINNING THE PROCESS IMMEDIATELY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Rummel, Klepper & Kahl – Additional Engineering Services – Diversion Pumping System - $55,097

SABATINI Mr. Sabatini stated that Item D had been deferred until the Executive Session.

E. Buchart Horn, Inc. – Raw Pump Drive Upgrade Design/Bid/Construction Engineering Services - $37,950

SABATINI Mr. Sabatini commented that the Board had previously approved this item as part of the 2000 Capital Improvement Plan. This item involved the replacement of raw sewage pump drive control logic, and replacement of waste activation, sludge, and pump drives. The proposal calls for Buchart-Horn to begin to do the work in terms of the design bid and construction engineering services at cost estimated at $37,950.

PASCH Mr. Pasch commented that, having read through the information, he questioned whether the manufacturer would provide the items as "shelf items" and asked why it would be something that had to have engineering done by an engineering firm.

HODGKINSON Mr. Hodgkinson responded that there's more involved than just the drives. PLC logic requires electrical engineering and engineering is needed for the design.

SCHENCK Mr. Schenck commented that, based on the scope, the wording was confusing, and he agreed with Mr. Pasch. He stated that engineering work was needed with the physical layout, but not with a replacement part.

SCHOBER Mr. Schober responded that the engineering would coordinate the entire system between the controls, the drives and the pumps. The only thing B-H would be doing is looking at the sizing of the pumps, the sizing of the drives to make sure they are large enough to accommodate future pumps that may be necessary for future flows, etc. along with the waste activated sludge drives, controllers, PLC system coordination, bidding documents, legal requirements. The manufacturer would design and provide the drives, and B-H would provide the systems engineering. Mr. Schober indicated Buchart-Horn would better define the wording as to what would be delivered.

MITRICK Chairman Mitrick asked Mr. Schober if the Board held this item whether he could provide the information requested by the next meeting.

SCHOBER Mr. Schober indicated he could do so.

Consensus was to hold Item E until the next Board meeting.

F. 2000 John Deere 270 Skid Steer Loader – PA State Piggy-Back Contract - $31,950

SABATINI Mr. Sabatini commented that Item F in the amount of $27,000 had been authorized by the Board as part of the Capital plan. The State Contract amount was $31,950 including delivery, training and maintenance training. While the amount was above budget, Worley Equipment evaluated the present equipment and estimated that the return price for the used loader would be $4,500 to $5,500 for trade in. That would bring the net price to within budget for the equipment. He asked for permission to purchase the equipment using the State Piggy-Back program. Worley Equipment would provide service.

MR. SCHENCK MOVED TO AUTHORIZE THE PURCHASE OF THE SKID STEER LOADER ON THE STATE CONTRACT IN THE AMOUNT OF $31,950 WITH THE UNDERSTANDING THAT THE OLD PIECE OF EQUIPMENT WILL BE DISPOSED OF THROUGH THE REQUIREMENTS OF THE SECOND CLASS TOWNSHIP CODE. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. 2000 International Tri-Axle Dump Truck – Five Star International, LLC - $90,642

MITRICK Chairman Mitrick stated that Item G had been added to the Agenda. Information had been provided to the Board for review. She asked Mr. Hodgkinson for an explanation of the item.

HODGKINSON Mr. Hodgkinson stated that authorization had been given to put out for bid the tri-axle dump truck. One bid had been received. The explanations he had received from the initial effort was some suppliers could not meet the height requirement; one had difficulties through their suppliers and were not willing to enter into a bid or performance bond at that time. The item had been previously held due to a tie vote of the Board. In the interim an investigation had been made into suppliers who had not received specifications. They were asked whether they would be willing to bid if a re-bid were done. Two out of five indicated that they would be willing and could meet the requirements. Mr. Hodgkinson recommended that the Board accept the one bid due to the fact that, in his opinion/judgment, the price received was a very good one and would not be beat by very much (with the cost of re-bidding in mind).

SABATINI Mr. Sabatini added that the budgeted amount was authorized for $100,000 including the trade-in. The bid received was $10,000 under budget. He echoed Mr. Hodgkinson's comment of the cost of advertisement and going through the processes was significant with little assurance of improving the bid.

GURRERI Mr. Gurreri commented that in going through this process of investigation, at least information had been obtained that there are other possible suppliers available.

SCHENCK Mr. Schenck stated that the existing truck was in serious state of disrepair, and there is concern about its reliability. Secondly, he recommended an evaluation be done as to the cost to either raise what the truck has to go under or dig a hole where they drive so an off-the-shelf truck could be purchased.

PASCH Mr. Pasch commented that, based on Mr. Schenck's comment of the disrepair of the present truck, the time constraints are critical to the purchase of this truck. He echoed Mr. Schenk's recommendation to review the areas critical to the height restriction.

MR. GURRERI MOVED TO APPROVE THE PURCHASE OF THE 2000 INTERNATIONAL TRI-AXLE DUMP TRUCK – FIVE STAR INTERNATIONAL, LLC AT $90,642. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. Subdivision 00-01 – Dallmeyer – Druck Valley Road, Lot 7 – Action (4/13/00)

STERN Mr. Stern spoke for SD 00-01. He stated that this development was for Mr. Dallmeyer for Lot 7 on Druck Valley Road, a project which had been reviewed in May of 1998 for the creation of lots along the road, the last lot heading east toward Hellam Township, Lot 7. Mr. Dallmeyer requested approval for this Subdivision to take a portion of 4.17 acres off of Lot 7 and create a new lot, known as Lot 7A. The remaining lot would still be 46.85 acres. The properties are an R4 residential zoning district served by well water and on-lot septic system. Township Planning Commission approved this 2/17/00.

PASCH Mr. Pasch stated that, with regard to plans presented for approval, there are nine sets of plans, and eight asked for a waiver from preliminary plan; five asked for a waiver from not showing 400 feet. Mr. Pasch questioned why the requirements are made when so many waivers are requested.

STERN Mr. Stern responded that there are some plans, which do require preliminary plans, most of which have public improvements, new street and sewer systems, utilities, and in those cases they would have to do them. The subdivision ordinance does not distinguish between simple and complex plans.

PASCH Mr. Pasch stated that perhaps a simple plan and a complex plan should be devised so it would not be necessary for the Board, Staff and Planning Commission to go through all the waivers. He asked what was meant by having a requirement to show existing features.

LUCIANI Mr. Luciani responded that existing features include houses, lakes, streams, utilities. The item would be useful if someone needed to line up a road with a shopping mall.

MR. GURRERI MOVED TO APPROVE DALLMEYER LOT 7 SD 00-01 WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN**
- **WAIVER FROM SHOWING ALL STREETS WITHIN 400 FT. OF THE PROPERTY**
- **MODIFICATION FOR CURBS AND SIDEWALKS WITH STANDARD SIX-MONTH NOTE ON PLAN**
- **WAIVER FOR REQUIREMENT TO WIDEN DRUCK VALLEY ROAD TO 36 FT.**
- **CONDITIONED ON THE COMPLETION OF ALL REQUIRED SIGNATURES, SEALS AND NOTARIZATIONS**
- **CONDITIONED ON PROCEDURE COUNTY PLANNING COMMISSION COMMENTS (RECEIVED)**
- **CONDITIONED UPON PAYMENT OF THE RECREATION FEE**

MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Subdivision 00-02 – Moran/Marks – Druck Valley Road

STERN Mr. Stern commented that this Subdivision also related to the original Dallmeyer subdivision on Druck Valley Road. This plan did not create a new lot but removed the rear of Lot 4 (4.49 acres) on the north side and attaching it to Lot 1 (11.9 acres). Planning Commission approved this action on March 16, 2000.

MUSSO Joe Musso of L. D. Consultants advised that Mr. Moran wished to enlarge his property in order to water his horses in an existing stream. Stephanie Marks, owner of the other portion of the lot, does not need the rear portion.

MR. SCHENCK MOVED FOR THE APPROVAL OF SUBDIVISION 00-02 MORAN/MARKS WITH THE FOLLOWING WAIVERS AND MODIFICATIONS:

- **WAIVER FROM SUBMISSION OF A PRELIMINARY PLAN**
- **MODIFICATION TO THE REQUIREMENT TO INSTALL CURBS AND SIDEWALKS WITH THE STANDARD 6-MONTH NOTE ON THE PLAN**
- **WAIVER FROM THE REQUIREMENT TO SUBMIT A BUFFER YARD**
- **WAIVER FROM REQUIREMENT TO WIDEN DRUCK VALLEY ROAD TO 36 FT.**
- **WAIVER FROM THE SUBMISSION OF A STORMWATER PLAN**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Land Development 00-01 – First Baptist Church – Druck Valley Road

STERN Mr. Stern advised the plan included 9,221 sq. ft. church with 109 parking spaces plus some future parking spaces added through the planning process if necessary. This would be a two-story church. Planning Commission reviewed the plans on March 16, 2000 with some concerns relating to traffic. Close proximity of the church to intersection at Mt. Zion and Druck Valley Road was being considered. Secondly, the church is relatively small at this time with 225 members. Future growth was considered. TRG submitted an additional report showing potential impact indicating that the peak traffic would be on Sunday, which would not coincide with peak traffic on Mt. Zion Road.

PASCH Mr. Pasch questioned that the plan had indicated a lot of internal items are to be done by the Township engineer related to internal drives, parking space locations, driveway curb radius, etc. He asked a generic question as to whether internal traffic would be a Township responsibility.

LUCIANI Mr. Luciani responded that they had asked them to evaluate the internal movements and stop bars. Mr. Luciani indicated he had some concerns about the site distance at the roadway.

STERN Mr. Stern added that the number one item reviewed relating to internal movements included the fire department to make sure they can get their vehicles in there; secondly, that the parking spaces are acceptable.

BARNES Mr. Jim Barnes of Holly Associates responded that an application had been submitted to the Department for an embankment removal of the east side of the site. Unfortunately, the work was done, but the permit hadn't been issued. The embankment had been lowered. There is a property owner, Mr. Rayber, who has a hedge sitting in the PennDot right-of-way within 16-1/2 feet of the center of the road. Mr. Butler and representatives of the church met with them and Mr. Rayber agreed to their cutting the hedge back to 12" or removing it. The driveway will meet the stopping distances that are required by the Department for the HOP.

PASCH Mr. Pasch suggested that the hedge be taken out.

BUTLER Mr. Frank Butler of First Baptist Church agreed to take out the hedge.

PASCH Mr. Pasch indicated he was concerned about the traffic and wanted to be sure that the Township's requirements were satisfied.

LUCIANI Mr. Luciani responded that discussion had been held with the Planning Commission regarding a potential day care center with potential of 36 pupils during peak hour. They had reviewed left turns coming into the site and on Druck Valley at Mt. Zion. There would be more traffic coming in but it is allowed by zoning.

BARNES Mr. Barnes indicated he drives the road nearly every day and does not see it as being a problem.

LUCIANI Mr. Luciani indicated concern that earth would begin to be moved and PennDot would come back and suggest that the driveway be moved. He suggested that PennDot's HOP be issued first and then proceed.

BARNES Mr. Barnes responded that that answer should be known very soon.

MITRICK Chairman Mitrick added that the Township and the state are studying Mt. Zion Road roadway. Perhaps in the future there would be improvements in that intersection.

MR. GURRERI MOVED FOR APPROVAL OF LAND DEVELOPMENT 00-01 FIRST BAPTIST CHURCH, DRUCK VALLEY ROAD, WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN**

- **WAIVER FROM REQUIREMENT TO SUBMIT A SEWER AND WATER FEASIBILITY STUDY**
- **WAIVER FROM REQUIREMENT TO SHOW ALL STREETS WITHIN 400 FT. OF THE PROPERTY**
- **CONDITIONED UPON PENNDOT'S APPROVAL OF SAFE STOPPING DISTANCES**
- **CONDITIONED UPON SUBMISSION OF FINANCIAL SECURITY IN THE AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER**
- **CONDITIONED UPON REMOVAL OF HEDGE IN RIGHT OF WAY.**
- **WAIVER FROM REQUIREMENT TO WIDEN DRUCK VALLEY ROAD TO 36 FT.**

MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Subdivision 00-03 – Advent Lutheran Church

STERN Mr. Stern reported that SD 00-03 was a reverse subdivision. There are several parcels of land included in the Advent Lutheran Church property. It was suggested that some of their lots be combined. Planning Commission recommended approval on March 16, 2000

MR. SCHENCK MOVED FOR THE APPROVAL OF SUBDIVISION 00-03, ADVENT LUTHERN CHURCH WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM THE REQUIREMENT TO SUBMIT A PRELIMINARY PLAN**
- **WAIVER FROM THE REQUIREMENT TO SHOW CONTOURS FOR THE ENTIRE SITE**
- **WAIVER FROM THE REQUIREMENT TO SHOW STREETS WITHIN 400 FT. OF THE PROPERTY**
- **WAIVER FROM THE REQUIREMENT TO SUBMIT A SEWER AND WATER FEASIBILITY STUDY**
- **WAIVER FROM SHOWING ALL UTILITIES.**

MR. GURRERI WAS SECOND.

PASCH Mr. Pasch questioned the item showing utilities.

LUCIANI Mr. Luciani indicated a note had been added that the utilities would be capped per Township standards.

STERN Mr. Stern added that a demolition permit would not be listed until proof was shown that the utilities had been properly identified and capped.

MOTION UNANIMOUSLY CARRIED.

E. Land Development 00-02 – Advent Lutheran Church Parking Lot

STERN Mr. Stern stated that LD 00-02 was the portion of that plan for the parking lot. This was to increase parking from 41 off-street spaces to 71 off-street spaces. There were numerous Zoning Hearing Board variances granted. The agreement for specific landscape plan included. Planning Commission approved March 16.

MR. GURRERI MOVED FOR THE APPROVAL OF LAND DEVELOPMENT 00-02 – ADVENT LUTHERAN CHURCH, EAST MARKET STREET PARKING LOT WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN**
- **WAIVER FROM REQUIREMENT TO SHOW ALL STREETS WITHIN 400 FT.**
- **WAIVER FROM REQUIREMENT TO SHOW CONTOUR FOR ENTIRE SITE.**
- **WAIVER FROM REQUIREMENT TO SUBMIT A SEWER AND WATER FEASIBILITY STUDY**
- **CONDITIONED ON SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY TOWNSHIP ENGINEER**
- **WAIVER FROM 4% MAXIMUM SLOPE REQUIREMENT AS PER NOTE 3 IN JOHN LUCIANI'S LETTER DATED 3/6/00.**

MR. PASCH WAS SECOND. MOTION UNANIMOUSLY APPROVED.

MITRICK Chairman Mitrick asked Jim Barnes to express the Board's gratitude to Advent Lutheran for their cooperation.

F. Land Development 99-17 – Diehl Motor Company – Whiteford Road

STERN Mr. Stern commented that Diehl Motor Co. had granted an extension of time until May 12, 2000 for LD 99-17.

MR. SCHENCK MOVED TO ACCEPT THE EXTENSION OF TIME GRANTED BY DIEHL MOTOR CO. LAND DEVELOPMENT 99-17 TO MAY 12, 2000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. Subdivision 99-08 – Naylor/Wawa – East Market Street

STERN Mr. Stern commented that the Naylor property at the southeast corner of Stonewood Road and East Market Street, had been rezoned previously to commercial highway. They requested to subdivide three acres off to allow for a Wawa development. Planning Commission had previously approved the plan.

SCHENCK Mr. Schenck questioned how busy the driveway would be.

STERN Mr. Stern commented that the existing driveway exits from the rear.

PASCH Mr. Pasch asked whether there was any difficulty in getting approval on the curb cut.

THORNTON Mr. Dan Thornton of TRG responded that the item had been submitted to PennDot. PennDot had submitted a few questions, and they were in the process of response.

SCHENCK Mr. Schenck stated that the lot does not line up with the shopping center (Danskin).

THORNTON Mr. Thornton indicated that was one of the PennDot recommendations.

HOOVER Mr. Greg Hoover of Wawa commented on a few features, i.e. existing trees, contours, drainage divide. The driveway was planned to control runoff.

MR. SCHENCK MOVED FOR THE APPROVAL OF SUBDIVISION 99-08 NAYLOR/WAWA WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN**
- **CONDITIONED ON SUBMISSION OF FINANCIAL SECURITY IN THE AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER**
- **CONDITIONED ON THE ISSUANCE OF AN HIGHWAY OCCUPANCY PERMIT FROM PENN DOT FOR LOT 102D ACCESS**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. Land Development 99-12 – Wawa – East Market Street

STERN Mr. Stern reported that LD 99-12 related to the same property for a planned Wawa convenience market with eight service islands. Four acres were removed from the remaining tract. Planning Commission reviewed the plan as of 3/16/00. Mr. Stern mentioned several items of importance for discussion, one of them being the compliance with the Canopy Regulations.

HOVIS Attorney Steve Hovis spoke to the issue of the canopy. He stated that Mr. Stern wanted to identify both scenarios on the plan. The lighter shade reflects the original proposal, canopy design A. Design B, the interior line is the canopy reflected by a 10 ft. overhang over the gasoline pumps. The note indicates that is what they are and based on the appeal, they will proceed with Design A.

STERN Mr. Stern indicated he had no problem with that.

YOST Solicitor Yost indicated he felt that would be resolved.

STERN Mr. Stern responded that the property would be maintained forever as the buffer between the industrial and commercial zones.

PASCH Mr. Pasch asked whether the adjoining property would be Wawa.

STERN Mr. Stern commented that Mr. Naylor owns both properties at the present time.

PASCH Mr. Pasch indicated that there would be an agreement acceptable to the Solicitor.

YOST Solicitor Yost responded that a draft agreement exists which he had reviewed and found satisfactory.

STERN Mr. Stern stated that the streetscape buffer yard along Stonewood and East Market Streets has substantially less trees.

WEAVER Mr. Dave Weaver of Bohler Engineering indicated that they proposed to five street trees along both of the frontages. Code required 16 along Market and 12 along Stonewood Road.

MITRICK Chairman Mitrick asked what type of trees would be planted.

WEAVER Mr. Weaver responded that four are red maple trees and one along each frontage is a Sergeant cherry tree.

HOVIS Attorney Hovis added that they were not looking at this as cost reduction but were looking for ways to place the trees in other parts of the lot. He added they were more than willing to donate the trees that are not planted to the Township for planting in the parks or wherever desired.

MITRICK Chairman Mitrick stated that during her tenure on the Board she had never heard such an offer and thanked him.

THORNTON Mr. Thornton advised that in a memorandum to John Luciani he discussed the right in, right out and the four reasons why it should stay a full movement driveway. One of those reasons included the closeness to the existing McDonald’s driveway. He elaborated on the additional reasons including an additional widened shoulder.

SCHENCK Mr. Schenck had observed that the left turn into McDonald's is a problem because the center lane is also a left turn onto Stonewood.

THORNTON Mr. Thornton responded that the cars turning left into McDonald's are not supposed to be using that lane as a left turn for them.

LUCIANI Mr. Luciani stated that the reason why the turning lanes were eliminated was because there was an accident cluster, which provided accident investigation reports with stick diagrams as to how they occurred. Planning Commission had suggested to Mr. Luciani to write a letter to Glenn Roe (for which he had a draft prepared) stating that an accident cluster was in this vicinity. Cause of the cluster is the proximity of this driveway to Stonewood Road. PennDot will have to review this. There had been eight accidents in five years.

SCHENCK Mr. Schenck added that the crest of the hill is about at the location of the driveway. Mr. Schenck added that their answer was to widen their side so the cars can have better access.

THORNTON Mr. Thornton indicated they had submitted the HOP to PennDot and received preliminary comments back. They do not have any comments about this being a full movement driveway.

MITRICK Chairman Mitrick asked whether the addition of crosswalks and pedestrian walkways comes from the state as well.

THORNTON Mr. Thornton indicated it does.

MR. SCHENCK MOVED THAT THE REQUEST FOR THE WAIVER FOR THE REQUIREMENT, INSTALLATION OF SIDEWALKS FOR LAND DEVELOPMENT 99-12 NAYLOR/WAWA BE DENIED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. SCHENCK MOVED FOR THE APPROVAL OF LAND DEVELOPMENT 99-12 NAYLOR/WAWA WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM THE REQUIREMENT TO SUBMIT A PRELIMINARY PLAN**
- **MODIFICATION FROM ZONING DISTRICT BUFFER YARD REQUIREMENTS**
- **MODIFICATION TO THE STREETSCAPE LANDSCAPING REQUIREMENTS**
- **CONDITIONED ON THE SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER**
- **CONDITIONED ON THE COMPLETION OF ALL REQUIRED SIGNATURES, SEALS AND NOTARIZATIONS,**
- **CONDITIONED ON THE BUFFER YARD ON THE EAST SIDE DOCUMENTED IN A LEGALLY BINDING AGREEMENT**

- **CONDITIONED ON ADDING CROSSWALKS AND PEDESTRIAN TRAFFIC LIGHTS AND SIGNALS TO THE MARKET STREET AND STONEWOOD ROAD INTERSECTION, CONDITIONED UPON PENNDOT APPROVAL.**
- **NOTE THAT THE FULL AMOUNT OF THE TREES BE BONDED AND WHATEVER IS LEFT OVER CAN BE PLACED ON TOWNSHIP GROUNDS.**

MR. GURRERI WAS SECOND.

LUCIANI Mr. Luciani suggested that the Township be on record with a letter, which he volunteered to write, to Glenn Roe, the PennDot Traffic Engineer discussing McDonald's driveway. He could state that there would be a significant amount of pedestrian traffic and the Township had asked the developer to provide pedestrian signals at the intersection. Their application will be amended, and the Township is in favor of having those signals.

MOTION UNANIMOUSLY CARRIED.

YOST Solicitor Yost commented on the canopy issue and requested the Board to authorize him to intervene in the Wawa appeal. Attorney Hovis and Solicitor Yost will work out a settlement agreement. This makes the township a party to the zoning case. Once the Township would be a party to the zoning case then they can negotiate a settlement with Wawa.

MR. SCHENCK MOVED TO AUTHORIZE SOLICITOR DON YOST TO INTERVENE IN THE WAWA ZONING APPEAL. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

I. Land Development 99-03 – St. Onge – Williams Road

STERN Mr. Stern stated that St. Onge needed a few more months as their building is a few months behind schedule. They asked for approval to keep their temporary office structure until September 30, 2000. The original approval was July, 2000.

MR. SCHENCK MOVED TO GRANT THE APPROVAL OF TIME EXTENSION FOR LAND DEVELOPMENT 99-03 TO ALLOW THE TEMPORARY OFFICE UNITS TO REMAIN THROUGH SEPTEMBER 30, 2000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

J. Subdivision 99-09 – Hunters Crossing – Kingston Road

STERN Mr. Stern stated that five waivers had been requested. Planning Commission and Staff had recommended denial for three of the five. In

order to gather a decision to redesign their plans or move forward as is, a decision was requested from the Board.

MITRICK Chairman Mitrick asked whether the property was under review by the Army Corps of Engineers.

PASCH Tim Pasch responded that they had given him a scope of work to meet all, catch all, and gather information. He continued to work with the Army Corps of Engineers and expected that work to be completed within a few months.

STERN Mr. Stern provided commentary on the three areas where a difference of agreement existed. They were:

Leveling area for intersections. The Ordinance requires that the grade of any street with an approach to an intersection should not exceed 7%. The leveling area must be provided with a maximum grade of 4% for at least 25 ft. then continuation of the steep slope, then a leveling area at the intersection, continuing with a steeper slope. Planning Commission and Staff (John Luciani, Charlie Lauer, Andrew Stern, and Fire Chief Hickman) had major concerns with safety.

Cul-de-sac length**.** The Township Ordinance has maximum length of 600 ft. Of major concern are the difficulty with cul-de-sac lengths due to getting emergency vehicles in and out, driving over fire lines, and blocking access to the remaining homes. Township equipment such as snowplows have difficulty with where to put the snow. There are some areas that show future access through what's now the Roe farm to Locust Grove Road. However, Staff had taken the position that unless the Roe farm was part of the plan, the assumption must be that the access would never exist.

Maximum grade on minor streets to be 14%. The Ordinance allows a 6% or 10% grade. The slope depending on the type of street it is. The Ordinance allows 14% when access to that street is possible over other streets with a grade less than 10%. If emergency equipment can't get up the 14% slope, they need an alternate route with a less steep slope.

STALLMAN Mr. Jerry Stallman showed the plans and provided explanation. He disagreed that the property would violate the ordinance, which stated that the cul-de-sac shall not exceed 600 ft. Permanent cul-de-sac streets should in general not exceed 600 ft. unless topographic conditions were increased by the Board. Mr. Stallman advocated that there would be no violation of the Ordinance because of the wording.

HICKMAN Chief Hickman stated that his primary issue with cul-de-sacs was the limited way in and way out. If there were an incident chances would be good that the street would be blocked. The response of other equipment would be limited, and the other residences would be inconvenienced.

PASCH Tim Pasch responded that he had attempted to make this work and had Mr. Stallman draw up an alternative plan in order to meet Ordinances requirements. With the alternative plan many of the trees which now serve as a buffer would be removed.

HICKMAN Chief Hickman observed that with the present grade of the intersection, he could not take any piece of equipment he presently has and make a turn.

PASCH Tim Pasch responded that he was trying to level the roadways.

HICKMAN Chief Hickman added that with only one way in and one way out the fire department would be severely restricted.

GURRERI Mr. Gurreri brought up the issue of snow plows going into the area.

HICKMAN Chief Hickman commented that snow plows have additional problems in that there is no where to place the snow.

MITRICK Chairman Mitrick asked whether there would be a willingness to adjust the plans to alleviate the problem.

STALLMAN Mr. Stallman responded that they could possibly make the radiuses larger in order to widen the tighter places for emergency vehicles.

SABATINI Mr. Sabatini asked whether they would be willing to bond an additional access entrance by a separate agreement.

STALLMAN Mr. Stallman indicated they had done that with a previous development. They had developed Aslyn with one access off Greenbriar and the other access off Church Road. The entrance was placed off of Greenbriar and permission was given to build 55 houses on that single entrance. It was a cul-de-sac the other entrance had been bonded. Four years later, the second entrance was created.

SABATINI Mr. Sabatini added that situations change and you end up with a 700 to possibly a 2,000 ft. cul-de-sac with no way of moving forward.

STERN Mr. Stern added that beyond bonding a plan would have to be shown and the property owner's agreement would have to be in place.

PASCH Tim indicated that the bonding would not be a financial constraint, but in four or five years the road may change. He commented that the tract included 120 acres with a proposed 300 units.

GURRERI Mr. Gurreri indicated that utilizing that scenario, emergency vehicles would not be blocked.

SCHENCK Mr. Schenck asked whether the development was designed based on what would be allowed in the Ordinance, or whether it was designed based on the land and what might work as a developer. He added that the requested waivers were pretty substantial.

STALLMAN Mr. Stallman responded that, the Ordinance allows the cul-de-sac and the 14% grade, but it clearly says that the Board would have to decide.

PASCH Tim Pasch stated that the land is what the land is, and he was attempting to do what was best as far as the development aspect. His objective is to build and sell houses, but to better his name as well.

SCHENCK Mr. Schenck stated that the leveling area problem can be worked through.

LUCIANI Mr. Luciani indicated that the leveling area was important because of the slope of 7%. On an icy day cars would slide to the curb side.

STALLMAN Mr. Stallman commented that Sherman Street has no leveling areas.

MITRICK Chairman Mitrick asked whether, with the way the development was presented, it would be a safe community in Springettsbury Township in case of emergency. She asked whether Chief Hickman could get the fire department equipment in to protect the people.

HICKMAN Chief Hickman responded that he could get the equipment in but that the situation would not be optimal. He cautioned that there were some issues that need to be ironed out.

PASCH Tim Pasch indicated he wanted people to be safe. Because of the site, there may be no way to get optimal.

MITRICK Chairman Mitrick indicated she felt a responsibility to look at the plan as it stands. Board members discuss repeatedly about unsafe conditions in their neighborhoods. She stated she was not trying to hold up the development, but it concerned her if the Fire Chief indicated he could get equipment in, but not under good conditions.

SCHENCK Mr. Schenck asked whether the development would have to be done all at the same time, or whether it could be phased.

MITRICK Chairman Mitrick stated that much time had been spent on the project. The position of the Fire Chief had been made clear, and there are some other possibilities.

YOST Solicitor Yost indicated that he agreed with Mr. Stallman's interpretation in the Ordinance wording, "should" is not mandatory.

MITRICK Chairman Mitrick heard Tim Pasch say he wanted to make this development safe. He's heard the Fire Chief, and with all due respect to the engineers, Tim Pasch wanted to have a safe development. With that comment she asked the Board to consider tabling these comments and come back to the Board with a more specific understandable plan. She added that they would be the first item under Subdivisions and Land Developments.

PASCH Tim Pasch asked how to go about getting to that place.

LUCIANI Mr. Luciani suggested a Work Session to look at some of the options.

PASCH Tim Pasch responded that he would be happy to do that but he didn't really know how the plan might come back.

YOST Solicitor Yost stated that he would not want to litigate a cul-de-sac length.

MR. SCHENCK MOVED THAT WE TABLE THE WAIVER REQUEST FOR SUBDIVISION 99-09. MR. GURRERI. MOTION CARRIED. MR. KEN PASCH ABSTAINED DUE TO A FAMILY MEMBER BEING INVOLVED.

MITRICK Chairman Mitrick reminded Mr. Sabatini to place the item at the top of the list for next meeting.

K. Planning Module – A3-67957-299-3S – Chris Vanvugt – Small Flow Treatment facility – Springettsbury Township – 400 GPD

STERN Mr. Stern stated that this involved a subdivision plan approved in 1985 for the building lot along Ridgewood Road. Brad Hengst had reviewed the site and determined that the original site is too steep and is void. Options were explored for a small flow wastewater treatment plant for 400 gallons for a single dwelling. The system is a sand mound buried, has a pool liner underneath, discharges a very small amount of water and collects in the liner, goes into chlorination and contact tank and stream discharges which eventually goes into Kreutz Creek.

PASCH Mr. Pasch asked how they could be sure it would meet specifications.

HENGST Mr. Hengst commented that he had been involved in inspection of like systems. The system is permitted by DEP. This is not an on-lot system. He had discovered during his inspections that some of the construction was not exactly like the drawing. His concern was he wanted to be involved in the inspection of the construction of the system.

YOST Solicitor Yost indicated he had reviewed the agreement for the system.

HENGST Mr. Hengst indicated the property owner needed to take samples of the chlorinator monthly to track the chlorine and the pH discharge. He had requested to receive those reports as well as DEP.

GURRERI Mr. Gurreri asked why a sand mound would not work.

HENGST Mr. Hengst responded that the soil was too shallow, and the slope is too steep. If there would not be a stream there, the system would not be permitted.

SCHENCK Mr. Schenck asked what the situation was as far as the sanitary sewer.

HENGST Mr. Hengst responded that it was at Hyde Rock Road, which is 725 ft. away.

LUCIANI Mr. Luciani commented that if the system failed, the township could be required to bring it up to speed and run it. They suggested if they want to move forward with it, there should be a three-party agreement including the township with bonding.

HENGST Mr. Hengst indicated that the agreement is between Mr. VanVugt and the Township. The system max output is 2,000 GPD.

MITRICK Chairman Mitrick asked whether a precedent was being set.

HENGST Mr. Hengst responded that this particular system had to meet specific options. One is having a stream, and be a lot that would not be suitable for an on-lot system. This system cannot be used to create new lots.

MITRICK Chairman Mitrick asked whether, if the sewer were installed, Mr. VanVugt would be required to hook into it.

SOWERS Mr. Sowers stated that he would be required to hook in if his house was within 150 feet of the new sewer line. His system would be inspected every three years by Brad Hengst.

PASCH Mr. Pasch indicated he would like to see the 2,000 GPD figure changed to coincide with the 400 GPD.

YOST Solicitor Yost recommended that whatever the designed capacity was, that would be the limit.

SCHENCK Mr. Schenck indicated that the neighbors are not going to like this. If he lived downstream of this and learned that my neighbor was going to discharge sewer into the stream it would be uncomfortable.

HENGST Mr. Hengst responded that the way the system works it would be going through several processes, and even if the chlorine failed, it would still have the other filtering to go through.

PASCH Mr. Pasch indicated it may create the possibility of people being upset, but the alternatives have to be reviewed.

MR. GURRERI MOVED TO APPROVE PLANNING MODULE A3-67957-299-3S – CHRIS VANVUGT – SMALL FLOW TREATMENT FACILITY – SPRINGETTSBURY TOWNSHIP – 400 GPD, LIMITED TO ONE HOUSEHOLD. MR. SCHENCK WAS SECOND.

SCHENCK Mr. Schenck commented that he wished to be certain that all parties involved understand that the sewage flow figure in the agreement is corrected to 400 gallons per day.

MOTION UNANIMOUSLY CARRIED.

L. Permission to Change Direction of Stop Signs at Pleasant Valley Road and Memory Lane Extended

MITRICK Chairman Mitrick requested that the Board members take a moment to read the memo from Police Chief Eshbach.

ESHBACH Chief Eshbach commented that his concern related to the fact that if there were a straight through roadway there would not be a problem. His concern is a for a motorist traveling at 45 mph or more who may not be familiar with the area and who would get launched westbound. Eastbound is not a problem. There is a ramping effect westbound. He simply brought it forward for consideration.

STERN Mr. Stern responded that perhaps yellow signs indicating a bump advisory might be helpful.

GURRERI Mr. Gurreri indicated he would be in favor of such a caution sign and markings on the road.

PASCH Mr. Pasch suggested that a time period be involved so that people are warned that it is changed.

LUCIANI Mr. Luciani indicated it would be 45 days to six weeks for a 4-way stop with a red flasher temporarily. At the end of those six weeks the stop signs on Pleasant Valley would come out and Memory Lane would become a stop condition. That is standard procedure to comply with state requirements.

MR. GURRERI MOVED FOR PERMISSION TO CHANGE DIRECTION OF STOP SIGN AT PLEASANT VALLEY ROAD AND MEMORY LANE EXTENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

M. York Little League – Sam Shipley Field – Concession Stand Expansion

SCHENCK Mr. Schenck commented regarding the Eagle Scout project where improvements to the York Little League Concession Stand had been verbally approved on the road tour. Completion of the project is to include new siding to tie the whole structure together and dress it up. Board action was requested to authorize this work.

PASCH Mr. Pasch asked whether the normal inspection procedure was followed.

STERN Mr. Stern responded that because this was so small it does not have to meet township codes. It does have to come under normal requirements.

SCHENCK Mr. Schenck added that this work would eliminate the need for the green trailer, which will be removed.

MR. GURRERI MOVED TO APPROVE THE CONCESSION STAND EXPANSION FOR YORK LITTLE LEAGUE SAM SHIPLEY FIELD. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

GURRERI Mr. Gurreri reported that he, Mr. Pasch and Mr. Schenck had attended the 70th Annual State Convention April 9 through 12. Eight hundred townships were represented; 4,500 people in attendance, 48% of which townships are under 1,000 people. Governor Ridge was the speaker and he spoke about the importance of Supervisors in the townships. $15,000,000 had been set aside for volunteer fire and emergency services to be used for vehicles and buildings. Shared municipal program with PennDot had tripled the budget. An award had been presented for newsletters. Dover won a second place price for roadways and bridge improvement. He attended a seminar on effective meetings and

complimented Chairman Mitrick for the good job she had done. Any meetings past midnight indicate a problem of too much on the agenda and the staff should be empowered to do more. Most meetings last 2 hours. He encouraged staff to go next year.

PASCH Mr. Pasch added that he agreed emphatically that the staff should go inasmuch as the exhibits themselves were worth seeing and educational. One Source Energy Concept was there, and Mr. Pasch availed himself of the information. He concluded that the Township staff in wastewater treatment is doing an excellent job in terms of the contract rate.

PASCH Mr. Pasch also mentioned the matter of putting the Township Code on laserfiche and asked about the status.

BOWDERS Dori Bowders responded that she had not heard anything from Penns Valley lately. She indicated she would telephone them for a status report.

PASCH Mr. Pasch commented on some of the ideas he obtained regarding federal grants. He added that he had gained a lot of on-lot system information, and that should be available in the Township offices. This would include financial information, and where the property owner can get assistance. PennVest was a tremendous source of information, and there are a lot of funds available. He proposed devoting some of the staff's time to do nothing but go after money.

SABATINI Mr. Sabatini commented that Lower Allen Township does that outside of Camp Hill with a full time grants person. The earnings ratio is approximately 7 to 10 to 1.

STERN Mr. Stern stated that York Township also has a full time person working on grants.

PASCH Mr. Pasch recommended that the possibility be reviewed. In addition there is a lot of insurance available through PSATS, and he had advised Randy Wachter of that.

MITRICK Chairman Mitrick advised that she had asked Mr. Sabatini to request a 1-page analysis of the system being brought in for Andy Hinkle. She asked for a cost for each phase.

Chairman Mitrick asked for agreement from the Board for Mr. Sabatini and Mr. Stern to obtain a recommendation regarding the finance trailer.

Chairman Mitrick stated that the ad was placed for the Deputy Fire Chief. She asked Chief Hickman to copy the Board with the ad.

Chairman Mitrick had a meeting with Dori Bowders and Betty Speicher regarding the future interior of the new building. They are being pressured to start making selections for furniture and carpet colors. Chairman Mitrick asked the Board to consider, once they've made many of the basic decisions, a contract with an interior designer to pull it all together. Both Dori and Betty felt that would be extremely helpful to them. Chairman Mitrick asked Mr. Sabatini to provide a proposal as to what it would cost to have someone work with staff in the coordination for the interior of the building.

Chairman Mitrick thanked Mr. Stern for arranging the tour of the prison for the Planning Commissioners.

Chairman Mitrick commented that Solicitor Yost had mentioned the item of the Board taking action honoring the present benefits promised by the club. She asked him for an explanation.

YOST Solicitor Yost commented that the year had just about expired. His suggestion would be to send out a letter to the people who are members of the Ambulance Club stating that the benefit they had from the Ambulance Club would be continued by the Township for the duration of the membership.

HICKMAN Chief Hickman stated that less than 45 days remain for the contracts.

YOST Solicitor Yost indicated that it would be good public relations effort.

MITRICK Chairman Mitrick asked whether a press release would be the most efficient way to communicate that message.

YOST Solicitor Yost indicated that would be a good way to handle it.

SABATINI Mr. Sabatini indicated if he could be provided with the details he would handle it.

MITRICK Chairman Mitrick commented on the road tour. The Board members had indicated that the residents along Route 83 and the stormwater drainage area should be notified by letter that they should discontinue trashing the stormwater area.

MITRICK Chairman Mitrick thanked the Fire Chief and Police Chief on the Fire Police meeting.

MITRICK Chairman Mitrick asked who was in charge of port-a-potties at the parks.

SABATINI Mr. Sabatini indicated he was the "go to" person for the parks. He will delegate this to the proper person.

SCHENCK Mr. Schenck stated that Fayfield needed one.

SABATINI Mr. Sabatini indicated he had spoken with Mr. Bainbridge, and he stated he would order it first thing in the morning.

MITRICK Chairman Mitrick received a telephone call from Heidi Miller, a member of the American Red Cross looking for some space in Springettsbury Township where once a month they could conduct a blood donor drive. She mentioned the farmhouse as a possibility. They were enthusiastic. Chairman Mitrick explained that no Occupancy Permit had been received yet, but added that if this were the type of program to utilize the farmhouse she would ask Mr. Sabatini to contact the representative to schedule it. This would involve one Saturday morning a month for four to five hours. They would bring in their own tables.

Consensus of the board indicated the program was a good one for the use of the farmhouse.

PASCH Mr. Pasch added that the Township employees should be encouraged to donate and be a part of it.

PASCH Mr. Pasch commented that, having reviewed the matter of the farmhouse trees, he had recanted, and if there were a way to save one or two of the trees, he would be in favor of that.

GURRERI Mr. Gurreri commented that the Full Annual Committee Meeting of the Local Government Advisory Committee will be held at 6:30 p.m. May 3, 2000 at Bay City Restaurant in Hanover.

GURRERI Mr. Gurreri reported that Windsor Township Administration Building, Opening for Officials would be held at 3 p.m. to 6 p.m. on April 14, 2000. Also on April 18, York County Annual Legislative Breakfast would be held at Holiday Inn, West Manchester Mall.

PASCH Mr. Pasch commented on the reimbursement for mileage to attend the PSATS convention. He had inquired how much he should put down as the reimbursement per mile. It is $32.5 for the Supervisors; for anyone else in the Township it's $.25. Mr. Pasch did not think that was fair and may be part of the reason why employees do not use their own automobiles. It should be the same rate for all. He apologized to the employees of the Township for that.

YOST Solicitor Yost suggested that the Board should adopt a Resolution establishing the mileage rate at the federal level ($32.5).

SABATINI Mr. Sabatini indicated he would have that prepared.

MITRICK Chairman Mitrick reminded the Board of the Open House of the 80th Anniversary of Campbell Chain on Sunday, April 30th from Noon to 4 p.m.

MITRICK Chairman Mitrick inquired whether, with Mr. Pasch's suggestion, the Board would be open to reconsider the trees.

Consensus of three was that they were open to suggestions.

MITRICK Chairman Mitrick asked Mr. Sabatini to discuss the Grant Extension.

SABATINI Mr. Sabatini explained that the Township received in 1998 a Community Revitalization Assistance Grant. Because of the processing time lines, it is generally not received until 10 months after approval. It expires June 30th of 2000. There was a question as to whether the Township would be able to get the money encumbered by the end of the state's fiscal year. One option was to ask for a one-year extension to the contract. The state is amenable to issuing contract extensions. Typically there is an 8-week time frame for approval and preparation of the contract extension paperwork. He indicated his personal experience showed that there is a very quick turnaround. The procedure would be to ask for a contract extension (needing approval by the Board), and continue with the work of preparing bid specifications. The majority of the work would be done in the fall. He asked that the Board of Supervisors, by motion, authorize him to submit a letter and when the documentation had been received it would be presented to the Board for action.

MR. SCHENCK MOVED TO AUTHORIZE THE INTERIM TOWNSHIP MANAGER TO REQUEST THE ASSISTANCE GRANT FOR 1998. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

PASCH Mr. Pasch stated that he had learned at the PSATS Convention that WAM money again is available. The Township should be looking for more.

SABATINI Mr. Sabatini responded that during the discussion on having a grant officer, one of the opportunities that he would be bringing to the Board was a shared grant officer between one of neighboring municipalities where the state would pay 75% of the cost over a three-year period.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost reported that, as a supplement to his written report, an ambulance lease had been attached. He recommended that the lease agreement be entered into as quickly as possible with the Ambulance Club. He requested that the Board would authorize the execution of the lease agreement. His basic concern was insurance coverage.

SABATINI Mr. Sabatini indicated he would take care of that immediately.

MR. PASCH MOVED TO AUTHORIZE THE SOLICITOR OR THE CHAIRMAN TO EXECUTE THE LEASE WITH SPRINGETTSBURY AMBULANCE CLUB, WHICH HAD BEEN REVIEWED BY THE SOLICITOR. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

YOST Solicitor Yost asked for the Board's direction on the Livingston demand.

PASCH Mr. Pasch asked what Solicitor Yost thought to be the general damages.

YOST Solicitor Yost indicated that none of the items mentioned in his report are legitimate. He asked for permission to reject their offer. They expect the Township to build a box culvert so they can get into the lot from Memory Lane as they don't have access because of the big curb the Township built. Mr. Yost did not think there would be a reason why the Township could not give them a curb cut from Pleasant Valley Road as long as it were back from the intersection.

PASCH Mr. Pasch stated that there has to be some point where maybe they're willing to change their request. He recommended rejecting the request, but state that another offer might be reviewed.

MITRICK Chairman Mitrick agreed.

YOST Solicitor Yost responded that if he told them that, another one would be forthcoming next week for $135,000.

PASCH Mr. Pasch stated the key was to be reasonable.

YOST Solicitor Yost stated they are never going to be reasonable.

PASCH Mr. Pasch stated then it would be okay to reject it but not to close the doors.

MR. PASCH MOVED TO AUTHORIZE THE SOLICITOR TO REJECT THE OFFER AS PRESENTED BY LIVINGSTON & SON IN THE TAKING OF THEIR PROPERTY. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick asked Solicitor Yost to check with Dori and Betty to be sure all the paperwork was covered regarding Mr. Sabatini.

YOST Solicitor Yost indicated he had spoken with Mark and Bob. If the basic agreement outlined in his letter of 1-1/2 weeks ago, is satisfactory with Bob and PPMG, they were just going to send a one paragraph letter saying that they accept the terms of the letter, and that constitutes a contract.

SABATINI Mr. Sabatini indicated that one way or another a letter would be prepared and signed by April 14th.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini requested the Board's direction concerning a letter to be sent to the East Manchester Township Zoning Hearing Board. This relates to a special exceptions request for a development adjacent to the wastewater treatment plant expressing concerns for a description of our operations at the wastewater plant and the potential impacts it might have on the variety of uses anticipated for that property. He suggested that the hearing would be held two weeks from April 13, and it might be appropriate that the Chairman of the Board direct that a member of the Board would present that in public at the meeting. That would have greater presence than a simple letter submitted to the Zoning Hearing Board.

SCHENCK Mr. Schenck was in favor of a letter.

PASCH Mr. Pasch indicated he thought it was important to be very vocal and public about it so that everyone understands the Board is not opposing what they're doing, just letting them know that they're going to be across the street from a wastewater treatment plant.

YOST Solicitor Yost indicated it would be important to have someone there to present that. If it were just a letter it could be rejected. It should be copied to the Board.

SABATINI Mr. Sabatini added that another option was to direct one of the staff members or an engineer to go. The letter should be reviewed by Solicitor Yost as it is a legal record.

PASCH Mr. Pasch indicated that a member of the Board should attend, and Mr. Schenck had volunteered.

SABATINI Mr. Sabatini reported that the township had received Notice of Intent to Commence Collective Bargaining with the Teamsters representing Public Works, Wastewater and EMS Personnel. He was seeking an appointment of a Negotiations Committee. The Board had previously indicated some

suggestions: Township Manager, Director of Human Services, plus two Board members.

MITRICK Chairman Mitrick indicated Mr. Pasch and Mr. Schenck had been recommended as members of the Committee.

PASCH Mr. Pasch questioned the memorandum from Randy Wachter regarding the General Fund surpluses. There should be some kind of suggestion as to what to do with the funds.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Ordinance 00-03 – Gasoline Service Station Canopy Requirements

MITRICK Chairman Mitrick indicated the Board had an opportunity to review Mr. Stern's recommendation.

STERN Mr. Stern indicated this simply requested the Board's permission to send it to Planning Commission for review.

MR. GURRERI MOVED TO APPROVE 00-03 – GASOLINE SERVICE STATION CANOPIES TO SEND TO PLANNING COMMISSION FOR REVIEW. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Right-Of-Way Agreement – 38 Jean-Lo Way - $413

MR. SCHENCK MOVED TO AUTHORIZE THE CHAIR TO EXECUTE THE RIGHT-OF-WAY AGREEMENT WITH AVALONG ESTATES AND ALSO AUTHORIZE THE PAYMENT OF $413 FOR THAT RIGHT-OF-WAY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Ordinance 00-04 – Establishing Speed Limits – Pleasant Acres Road

MR. SCHENCK MOVED TO AUTHORIZE THE STAFF TO ADVERTISE ORDINANCE 00-04 – ESTABLISHING SPEED LIMITS ON PLEASANT ACRES ROAD. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE SUPERVISORS REGULAR MEETING MARCH 23, 2000 AS AMENDED. MR. PASCH WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT PRESENT.

12. OLD BUSINESS:

A. Springettsbury Township Park Project

MITRICK Chairman Mitrick indicated that no action had been taken regarding the park. She suggested that a Work Session be established specifically related to progress on the Springettsbury Park Master Plan.

Consensus was to meet for breakfast for this Work Session on Wednesday, April 26th at 7:30 a.m. for the purpose of discussing Springettsbury Park Master Plan.

MITRICK Chairman Mitrick asked Dori Bowders to notify Mr. Bishop of this Work Session.

B. Reed Smith Shaw & McClay – Proposal – Labor Counsel

MITRICK Chairman Mitrick indicated this item would be held until the next meeting.

SABATINI Mr. Sabatini indicated that there are some new options available that could save the Township significant costs which he would like to explore. It would still involve the same law firm.

13. NEW BUSINESS:

A. Concord Road/Mt. Zion Road Intersection

MITRICK Chairman Mitrick requested that this item be held in abeyance until next meeting.

PASCH Mr. Pasch asked Chief Eshbach if he had a problem with holding this item.

MITRICK Chairman Mitrick stated that he had stayed until the late hour and asked if he would like to discuss it.

ESHBACH Chief Eshbach indicated it was not necessary to discuss during this meeting.

B. Appointment of Zoning Officer – Andrew B. Stern

MR. GURRERI MOVED TO APPOINT ANDREW B. STERN AS ZONING OFFICER OF SPRINGETTSBURY TOWNSHIP. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 1:35 a.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

BOARD OF SUPERVISORS **APRIL 26, 2000**
MASTER PARK PLAN WORK SESSION **APPROVED**

The Board of Supervisors held a 7:30 a.m. work session on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick – Chairman
Don Bishop
Ken Pasch
Bill Schenck
Nick Gurreri

ALSO IN ATTENDANCE: Jewel Frey – Receptionist/Administration Office Support

MITRICK Chairman Mitrick called the meeting to order at 7:35 a.m. The purpose of the meeting is to discuss the Master Park Plan for Springettsbury Township. Chairman Mitrick immediately adjourned into an executive session.

The work session reconvened at 8:15 a.m.

SCHENCK Mr. Schenck mentioned that there were a lot of meetings held discussing the Master Park Plan.

MITRICK Chairman Mitrick had a real concern involving Charlie Lauer's part of taking care of the park. Mr. Lauer stopped doing the maintenance as he was unsure of the direction from the Board while they were considering what action to take on the Master Park Plan. Mr. Lauer at one point gave the Board a report on the cost to refurbish the park, as the tennis courts and ball fields need work and are unsafe. There seems to be confusion as to whether or not to move ahead with the plan or follow parts of the plan or whatever needs to be done to follow through.

PASCH Mr. Pasch thought that everyone agreed to finish the Master Park Plan and didn't have any confusion as to getting it done, it just didn't get done.

BISHOP Mr. Bishop wasn't comfortable with the price estimates that were given and also the phasing plans to the park project.

GURRERI Mr. Gurreri questioned the need for eight tennis courts.

MITRICK Chairman Mitrick mentioned the fact that the fencing around all the courts is in bad shape and the concrete was also bad.

SCHENCK Mr. Schenck mentioned the tennis courts were placed in the upper corner of the plan, that if four tennis courts were originally built, four more tennis courts still could be added later, if needed. Mr. Schenck also mentioned there was a place for a multi-purpose court for such sports as street hockey.

GURRERI Mr. Gurreri questioned the place of the courts on the plan and wondered if they could stay where they already are.

PASCH Mr. Pasch thought the Master Park Plan was a good plan and the Township has to determine what to spend on the project and what to do first, second, third, etc. Mr. Pasch didn't get the impression from the Newton Group's Fund Raising Report that they were going to raise a lot of money, so we as the Board need to figure out how much is the Township willing to spend on this project.

SCHENCK Mr. Schenck said the purpose of the Master Park Plan is that everything doesn't have to be done all at once, it could be done sometime in the future because the capabilities would be there as they were already planned for. Mr. Schenck agreed with Mr. Bishop that the phasing plan wouldn't work.

BISHOP Mr. Bishop wondered if the Board went back to Rettew Associates and looked at the plan again. Mr. Bishop also mentioned seriously looking at acquiring some properties bordering the park.

SCHENCK Mr. Schenck agreed with Mr. Bishop and thought that Mr. Sabatini should talk to the residents about acquiring their property. Mr. Schenck mentioned the fact that there still is some confusion and to clear up the issue if the plan was adopted or not.

MITRICK Chairman Mitrick checked through the minutes and found that the pre-final was accepted and it should be made clear to do it by motion.

BISHOP Mr. Bishop said he would vote to accept the drawing but not the book with the phasing and the fact that the prices are old.

MITRICK Chairman Mitrick called for a motion on the drawing.

MR. BISHOP MOVED TO ACCEPT THE SPRINGETTSBURY TOWNSHIP PARK MASTER PLAN DRAWING, DATED SEPTEMBER 1997 PREPARED BY RETTEW ASSOCIATES AS THE TARGET PLAN FOR THE SPRINGETTSBURY TOWNSHIP PARK. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop mentioned talking with Rettew Associates and giving them some sort of direction of where the Township wants to be on this project.

MITRICK Chairman Mitrick mentioned that Phase 1 was to do the infrastructure for the total drawing but at the same time keep as much of the park as usable as possible and the phase in process would be done over a three year period of time. Chairman Mitrick remembered John Luciani telling the Board to look at the whole site as it would be less costly rather than piecing it out.

BISHOP Mr. Bishop said if needed, the Township could close the park down for a period of time to do the work.

PASCH Mr. Pasch suggested giving the residents enough notice that the park would be closed for a certain period of time while the work is being done.

MITRICK Chairman Mitrick mentioned that the Park & Recreation Department has done that before in the past when a certain park would be closed down for rehab and thinks that would be an excellent service to the residents of the Township.

BISHOP Mr. Bishop said that we as the Township would have just so much money to spend and to try to get a bid to do as much of the work that we can afford to do and try to come to a finishing point on this project.

PASCH Mr. Pasch again brought up the fact that the Board has to find out how much money we have and how much money are we willing to spend. Mr. Pasch questioned how much money we have in our reserve account.

BISHOP Mr. Bishop brought up that the roads of the Township seriously need looked at and how much money of the total would be spent on the roads.

MITRICK Chairman Mitrick asked who wanted to attend the meeting with Rettew Associates. Mr. Bishop and Mr. Schenck agreed to meet with them and thought that Mr. Sabatini should also attend. Chairman Mitrick indicated she would ask Mr. Sabatini to find out how much money is available for this project.

SCHENCK Mr. Schenck questioned what is an appropriate amount of money for the Township to keep in reserve and how low should we take the reserves.

MITRICK Chairman Mitrick asked to have a motion to pursue professional consultation on the park project.

MR. SCHENCK MOVED TO SOLICIT THE SERVICES AND PROPOSALS OF AN ENGINEERING FIRM TO HELP THE TOWNSHIP TO REDEFINE THE PHASING PROCESS OF THE MASTER PARK PLAN. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick adjourned the meeting at 9:10 a.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/jaf

BOARD OF SUPERVISORS **APRIL 27, 2000**
REGULAR MEETING **APPROVED**

MEMBERS IN ATTENDANCE: Lori Mitrick Chairman
Nick Gurreri
Bill Schenck
Ken Pasch
Don Bishop

ALSO IN ATTENDANCE: Robert Sabatini, Interim Township Manager
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Mike Myers, Rummel, Klepper & Kahl
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance

MITRICK Chairman Mitrick announced that the Board met for an Executive Session prior to a Work Session held on Wednesday, April 26th, related to personnel. The Board also had an Executive Session prior to the Regular Meeting related to personnel, and an Executive Session would be held immediately following the Regular meeting related to legal matters.

2. COMMUNICATION FROM CITIZENS:

PALMER Mr. David Palmer of 2640 North Sheridan Road presented a concern he had for health problems in the community in terms of the York County Incinerator. He had requested assistance from Todd Platts to have a study done, and make contact with the governor, but he had no response with regard to his request. He presented some background information to the Board for their review.

MITRICK Chairman Mitrick responded that the Board would review the material.

PASCH Mr. Pasch asked Mr. Palmer whether he had any response from anyone regarding the issue.

PALMER Mr. Palmer indicated no one had responded.

PASCH Mr. Pasch stated that no one had refuting what Mr. Palmer had said.

PALMER Mr. Palmer responded that no one had refuted what had been said.

GURRERI Mr. Gurreri commented on the 400 signatures Mr. Palmer had obtained.

MITRICK Chairman Mitrick indicated that the Board would review the information.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart-Horn, Inc.

SCHOBER Mr. Schober reported two updates to the Board. The Act 537 Plan documents had been secured and a package had been compiled to respond to DEP's comments on the sewage management program. One item involving the Public Notice Period may have to be re-visited. This had gone through the Ordinance phase, had been advertised December 2, acted upon seven days later (12/9 meeting). However, DEP requires a 30 day Public Comment Period. This is a technicality, which DEP may require.

PASCH Mr. Pasch asked whether the timing would affect the funding.

SCHOBER Mr. Schober responded that was a possibility.

BISHOP Mr. Bishop commented that this would not affect the likelihood that the money would be received or how much money might be received, only the timing.

SCHOBER Mr. Schober responded that was correct.

Mr. Schober reported that they met with CNA, the insurance carrier for Springfield Contractors on the Harrowgate/Raleigh Drive project. They are still waiting to learn whether any decision had been made as to whether the project was considered an insurable loss.

PASCH Mr. Pasch asked whether Springfield was rectifying the situation. He urged Mr. Schober to press Springfield to get it corrected.

SCHOBER Mr. Schober indicated that Springfield would be doing roadwork within two weeks.

MITRICK Chairman Mitrick commented that she understood that they're not simply concerned about the water coming in because of the status of the roadway but also because of the ground water coming in.

SCHOBER Mr. Schober indicated that the roadway was just one small component.

MITRICK Chairman Mitrick cautioned not to get into a situation where they would have to tear up a newly paved roadway to correct the problem.

CROOKS Jim Crooks stated that everything Mr. Pasch had stated was correct, but one thing that had been done, which was of concern to the citizens was the lack of curbing making the situation worse. The curbing had been replaced.

PASCH Mr. Pasch indicated he was glad that some action was being taken.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani advised that a response had been received following notification of the number of accidents in close proximity to McDonald's. This related to the Wawa project. PennDot did not believe that the number of accidents in that period did not warrant any modifications at the present time.

MITRICK Chairman Mitrick pointed out a typo in Mr. Luciani's letter regarding stormwater runoff to the County Commissioners, which may have caused some confusion.

C. Design Engineers

MYERS Mr. Myers provided an update on the pump/station. He reported that R. K. & K. had received the contractor's revised construction schedule, as well as the lump sum schedule of values, and they are in the process of review. Blasting is continuing with no problems. Construction is proceeding as planned. Concerning Mt. Zion Road overview sewer rehab five bids were opened today and are being reviewed. Recommendations will be given to Mr. Sabatini early next week. Regarding the Bio-Solids Brochure, he met with Mr. Hodgkinson and reviewed final comments, which had been incorporated.

MITRICK Chairman Mitrick asked about the photograph for the front page of the brochure.

MYERS Mr. Myers responded that Mr. Gurreri's suggestion regarding the mulch bed with the flowers would most likely be the choice.

PASCH Mr. Pasch questioned the amount of insurance, i.e. $2.6 million, as to whether that is a standard.

MYERS Mr. Myers responded that the $2.6 million was the amount required by the railroad. This insurance is specific to working the railroad right-of-way.

PASCH Mr. Pasch questioned whether that would be something that the Township would be putting into a contract. It seemed very minimal in terms of liability today.

YOST Solicitor Yost indicated that $2 million is the current policy and should probably be reviewed.

PASCH Mr. Pasch asked Mr. Sabatini to review the status of township insurance coverages required on contracts, etc.

SABATINI Mr. Sabatini responded that Pennsylvania law protects the Township from any claims exceeding $500,000. Most municipalities do maintain the minimum of $1 million; $500,000 per occurrence.

PASCH Mr. Pasch stated that most of the time the Township officials are protected with a cap on any claim that can be levied against the Township.

YOST Solicitor Yost stated that by law it's $500,000, notwithstanding that it is a consensus of all municipal solicitors and managers that general liability coverage be carried in excess of that amount. He suggested that the insurance agent of record do a study and come up with a recommendation of what types and amounts of coverages should be considered.

PASCH Mr. Pasch commented that major catastrophe are minimal in premiums especially if there is a law with a cap on it.

YOST Solicitor Yost stated that the Supervisors can still be held liable under civil rights action well in excess of $500,000.

Historic Preservation Committee Honored by Historic York

MITRICK Chairman Mitrick commented that Carol Tanzola had just arrived from a special meeting where Springettsbury Township had been recognized. She asked Ms. Tanzola to provide an explanation.

TANZOLA Ms. Tanzola provided a brief explanation that the Historic Preservation Committee had been honored by Historic York earlier during the evening with an Initiative Award for the work it had accomplished. When the Committee began working in 1991, there were a lot of questions as to what was left in Springettsbury to try to preserve. The Committee had

been appointed by the Township and continues with many of the original appointees remaining on the Committee. Through its efforts, and with the help of Historic York, much had been accomplished and was honored for that work. Springettsbury was one of seven recipients. Ms. Tanzola presented the award, which was an old mold purchased from a warehouse to the Board of Supervisors. She thanked the township for its support and for allowing its members to continue to serve on the committee.

STERN Mr. Stern added that the function was the Annual Dinner in recognition of the 25th anniversary.

MITRICK Chairman Mitrick stated that the Board recognized the Historic Preservation Committee had been extremely productive in Springettsbury Township. Chairman Mitrick thanked the Committee and Ms. Tanzola for their work. She stated that the Board of Supervisors was grateful and appreciative of the work of all the Committee members and wanted to see it continue.

MITRICK Chairman Mitrick asked Mr. Stern, who had attended the dinner as well, for any comments he wished to make.

STERN Mr. Stern responded that it was overwhelming in that it was the 25th anniversary. He added that many important people were in attendance, including past presidents back to 1975.

TANZOLA Ms. Tanzola indicated that there had been a nice presentation on Old East York and its admission into the National Historic District.

MITRICK Chairman Mitrick indicated that at the present time it appeared that all the efforts of the Historic Preservation Committee were becoming a reality.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 4/27/00

MR. GURRERI MOVED TO APPROVE THE REGULAR PAYABLES AS DETAILED ON THE PAYABLE LISTING OF 4/27/00. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Rummel, Klepper & Kahl – Progress Billing #15 – Diversion Pump Station/Interceptor - $29,965.

MITRICK Chairman Mitrick stated that Item B. would be tabled due to the Executive Session following the Regular Meeting.

MR. SCHENCK MOVED TO TABLE PROGRESS BILLING #15 FROM R. K. & K. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & QUOTES:

A. Rummel, Klepper & Kahl – Additional Engineering Services – Diversion Pumping System - $55,097.

MITRICK Chairman Mitrick called for a motion to table Item A.

MR. SCHENCK MOVED TO TABLE THE R. K. & K. PROPOSAL FOR ADDITIONAL ENGINEERING SERVICES FOR $55,097. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Buchart Horn, Inc. – Raw Pump Drive Upgrade Design/Bid/Construction Engineering Services - $37,950

SCHENCK Mr. Schenck commented that Item B. related to the re-work proposal for the raw sewage pump drives.

PASCH Mr. Pasch commented that he had raised a question regarding this item during the last Regular Meeting. He stated he had gone through the information and is now comfortable with the item.

MR. PASCH MOVED TO AWARD THE RAW PUMP DRIVE UPGRADE DESIGN/BID/CONSTRUCTION ENGINEERING SERVICES TO BUCHART HORN, INC. IN THE AMOUNT OF $37,950. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Johnston Construction Company – Utility Water System Improvements Bid Proposal - $88,144

SABATINI Mr. Sabatini provided explanation regarding Item C. regarding the Utility Water System for the Wastewater Treatment Facility. Bids had been received and evaluated. R.K.& K. recommended that the bid from Johnston Construction be accepted in the amount of $88,144.

MR. GURRERI MOVED TO ACCEPT THE UTILITY WATER SYSTEM IMPROVEMENTS BID SUBMITTED BY JOHNSTON CONSTRUCTION COMPANY IN THE AMOUNT OF $88,144 AND AUTHORIZE THE APPROPRIATE TOWNSHIP OFFICIAL TO ENTER INTO THE AGREEMENT. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Rental Service Corp. – Manhole Shoring - $3,850

SABATINI Mr. Sabatini commented that the item referred to a purchase request for manhole shoring. This related to specialized shoring equipment for maintenance work around manholes. The township had budgeted $4,000 for this work..

SCHENCK Mr. Schenck asked whether Mr. Lauer would be aware of this purchase and whether this would be available to him if he needed it.

CROOKS Jim Crooks responded that the departments typically trade equipment back and forth as needed. This material would be available to Mr. Lauer's department.

MR. SCHENCK MOVED TO AUTHORIZE THE PURCHASE OF THE MANHOLE SHORING DEVICE FROM RENTAL SERVICE CORPORATION IN THE AMOUNT OF $3,850. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Buchart Horn, Inc. – East/West Interceptor Upgrade - $161,300

SABATINI Mr. Sabatini explained that Item E. related to engineering services related to the East/West Interceptor from Buchart Horn. The East/West Interceptor was found to be at or nearing capacity. Only one proposal had been solicited from Buchart-Horn. It was determined that Buchart-Horn had the best knowledge base of this line based on previous work on the project during the mid-1990's.

SCHENCK Mr. Schenck commented that the recent history had not utilized the resident representative portion. It had not been totally utilized. He asked Mr. Schober whether Buchart-Horn had maximized that.

SCHOBER Mr. Schober responded that it had been identified as a separate item. It could be removed if necessary. Given the nature of the project, the area, and the impact on the businesses and roadway, Buchart-Horn highly recommended the project.

SCHENCK Mr. Schenck indicated that the Board could pick and choose as it goes along.

SCHOBER Mr. Schober indicated that was correct.

PASCH Mr. Pasch asked whether this would refer to the individual items, if the resolution were done for the total amount.

SCHENCK Mr. Schenck responded that the items are always "not to exceed" items.

SCHOBER Mr. Schober stated that the proposal could be approved in its entirety, but elect to authorize it in stages.

SCHENCK Mr. Schenck called attention to the fact that this would lead to a $1.3 Million project and is one of high priority.

PASCH Mr. Pasch commented that there was $1,320,000 budgeted for 2001 for the project itself.

GURRERI Mr. Gurreri stated that each phase would go through the Manager's office.

MR. GURRERI MOVED TO ACCEPT THE PROPOSAL OF BUCHART-HORN, INC. FOR ENGINEERING SERVICES RELATED TO THE EAST/WEST INTERCEPTOR FOR A TOTAL AMOUNT OF $161,300. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick thanked Jim Crooks for his background report, which brought the Board up to date on the matter.

F. Sewage Facilities Maintenance Software Training - $2,000

SABATINI Mr. Sabatini commented regarding Item F. relating to Software Training known as MPII dealing with preventative and corrective maintenance, as well as storage of maintenance records for the Wastewater plant. Permission was requested to attend training sponsored by Derry Township, for a total cost of $2,000.

MR. GURRERI MOVED TO AUTHORIZE FOUR STAFF MEMBERS OF WASTEWATER TREATMENT FACILITY TO ATTEND AN MPII SOFTWARE TRAINING SEMINAR AT THE COST OF $500 PER EMPLOYEE – TOTAL OF $2,000. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. GIS Software Training – Wastewater Treatment Staff - $2,800

SABATINI Mr. Sabatini provided explanation for Item G. relating to additional training for the Geographic Information Systems software used by the Wastewater staff. This training would be done through Buchart-Horn at a cost of $700.00 per employee for a total cost of $2,800. This training cost is consistent with training costs in the industry.

BISHOP Mr. Bishop asked whether the Township currently has the hardware and software in place to utilize this system effectively.

CROOKS Mr. Crooks responded that the hardware and software is in place with the exception of a printer/plotter, which provides full-sized maps. The system is currently being used to the best of the staff's ability.

MR. PASCH MOVED TO AUTHORIZE FOUR STAFF MEMBERS OF THE WASTEWATER TREATMENT FACILITY TO ATTEND GIS SOFTWARE TRAINING SEMINARS AT A TOTAL COST OF $2,800. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. Public Planning & Management Group, Inc. – Consideration of Executive Search Services Proposal - $7,000.

SABATINI Mr. Sabatini commented that Item H. related to PPMG providing executive search services for the Township Manager position at a cost of $7,000.

MITRICK Chairman Mitrick stated that prior to Mr. Sabatini's presence in Springettsbury Township, the Board during a previous meeting, had decided to solicit proposals from other agencies that might help located a permanent Township Manager. If the Board still wished to proceed the same way, that would affect action on Item H.

PASCH Mr. Pasch commented that indications had come from people in other municipalities, which had used another firm. Mr. Pasch felt the Board should at least look at the other firm.

SABATINI Mr. Sabatini indicated that he was not aware that the Board had taken action to solicit other firms.

PASCH Mr. Pasch stated that the Board had not solicited it, but that the firm had come to them. He added that he had no problem with PPMG.

SABATINI Mr. Sabatini indicated he would present that information at the next meeting.

I. Hartco Environmental – ISCO Model 6700FR Grit Chamber Sampler - $4,715.75

SABATINI Mr. Sabatini explained Item I, a Grit Chamber Sampler would sample and refrigerate effluent samples for further testing. The present equipment had not been functioning efficiently resulting in samples not properly maintained or stored.

MR. SCHENCK MOVED TO AUTHORIZE THE PURCHASE OF ISCO GRIT CHAMBER SAMPLER FROM HARTCO ENVIRONMENTAL FOR $4,715.75. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. Subdivision 00-04 – Dora B. Wolfgang – North Sherman Street

STERN Mr. Stern provided input regarding SD 00-04, a plan for Dora B. Wolfgang, which had come for action before the Board a month ago. This plan had been approved 10 years ago but was never recorded. It related to a reverse subdivision on North Sherman Street. No new lots were being created. Mrs. Wolfgang's property of 5.9 acres was to be attached to her son's property, Donald Wolfgang, which currently includes .465 acres. The two parcels would be connected. Approval was requested in order to have the plan signed and recorded. Planning Commission reviewed the plan and recommended approval. York County Planning Commission recommended approval.

MR. GURRERI MOVED TO APPROVE SUBDIVISION 99-04 – DORA B. WOLFGANG – NORTH SHERMAN STREET WITH A WAIVER FROM THE REQUIREMENT TO SUBMIT A PRELIMINARY PLAN. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

GURRERI Mr. Gurreri reported that he had attended a meeting held by State Representative Stan Saylor. Some of the points brought out in the meeting were:

- Don't lower speed limits in the townships, especially on state roads.
- Traffic lights slow traffic. Try not to put traffic lights in.
- No traffic light at Heritage Hills.
- Exit 7 – they're going to raise the bridge, fix the ramps by 2003.
- Commit to the library at least $1.00 per person in the township.

They'd like to meet with Springettsbury Township Board and he will be in contact.

PASCH Mr. Pasch asked whether Representative Saylor had given any indication as to what might happen with Route 24.

GURRERI Mr. Gurreri responded that he had not discussed it.

GURRERI Mr. Gurreri reported that in the Mt. Joy Township newsletter, Gerald Cole, who is a high school teacher and a township supervisor as well, had written an article relating to township board activities. Mr. Gurreri mentioned a point from the article, which stated, "Cole says that when he became a supervisor, he tried to take some of the democratic principles he teaches in school and apply them to the board of supervisors. That's why the board has a rotating chairmanship; he believes it's beneficial for each

supervisor to have a chance at the position. I think it gives all the supervisors a greater voice," he says. "It kind of forces them to take a leadership role."

BISHOP Mr. Bishop commented that the garbage contract matter should be brought up soon.

GURRERI Mr. Gurreri commented about Mr. Gunning's complaint about trash pickup on the Monday after Easter. Mr. Gurreri stated he had gone out Easter afternoon, and there was no problem.

MITRICK Chairman Mitrick reported that she had received from Mr. Gurreri information from Hydro Consulting, which she passed to Mr. Sabatini for his reference.

MITRICK Chairman Mitrick stated that the new Board table would have a small lip in front of the Supervisors. She brought it up for consideration in view of the plans, which are brought forward for review.

GURRERI Mr. Gurreri asked how big the ledge would be.

MITRICK Chairman Mitrick responded she thought it was about four inches.

MITRICK Chairman Mitrick reported that she had requested a one-page report from Mr. Hinkle regarding all the information regarding the network system. Projected costs were included for Phase II and Phase III.

MITRICK Chairman Mitrick had asked Mr. Sabatini to seek proposals for interior design work on the new building.

SABATINI Mr. Sabatini responded that it was his understanding that they would be working with one of the Nutec people to seek other design firms.

MITRICK Chairman Mitrick requested the Board's consensus, because this was a matter of urgency. She stated that a proposal had been received from Murphy and Dittenhafer.

SCHENCK Mr. Schenck stated he would like to solicit the information from Nutec. It was his understand that had already been done.

SABATINI Mr. Sabatini stated that he may have misunderstood in that because of the timing there was a need to move immediately on it. There had been a discussion about meeting with Nutec as of April 21st as to whether to proceed with that or deal with the selection of fixtures and colors.

MITRICK Chairman Mitrick indicated that Mr. Sabatini was correct in his understanding because the deadline for the Murphy and Dittenhafer proposal, as presented to the staff, was for the full scope of everything. It had been learned later that the May 2 deadline was only for the color selections, etc. She stated that the Board does have some time for decisions if it was the consensus of the Board to proceed with other proposals.

GURRERI Mr. Gurreri asked whether the Chair was suggesting Nutec.

MITRICK Chairman Mitrick stated that Mr. Schenck had suggested Nutec.

GURRERI Mr. Gurreri stated his understanding that there was a person at Nutec who was talented in this particular area.

SCHENCK Mr. Schenck responded that only if a specific individual were available from Nutec would that be his choice, as he had seen her work.

PASCH Mr. Pasch stated that this was a critical item, which would be in place for many years. With the time available for review, he felt it would be good to look at other firms.

MITRICK Chairman Mitrick asked Mr. Sabatini to review the file for the Murphy and Dittenhafer proposal.

BISHOP Mr. Bishop stated that he agreed with Mr. Schenck's statement, i.e., that if the particular person was there and available that would be the only reason for selecting Nutec.

Consensus of the Board was that Mr. Sabatini should proceed to obtain two or three proposals from other firms for this selection process.

SABATINI Mr. Sabatini responded that he would provide a number of proposals to the Board as quickly as possible. If the Board would like to have interviews with the individual companies he would coordinate that with the Board.

MITRICK Chairman Mitrick asked Mr. Sabatini whether he had a chance to address the problem on Mt. Zion Road regarding the trucks parked on Druck Valley Road.

STERN Mr. Stern responded that Ron Simmonds had sent a letter advising what the Ordinance stated and asking them for compliance. If they do not comply, the Police Department will address the matter.

MITRICK Chairman Mitrick asked whether a press release had been sent regarding the Ambulance Club.

SABATINI Mr. Sabatini responded that a draft of a press release was coming from the Ambulance Club (through Mr. Hickman). He will follow up.

MITRICK Chairman Mitrick asked the Board to agree to have Mr. Sabatini send a letter to Wawa thanking them for their commitment to donating the trees that they are not putting on their corner to the Springettsbury Park Plan so that would be in writing.

STERN Mr. Stern commented that he had noted the item in his letter to them.

GURRERI Mr. Gurreri stated that the Leadership 2000 will hold a two-day seminar May 8 and 9 at Hershey. First Baptist Church will hold a ceremony at 3 p.m. Sunday and would like to have a Springettsbury Township representative present.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost had provided a written report. He presented two documents, one in the form of an Ordinance, the other in the form of a sampling of By-laws for a volunteer fire company. He had provided these documents to the Board for review prior to a meeting on Monday, 5/1/00. The basic concept was to re-organize the fire department thereby making the two volunteer fire companies an intrical part of the fire department. This was another approach to unify and integrate the fire service in the Township. The responsibility would be that of the Fire Chief as the head of the fire and rescue department. The two documents convey what Solicitor Yost had proposed to the Board.

MITRICK Chairman Mitrick asked whether the correspondence had been completed to the contractor for the building regarding the schedule with a follow up letter forthcoming.

YOST Solicitor Yost indicated that Mr. Stern was handling that matter.

STERN Mr. Stern responded that he had distributed the draft agreements.

YOST Solicitor Yost added that an actual agreement had been distributed.

STERN Mr. Stern commented that a contractor's meeting would be held on Tuesday, May 2. All but the plumber had agreed.

PASCH Mr. Pasch asked whether it would affect all the other agreements if the plumber did not agree, as they would be dependent on getting certain items done.

STERN Mr. Stern responded that if the plumber doesn't agree not to sue the other parties for the delay, then the other parties would not want to agree not to sue the plumber.

YOST Solicitor Yost stated that the agreement had a mutual release where each contractor would release the others. If the plumber were not willing to sign on, then none of the rest would sign on either.

PASCH Mr. Pasch stated that they just won't agree not to sign on not to sue each other. He asked whether they're not going to agree to re-schedule.

STERN Mr. Stern stated that the plumber is still under the mistaken assumption that he can still meet his 270-day obligation to complete the plumbing, which is impossible.

PASCH Mr. Pasch asked whether everything was continuing so that the schedule can be met.

STERN Mr. Stern indicated that was correct.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini stated that during a previous meeting of the Board, a motion was made to write to the Department of Community and Economic Development asking for a one-year extension for the Community and Revitalization Grant. The grant extension had been received. This provided an extension of time until June 30, 2001 for spending the $25,000 earmarked toward Park and Recreation issues related to the landscaping. He asked the Board for authorization to enter into the extension agreement.

MR. PASCH MOVED TO ACCEPT THE EXTENSION. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SABATINI Mr. Sabatini reported that the position of Deputy Fire Chief had been advertised. Twelve applicants had been received, and interviewing would be conducted within the next two to three weeks. Interviews with Supervisors would be scheduled separately.

SABATINI Mr. Sabatini responded to a question regarding capital item purchases. He requested that the Board direct the Township Manager that all capital purchases included in the capital section of the budget must be approved

by the Board of Supervisors prior to signing off on the purchase order. This procedure would apply across the board to all departments.

PASCH Mr. Pasch commented that this might involve a duplication of effort and asked whether there was any other way to handle the matter.

SABATINI Mr. Sabatini commented that there are two ways to handle it, one being that the capital items are discussed during the budget process. Once the budget is enacted, the staff is given the direction to purchase the items in accordance with state law with no additional action taken by the Board. The second way would be that items over a certain dollar value must be at least passed through the Board for action. This would simply be to have a formalized action in the Minutes of the Board to provide a heads up that the township was spending a certain amount for a fire engine. There had been some inconsistency, which needed to be corrected.

PASCH Mr. Pasch indicated that several items had come to the Board's attention earlier during the meeting. From his perspective it made no sense to have items come up for review during the budget process and then again for actual purchase. He would like some type of threshold point where above that it would come back for approval.

SABATINI Mr. Sabatini responded that generally for equipment purchases, if that procedure were followed, the state law requirements (of $10,000) should be followed. Beyond that a bidding procedure should be followed. He suggested that the Board set a threshold at the $10,000 mark for approval. Mr. Sabatini continued that in any type of a bid situation, because there are certain things that can't be purchased on state contracts, a choice would have to be made of whether or not to issue RFP's or bids. It would be appropriate that the Board make the final decision.

PASCH Mr. Pasch stated that a duplication was taking place with capital items and in many instances was not warranted.

SABATINI Mr. Sabatini stated that he could provide the Board with some opinions and recommendations on how to establish a policy for capital purchases. He would have this information available for them either at the next or the following meeting.

SCHENCK Mr. Schenck stated that his question was whether an item was a capital or an operational item. The opinion then is anything purchased essentially is a capital item. He questioned how these items flow through accounting.

BISHOP Mr. Bishop questioned the two training items discussed earlier. They are not capital items nor were they bid items.

SABATINI Mr. Sabatini stated that he and Mr. Schenck had discussed this, and he could not provide any effective recommendation as to administrative decisions on training programs. Training budget are provided within different departments with justification for training, but as training becomes available it would not be prudent not to have the personnel trained.

BISHOP Mr. Bishop commented that the answer for the actual question is that it's a much bigger situation to deal with than what Mr. Sabatini thought but that the Supervisors really would like him to deal with it.

SABATINI Mr. Sabatini reported on Dover Township's Open House for their new facility. An evaluation is underway for the garbage contract, which will expire at the end of the year. Discussion had been held with Chairman Mitrick regarding ideas on recycling and some surveys, which would be addressed with the Township's Recycling Committee.

PASCH Mr. Pasch asked what the deadline would be for having the waste contract in place.

SABATINI Mr. Sabatini responded that the contract ends at the end of this year. Bids generally would be open in October, and the public education process would begin in November and December. He would not recommend that the Board have a bid opening any earlier than in early October because the new incinerator rates would not have been set.

MITRICK Chairman Mitrick asked whether it would be advantageous to check with neighboring municipalities to determine whether their contracts end at the end of the year to determine whether they would be interested in a group bid.

SABATINI Mr. Sabatini responded that he would recommend the Township restrict itself to no more than two other municipalities.

SABATINI Mr. Sabatini commented that a follow up had been done with Mr. Gunning following last month's meeting regarding changing the date for spring cleanup. Waste Disposal was contacted and upon consultation with Chairman Mitrick, he made the decision that it would cause more problem to postpone it. The information could not be communicated to the residents effectively. As part of the solid waste contract they would make assurances so that spring cleanup would be in early May rather than in April.

BISHOP Mr. Bishop stated that this was a reaction to an extremely extraordinary situation. He questioned whether the policy should be changed based on one year that's not likely to happen for another 13 years.

SABATINI Mr. Sabatini responded that when making changes to any contract, whether it's a collective bargaining agreement or a garbage contract, the Board should be aware and concur with the changes prior to the advertisement.

SABATINI Mr. Sabatini reported that a representative of Springettsbury's Wastewater plant was attending an East Manchester Township meeting making a presentation at the Special Exception Hearing for the Anstine farm. Copy of the letter sent had been provided to the Board. The Township's interest was not to make a decision or to push East Manchester Township one way to another. The focus was to inform those involved in the proposed development what the operations are, the impact off-site and on-site both real and potential, and to go on record that a wastewater treatment plant exists.

SABATINI Mr. Sabatini reported that a sewage user's group meeting would be hosted by Manchester Township on May 4th.

MITRICK Chairman Mitrick asked about a memo recommending situations where there are conflicts of interest. She asked the Board to review that matter for future discussion.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Resolution – Sewer Tapping Fees

SABATINI Mr. Sabatini commented regarding the tapping fees. Buchart-Horn had provided the calculations. There was a $100.00 adjustment upwards as to the total cost assessment for connection fees, which had not been changed in two years. The total amount would be $1,760. He requested the Board approve a Resolution amending the sewage tapping fee.

SCHENCK Mr. Schenck asked what the Resolution number would be. He asked Dori Bowders who is responsible for keeping track of the numbers.

BOWDERS Mrs. Bowders responded that Jewel keeps a log of the numbers and asked whether he needed to know the number for this Resolution.

SCHENCK Mr. Schenck indicated he did not have to have it.

MITRICK Chairman Mitrick indicated that at future meetings it would be helpful and more secure for the Board to proceed with a number.

MR. GURRERI MOVED FOR APPROVAL OF RESOLUTION TO ESTABLISH THE SEWER TAPPING FEES AT THE SUM OF $1,760 AND THAT THIS

RESOLUTION BE EFFECTIVE IMMEDIATELY. MR. SCHENCK WAS SECOND.

PASCH Mr. Pasch asked whether these tapping fees would be retroactive.

SABATINI Mr. Sabatini indicated that the tapping fees apply only from this date forward.

PASCH Mr. Pasch asked Mr. Stern whether there were any tap-ins applied for that had not been granted.

STERN Mr. Stern responded that there were none of which he was aware.

MOTION UNANIMOUSLY CARRIED.

B. Resolution – Establishing Mileage Reimbursement

SABATINI Mr. Sabatini reported that the Board had requested the Township staff prepare a Resolution dealing with mileage reimbursement. The proposal links the Resolution automatically with the IRS with the rate per mileage reimbursement adjusted on an annualized basis. Presently the rate is $.32.5.

MR. SCHENCK MOVED TO ADOPT THE RESOLUTION ESTABLISHING THE MILEAGE REIMBURSEMENT RATE FOR TOWNSHIP EMPLOYEES. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. **Resolution – FY2000 Grant Application to EPA**

SABATINI Mr. Sabatini commented that Item C. related to authorization of township officials to execute all certifications and documentation in accordance with above Grant. That would include the Chairman and the Assistant Secretary-Treasurer.

MR. SCHENCK MOVED TO ADOPT A RESOLUTION AUTHORIZING GRANT APPLICATIONS TO EPA. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Regular Meeting – April 13, 2000

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE OF THE BOARD OF SUPERVISORS REGULAR MEETING APRIL 13, 2000 AS AMENDED. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. BISHOP ABSTAINED AS HE WAS ABSENT.

12. OLD BUSINESS:

MITRICK Chairman Mitrick stated that the issue regarding Concord Road and Mt. Zion Road had been on the Agenda during the April 13th Regular Meeting but had been held for discussion due to the lateness of the hour. She asked Chief Eshbach if he wished to address it.

ESHBACH Chief Eshbach reported that the Police Department had received a request from a citizen regarding the reconfiguration of the intersection on Concord Road traveling west. Traveling to the intersection of Mt. Zion Road, there is one lane eastbound and three lanes westbound. The suggestion was that that be reconfigured so that the straight through lane allow left turns so there would be a dual left-turn lane. There are considerations to address, such as timing of the lights, signal head, signage, marking roadway, all money issues. Mt. Zion is state road, and the state would need assurances from the Township that if they grant it the Township would pay for the changes. There would be no estimate of cost. If the Board wished to proceed he would request a traffic and engineering study and wait to see what the state responded. Chief Eshbach had investigated the site and agreed with the suggested changes.

PASCH Mr. Pasch commented on the prison expansion, as well as some of the new Kinsley buildings, which would add to the traffic situation.

STERN Mr. Stern commented that the intersection will be studied because of the extension of Industrial Highway. Permission had been requested to have John Luciani and TRG begin design and traffic study for that intersection rather than wait for PennDot to do it.

GURRERI Mr. Gurreri indicated that would change the whole intersection when the road would be opened up.

SCHENCK Mr. Schenck stated that was how they're going to be studying it based on what's proposed with the new road to be opened, not what exists today. If PennDot would look at they would review what is there today.

STERN Mr. Stern added that the request could be made and agree to do the improvements, and do the improvements; but because the east side now is only being used for Bon Ton and soon will be connected to North Hills Road, two months later the work would be undone.

GURRERI Mr. Gurreri asked if that could happen that fast.

STERN Mr. Stern responded that it could if the state approved the Township request to have the Township do the engineering.

MITRICK Chairman Mitrick asked whether TRG would be looking at the total future use of that intersection, not only from the west, but also the increase existing now on the east side, as well as what might come from the east.

STERN Mr. Stern responded that was part of the first phase, which John and TRG has permission to do as a scope of service. That scope of service would be a study from Mt. Zion Road all the way to Northern Way. Longer term study would include Pleasant Acres Road to North Hills Road.

PASCH Mr. Pasch stated that, with that information, it would be best to postpone on the matter to wait to see the outcome. He asked Chief Eshbach to advise the concerned citizen of the plans in process.

STERN Mr. Stern stated that if the state denied the request to have Mr. Luciani and TRG work on this, then Mr. Stern recommended that Chief Eshbach's project be pursued.

GURRERI Mr. Gurreri asked when that fact would be known.

STERN Mr. Stern responded that the letter had been sent the end of February. Mr. Luciani was to follow up with Barry Hoffman within the next two weeks.

13. NEW BUSINESS:

A. Request for Posting of Temporary No Parking Zone – Long Drive

SABATINI Mr. Sabatini brought forward the item regarding parking along Long Drive. The Board was aware because of the construction project some of the parking that had been previously utilized by Little League had disappeared on a temporary basis. The residents have responded by moving to Long Drive to park. This created a substantial amount of hazard for pedestrians and for the vehicles. Chief Eshbach recommended that the Township erect temporary No Parking signs on the west side of Long Drive during the construction phase so that they are able to make sure that there is sufficient room for vehicles to pass through that area.

PASCH Mr. Pasch was in agreement.

ESHBACH Chief Eshbach added that the roadway had been diminished to one lane down the center of the road with traffic parking on both sides. Posting the west side would provide two lanes of travel for ingress and egress.

SCHENCK Mr. Schenck asked whether this should be done by a Resolution.

SABATINI Mr. Sabatini indicated that it could be done by a motion. It is permissible under the Vehicle Code to have temporary No Parking areas.

ESHBACH Chief Eshbach indicated that they have the signs available. It would be a temporary solution as long as no Ordinance were passed to make it permanent.

SABATINI Mr. Sabatini indicated that the issue may disappear at the end of the summer.

ESHBACH Chief Eshbach added that this had been initiated by several citizen's complaints.

MR. SCHENCK MOVED THAT THE TOWNSHIP'S MAINTENANCE DEPARTMENT AND POLICE DEPARTMENT BE AUTHORIZED TO POST TEMPORARY NO PARKING SIGNS ALONG LONG DRIVE ON THE WEST SIDE. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Consideration of Approval of Submission of 2000 COPS Universal Hiring Program Grant Application.

SABATINI Mr. Sabatini provided background information regarding a Grant Application from the Police Department for the U. S. Department of Justice COPS Grants. The Board would need to take action to authorize submitting the grant by May 1. The Police Department requests that two officers be hired in the future for community-oriented policing. The grant is a $75,000 grant for each officer for a total of $150,000. Mr. Sabatini had discussed this with Police Chief Eshbach. The submittal places the application into the system. The Township would not be legally obligated to drawing upon it.

SCHENCK Mr. Schenck stated that during previous meetings there was a significant discussion about the number of officers. If any hiring were done through this program, the enrollment would be up.

ESHBACH Police Chief Eshbach commented that his department had received notification that there was money available for these programs. Springettsbury Township has a community-oriented program in operation.

PASCH Mr. Pasch commented that one important item for consideration would be that the only requirement for receiving the grant would be that the officers remain on the staff for a three-year time period.

ESHBACH Chief Eshbach added that they must be maintained one budget cycle beyond the end of the grant.

PASCH Mr. Pasch stated that he understood that Chief Eshbach was looking for officers who would be focused community involvement. The impetus for community involvement may not be necessary after three years.

ESHBACH Chief Eshbach indicated that was not his understanding. He understood that this particular grant focuses more upon community oriented police department nationwide. There appears to be more growth within the Township, and as the Township grows and things happen with the sewer program opening back up, the need will be there for more officers to be on the department in order to maintain the same level of service. More and more requests every day come in for involvement in the school systems.

PASCH Mr. Pasch stated that this application would get the process going, and he indicated he was in favor. Mr. Pasch stated it was important that Chief Eshbach come back to the Board for approval for adding the people provided the grant would be received.

SCHENCK Mr. Schenck agreed that there was no problem with submitting the application. He wanted to be aware of what this might mean long term.

ESHBACH Chief Eshbach responded that the DEP assurance to give the Federal government would be that the Township would retain the person unless there is a need not to retain them.

BISHOP Mr. Bishop stated that, by the Township signing an agreement, it indicates that the officers would be permanent hires. The application would be made for two, but even though the grant would provide two, there is the option of only hiring one.

ESHBACH Chief Eshbach indicated that was correct.

GURRERI Mr. Gurreri asked how much money was involved in the grant.

ESHBACH Chief Eshbach responded that it covered a total of $75,000 per officer over the course of three years.

SABATINI Mr. Sabatini indicated that very likely the Township would be notified of any grants during the budget process. At that point decisions could be made as to whether or not there is sufficient funding or the need to move ahead. Personnel could be brought on board after the first of the year.

MITRICK Chairman Mitrick mentioned that Chief Eshbach had reported during budget meetings that some of the police involvement with the schools had been voluntarily done. Additionally she heard a news broadcast stating that crime among youth is down, but the crime that is occurring is far more violent that it ever had been.

MR. BISHOP MOVED THAT THE BOARD AUTHORIZE SUBMISSION OF THE 2000 COPS UNIVERSAL HIRING PROGRAM GRANT APPLICATION. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Confirmation of Submission of 2000 Bulletproof Vest Grant Application

SABATINI Mr. Sabatini provided background information asking that the Board confirm the submission of the application, which was a grant for reimbursement of 50% of the cost of bulletproof vest. The Township would receive a reimbursement of $2,052 for nine bulletproof vests, which constitutes 50% of the cost.

ESHBACH Chief Eshbach added that the items had been purchased through the capital program.

MR. PASCH MOVED THAT APPLICATION BE MADE FOR GRANT FOR REPAYMENT OF 50% FOR NINE BULLETPROOF VESTS. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Discussion and Consideration of Grant Projects

SABATINI Mr. Sabatini responded to the Board's request that discussion points be provided regarding grants. He had provided a written report to the Board. Mr. Sabatini stated that dealing with grants was extensive and indicated that he had focused on several specific items dealing with state grants. Federal grants take more time to research and the Board had previously engaged in discussion with staff regarding the use of an outside firm to review funding services for transportation.

MITRICK Chairman Mitrick commented that the Board had just received the information regarding the grants and could not make a decision during this meeting.

SABATINI Mr. Sabatini responded that he was not looking for any decision. This report was more to give a direction. He focused information regarding the following:

- Recreation - There is need for continued funding to upgrade the park system.
- Growing Greener - Significant funds are being placed in this program.
- Community Revitalization Grant funds, which are legislative based.

- Traffic and the use of LED lights - Rather than using the standard incandescent bulb for red, use an LED unit with a greater life cycle with less maintenance. He recommended working with the state to secure funds for this item.

- Business and Community and Economic Development – Springettsbury encompasses a number of properties where the township is very interested in insuring that there continues to be economic growth.

- Communities of Opportunities Fund and Infrastructure Development Program - Activities relating to the Caterpillar closing there, along the hundreds of different things that the Township does on a weekly and monthly basis would make this a candidate for a number of projects.

SCHENCK Mr. Schenck stated that his position was that he would want to know in a little more specific terms what's available and what Mr. Sabatini would view as realistic for Springettsbury, whether it's the number of grants, the time it takes, or the timing of when they're due.

SABATINI Mr. Sabatini stated that he would recommend that the Board authorize a contact with the state senator and representative serving the community to determine if there is a willingness to support funding for recreational programs and for the LED program.

PASCH Mr. Pasch indicated that he had looked at LED lights in the past. Even though the initial outlay is high, with a grant it is paid for in even less time. He was in favor of pursuing the grant.

PASCH Mr. Pasch added that with information in hand regarding the communities having either a part-time or full-time grants person with a seven to 10 times return, he would be in favor of looking into that for Springettsbury and asked Mr. Sabatini to provide further information specific to Springettsbury toward that.

SABATINI Mr. Sabatini responded that York Township and Lower Allen Township have a grants officer. Considering the issues that this Board was tackling dealing with transportation, open space, park and recreation, it would be a discussion area that would be very cost effective.

MITRICK Chairman Mitrick commented that in his report he brought in recreation and traffic, two of the Board's key concerns. It was her opinion that some time should be focused on those particular areas. One of Chairman Mitrick's major concerns with the grant application process would be how much time it would take from the existing staff. She stated that it was

important to be very protective and cautious of that because the staff has very loaded plates already. She added that a spin off on Mr. Pasch's suggestion to let the Board know what's involved in a part-time or full-time grant person would be an important focus.

SABATINI Mr. Sabatini indicated he would pursue Community Revitalization grant information from our state lawmakers and make the contact on those two issues. He stated he would proceed with gathering background information on the grants officer position over the next several weeks. That project response would probably go into June.

SABATINI Mr. Sabatini commented on a memo, which had been received today from Reed Smith Shaw and McClay regarding services related to funding on the federal level of transportation issues. He had provided copies for the Board.

SCHENCK Mr. Schenck asked whether the timing on that, based on the motion made at the last meeting, was critical.

SABATINI Mr. Sabatini responded that this would be funding for 2002.

SCHENCK Mr. Schenck was concerned that it was consistent with the motion.

STERN Mr. Stern indicated that he had a proposal at the time, which did not reflect the motion, so Mr. Sabatini asked that we have the proposal fixed.

SCHENCK Mr. Schenck stated that it was then consistent with the motion now.

STERN Mr. Stern indicated that was correct.

SCHENCK Mr. Schenck indicated that the motion allowed this item to be executed. It just needed to be thoroughly reviewed.

MITRICK Chairman Mitrick asked Solicitor Yost to review the matter.

MITRICK Chairman Mitrick stated that she was driving through Spring Garden Township and saw some appealing signs, which she asked Andrew to investigate. She added that there were inquiries from people coming here who wanted directional signs in Springettsbury.

STERN Mr. Stern reported that York City had designed signs which they provided to the state and for which they requested permission. The state agreed. The particular sign in question (which Mr. Stern showed the Board) was copyrighted. His question was whether there was any interest in pursuing something different from what PennDot originally said.

SCHENCK Mr. Schenck commented that his whole objection to the PennDot program was that it was all or nothing, and we had absolutely no input to how many signs were permitted or where they could be placed.

STERN Mr. Stern asked for a consensus that he would do the following:

- Work with this as a service starting point to come up with a proposed program similar to what the City of York did.
- Second would be an Amendment to our Zoning Ordinance to allow it as per our proposal.

SCHENCK Mr. Schenck mentioned that this would not even be a state program. This would just be a Springettsbury activity as part of an Ordinance to allow a sign that looks very similar.

BISHOP Mr. Bishop commented that the signs could only be placed on Township roads and not on the state roads.

STERN Mr. Stern stated that signs could be posted on state roads, if the state would agree. York City got the state to (reluctantly) agree. The only part the state did not agree to was that they would not be placed on interstate highways such as Route 30 or Route 83.

SCHENCK Mr. Schenck stated he was not opposed to this action.

MITRICK Chairman Mitrick had requested that Mr. Stern bring this back to the Board because when the program had been turned down before it was because we could have no input on it at all. Since then Mr. Stern learned that input is possible.

PASCH Mr. Pasch stated that he was in favor of pursuing the signage, but cautioned that it should not take priority over the other things on the plate.

STERN Mr. Stern suggested working with the Business Association and let them do some work on it.

E. Administrative Superintendent – Wastewater Treatment

MITRICK Chairman Mitrick stated that item E created the position of Administrative Superintendent at the Wastewater Treatment plant.

BISHOP Mr. Bishop commented that a position was not really being created, simply a title.

SABATINI Mr. Sabatini agreed that staffing levels would not change. It is a position within the organizational chart but additional hiring is not necessary.

MR. SCHENCK MOVED TO AUTHORIZE THE CREATION OF THE TITLE ADMINISTRATIVE SUPERINTENDENT OF THE WASTEWATER TREATMENT FACILITY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Consultant for Springettsbury Master Park Plan

MITRICK Chairman Mitrick stated that she had made an initial call, but had been unable to contact the individual. The Board had discussed the fact that a consultant would be appropriate to discuss the present Master Park Plan. If the Board chose she would wait and discuss this with Mr. Sabatini as to how to go about this. The focus was to have someone come in and look at the cost of the park and what we can get for a certain amount of money and then discuss the dream pieces of it.

SABATINI Mr. Sabatini indicated he knows a number of consultants who would certainly suit the needs of the Township.

BISHOP Mr. Bishop indicated that the Board had determined that the starting point would be the consultant, Rettew, who did the current plan.

PASCH Mr. Pasch commented on the way Mr. Sabatini put together the Manager's Report. Mr. Pasch had been extremely pleased. He especially appreciated what he had done putting together the motions. Mr. Pasch was convinced that this organization of the Board meeting information would save a lot of time.

SABATINI Mr. Sabatini stated that additional guidance could be provided with examples of different Agendas toward improving the continuity of the actions thus saving additional time and energy in evaluation of the items.

MITRICK Chairman Mitrick focused attention on the binder prepared by Mr. Sabatini and Dori Bowders. She especially appreciated the dividers in between Agenda items. She commented it really made her job easy.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10:05 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

BOARD OF SUPERVISORS **MAY 1, 2000**
FIRE & RESCUE ORDINANCES WORK SESSION **APPROVED**

The Board of Supervisors held a noon work session on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick – Chairman
Don Bishop
Ken Pasch
Nick Gurreri

MEMBERS NOT IN ATTENDANCE: Bill Schenck

ALSO IN ATTENDANCE: Jewel Frey – Receptionist/Administration Office Support

MITRICK Chairman Mitrick called the meeting to order at 12:18 p.m. The purpose of the work session is to further discuss fire and rescue ordinance 00-02. Chairman Mitrick turned the meeting over to Attorney Donald Yost.

YOST Attorney Yost established and re-established the Springettsbury Township Fire Department to now be known as the Springettsbury Township Department of Fire and Rescue Services. All duties and responsibilities that were to be handled by the Fire Operations Committee would be assigned to the Fire Chief under this new ordinance. The Fire Department would consist of a Board of Governors, previously called the Fire Operations Committee, except the Board of Governors would be advisory only. Attorney Yost mentioned that this new ordinance would require each fire department to adopt a modern day set of by-laws, and that the by-laws delegate certain powers to the Fire Chief. The proposed ordinance would require the segregation of revenues from public and private sources. Attorney Yost came up with a figure of $5,000 of private revenues that the fire company members could spend.

PASCH Mr. Pasch said it would give the flexibility to operate with the expenditures within their own board on a normal operating basis.

BISHOP Mr. Bishop asked Attorney Yost to summarize the authority of the Board of Governors.

YOST Attorney Yost said the Board of Governors would serve as an advisory body to the Fire Chief. It could also be assigned additional responsibilities if needed.

BISHOP Mr. Bishop said the primary benefit of the new ordinance is that the two fire companies would be more organizationally modern and that the Fire Chief would have more power.

YOST Attorney Yost mentioned the fire departments would still not loose their own identity. He also mentioned that there would be four membership classes; active firefighters, active support members, contributing members and junior members.

PASCH Mr. Pasch suggested that the Board of Governors get involved and come up with a master plan of what is going to be needed down the road.

BISHOP Mr. Bishop assumes that the Fire Chief would prepare the budget and the Board of Governors adopts the budget.

YOST Attorney Yost mentioned that the budget should be submitted to the Board of Governors for their approval for comment or advice. In a sense the Board of Supervisors would be approving the budget submitted by the Fire Chief for the year.

MITRICK Chairman Mitrick questioned if each company would keep their own monies.

YOST Attorney Yost stated the monies, private and public would be kept separate.

SURTASKY Mr. Surtasky questioned if each station would have different by-laws.

YOST Attorney Yost said that the by-laws are general and that there could be some house rules as well. He also mentioned that if the Fire Company ceases to operate or goes out of business, all the assets would go to the Township as the parent organization.

BISHOP Mr. Bishop thought there might be problems if the companies would change the by-laws.

YOST Attorney Yost said that the ordinance could always be amended if needed. Attorney Yost also anticipated that the proposed ordinance be adopted at a meeting and then the fire companies would be notified that the ordinance was adopted.

BISHOP Mr. Bishop suggested that it be written in the ordinance that the fire companies have joint meetings on a regular basis.

HICKMAN Chief Hickman thought that was the understanding and the main goal to combine the fire companies as one unit.

YOST Attorney Yost agreed with the Fire Chief and mentioned that no municipal fire company should ever be in need of more than three loans at any one time. There wouldn't be a need for six outstanding loans.

HICKMAN Chief Hickman mentioned that if there was proper long range planning, there wouldn't be a need for all the loans. He also mentioned that there is always tension with the two companies. If they all would be under one umbrella with one name, there wouldn't be no "us and them". He realizes it would take some time and there would be some ill feelings. He thinks that the by-laws should be the same as well.

MITRICK Chairman Mitrick agreed and stated it could be confusing having a different set of rules for each fire company.

PASCH Mr. Pasch agreed that the fire companies need to be on one set of by-laws and there should be a procedure if a change is to be made, that the change be made for everybody.

YOST Attorney Yost mentioned that the Fire Chief would be the chief executive operating officer of the department and try to integrate the companies into the department while allowing them to maintain their own separate identity.

PASCH Mr. Pasch said that if the Fire Chief has control, it would be like a corporate head that has five or six divisions. Each fire company has it's own identity.

HICKMAN Chief Hickman stated if the companies would be merged by the proposed ordinance, they would still have their own personalities.

SURTASKY Mr. Surtasky suggested to adopt the proposed ordinance and down the road, changes could be made if need be.

PASCH Mr. Pasch feels that if the Fire Chief has operating control of both stations, that a lot of the problems will be corrected.

HICKMAN Chief Hickman said what he can't correct is having enough members to do the job. By bringing the two companies together, Chief Hickman is looking at overall functionability.

Chief Hickman understands that there have been many people who have put time and effort into both companies. His main concern is from this day forward. Do we let it get so bad that people join and then see what a mess it is and then leave, or do we fix it now so that members stay and hopefully build the volunteer base back up. His response to fire calls is down half then it was two years ago. It's inevitable, that something has to happen on this situation.

MITRICK Chairman Mitrick asked Bob Astor for an opinion on behalf of the volunteers if the consolidation would be beneficial.

ASTOR Mr. Astor mentioned that members from each company have a concern that they have noticed dwindling numbers of volunteers due mainly from the turmoil this process itself has created. No, he didn't think the majority thought that consolidation was a problem. How it is set up and all the details and time frame was a concern of many of the volunteers. Any time you make a major change in a volunteer organization there will always be problems, pro or con. He recommended the Board make a decision and move onto the next step. Mr. Astor agreed with Mr. Pasch and that you have to have the organization have structure, and also get the legal ramifications nailed down and present the package and go on from there.

MITRICK Chairman Mitrick asked Attorney Yost to come up with a draft of what it would look like if the Township would make it that the fire companies become one company.

YOST Attorney Yost said that would be possible and that he also wanted to put in the ordinance that the Fire Chief's office would have the power to establish the requirements for the firefighters and the training, etc.

MITRICK Chairman Mitrick thought the right thing to do is to make it one company, do it well, do it right and have it outlined so that everyone would know the rules. Chairman Mitrick also mentioned that because of the strong foundation of the companies we will be able to build a strong fire and rescue service in the Township. Times have changed and we need to find a way to focus on a larger unit, without stepping on toes.

SURTASKY Mr. Surtasky mentioned the fact that is should be easier for the Fire Chief if the rules would be the same for both companies.

PASCH Mr. Pasch mentioned the fact that there would still be problems no matter which way you do it. Mr. Pasch suggested meeting with the Fire Chief and go over some scenarios and to come back to the Board with what direction should be taken.

MITRICK Chairman Mitrick adjourned the meeting at 1:42 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/jaf

BOARD OF SUPERVISORS **MAY 11, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors held a Regular meeting on Thursday, May 11, 2000 at 7:30 p.m. at the Commonwealth Fire Company facility at 2045 North Sherman Street, York, PA.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Nick Gurreri
Bill Schenck
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Don Bishop

ALSO IN ATTENDANCE: Robert Sabatini, Interim Township Manager
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Robert Halbert, Rummel, Klepper & Kahl
Mike Myers, Rummel, Klepper & Kahl
Dori Bowders, Manager of Administrative Operations
Jim Crooks, Wastewater Treatment Superintendent
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Mark Hodgkinson, Wastewater Treatment Superintendent
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:45 p.m. She welcomed everyone to the general meeting of the Board of Supervisors and thanked the Commonwealth Fire Company for allowing the meeting to be held in its facility.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

B. Oath of Office – Brian M. Alu

ESHBACH Police Chief Eshbach presented Brian M. Alu, a new Springettsbury Township Police Officer. He provided background information for Brian listing his education and his military service. Mr. Alu is scheduled to begin the 77th Municipal Police Academy training in Harrisburg Area

Community College on beginning Monday, May 15, 2000 followed by an intensive field-training program sponsored by Springettsbury Police Department.

GURRERI Mr. Gurreri led Mr. Alu in the Loyalty Oath.

ESHBACH Police Chief Eshbach presented Mr. Alu with his official Springettsbury Township Police ID and badge.

MITRICK Chairman Mitrick stated that the Board of Supervisors would take a 15 minute break for an Executive Session regarding legal matters. She indicated the meeting would reconvene as quickly as possible.

MITRICK Chairman Mitrick reconvened the meeting at 8:10 p.m.

2. COMMUNICATION FROM CITIZENS:

GOTWALT Marge Gotwalt of 1914 Alcott Road spoke regarding the 4-way stop signs at the intersection of Pleasant Valley and Memory Lane Extended. Ms. Gotwalt explained that she had lived in the area for 22 years and uses Memory Lane at least four times daily. She stated that the four-way stop sign was working very well. She voiced her concern that the four-way signs would be removed from Pleasant Valley, and during Christmas and high traffic times motorists use the road as a conduit. She foresees a backup on Memory Lane Extended. She mentioned a slight incline at the stop sign, which becomes treacherous during snow and ice. People with free access on Pleasant Valley will broadside those on Memory Lane. She stated concerns about the left turning radius into the mall. When a motorist travels down Memory Lane and turn right onto Pleasant Valley there's a very tight turning radius. She suggested cutting more of the curb away to enlarge the area.

MITRICK Chairman Mitrick responded that the Board had thoroughly discussed this area. She asked John Luciani, who helped conduct the traffic study, to justify why that decision had been made.

LUCIANI Mr. Luciani stated that this matter had been debated for about a year by the staff and the Board. Typically the road with the larger volume of traffic had the free movement. At the same time there is not very good sight distance on Pleasant Valley. Secondly one of the other concerns that the township had was that many motorists go straight down Memory Lane and out to Whiteford Road. The Township had looked at trying to provide the safest move at that intersection; at the same time if motorists are speeding one way or another there would be potential accidents. He added that to meet a four-way stop criteria there are stringent requirements, which with the amount of traffic in both directions that intersection would

need to meet. At this time he did not believe that intersection would meet those criteria. The stop signs are proposed to create the stop on Memory Lane.

GOTWALT Ms. Gotwalt asked what the speed limit was on Pleasant Valley.

LUCIANI Mr. Luciani responded it is 35 miles per hour.

GOTWALT Ms. Gotwalt stated that an advised speed of 25 miles per hour was mentioned in the newspaper. She indicated she was simply stating this condition for the record that it is an unsafe situation, and with the stop sign being removed, she would not want to be the motorist rear-ended at Memory Lane.

LUCIANI Mr. Luciani indicated that was the reason for the 30 to 45-day wait before changing the signs. Hopefully the residents who live in the area will become aware of the changes being made in traffic conditions.

MONSON Mary Ellen Monson of 1985 Ridgewood Road stated that her residence is at the top of Memory Lane. The residents are very concerned about the intersection. The way it is being proposed now would be very unsafe. To make a left-hand turn off of Pleasant Valley going east with all the mall traffic coming toward her to get to her home will be very difficult. People will be speeding right on through because there is nothing there to slow them down. She requested the Supervisors check this out for themselves and picture themselves trying to get up that hill from Pleasant Valley and negotiating that intersection. She requested an independent traffic study of that intersection. She suggested that a light might be the means to correct the problem. She asked for consideration for the residents.

LUCIANI Mr. Luciani responded that her concerns were valid and correct because there is some vegetation looking left on Pleasant Valley, which will be cut down. At that point there will be more than 300-400 feet of sight distance making that more safe. Regarding a traffic study, TRG traffic consultants and Charlie Lauer, the Township Public Works Director, had traffic counts out there. Those machines count traffic and record speed. All that data is recorded. This traffic study would focus on changes in traffic patterns which is one of the goals of the stop sign changes, speed, delays, etc. It is being monitored now and will continue to be monitored. The Board recognizes your input but is looking for the big picture, a safe project.

DEMING Mr. John Deming of 1790 Pelham Drive discussed a property at 1679 San Gabriel Drive, an abandoned home for two years. He had placed a formal complaint with the township. The abandoned home includes a swimming pool, which is covered on top of the pool cover with six inches of a collection of rain, melted snow, rotting leaves, duck droppings plus

abandoned cats. His personal concern is his 5-year old granddaughter living next door. He asked what could be done about it; how could it be cleaned up; how could contact be made with the people who now own the property. He had been told that a mortgage company in the south owns the property. He asked what the township could do to clean up before the next heat wave.

MITRICK Chairman Mitrick asked Mr. Stern whether he was aware of this situation.

STERN Mr. Stern indicated he was aware of the situation and stated that the property is every bit as terrible as Mr. Deming stated. He indicated the property was foreclosed on and is owned by the Chase Manhattan Bank. The Township had been in contact with them. Ordinances are in effect regarding weeds and grass, and the Township could hire someone to cut them. However, some of the items Mr. Deming referred to are things that are not mentioned in the Ordinance.

PASCH Mr. Pasch stated that the situation is a definite health hazard.

DEMING Mr. Deming commented that there had been news articles about the West Nile virus, which is spread by mosquitoes. The State of Pennsylvania has this disease monitored. He asked whether the Township Solicitor could send a legal letter to the Chase Manhattan Bank.

YOST Solicitor Yost stated he would have no problem doing that. However, he added his experience in the past had been getting a mortgage foreclosure company to respond was rare. He added that there were some things that could be done in relation to a health hazard. He suggested the Township go in and clean it up, and place a lien on the property.

PASCH Mr. Pasch commented that a lien could be placed on the property for the work done on the weeds and grass. He favored taking the necessary steps to advise the mortgage company to clean it up by a specific date or the Township would place a lien on the property.

DEMING Mr. Deming stated that this would be the third summer in a row.

GURRERI Mr. Gurreri asked about the pool.

DEMING Mr. Deming responded that there was an in-ground pool, which has a cover on it, but over two years it has six to eight inches of mess on top of the cover.

PASCH Mr. Pasch commented that there is still a cover and still water in the pool.

DEMING Mr. Deming stated there was water under the cover.

PASCH Mr. Pasch stated that to him that was a safety hazard for any child.

SABATINI Mr. Sabatini commented that in Pennsylvania with the West Nile virus there is a declaration under PIMA, the Department of Health, to provide the Township with sufficient legal cover to address the source of vector.

MITRICK Chairman Mitrick agreed with Mr. Pasch toward acceleration of the enforcement process and bringing this to a conclusion. She thanked Mr. Deming for bring the matter to their attention.

DEMING Mr. Deming thanked the Board for their help.

PASCH Mr. Pasch commented again on the intersection. The staff had been very diligent in terms of what the safest method would be. Mr. Pasch indicated he has a personal interest as well as he and his wife utilize that intersection.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober provided updates to his written report, which included the 537 Plan. He met with the staff to discuss updating the Sewage Management Program. DEP had verbally agreed to pushing the schedule back in order to get information out to the residents regarding their on-lot systems.

SCHENCK Mr. Schenck asked whether they have to formally agree to that extension.

SCHOBER Mr. Schober responded that the schedule would be submitted, and they would respond with approval.

SCHOBER Mr. Schober reported on the Harrowgate/Raleigh Drive project. They met with Annliner, the lining contractor, at the site to discuss the possibility of starting the work. They continue to balk at that possibility contending that the conditions are too wet to get their equipment in. Mr. Schober stated their disagreement with them, and a letter was being written indicating to get started on the work or the Township would do the work and take action against the bonding company. Mr. Schober added that Annliner is doing a lot of work in Andover County, Maryland and are way behind schedule on some major projects. This fact may have impacted the Township project. Their proposal was to return in August and do the work whether it’s wet or not.

PASCH Mr. Pasch asked about the second page of Mr. Schober's report indicating some traces of chlorine in the water. There is a possibility that the water main continues to leak. He asked whether the water company had been involved.

SCHOBER Mr. Schober stated that they had been visiting the site. In the area where the water main breaks is on Raleigh Drive they had found some minor leaks but nothing major.

PASCH Mr. Pasch stated that this would probably not be a major concern if Springfield fixed it.

SCHOBER Mr. Schober responded that it did not appear to be and added that even following last night's rain storms, the residents who had been affected during February had no water in their basements. The B-H Geologist had visited the site as well. When the water main broke in February, it created a very high water table in the area. The soil is clay, and water moves through very slowly.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani reported that a plan had been submitted to resolve the Orchard Road/Witmer Road situation. He will continue to update the Board on this matter. Regarding Plymouth Road a meeting with the owner is needed to get a permit signed, following which PennDot can proceed.

GURRERI Mr. Gurreri asked whether Charlie Lauer had this work scheduled.

LUCIANI Mr. Luciani indicated he did not and would need that property owner signature.

MITRICK Chairman Mitrick indicated the Board met with Mr. Dittenhafer, who will be in contact with Mr. Luciani regarding an issue related to the administration building. She requested that Mr. Luciani respond to him as quickly as possible.

LUCIANI Mr. Luciani indicated he would.

C. Design Engineer – Rummel, Klepper & Kahl

HALBERT Mr. Halbert provided a report regarding the Diversion Pumping Station. The CPM, Critical Path Methods of scheduling with the contractor were received. R.K.& K. had a number of comments concerning 40 items on a critical path, such as toilet partitioning, dry wall, other construction items for the pump/station. The contractor had been requested to explain his rationale. The second item showed a negative schedule with a request to

incorporate an additional 60 days. The second item related to discharge of ground water. Approval had been received from DEP to now discharge through the original set of control devices.

PASCH Mr. Pasch asked whether the sample run water indicated any problem.

HALBERT Mr. Halbert indicated there had been no problem, but the issue had been raised as a concern by the contractor.

HALBERT Mr. Halbert reported that a meeting had been requested for Thursday, May 18th at 1 p.m. on Change Order #1.

HALBERT Mr. Halbert provided an update on the Bio-Solids brochure and presented the latest edition to the Board indicating all comments had been addressed, including the picture on the front.

MITRICK Chairman Mitrick stated that the Board would take a final look and provide any further comments by Noon Monday.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 5/11/00.
B. Rummel, Klepper & Kahl – Progress Billing #15 – Diversion Pump Station/Interceptor - $29,965
C. Murphy & Dittenhafer – Progress Billing #19 - $3,357.24
D. Frey Lutz Corporation – Progress Billing #5 – New Municipal Building - $5,719.50
E. Williams Service Company – Progress Billing #2 – New Municipal Building - $28,800
F. East Coast Contracting – Progress Billing #4 – New Municipal Building $84,483.79

MITRICK Chairman Mitrick asked for comments from the Board.

GURRERI Mr. Gurreri pointed out item F and the gas spent for the Rec. Dept. in the farm house at $149.00 and $121.00 for the Administration Building.

SABATINI Mr. Sabatini indicated that sometimes gas bills are doubled up.

GURRERI Mr. Gurreri asked about an item for Nick and Jane Gurreri on page 6. He wondered why the two names were listed.

BOWDERS Dori Bowders responded that the names had been placed in a vendor listing possibly for a recreation trip which had to have a refund. She added that the check had actually been voided and another issued under the name of Nick Gurreri only.

MITRICK Chairman Mitrick called attention to item B., which was contingent upon approval further on the agenda. She asked that item B be held until item 5A had been addressed. She requested a motion for items A, C, D, E, and F.

MR. GURRERI MOVED TO APPROVE PAYABLES ACCOUNTS A, C, E, AND F. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. SCHENCK MOVED FOR THE APPROVAL OF ITEM D. FREY LUTZ CORPORATION PROGRESS BILLING #5 FOR NEW MUNICIPAL BUILDING $5,719.50. MR. PASCH WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

5. BIDS, PROPOSALS & QUOTES:

A. Rummel, Klepper & Kahl – Additional Engineering Services – Diversion Pumping System - $55,097.

SABATINI Mr. Sabatini spoke for item A relating to additional engineering services for the Diversion Pumping System. He explained this item had been addressed at a previous meeting, which involved additional work involved.

MR. PASCH MOVED THAT THE ADDITIONAL ENGINEERING SERVICES ON THE DIVERSION PUMPING SYSTEM FOR RUMMEL, KLEPPER & KAHL IN THE AMOUNT OF $55,097 BE APPROVED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick called for a motion for Accounts Payable item D.

MR. SCHENCK MOVED FOR THE APPROVAL OF PROGRESS BILLING #15 FOR THE DIVERSION PUMPING STATION TO R. K. & K. IN THE AMOUNT OF $29,965. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick returned to **Bids, Proposals & Quotes**.

B. Buchart Horn, Inc. – Sewage Management Plan Services Proposal - $3,500

SABATINI Mr. Sabatini indicated item B coincided with the 537 Plan regarding the on-lot sewage management system. Additional engineering services had been requested to work through the ordinance and enforcement.

PASCH Mr. Pasch asked whether this would be all that is required.

SCHOBER Mr. Schober responded that they fully expect that this was all that was necessary.

SABATINI Mr. Sabatini indicated that this would make a more user-friendly ordinance to help improve the public input in the process.

PASCH Mr. Pasch stated he had no problem with it but stated it was important to have an ordinance which people could accept, work with and understand.

MR. GURRERI MOVED TO APPROVE THE PROPOSAL FOR THE SEWAGE MANAGEMENT PLAN SERVICES FROM BUCHART-HORN, INC. IN THE AMOUNT OF $3,500. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Buchart Horn, Inc. – Solids Handling Improvements - $196,114

SABATINI Mr. Sabatini provided background information related to the proposal for engineering services from Buchart Horn relating to solids handling as part of the 537 Plan and some added improvements. B-H provided a proposal dealing with design phase, bid phase, and construction phase for a total amount of $196,114. Mr. Sabatini requested Board approval with the understanding that before moving on to each step, a separate approval would be sought from the Board.

PASCH Mr. Pasch asked Mark Hodgkinson whether this was in the capital budget.

HODGKINSON Mr. Hodgkinson responded that this was in the capital budget.

PASCH Mr. Pasch asked what the amount was in the capital budget for all the improvements that would take place as a result of this.

HODGKINSON Mr. Hodgkinson responded that the amount would be approximately $2.2 million.

MR. GURRERI MOVED TO APPROVE THE PROPOSAL FOR SOLIDS HANDLING IMPROVEMENTS ENGINEERING SERVICES FROM BUCHART HORN FOR THE TOTAL AMOUNT OF $196,114 WITH FURTHER DIRECTION TO THE TOWNSHIP STAFF TO SEEK FURTHER APPROVAL BEFORE PROCEEDING TO EACH ADDITIONAL STEP. MR. SCHENCK WAS SECOND.

PASCH Mr. Pasch asked whether the Board should approve the design phase or was that being approved with this motion.

SABATINI Mr. Sabatini indicated that the motion should be amended to authorize the staff to proceed with the design phase.

MR. GURRERI AMENDED HIS MOTION TO AUTHORIZE THE STAFF TO PROCEED WITH THE DESIGN PHASE OF THE PROPOSAL FOR SOLIDS HANDLING IMPROVEMENTS ENGINEERING SERVICES FROM BUCHART HORN FOR THE TOTAL AMOUNT OF $196,114 WITH FURTHER DIRECTION TO THE TOWNSHIP STAFF TO SEEK APPROVAL BEFORE PROCEEDING TO EACH ADDITIONAL STEP. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Grassie and Sons, Inc. – Mt. Zion/Overview Replacement Sewer Contract - $87,649.50

SABATINI Mr. Sabatini discussed item D and advised that the Township had received five bids for the sewer contract. The low bid was from Grassie and Sons from Moscow, Pennsylvania. The bids were reviewed by R. K. & K. Grassie and Sons were recommended in the amount of $87,649.50.

MITRICK Chairman Mitrick asked Mike Myers for his confidence of the bid.

MYERS Mr. Myers indicated he was confident as much as he could be. He had no reason not to be.

MR. SCHENCK MOVED TO ACCEPT THE MT. ZION/OVERVIEW REPLACEMENT SEWER BID PROPOSAL FROM GRASSIE & SONS, INC. IN THE AMOUNT OF $87,649.50 AND DIRECT THE APPROPRIATE TOWNSHIP OFFICIALS TO ENTER INTO THE AGREEMENT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Proposals for Executive Search Service

SABATINI Mr. Sabatini indicated that the Board had been provided three different proposals for the executive search services: Public Planning and Management Group, Inc., Slavin Management Consultants, and Human Resource Management Associates. He indicated he had evaluated them and provided the Board with opportunity to evaluate them. Because the company he works for had provided one of the proposals, he excused himself from any further discussion.

PASCH Mr. Pasch commented that he had reviewed the three proposals. He wondered whether the actual advertising expense would be included by the PPMG proposal, which had provided the Township with Mr. Sabatini. He, personally, had been very satisfied with the relationship with them. He would prefer to provide them an opportunity to clarify his questions; otherwise he would have to go with one of the other firms. He requested that the matter be tabled for the next meeting.

MITRICK Chairman Mitrick asked whether he would be willing to put that into the form of a motion.

MR. PASCH MOVED TO TABLE ANY FORMAL ACTION REGARDING THE EXECUTIVE SEARCH SERVICES UNTIL THE NEXT REGULAR MEETING TO PROVIDE TIME FOR REVIEW BY THE BOARD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. LD-99-17 – Diehl Motor Company – Extension of Time to 7/28/00

STERN Mr. Stern provided background information regarding LD-99-17.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF EXTENSION OF TIME TO SPRINGETTSBURY TOWNSHIP FROM DIEHL MOTOR COMPANY FOR LAND DEVELOPMENT 99-17 JULY 28, 2000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-00-04 – Strictly Fitness – Extension of Time to 5/31/00

STERN Mr. Stern provided background information regarding LD-00-04.

MR. SCHENCK MOVED FOR ACCEPTANCE OF THE GRANT OF EXTENSION OF TIME TO SPRINGETTSBURY TOWNSHIP FROM STRICTLY FITNESS FOR LAND DEVELOPMENT 00-04 TO MAY 31, 2000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. LD-00-03 – York County Prison – Temporary Modular Addition (5/11/00)

STERN Mr. Stern explained that item C related to the placement of temporary modular units for 11,520 square foot additional housing. These units would be used for inmates at the prison who are engaged in a work release program. Mr. Stern advised that Warden Tom Hogan of the prison, Chuck Noll, County Administrator and Josh Kearney from C. S. Davidson represented the project. Mr. Stern indicated some personal concerns also shared by two members who previously voted against the plan. One issue was the esthetic issue on Concord Road, but the affect it had on having the modulars directly across the street of unfilled business spaces for lease by Kinsley. Additionally, he commented regarding the screening and landscaping matters. The current proposal included the addition of several rows of evergreen trees, which would help somewhat.

GURRERI Mr. Gurreri asked how long the construction phase would take.

HOGAN Mr. Hogan responded that it would take two years; 8 months for the design alone.

STERN Mr. Stern indicated that the modular units would be in place for a period of up to three years.

HOGAN Mr. Hogan added that their obligation would be a two year one with a month-to-month following the two years.

STERN Mr. Stern stated that if the Board approved the plan, a Planning Module for sewer would be required. This had not been submitted until about two weeks ago, so it is not ready for approval. This is conditioned on the approval of the sewer Planning Module.

PASCH Mr. Pasch asked whether sewer capacity was available.

STERN Mr. Stern responded that sewer capacity is available. They had purchased 50,000 gallons previously and have not used it all. He saw no problem with the planning module.

GURRERI Mr. Gurreri asked whether there would be any new plantings.

STERN Mr. Stern responded that a row of evergreen trees are planned.

GURRERI Mr. Gurreri added that it would actually look better than it does now.

KEARNEY Mr. Josh Kearney, C. S. Davidson, clarified that, in addition to the screening that was discussed with Tim Kinsley. He felt that would meet his concern.

MITRICK Chairman Mitrick commented that two years ago when the Board had reviewed the expansion, the Board did not want to waive the landscaping requirements. At that time the Board felt that it would provide a better presence along Concord Road. The reason given at that time was the screening was not conducive to security. Chairman Mitrick asked why there was a change of position.

HOGAN Mr. Hogan responded that the preference would be not to have the landscaping, but the people housed in these modulars are under minimum security. It's a different class of inmates for the modular units.

GURRERI Mr. Gurreri stated that he, personally, agreed with the work release program and encouraged Warden Hogan to continue doing it.

PASCH Mr. Pasch asked whether the plan would be to increase the work release people.

HOGAN Mr. Hogan responded that was correct.

PASCH Mr. Pasch indicated his understanding for the modulars then would be that the prison would be moving them from one place to another place so that other types of prisoners could go into where they are presently housed.

HOGAN Mr. Hogan responded that others would be put in where they are now, but he also could take some of the space he currently utilizes and free them up with the units.

PASCH Mr. Pasch stated that part of his concern was an indication that the move was being done so that more INS people could be brought in resulting in an economic move.

HOGAN Mr. Hogan indicated he needed the modular units to increase his work release facility, but at the same time by putting the modulars in he could move all the work release people out and use that building for other people.

MITRICK Chairman Mitrick commented about the clear sight design.

LUCIANI Mr. Luciani indicated he was more concerned about the safe sight distance. He would emphasize this point to the developer during development phase.

PASCH Mr. Pasch asked whether the question had been addressed regarding the cemetery and the clear sight triangle.

LUCIANI Mr. Luciani indicated that he had addressed that point as a clear sight triangle, in that there is no obstruction in the driveway.

MITRICK Chairman Mitrick voiced a concern not related to land development totally, but concerning the last expansion. The discussion provided to the Board of Supervisors was that the income that would be generated from the increased number of INS inmates would in very short time pay off the debt for the prison expansion. She read in information provided to her that the money would be going into the General Fund. From other things being done in the County and from reports in the newspaper, perhaps that money is not now being properly channeled to pay off the debt on the prison. She asked for a response to that.

NOLL Mr. Chuck Noll, County Administrator, responded to Chairman Mitrick. He indicated that what she had stated was true, i.e., the intent was at the last expansion, the $19,000,000 project, was to pay it off in approximately 3-1/2 to 4 years. What transpired, however in the interim, was that the

cost to operate county government had increased significantly in the area of probation, courts, operating our Children and Youth Services and human services, etc. The County Commissioners made the decision that, as opposed to raising the millage rate to pay for the increasing cost of county government, they ended up using the INS income to offset the rising costs. What that did was eliminate our ability to pay off that debt. About $10,000,000 is still on the books, which had fallen short of the target. That was a political decision, which the Commissioners would have to answer further.

MITRICK Chairman Mitrick responded that a few years ago the Commissioners were very vocal in the fact that the expansion would pay itself off in 3-1/2 years. They have not been as vocal that that is not now being done with the money. She indicated concern with that, not with how the money is being spent, but with the message to the County residents that there had been a change of direction.

NOLL Mr. Noll added that Commissioner Minnich had been very vocal about that. In fact, he had been extremely displeased that the County had not set aside the INS money to pay down that debt. Had he had his wish, the millage rate would have been raised to maintain the INS income for debt service. He disagreed with the statement, since Commissioner Minnich had gone on record as saying that he was disappointed in the fact that it had been used for general operating expense.

MITRICK Chairman Mitrick asked Mr. Stern whether the township considered a request to put landscaping on the entire piece along Concord Road, if it were approved.

STERN Mr. Stern stated that the Planning Commission had brought it up. Regardless of what would be approved that could be addressed during the Land Development process.

PASCH Mr. Pasch was concerned that this might be an additional security risk.

HOGAN Mr. Hogan provided additional information regarding the usage of the recreation facility and yard, etc.

PASCH Mr. Pasch understood what Mr. Hogan was saying, i.e., that all along Concord Road landscaping would not be a problem.

HOGAN Mr. Hogan indicated it was not an issue for him.

PASCH Mr. Pasch asked Mr. Stern whether there was anything, which would be contrary to the zoning or building code.

STERN Mr. Stern responded that there are some items, but that the application was not uncommon for a temporary use. The entire storm water management issue would be contrary, but because these are temporary units it would not be an issue.

PASCH Mr. Pasch commented on the issue of storm water management. The prison would be a big part of the problem. He felt that the Township should be looking for assistance from the Commissioners. He did not think the residents of Springettsbury Township should be saddled with the expense of correcting the problem, which had been created, in his opinion, by the county and the prison and by Kinsley developing all that side of the Concord road properties.

LUCIANI Mr. Luciani stated that the temporary units would not contribute to this situation. In the not too distant future the County, the Township and the developers would need to meet toward resolving the matter.

PASCH Mr. Pasch commented that the Township experiences the problems now. He could visualize the difficulties as more expansion comes. He asked how the Township could be sure to get something like that done.

YOST Solicitor Yost stated that a known fact would be that the developer would be coming in with a Land Development Plan. That will call for additional impervious surface, which will add to the problem. They will have to address their portion of those matters. Otherwise there are means by which the Township could require everyone to contribute to that watershed.

PASCH Mr. Pasch stated that if only the addition were addressed, the problem really would not be addressed. However, if each developer were forced to contribute to the watershed, that would help alleviate the problem.

SCHENCK Mr. Schenck asked what the Township's obligation would be to this plan. He stated, if he was reading it right, it's a Land Development that is not in compliance with our requirements but is obligated to be passed.

YOST Solicitor Yost stated that was correct.

SCHENCK Mr. Schenck stated that was frustrating to him, because the project is driven by the wrong reasons, in his opinion. The county government has a cash cow at the prison, and the residents of Springettsbury Township bear the brunt of that. He stated he was tired of that, but he was obligated to vote in favor of this because it meets the requirements.

MITRICK Chairman Mitrick stated that discussions had been held with the county in the past requesting that they help the township deal with, for example, the

traffic issues that certainly are contributed to in that area. The Board had spoken with them regarding any interest in helping build the roadway that would help control the traffic in that area. She indicated she shared Mr. Schenck's frustration because they had not responded actively in a favorable way to the township.

KLINEDINST Mr. John Klinedinst spoke for the County. He stated he had participated in one meeting regarding a right-of-way from Market Street past the Road House. At that time they met with the previous Township Manager and offered to participate with that project in terms of rights-of-way. That was the last he heard of it. From an engineering standpoint they would be more than happy to sit down with the Township at any time.

MITRICK Chairman Mitrick stated that the response was that the county was not interested in joining into an agreement with Springettsbury Township to establish a roadway through there because the county did not know the future use of that land.

KLINEDINST Mr. Klinedinst responded that that may have been a policy decision made by the commissioners. He suggested that the another meeting be scheduled to discuss this. He could not say yes or no, but he would be willing to sit down.

MITRICK Chairman Mitrick agreed that Mr. Klinedinst had engaged in conversation, but the result of that conversation to her knowledge was that they got no where in the conversation. She indicated a willingness to meet again with the county and Mr. Sabatini could make the arrangements.

KLINEDINST Mr. Klinedinst asked how long ago that meeting would have been held.

SCHENCK Mr. Schenck stated it had been about three or four years ago.

PASCH Mr. Pasch stated that the only thing he could see, based on what he was being told by Mr. Stern and Mr. Luciani, was that the Township has nothing in our ordinances or our building code that would allow us to deny permission for the temporary structures. Mr. Stern had stated that he had made exceptions in the past. This is a three-year project. We have agreed that it is temporary and when the Land Development Plan comes forward we can do what we want. Many of the Springettsbury Township residents use that highway. He stated that the Board should insure whatever negotiations possible that this would be done in such a way that we're not going to be saddled with a lot of questions and problems and residents who are concerned for their safety. As far as the appearance is concerned that's one thing, but the safety of the residents is most important.

GURRERI Mr. Gurreri asked whether any residents had come forward.

PASCH Mr. Pasch stated that the article was just in the newspaper this morning.

MITRICK Chairman Mitrick asked Mr. Pasch if he had any particular proposal in mind.

PASCH Mr. Pasch stated that the landscaping that they're proposing should be examined and done in such a way that would help alleviate the situation. The county should do a public image campaign to cover any concerns of the public.

KLINEDINST Mr. Klinedinst addressed two separate issues. First the screening of the modulars. They offered to provide the screening and stated willingness to work with the staff to provide screening that would be meaningful and would remain after the modulars leave. The second part of the perception by the traveling public was that they had offered in the past and would offer again in conjunction with the permanent structures, as authorized by the county commissioners plan, to be the sponsor of or participate in a Public Hearing or a public meeting in whatever format the Supervisors would prefer in Springettsbury Township for the benefit of the public.

PASCH Mr. Pasch stated he would like to see that. He stated that the message to get to Commissioners Minnich, Reilly and Shirley Glass would be that as far as he was concerned he would be very adamant about them working with the township on the screening for the rest of Concord Road and also for participation in the stormwater resolution.

MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT 00-03 YORK COUNTY PRISON-TEMPORARY MODULAR ADDITION 5/11/00. MR. PASCH WAS SECOND.

SCHENCK Mr. Schenck stated a concern about the waivers and conditions and asked whether they should be done separately.

MITRICK Chairman Mitrick indicated they would be done separately.

MOTION UNANIMOUSLY CARRIED.

MR. SCHENCK MOVED THAT THE FOLLOWING WAIVERS AND CONDITIONS BE APPLIED TO LAND DEVELOPMENT 00-03:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN, AND**
- **CONDITIONED UPON APPROVAL WITH SEWER PLANNING MODULE. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

MITRICK Chairman Mitrick thanked Mr. Hogan for the information sent to the Township. She stated that the information came too late for the current edition of the newsletter, but that it would be included in the next issue.

7. COMMUNICATION FROM SUPERVISORS:

MITRICK Chairman Mitrick requested Mr. Sabatini to address the generous comment made to meet with Springettsbury Township again fairly soon in a timely manner. Land Development should be coming forward on the facility.

GURRERI Mr. Gurreri commented about a Township News (5/17/00) article mentioning a seminar regarding recruiting, retaining for volunteer fire companies. This will be held on Wednesday, May 17 from 7 to 9 p.m. in Montoursville, PA at Willing Hand Hose Co.

HICKMAN Mr. Hickman indicated an interest in attending.

GURRERI Mr. Gurreri reported that he received an anonymous letter regarding a South Royal Street trash collection problem. Mr. Stern was on top of that.

MITRICK Chairman Mitrick stated that a candidate had been interviewed recently for the Historic Preservation Committee. She had received a strong letter indicating her frustration that she had not yet heard from the Board regarding her appointment. She asked the Board for their consensus. Chairman Mitrick felt that she would be an excellent member of the Historic Preservation Committee, but at this time, because of issues going on in the community, it would either be a direct conflict of interest or a perception of conflict. The Board must be protective of that. It was Chairman Mitrick's feeling that a letter be sent to her thanking her for her interest in the township, and that her letter would be held for future interest.

PASCH Mr. Pasch excused himself from comment.

GURRERI Mr. Gurreri asked how many vacancies are on the Board?

MITRICK Chairman Mitrick responded that there was one vacancy.

SCHENCK Mr. Schenck indicated agreement with the conflict of interest and was even more concerned with people with specific agendas. He asked if the Board should wait for Mr. Bishop’s input.

GURRERI Mr. Gurreri indicated he did not know the person.

SCHENCK Mr. Schenck stated that he would like the opportunity to discuss the candidate with one or two members of the Historic Preservation Board.

MITRICK Chairman Mitrick stated the matter would be placed on the next agenda for a yes or no response. She asked Mr. Sabatini to telephone the applicant and advise her that the matter had been tabled until the next agenda.

MITRICK Chairman Mitrick reported that she had received a letter from Michael Glennan, who recently received a Bachelor of Science degree in Behavioral Science with a major in recreation. He is currently looking for employment. She provided his letter to Mr. Sabatini.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost reported that item #2 on his written report, Chairman Mitrick had been kind enough to call him and advise that he had not received any conflicting directions concerning the Fire Department Ordinance. The request was that he re-draft the Ordinance showing how it would operate if the fire companies consolidated. He had done so. He did not wish to discuss it but to make sure that all Board members received it.

MITRICK Chairman Mitrick stated that, as the Board members had been departmentalized, Mr. Pasch had responsibility for Emergency Services. She asked Mr. Pasch to provide attention to this and place it on the agenda when it is appropriate in order to keep it moving.

YOST Solicitor Yost commented on his item #3, Emergency Medical Services. He had an opportunity for discussion with Attorney Stitt, and while he was assured that the Ambulance Club had no problem with the lease as drafted by the Township, it was the Club's bill with two items of equipment that it would like to inventory and add to the schedule that accompanies the documents. Solicitor Yost indicated concern that the Township was operating the Emergency Medical Services using Ambulance Club equipment without a formal lease, so he recommended to the Board that execution of the lease be authorized as drafted for the equipment utilized, and the alternative make some other arrangements. We need to have a formal source of equipment for that service.

MITRICK Chairman Mitrick asked whether that should be in the form of a motion.

YOST Solicitor Yost indicated that it should be in the form of a motion.

MR. PASCH MOVED THAT THE BOARD ACCEPT AND APPROVE THE LEASE THAT HAD BEEN PRESENTED BY THE TOWNSHIP'S AMBULANCE CLUB AND AUTHORIZE THE STAFF AND CHAIR TO EXECUTE SUCH A

LEASE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck revisited Solicitor Yost's comment about the concern of the available equipment.

MR. SCHENCK MOVED TO AUTHORIZE THE INTERIM MANAGER IF NECESSARY TO SECURE THE EQUIPMENT THAT IS NEEDED TO PROVIDE EMERGENCY MEDICAL SERVICE TO THE TOWNSHIP. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

YOST Solicitor Yost reported on the tax refund case. A document had been served on their Counsel with a request to require them to document their right to refund to the extent that they can document it. Mrs. Cousler conferred with Solicitor Yost and contacted her auditor, and an audit is being prepared. He suggested that it was premature until the documentation is received. It was Solicitor Yost's impression that they are probably entitled to some refund, but documentation was needed not just through an adding machine tape.

PASCH Mr. Pasch commented that a Mr. Robert Susko, Certified Public Accountant from Allentown does audits for townships. The program is free unless taxes are recovered. If taxes are recovered it costs 20% of what was uncovered.

YOST Solicitor Yost stated that Mr. Susko is very aggressive. He did the city audit recently.

PASCH Mr. Pasch indicated that as long as Mr. Susko was interpreting the law correctly, he would like to take a look at it.

YOST Solicitor Yost commented on his letter regarding the Wawa zoning appeal. He had taken an aggressive approach to try and complete that, but he was getting resistance from Wawa. The Township proposed to a settlement agreement whereby Wawa would withdraw their appeal and the Township would grant them a Building Permit for the canopy. The issue was becoming moot by virtue of the ordinance amendment that would be addressed later. Wawa would not accept that agreement unless the Zoning Hearing Board signed off, and the Zoning Hearing Board was not prepared to do so. Solicitor Yost indicated the Township had every right to settle the matter without the participation of the Zoning Hearing Board.

PASCH Mr. Pasch asked whether a letter from the Board directly to Wawa would make a difference.

YOST Solicitor Yost responded that might help.

SCHENCK Mr. Schenck stated that any letter should be sent from the full Board.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini reported that three proposals had been received for interior design services. They range from $2,250 to $5,500. He would like to meet with any interested Board members and staff to review this. They do meet the previous specifications. He would like to meet with each firm to review their proposal.

MITRICK Chairman Mitrick asked that Mr. Sabatini notify the Board when he was ready for a meeting.

SABATINI Mr. Sabatini reported that Randy Wachter had resigned his position as General Accountant. An advertisement will be placed for a general accountant. A Finance Director position has also been advertised. There had been two police changes in status. He asked Chief Eshbach to name the two patrol officers who had been changed from Probationary to Regular Status.

ESHBACH Chief Eshbach responded that the two were Ogden F. Dickerson III and Rebecca A. March.

SABATINI Mr. Sabatini continued that, based on Chief Eshbach's recommendation, they are now considered Regular Status.

SABATINI Mr. Sabatini reported that he had attended a Sewer User's Group meeting with an entourage of staff and Mr. Schenck. It had been a lively meeting.

SABATINI Mr. Sabatini advised that two policies would be presented at the next Board meeting regarding the conflict of interest. Purchasing policies would be addressed.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Ordinance 00-03 – Establishing Speed Limits – Pleasant Acres Road

SABATINI Mr. Sabatini reported that item A. had been previously advertised to change the speed limit along Pleasant Acres Road. Adoption was recommended.

GURRERI Mr. Gurreri asked about the current speed limit.

ESHBACH Chief Eshbach responded it is 35.

GURRERI Mr. Gurreri asked why it was being changed.

ESHBACH Chief Eshbach replied that a traffic and engineering study had been done by York County in regards to the Pleasant Acres complex. The speed limit change had been recommended as a result.

MR. PASCH MOVED THAT ORDINANCE 00-03 BE APPROVED AS SUBMITTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Ordinance 00-04 – Gasoline Station Canopies

SABATINI Mr. Sabatini commented regarding item B. that would amend the Zoning Ordinance related to gas station canopies. This had been reviewed by the Planning Commission and the Board of Supervisors. A Public Hearing date needed to be advertised and authorized. He recommended that this be done by May 25 if possible, and if not, by the first meeting in June.

MITRICK Chairman Mitrick stated that if it could be done on May 25th that would be fine, but if not, place it on the agenda for June 22 at 7:15 p.m.

MR. GURRERI MOVED TO AUTHORIZE ORDINANCE 00-04 FOR THE PROPER TOWNSHIP OFFICIAL TO SET A HEARING DATE FOR THE PROPOSED AMENDMENT TO ZONING ORDINANCE AND THAT THE DATE BE ADVERTISED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

PASCH Mr. Pasch asked whether a copy of item C should be sent to Wawa that the Board had approved it.

SABATINI Mr. Sabatini indicated he would do so.

C. Ordinance 00-05 – Signs within the Flexible Development Zoning District

SABATINI Mr. Sabatini commented on item C., a proposed amendment to the Zoning Ordinance. An adjustment was needed toward the placement of signs within the Flexible Development District. The request was that the Board draft an ordinance to the Planning Commission for review and comment. There are two words to be changed.

MITRICK Chairman Mitrick questioned whether, given the amount of time spent on the creation of the Flexible Development Zone, it was being rushed through, and/or was Mr. Stern comfortable with it.

STERN Mr. Stern responded that this was what he had intended to do in the first place.

MR. GURRERI MOVED TO DIRECT THE STAFF TO FORWARD DRAFT OF THE FLEXIBLE DEVELOPMENT DISTRICT SIGNAGE TO THE SPRINGETTSBURY AND YORK COUNTY PLANNING COMMISSION FOR REVIEW AND COMMENT, ORDINANCE 00-05. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Resolution 00-30 – Basic Training Program – Brian M. Alu

SABATINI Mr. Sabatini indicated item D was an application for reimbursement of expenses, for which the Township could receive 50% of Officer Alu's expenses for attending HAAC Academy.

MR. PASCH MOVED THAT RESOLUTION 00-30 BE APPROVED AS SUBMITTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Work Session – April 26, 2000

MR. SCHENCK MOVED TO APPROVE THE BOARD OF SUPERVISORS MINUTES OF THE WORK SESSION OF APRIL 26, 2000 AS AMENDED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Regular Meeting – April 27, 2000

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING APRIL 27, 2000 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Board of Supervisors Work Session – May 1, 2000

MR. GURRERI MOVED FOR APPROVAL OF THE MINUTES OF THE BOARD OF SUPERVISORS WORK SESSION, MAY 1, 2000 AS AMENDED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

There was no Old Business brought forward for action.

13. NEW BUSINESS:

A. Hiring of Brian M. Alu as a Police Officer

SCHENCK Mr. Schenck stated that it was not necessary to bring this before the Board as it was not an additional officer.

PASCH Mr. Pasch asked why Mr. Sabatini would place that item on the Agenda.

SABATINI Mr. Sabatini responded that it had been his practice, by putting it on the Agenda and having the Board acknowledge the hiring, hence providing a paper trail for the Township dealing with issues such as pensions.

PASCH Mr. Pasch indicated that sounded like good reasoning.

SABATINI Mr. Sabatini indicated he had also commented with regard to resignations as well, thus providing a paper trail.

PASCH Mr. Pasch liked the idea.

MR. SCHENCK MOVED THAT THE BOARD OF SUPERVISORS ACKNOWLEDGE THE HIRING OF BRIAN M. ALU AS A POLICE OFFICER OF SPRINGETTSBURY TOWNSHIP EFFECTIVE THURSDAY, MAY 11, 2000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Approval of Submission of Revised Act 537 Plan Amendments

SABATINI Mr. Sabatini reported that item B provided authorization by the Board to direct the engineer to submit the Act 537 Plan Amendments with the changes previously discussed.

MR. SCHENCK MOVED TO AUTHORIZE THE SUBMISSION OF THE REVISED ACT 537 PLAN AMENDMENTS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick commented that a card had been received from Brian Funkhouser thanking the Supervisors for the Raw Pump Drive and East West Interceptor Design and the GIS Training. He looked forward to the successful completion of these projects.

MITRICK Chairman Mitrick thanked Mark Hodgkinson for his attendance at the East Manchester Zoning Hearing Board Meeting as a representative of Springettsbury Township. She indicated that a letter had been received as to what had occurred at that meeting.

HODGKINSON Mr. Hodgkinson responded that initially he thought that the Zoning Hearing Board Chairman questioned the developer on everything. Initially he thought it would be thrown out. As it went on he felt differently. Two issues were brought up, one about Springettsbury

Township traffic on Mt. Zion Road and Sherman Street intersection. This would be a 229 room hotel; 7 stories, 94 lots, assisted living facility and 18-hole golf course. Traffic would be a big concern. The developer indicated that he would look at that intersection.

MITRICK Chairman Mitrick stated that perhaps Springettsbury should suggest that they build another roadway over the ridge.

MITRICK Chairman Mitrick stated for the record, on behalf of the full Board of Supervisors, to again thank the staff for their exceptional support as they go through the transition period. She indicated that Mr. Sabatini may be able to provide some additional time to Springettsbury Township in the future.

MITRICK Chairman Mitrick announced that there would be a very brief Executive Session regarding personnel.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10:30 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

BOARD OF SUPERVISORS **MAY 11, 2000**
WORK SESSION **APPROVED**

The Board of Supervisors held an 8:00 a.m. work session on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Bill Schenck
Don Bishop
Ken Pasch
Nick Gurreri

ALSO IN ATTENDANCE:
Frank Dittenhafer, Murphy & Dittenhafer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Services
Andrew Stern, Director of Economic Development

MITRICK Chairman Mitrick called the meeting to order at 8:00 a.m. Ms. Mitrick indicated the purpose of the meeting was to discuss the plans for the new municipal building.

Change Order Request:

STERN Mr. Stern asked the Board to address a change order request from the electrical contractor Shannon A. Smith relative to the fire and smoke alarm system for the new building with a net amount of $389. This net amount is a result of a $7,082 credit and a $7,471 addition to the proposed system. Both the fire chief and police chief reviewed this change order and recommended approval. Mr. Stern pointed out a handwritten comment from the architect on the change order request as follows: "this credit was not presented because the Board instructed the credit be applied against the final farm house change orders and Frey Lutz add of $13,642.87 which was change order #1".

Consensus of the Board was they did not recall instructing that the credit be applied against the final farmhouse change orders as stated above.

MR. SCHENCK MADE A MOTION TO APPROVE THE CHANGE ORDER REQUEST FROM SHANNON A. SMITH RELATIVE TO THE FIRE AND SMOKE ALARM SYSTEM FOR THE NEW BUILDING FOR AN ADDITIONAL NET AMOUNT OF $389. MR. PASCH SECONDED THE MOTION.

Comment on the Motion:

MITRICK Ms. Mitrick requested that the handwritten comment as stated above be deleted from the change order.

THE MOTION WAS UNANIMOUSLY APPROVED.

Municipal Building Floor Plan:

Discussion was held between the members of the Board of Supervisors, Ms. Bowders, Ms. Speicher and Mr. Stern related to the interior office layout of the new municipal building and potential future plans for growth.

Consensus of the Board is as follows:

- The conference room in the Manager's wing will be used as an office for the position of Finance Director.
- The Board caucus room will be available as a conference room when not in use by the Board.
- The area assigned for the recreation department is to be pre-wired for computers and communications.
- A door is to be added between the tax collectors office and the conference room in the recreation area.

Selection of Vendor for Office Furniture:

Ms. Bowders indicated that she and Ms. Speicher had received quotes from four vendors under State Contract for the purchase of office furniture in the new municipal building. Ms. Speicher added that she and Ms. Bowders are recommending United Sales Company since they submitted the lowest quote. She added that the Township has utilized them several times in the past with excellent results. They are very easy to work with, are flexible, and very accommodating.

Consensus of the Board was to utilize United Sales Company, under State Contract, for the purchase of office furniture in the new municipal building.

Board Room Table:

The Board directed Mr. Dittenhafer to change the shape of the Board table to the alternate design he offered having a tightened arch. The Board also directed Mr. Dittenhafer to proceed with the ledge on the Board table.

Staff Tables in the Board Room:

The Board directed Mr. Dittenhafer to provide two folding tables with the same top as the Board table for the use of staff during meetings.

Folding Doors for Coat Closet in Lobby:

The Board directed Mr. Dittenhafer to provide folding doors for the coat closet in the lobby.

Utility Vault for New Administration Building:

The Board directed Mr. Dittenhafer to coordinate with Mr. Stern the relocation of the utility vault and if needed, provide a screening plan.

ADJOURNMENT:

The meeting adjourned at 9:45 a.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/dkb

BOARD OF SUPERVISORS **MAY 25, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors held a Regular meeting on Thursday, May 25, 2000 at 7:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Bill Schenck
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Interim Township Manager
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Robert Halbert, Rummel, Klepper & Kahl
Mike Myers, Rummel, Klepper & Kahl
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Andy Hinkle, MIS
Mark Hodgkinson, Wastewater Treatment Superintendent
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:45 p.m.

SCHENCK Mr. Schenck introduced Boy Scouts Keith and Scott Shingleton of Troop 1505, who are working on their Communications Merit Badge.

A. Pledge of Allegiance

SHINGLETON Keith and Scott Shingleton led the Pledge of Allegiance.

MITRICK Chairman Mitrick thanked the scouts for attending the meeting.

MITRICK Chairman Mitrick announced that an Executive Session had been held prior to the Regular Meeting at 6:30 p.m. regarding personnel, and an additional Executive Session at 7:00 p.m. regarding legal matters, and advised that another session would be held following the Regular Meeting regarding personnel matters.

2. COMMUNICATION FROM CITIZENS:

There were no communications from citizens.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober provided several updates to his May 18th written report. Nothing new was reported on the Act 537 Plan. The revised addendum in the Sewage Management Program had been submitted to DEP. Am-liner was expected to be on site at the Harrowgate Project during the week of May 29th. The project should be completed by the end of the week.

MITRICK Chairman Mitrick asked about the physical length of the job.

SCHOBER Mr. Schober indicated it involved 1700 feet.

MITRICK Chairman Mitrick stated she had received any number of residential calls indicating frustration, to which she would like to respond with a completion date.

SABATINI Mr. Sabatini cautioned Chairman Mitrick because there still was some concern about the moisture content of the ground.

SCHOBER Mr. Schober indicated a contingency plan was in place in the event of excess rain during the work.

GURRERI Mr. Gurreri indicated the driving is better around Raleigh Drive.

SCHOBER Mr. Schober added that, even with the recent rainfall, the homeowners on Raleigh Drive had reported the pumps in their basements had not run at all, which indicated that the conditions had been improved.

SCHOBER Mr. Schober reported that no word had been received from Springfield. Neighbors are beginning to get restless and some legal action may be forthcoming.

B. Civil Engineer – First Capital Engineering

Pleasant Valley –Memory Lane

LUCIANI Mr. Luciani reported on the concern of the east site distance at Pleasant Valley Road and Memory Lane. The adjoining property owner gave authorization to cut the vegetation to enlarge that site distance.

Plymouth Road

GURRERI Mr. Gurreri asked about the status of the Plymouth Road project.

LUCIANI Mr. Luciani responded that he was waiting for the beer distributor owner to sign the permit. He had been advised verbally that he had no problem with it.

GURRERI Mr. Gurreri asked about the intersection at Heritage Hills where motorists are turning left. He indicated this was a dangerous place at Heritage and Plymouth Road.

LUCIANI Mr. Luciani reported that the plan includes curbing the entire area and shifting the driveway further west, which should eliminate that concern.

GURRERI Mr. Gurreri indicated his concern involved the motorists coming out of Heritage.

LUCIANI Mr. Luciani responded that was intended to be a right-in, right-out driveway at that location. A review will be made of the original plan and erect signs.

ESHBACH Chief Eshbach explained that aside from that a Traffic and Engineering study could be done with a request that Penn Dot authorize new signage.

LUCIANI Mr. Luciani commented that the Board sees this as a severe concern, and added that a request could be made of the County to review the situation.

PASCH Mr. Pasch inquired whether, even if something were noted on the original plan and everything had been done at that time, PennDot must've been involved.

ESHBACH Chief Eshbach indicated it was on the plan but never posted.

STERN Mr. Stern added that the signs were not on the plan, just the pork chop was on the plan.

PASCH Mr. Pasch wondered about PennDot's allowing that to go in as a pork chop with that intent or whether the study would be necessary.

GURRERI Mr. Gurreri added that if a call were made it would be made known.

LUCIANI Mr. Luciani stated that with PennDot permits that are typically issued, limitations are stated, as well as what the permit is for, i.e., curbing, widening, and allowing a driveway with right-in, right-out or what have you.

ESHBACH Chief Eshbach stated that it was his recollection that it had never been signed; the pork chop and the curbing are in place. His thinking was that PennDot would be in favor of erecting signs and recommended a contact

be made with PennDot. He expressed some concern as to how the signs could be placed in order to be effective.

LUCIANI Mr. Luciani stated that he would review two things: (1) plan to see what the intent was, and (2) check with PennDot to see whether they would agree to place signage.

ESHBACH Chief Eshbach asked whether the Board desired him to request a Traffic & Engineering study be done.

GURRERI Mr. Gurreri asked whether the study would be necessary to erect signs.

ESHBACH Chief Eshbach indicated that for enforcement purposes signs would be necessary.

GURRERI Mr. Gurreri stated he had received several telephone calls about and added that he considered it to be a dangerous situation.

BISHOP Mr. Bishop interjected that the first step would be to look at the plan to see what's already there. He had no problem with doing a traffic study and added that the entire area is really a mess.

MITRICK Chairman Mitrick requested that Mr. Luciani review the matter and determine the status. She asked whether there was a Board consensus to do a Traffic and Engineering study.

SCHENCK Mr. Schenck commented that, if a study were done and it showed signs were needed, it would be inspected.

BISHOP Mr. Bishop stated it was not an expensive project.

MITRICK Chairman Mitrick indicated it was a dangerous place.

Ridge Road

MITRICK Chairman Mitrick asked about an item of curbing on Ridge Road.

LUCIANI Mr. Luciani stated that Charlie Lauer, his assistant and he had visited the site on Ridge Road. Clearly water flows down from Rocky Ridge to Ridge Road. The curb redirects water into a field. Mr. Luciani's suggestion to Charlie Lauer was to cut five feet out of the curb so the water redirects to where it was originally intended into the lower lot shown on the plan.

MITRICK Chairman Mitrick asked Solicitor Yost whether the township has the right to go onto the property to cut the curb.

YOST Solicitor Yost indicated yes.

MITRICK Chairman Mitrick stated this would impact properties coming down the hill.

LUCIANI Mr. Luciani indicated that the flow had impacted the township drainage when that curb was installed two to three years ago.

MITRICK Chairman Mitrick commented that the property owners, up until this time, had been opposed to doing anything.

YOST Solicitor Yost recommended that the impetus for action would be that, "this is the solution, and the township was prepared to follow through with the solution and they would be notified." The property owners will recognize that they are going to get a lot of water back again that they used to have, and at that point in time they may reconsider what they want to happen. They may agree to install the inlet and pipe or cooperate with the township.

MITRICK Chairman Mitrick stated she would not want to go in without attempting to compromise with them beforehand.

LUCIANI Mr. Luciani added that the problem with just doing the speed bumps originally thought to be the solution would be that the water is too low on the slope to get it back to where it was going before. It needs to stay in the channel it was in.

MITRICK Chairman Mitrick stated that something needed to be done when one realizes the danger imposed on the road during bad weather with ice.

SCHENCK Mr. Schenck stated that as long as the property owners would be advised, he would be in favor of taking this action.

LUCIANI Mr. Luciani indicated he would prepare a certified letter and make phone calls.

PASCH Mr. Pasch stated that the plan was done on the basis of the way the water was to flow through the yards. The property owners made adjustments with curbs and changed the flow, not what was agreed to, which created a dangerous situation. Because of the danger he had no objection to notifying the residents. He added that there must be a drop-dead date.

MITRICK Chairman Mitrick asked Mr. Luciani about the 24" pipe under consideration. She asked for a cost estimate.

LUCIANI Mr. Luciani asked what the board would indicate is a reasonable amount of time.

BISHOP Mr. Bishop asked what the board would consider to be compliance.

MITRICK Chairman Mitrick added that, if the property owners were pressed to be thinking of an alternative to the Township's plan, they should get their engineer and have their plan approved by our Township Engineer so that we know it's going to work.

LUCIANI Mr. Luciani stated that as long as that water is going back of the slope into a channel, a contractor could enable that the water would by-pass the house.

MITRICK Chairman Mitrick asked for the Board's comment.

PASCH Mr. Pasch stated there was a simple solution based on what Mr. Luciani was reporting.

LUCIANI Mr. Luciani indicated Charlie Lauer suggested they could put an inlet in and pipe it down a few hundred feet and stop. Mr. Luciani stated that was a reasonable and simple solution.

PASCH Mr. Pasch asked about the engineering time involved.

LUCIANI Mr. Luciani stated there would not be much at all.

PASCH Mr. Pasch stated that as far as deadlines are concerned, one would be for response and two would be to have it completed. A month would be plenty of time to provide a response. If it's reasonable we could try to get it done in this season – another two-three months for construction.

MITRICK Chairman Mitrick asked Mr. Luciani to move ahead on this matter.

LUCIANI Mr. Luciani reiterated 30 days for a response and 60 to 90 for completion of the project.

BISHOP Mr. Bishop added that a response must indicate that something would be done.

MITRICK Chairman Mitrick would like to be sure that their plan is something that our engineer feels is going to work, and the letter should indicate that their plan would have to get the approval of the engineer.

LUCIANI Mr. Luciani indicated that would not be a problem. The only commitment would be that it would have to be reviewed in a very short time frame.

MITRICK Chairman Mitrick stated that the letter should be written and sent out in a somewhat reasonable time, and phone calls as soon as possible.

Township Campus Driveway

MITRICK Chairman Mitrick asked Mr. Luciani about the enlargement of the driveway.

LUCIANI Mr. Luciani responded that one of the things that PennDot had requested in the submission for that was that we had a nice radius, and we wrapped it around the existing features out there which included the mast arm and a light standard. We had this radius wrapped around there. PennDot came back and said, "no, we need to line it up and widen it, not only on one side but on both sides." Well when they came back with that geometry, it interfered. A cost estimate was completed, but it was never anticipated that the mast arm would have to be moved, and as a result the cost goes up. When Charlie saw that he indicated he really would not want to get involved with moving the mast arm. His suggestion was to get the contractor and try to negotiate with him on the site to do a change order to make those improvements. That was the suggestion.

Memory Lane – Haines Road Traffic

BISHOP Mr. Bishop asked Mr. Luciani for the status on Memory Lane and Haines Road traffic planning.

LUCIANI Mr. Luciani responded that a submittal had been made to PennDot.

BISHOP Mr. Bishop asked whether this proposal was from you or a proposal from like TRG.

LUCIANI Mr. Luciani stated that TRG and First Capital did a joint venture; a proposal to study the intersections from Exit 7 all the way up to Rte 30. Mr. Luciani suggested that the project be reactivated.

BISHOP Mr. Bishop commented that the project was a very high priority at the end of the year and a significant amount of money had been budgeted to accomplish it.

LUCIANI Mr. Luciani added some comments regarding the Caterpillar Road extension from Industrial Highway behind the Bon Ton. That project was forwarded to PennDot with a letter from the Township indicating the Township wished to take the lead and utilize our local traffic engineer, which is permitted by the Municipal Claiming Code.

MITRICK Chairman Mitrick added that that was going to be linked in with the possibility of some transportation grants. She asked Mr. Luciani to make sure to keep on top of that.

Memory Lane – Railroad Crossing

PASCH Mr. Pasch commented about the railroad crossing and asked whether that was the railroad's responsibility.

LUCIANI Mr. Luciani indicated that was correct.

PASCH Mr. Pasch indicated that the railroad crossing going south is horrendous in terms of the traffic flow. Somebody's going to lose a wheel in there I am sure. Do we have to make that response to them? Is it the state? Who does that, because it is just getting worse by the day?

LUCIANI Mr. Luciani indicated that is a Norfolk Southern Line, which should be contacted first. If a response is not received from them, you must then contact the Public Utility Commission and they will issue an order to repair that railroad crossing. A field hearing is held with a PUC official, who indicates the railroad is under agreement and an order to fix it is needed. Otherwise the Township can fix it up and have it repaired. But, typically it is always difficult to get the railroad to attend to upgrade crossings.

PASCH Mr. Pasch suggested that action should be taken for this.

LUCIANI Mr. Luciani offered to make a contact with Norfolk Southern.

Industrial Highway – North Hills Road

MITRICK Chairman Mitrick brought up the railroad over on Industrial Highway at North Hills and asked Chief Eshbach about the no turn on red light which comes on when there is a train on the tracks. Last week she observed a vehicle within feet of being hit by the train that was heading east on those tracks. She asked whether there would be any additional signage that could go on that arm. Right now no turn on red illuminates, but the man never looked up and saw that traffic was stopped. That man was literally within feet and as soon as he saw the train almost on top of him, of course he gunned it but he wasn't trying to beat the train.

ESHBACH Chief Eshbach agreed that the intersection is a dangerous one. He added he would have to check PennDot regulations.

MITRICK Chairman Mitrick indicated she would appreciate it if Chief Eshbach would investigate. It seems extremely dangerous.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers provided a chart, which R.K.& K. intended to update for each Board meeting. He added that a meeting was scheduled with Allan Myers for next Friday at 2:00 p.m. to discuss Change Order #1 and the coordination of that with Mr. Pasch. An additional meeting was scheduled for 1:00 p.m. on that same day just to discuss strategy for that meeting. Regarding the utility water system, he indicated the signed agreements were returned to RK&K. As soon as they are received, a Notice to Proceed would be issued and the project will be underway.

4. ACCOUNTS PAYABLE:

A. Regular Payables As Detailed in the Payable Listing of 5/25/00.
B. Shannon A. Smith Electrical – Progress Billing #6 – New Municipal Building - $93,338.10
C. Rummel Klepper & Kahl, LLP – Progress Billing #12 (dated November 1, 1999) - $2,450
D. Murphy & Dittenhafer – Progress Billing #20 – New Municipal Building - $1,561.70
E. I. B. Abel, Inc. – WWTF Standby Generator Upgrade - $15,594
F. Phillips Brothers Electrical Contractors, Inc. – Pay Estimate #2 – Diversion Pumping System - $63,492.30
G. Johnston Construction Company – Pay Estimate #2 – Diversion Pumping System - $16,336.80
H. Allan A. Myers, Inc. – Pay Estimate #1 – Diversion Pumping Systems - $406,931.04
I. Phillips Brothers Electrical Contractors, Inc. – Pay Estimate #1 – Diversion Pumping System - $5,706

SABATINI Mr. Sabatini spoke with regard to items H. and I and indicated that item H covered payment for Phillips Brothers Electrical for the Diversion Pumping Station. This item had been lost in the transition between managers.

PASCH Mr. Pasch asked about an item on page 15 of the payables list under payments to the Pennsylvania Department of Transportation for $6,500. This related to a Home Depot Project, and he questioned whether that would be billed back to Home Depot.

STERN Mr. Stern responded that it is billed back to Home Depot on a dollar for dollar basis. The Township pays PennDot because the permit is in the Township's name, but then the contractor is invoiced.

PASCH Mr. Pasch asked who follows through on that to see that the payments are being received.

STERN Mr. Stern indicated he personally followed up. He added that a few months ago another round of invoices came through, and they paid them all right away. The Township still holds approximately $250,000.00 of financial security for the project, so if they didn't pay us we could take it out of that.

MITRICK Chairman Mitrick questioned Item E, under I. B. Abel. Aside from Mr. Hodgkinson's comment on the bill, he indicated that he recommended that be paid in full.

SABATINI Mr. Sabatini indicated that the project is not complete; however, I. B. Abel's portion is essentially completed. Mr. Sabatini added that other issues arose which had prevented the project from going on line. Those problems are currently being worked on; however, it was recommended that I. B. Abel be paid as they had done the work they were assigned to do.

MYERS Mr. Myers added that he had confirmed through a discussion with the electrical engineer and Jim Crooks that one of the circuit breakers in the Caterpillar generator was set too low, and it kept tripping every time the system that I.B. Abel installed was tested. That was the problem. It had been recommended to Jim Crooks that he get Caterpillar out there, which had been done, and the problem had been identified. I.B. Abel has done a good job on this contract and pretty much has gone above and beyond to make sure that everything turned out well.

MITRICK Chairman Mitrick asked whether I. B. Abel would come back when all of the parts are considered to be working.

MYERS Mr. Myers responded that they would come back one more time and then they are done.

BISHOP Mr. Bishop indicated that because the township still owes them money, they have an incentive to come back.

MYERS Mr. Myers added that they had come back numerous times, but that is a Board decision.

BISHOP Mr. Bishop stated that the invoice was not for the full amount, however.

MYERS Mr. Myers indicated that the original invoice had been approved. Mr. Myers thought that the $15,000 was held back until this test was done.

GURRERI Mr. Gurreri indicated he had a problem with B, which he thought related to the farmhouse renovation.

MR. BISHOP MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS A THROUGH I. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & QUOTES:

A. Proposals for Executive Search Services

MITRICK Chairman Mitrick indicated there were several proposals and that it was important that action be taken.

BISHOP Mr. Bishop indicated he was ambivalent between the Slavin proposal and the Human Resource Management proposal.

SABATINI Mr. Sabatini stated that the one from Slavin was the fact that they believe that they can have someone in place between 60 and 90 days. Mr. Sabatini indicated that was not a realistic schedule.

BISHOP Mr. Bishop asked whether knowing that would hinder their performance or just cause the Board to be disappointed when they can't perform.

SABATINI Mr. Sabatini responded that he did not think so; however, just knowing from his company's experience a municipality is going to be searching for a certain type of candidate. That candidate is few and far between, and they are entertaining multiple parties who are interested in them. It would be realistic to look at a six-month recruitment cycle because if anything it is four months from the day that the Board authorizes this to the day that the first candidate in front of you, due to advertising schedules, etc. We estimate six months.

PASCH Mr. Pasch indicated he thought all the proposals were good. Public Planning and Management Group are presently supplying Mr. Sabatini, however, he did not see any conflict of interest. Human Resource Management is 15% of the candidate's first year salary at $10,500. It would be a little less expensive. He indicated that with regard to Slavin's proposal the only thing he saw was that it appeared that the transportation cost could be a considerable amount of money because they are talking about airfares and moving their people to get to these places as well as the candidate. Mr. Pasch recommended Human Resource Management Associates. He would like to see the contract changed so that there would be a cap on the 15% of the candidate's first year salary.

MITRICK Chairman Mitrick asked Mr. Sabatini whether $1,000 to $1,500 is a realistic advertising figure.

SABATINI Mr. Sabatini responded that it would be realistic and expounded on some of the sources for advertisement.

SCHENCK Mr. Schenck commented that one proposal seemed rather open ended on the expense side. He added that he would support the Human Resource Management Associates proposal.

MR. SCHENCK MOVED THAT THE BOARD OF SUPERVISORS AWARD HUMAN RESOURCE MANAGEMENT ASSOCIATES THE AGREEMENT FOR THE EXECUTIVE SEARCH FOR A TOWNSHIP MANAGER BASED ON THEIR PROPOSAL AND AUTHORIZE THE APPROPRIATE TOWNSHIP OFFICIALS TO EXECUTE IT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck stated that it should be understood that in the discussion about the cap that we would make that amendment to their proposal. I am sure they won't have any problem with that.

B. Morefield Communications, Inc. – Telecommunication System Bid Proposal - $104,100

SABATINI Mr. Sabatini spoke for item B and indicated an evaluation had been done regarding the telecommunication systems. ICA and Township Staff have also evaluated this item. A number of proposals had been received. The low bid was not being recommended as accepted based upon the review of vendors including financial background, ability to meet requirements for service, and long term financial stability; therefore, the recommendation is that the Board of Supervisors authorize awarding of the bid to Morefield Communications in the amount of $104,100.00. This matter had also been evaluated by the Solicitor who concurred with the staff.

PASCH Mr. Pasch questioned the $40,000 difference between the low bidder and the bidder being recommended.

SABATINI Mr. Sabatini responded that the $40,000 included maintenance.

PASCH Mr. Pasch discussed some of the criteria in there in terms of rating these vendors. Mr. Pasch wondered what the cost differential being advertised over a relatively long time period, for example, had to do with it. The above cost differential can be somewhat reduced due to the fact the Morefield's initial cost include $4,000 for a paging system. Mr. Pasch agreed it should be compared oranges to oranges and apples to apples, without question.

STELTZER Mr. Steltzer of ICA stated that the paging system is an option.

MITRICK Chairman Mitrick asked Mr. Steltzer to come forward and answer some of our questions.

STELTZER Mr. Steltzer stated that he was with ICA and indicated he would attempt to answer questions as objectively as he could.

PASCH Mr. Pasch addressed the matter of close proximity that Morefield offered.

STELTZER Mr. Steltzer indicated that the close proximity would produce positive results. He added that Morefield's presence in York County having a parts depot here would be a big comfort factor.

PASCH Mr. Pasch asked about Morefield's size advantage and its corresponding benefit.

STELTZER Mr. Steltzer responded that the project would be an in-depth implementation with some logistical difficulties due to the renovation of the existing building. They offer training specialists, as well as installation specialists during the implementation of the equipment.

PASCH Mr. Pasch asked whether Mr. Steltzer was concerned as to whether the low bidder could do it in the time frame that is required.

STELTZER Mr. Steltzer responded that there were some concerns on the part of the committee. They are more comfortable with the size advantage of a larger company, as it is a very tight time frame.

PASCH Mr. Pasch asked how many Morefield people are technicians qualified on this system.

STELTZER Mr. Steltzer responded that the answer to that is Morefield would have 35.

GILKEY Mr. Bob Gilkey, York, Pennsylvania of Morefield Communications addressed the Board. Mr. Gilkey responded to the personnel question in their organization of 150 and stated that there are 70 technical people that are divided between the Camp Hill office and the Reading office.

STELTZER Mr. Steltzer commented that one of the things they looked at was the equipment. Their equipment has more features on it and it also has a digital display for easy access to functions.

PASCH Mr. Pasch indicated he was pleased with the explanation.

ESHBACH Chief Eshbach indicated that the phone system is absolutely critical to the operation of the police department. One of the important items was the response to downtime. In actuality Mr. Gilkie told Chief Eshbach during a visit to their facility that their average response time for emergency calls is 22 minutes in an emergency. That is possible for them to do from Camp

Hill because some of their technicians live in this area. One of them was coming from Red Lion, which was right next door. There is no way anyone is coming to York from Reading in 22 minutes to. Chief Eshbach stated that a response in 22 minutes was worth any extra money spent. Chief Eshbach indicated he had a great comfort level to know that they are closer by. He supported their proposal.

PASCH Mr. Pasch added that the statement regarding the emergency response time is much more important information to him than the fact that they have 150 people. If they have 35 technicians that are trained on the system, that's important as well. Mr. Pasch also asked about the days and hours of service. The proposal indicated 7 days, 24 hours. Mr. Pasch asked whether that covered 365 days in a year.

GILKEY Mr. Gilkey responded that it covered 365 days.

PASCH Mr. Pasch commented that as far as the relative financial strength was concerned, there was a little too much play on that because you had the letter of guarantee from the manufacturer. They guaranteed that they would take over the maintenance. Mr. Pasch felt that the report was lacking in some things. Because of what the Chief pointed out and what was pointed out about the engineers and the maintenance people that are qualified on the system; those are very important factors. Mr. Pasch indicated that in spite of the difference in the money, he wouldn't have any problem in recognizing what they do. Let the contract be awarded tomorrow.

PASCH Mr. Pasch asked Andy Hinkle about a recommendation submitted to ICA for another proposal, which includes some requirements for ICA to do certain things which would require the vendor's agreement. He asked whether that was in the proposal that ICA could make these changes. ICA is going to approve a lot of things that take place with the installation plan, etc. He asked whether the vendor was aware that this is going to be done.

STELTZER Mr. Steltzer clarified the statement in that they would be acting on an advisory status proposed to Mr. Stern and Mr. Hinkle, but will not have direct line of authorization with the vendor. We are strictly acting in a consulting status.

PASCH Mr. Pasch asked Andrew Stern whether he and Andy Hinkle would be the ones who are going to be making the final decisions that say yea or nay; this is right or wrong.

STERN Mr. Stern responded that he would be overseeing the building projects. His responsibility is to make sure that it is done on time as per specifications. Mr. Hinkle is the technical person to be sure specifications

are followed and are what are truly specified. That is where ICA will assist him in determining that things will work the way that they were intended to work.

STELTZER Mr. Steltzer commented that this would be more of a group effort with the committee that we have put together with contains himself, Andrew Stern, Dori Bowers, and Chief Eshbach.

PASCH Mr. Pasch stated that all of these things that we are talking about are part of the proposal and that's a part of the RFP, so that the vendor understands it.

GILKEY Mr. Gilkey added that it was not unusual in placing a new communication system to go through a process within an organization to pull information out and make some determinations on how the system is going to be used. A lot of those things happen during the implementation and it would not be unusual to go through those steps whether it is coming from a consultant or whether it is coming from an internal committee group. Our technical service group sits with the people and goes through step by step to make those things work.

MR. GURRERI MOVED TO ACCEPT THE TELECOMMUNICATION PROPOSAL FROM MOREFIELD COMMUNICATIONS IN THE AMOUNT OF $104,100 AND AUTHORIZE THE PROPER TOWNSHIP OFFICIAL TO ENTER INTO THE PURCHASE AGREEMENT. MR. SCHENCK WAS SECOND.

PASCH Mr. Pasch asked whether that would include the paging system.

ESHBACH Chief Eshbach indicated it would be included.

PASCH Mr. Pasch stated that hand held pagers had just been purchased for a lot of people.

ESHBACH Chief Eshbach responded that it was voice paging. In other words if somebody is in the building and they say Chief Eshbach pick up line 5, it can be heard throughout the building. It is a paging system within the building with the speakers overhead and the amplifier is in its own central location which puts the voice out and amplifies it.

PASCH Mr. Pasch asked what buildings the system would be in.

STELTZER Mr. Steltzer responded that it would be in the existing administration building and a couple speakers would be in public works and in the shop. Most of it is in the police department. There is nothing in the new Administration building.

ESHBACH Chief Eshbach added that it may not take that amount of money that was proposed to put the paging system in because the technology may be that it does not take as many speakers as what it would have 20 years ago. A price was given that no matter what system we ended up needing, it would cover it. He indicated he was comfortable with that. After laying out the blueprint and indicating specific areas where we needed to be able in these areas, it doesn't appear that we will need as many speakers as we thought we would need.

PASCH Mr. Pasch asked why here and not in the Administration Building.

STERN Mr. Stern responded that the entire telephone system allows for some paging through the telephone itself and the locker room and garage bays will have the capability of paging as well.

MOTION UNANIMOUSLY CARRIED.

C. Dauphin DataCom – Telecommunication System Cabling Proposal on Commonwealth Contract - $7,561

SABATINI Mr. Sabatini spoke for the project and asked for Board approval of Dauphin DataCom to install the required cabling for the new municipal building to the farmhouse and the police department buildings as part of the telecommunication systems at a cost of $7,561.00.

PASCH Mr. Pasch asked whether this cabling is being coordinated with all the other cabling?

SABATINI Mr. Sabatini indicated that it was.

MR. GURRERI MOVED TO AUTHORIZE DAUPHIN DATACOM TO COMPLETE THE COMPUTER NETWORK OF TELECOMMUNICATION CABLING AT A COST OF $7,561. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Independent Consulting Associates (ICA) – Telecommunication Implementation Services – Phase II – Not to Exceed $10,500

SABATINI Mr. Sabatini spoke for item D. indicating it involved a request of ICA to do the implementation of Phase II. A memorandum from Andy Hinkle had been provided to the Board regarding this estimated cost for this step at a cost of between $8,000-$10,500 plus normal business expenses.

SCHENCK Mr. Schenck questioned whether this was work that Mr. Hinkle would prefer not to do or do not feel comfortable in doing.

HINKLE Mr. Hinkle responded that he did not feel comfortable doing this work in-house.

MR. SCHENCK MOVED TO ACCEPT THE PROPOSAL OF INDEPENDENT CONSULTING ASSOCIATES FOR TELECOMMUNICATIONS IMPLEMENTATION SERVICES AT A NOT-TO-EXCEED PRICE OF $10,500 PLUS EXPENSES. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. 2000 Capital Computer Equipment/Software Purchase Request – Phase II on Commonwealth Contract - $39,345

SABATINI Mr. Sabatini spoke for item E regarding hardware and software phase II purchases. A listing of equipment had been provided with a request to purchase in the amount of $39,345. This involved purchase off the state contract, so would not require bidding. This includes cabling, routers, hubs, software licenses, basically a lot of the networking based product.

MR. GURRERI MOVED TO APPROVE THE PURCHASE OF COMPUTER HARDWARE/SOFTWARE IN THE AMOUNT OF $39,345. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. **Ehrlich Green Team – Proposal to Remove Five (5) Trees Around Farmhouse - $1,250.**

SABATINI Mr. Sabatini commented that item F involved the removal of five trees from the farmhouse property. A memo from Andrew Stern had been provided to the Board regarding this removal, and Ehrlich has done work before for the Township. He added that it may be necessary to spend an additional $500 to remove tree stumps if Township Public Works crews are unable to do so.

SCHENCK Mr. Schenck stated that the five trees are not the ones in front, but the ones along the back of the farmhouse.

PASCH Mr. Pasch indicated that based on his personal experience, $1,250 is a really good price.

GURRERI Mr. Gurreri questioned why removal wasn't done prior to putting the building up as they were really in the way.

BISHOP Mr. Bishop suggested that perhaps no one had thought of the idea before.

STERN Mr. Stern commented that one tree is earmarked not to be removed; however, it may be necessary to remove it depending upon where the vault would be placed. He added that the five trees scheduled for removal are

dead and entail a safety risk, but the sixth tree is alive. Ehrlich may be asked by the general contractor to do it at the same time as the other ones.

GURRERI Mr. Gurreri suggested that a decision be made on the sixth tree. He had visited the site and stated it was not a very pretty tree and its location prevents visibility of the new building.

MITRICK Chairman Mitrick reiterated that the administration campus is in a park, and added that she would hate to go across the property and start individually discussing the removal of each and every tree because from some position on the property it might hide the building.

GURRERI Mr. Gurreri agreed and added that the only way the building can be seen is by traveling down the hill. He thought the trees out front are really nice and should be left.

PASCH Mr. Pasch commented that, depending on the placement of the vault; if the sixth tree is to be removed, all the decisions should be made. It would be cheaper to remove it while Ehrlich was there doing the work.

MITRICK Chairman Mitrick indicated the sixth tree is to be removed only if the vault goes back in the original position. If it goes in the alternate (somewhat centered) position, then its placement will be all right.

MR. BISHOP MOVED TO ACCEPT THE EHRLICH GREEN TEAM TREE REMOVAL SERVICES PROPOSAL AT A COST OF $1,250. MR. SCHENCK WAS SECOND.

SCHENCK Mr. Schenck questioned how to handle the project if, in the midst of the work, the sixth tree has to be cut down. He asked whether the cost of the sixth tree should be added to the total.

STERN Mr. Stern stated that, should the Board decide that the vault be placed in the location of the sixth tree, there would be no question as to its removal. He also reminded the Board of the additional $500 for tree stump removal.

MR. BISHOP AMENDED THE MOTION TO INCREASE THE AMOUNT TO $1,750 AND RECOMMENDED THAT THE TOWNSHIP PUBLIC WORKS DEPARTMENT NOT BE DIRECTED TO REMOVE THE STUMPS. MR. SCHENCK, AS SECOND, AGREED. MOTION UNANIMOUSLY CARRIED.

G. Shannon A. Smith Electrical – Proposal to Relocate Transformer Vault - $9,630 (first proposal) or $18,683 (if moved to its original location)

SABATINI Mr. Sabatini discussed item G, a proposal to relocate the transformer vault. The first of two options is for $9,630.00 which would move the vault to basically the same side where it is now, but closer and more towards the front of the building. The second proposal would include relocation to its original place at a cost of $18,683.00. Mr. Sabatini added that the original location was the location in the specification.

MITRICK Chairman Mitrick requested Mr. Stern to provide the Board with some additional information on the PennDot request.

STERN Mr. Stern stated that the two locations in question are north of the farmhouse. A Highway Occupancy Permit had been applied for through Mr. Luciani's office. A meeting had been held with GPU (Mark Hilson, Andrew Stern, and Ron Simmonds). It was determined that, because the Township did not have PennDot's approval to access the location from Mt. Zion Road, it had not been approved. Following discussion with PennDot, staff was directed to fill out an HOP application, and PennDot agreed to approve that resulting in the necessary access. In going back to the original location, the reason for the additional cost is that the wire or the conduit could not be reused, but could be used if it were moved it to the other location, which would be east of the farmhouse between the parking lot and the new building.

GURRERI Mr. Gurreri commented that it would be more hidden in one location than the other.

MR. BISHOP MOVED THAT THE PROPOSAL BE ACCEPTED FROM SHANNON A. SMITH ELECTRICAL IN THE AMOUNT OF $18,683 TO MOVE THE TRANSFORMER TO ITS ORIGINAL LOCATION. MR. PASCH WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

H. Highway Equipment & Supply Co. – Volvo Loader High Lift Bucket - $12,500

SABATINI Mr. Sabatini commented on item H and the need for the purchase of a specially-designed high lift bucket used in the Township composting facility. The existing bucket has failed, and a price had been quoted for repair at a cost of $7,500, which would not include any guarantees or warranties. The cost for a new bucket is $12,000. These are specialized buckets, not just a typical front-end loader bucket. Two buckets are needed; however, authorization was requested for one new bucket at a cost of $12,000.

GURRERI Mr. Gurreri asked what would be done when the bucket is repaired at a cost of $7,500.

SABATINI Mr. Sabatini responded that the work would include an overhaul. Repairs would include boring and straightening the attachment to the frame, and repairing the button pin on the bucket. He added that they have never done an overhaul on these before. In their opinion, the bucket has failed. They can do perform this service, but generally the equipment hasn't failed like this.

BISHOP Mr. Bishop questioned the fact that the provider had never done an overhaul like this before.

SABATINI Mr. Sabatini responded that they had done parts of it, and the Township had not done any.

PASCH Mr. Pasch asked whether the failure was in the hydraulics.

SABATINI Mr. Sabatini indicated that was true in part. He added that Mark Hodgkinson was more closely involved with this matter and could provide a little better direction; however, he was attending the Zoning Hearing Board meeting with East Manchester Township.

SCHENCK Mr. Schenck commented that it was not related to the hydraulics, but with the structure of the bucket itself. There are large bushings with holes through which it attaches and pivots on, and the steel wears thin from use. It is a wear matter. It is not out of line. The repair process is to build them up with weld and re-machine them.

GURRERI Mr. Gurreri stated that building them up with weld would seem to last.

HINKLE Mr. Hinkle commented that when they were tilting the bucket, a pin snapped or something in the hydraulics broke and the bucket actually twisted so that there are parts in there that need to be cut off; re-welded on and then reconditioned.

MITRICK Chairman Mitrick questioned the fact that the 1987 Michigan was being replaced after 13 years. Now a Volvo is being replaced after four years and another Volvo is being purchased.

PASCH Mr. Pasch commented that the Volvo was not being replaced, just the bucket.

MITRICK Chairman Mitrick stated that she was aware of that but added that another Volvo was being purchased. We have one that has lasted 13 years; one lasted four and continuing to support the one with lesser longevity.

SCHENCK Mr. Schenck stated it was his recollection that the Volvo was purchased in January, but the bucket in question failed in April.

GURRERI Mr. Gurreri commented that a six-month warranty was not a lot of warranty.

MITRICK Chairman Mitrick stated that Mr. Hodgkinson's memorandum indicated this item should be purchased promptly.

SCHENCK Mr. Schenck asked about the timing. He stated that the information indicated the repair would take two to three weeks after the order is received. He asked how long would it take to receive a new bucket.

SABATINI Mr. Sabatini responded that receipt of a new bucket would take about four weeks which would bring it to late June. He added that the quote before the Board was dated May 16, 2000.

MR. BISHOP MOVED TO AUTHORIZE THE PURCHASE OF A VOLVO LOADER HIGH LIFT BUCKET FROM HIGHWAY EQUIPMENT & SUPPLY IN THE AMOUNT OF $12,500. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Note from the Stenographer: Solicitor Don Yost left the table prior to the item I. discussion.

I. Yost Strodoski Mears (YSM) – Springettsbury Township Park Phase I – Construction Documents Proposal - $184,250

SABATINI Mr. Sabatini commented that item I related to a proposal for construction documents from YSM for the Springettsbury Township Park. He indicated this included the total project with landscape design, and architectural construction design services. The proposed total cost for all of this is $184,250. He had reviewed this with YSM and indicated that Ann Yost was present and could answer any questions.

MITRICK Chairman Mitrick asked about the fee of $184,250, which cost was also in the first proposal, but asked about the price coming in lower at this time.

YOST Ann Yost stated that when the master plan was done, there were six phases of development cost estimates. Each of those cost estimates included engineering and design fees within them, so this project was thought to have a specific overall budget. Looking at the dollars that were provided at that time, the master plan budgets for engineering design are set at a straight 10%. At that time, the actual amount for what it would cost was not figured. That amount has now been calculated, and it is an amount less than the amount that was in the master plan. It's a straight 10% of each phase.

SABATINI Mr. Sabatini commented that this would not include the construction observation, which is having an on-site inspector come out and depending upon the work being done, whether it's architectural or earth moving or whatever, you would have a disciplined specific inspector out for that. That decision would have to be made by the Board of Supervisors at a later time. This just gets us to the point where it's bid out and everything is in place for the contractors to move ahead.

PASCH Mr. Pasch stated that it was something that has to be addressed prior to starting the contract. He continued that the Board should not be making a decision sometime down the road and not have any inspections being made.

SABATINI Mr. Sabatini indicated that by having people who do this for a living on a regular basis do it the wheel was not being re-invented with staff time, which is sometimes as expensive in the long run to have as it is to have outside professionals do the work. If the Board directed that YSM do the construction and inspection services, a copy of the wage/fee schedule had been obtained and the sum they would charge for these services.

PASCH Mr. Pasch asked who would determine when site visits would be necessary.

YOST Ms. Yost stated that twice a month or every other week would be recommended to visit at the site during the major construction season. She offered that, as needed, they would be available for key items. She added that they would like to know where we are in the construction season and have the documents done to do that.

PASCH Mr. Pasch would like to know when the visits need to be done. Mr. Pasch would prefer to know when these visits are going to take place along with a fixed cost.

YOST Ms. Yost suggested every other week and that is more than we would typically provide, but you are local, and we feel that this would be appropriate for this large project.

SCHENCK Mr. Schenck asked whether she would expect input on the architectural detail features during the four meetings with Township representatives.

YOST Ms. Yost responded that Mr. Schenck was correct.

SCHENCK Mr. Schenck asked whether she thought four meetings would be enough. He added that, if four meetings were not enough, what would the rate be for any additional meetings.

YOST Ms. Yost stated that the four meetings are included. The additional meetings would be an additional service. A rate schedule for each of the firms that make up the project team had been provided.

SCHENCK Mr. Schenck asked about the assumptions concerning the digital cad drawings. He asked whether she referred to what is new, because they don't exist for anything else.

YOST Ms. Yost responded that was correct in that they were not asking the Township to prepare anything new. They would be looking for drawings that would allow tie-in to the park to the campus.

SCHENCK Mr. Schenck asked Mr. Luciani whether just the new building had been done.

LUCIANI Mr. Luciani responded that the land development plan is available on auto-cad.

SCHENCK Mr. Schenck stated that that plan includes this building, the farmhouse and all of those features so it's not an issue.

SCHENCK Mr. Schenck asked about the concession area being one of concern.

YOST Ms. Yost responded that there are many more codes associated with a concession area with a hood, range and grill. What I gave you is typical.

SCHENCK Mr. Schenck stated that once this would designed that way it is pretty much done forever.

YOST Ms. Yost indicated that if ventilation were not placed there now, yes. If that would be operated by a youth group, it could be discussed with them to see if this aligns with the facilities they would want to have. It could always be addressed in the future. This is a more typical alliance with your park department in the way it is operating now.

MITRICK Chairman Mitrick asked about item 8 where construction would close the park.

YOST Ms. Yost responded that two growth seasons are needed for any turf and before anyone would be allowed to use the facilities. Looking at the phases in which we would encompass the majority of the park area, for safety concerns, most of the park would be out of use with the exception possibly of the creative playground. Perhaps another access point could be determined to allow safe access in and out of that area as well as parking. We will need to get two seasons of turf growth before we will allow anybody on those facilities.

MITRICK Chairman Mitrick stated that the whole park would be closed, tennis courts and everything for safety issues.

YOST Ms. Yost responded that everything would be closed.

GURRERI Mr. Gurreri asked whether grading would be done on the top as well.

YOST Ms. Yost indicated that it would.

MITRICK Chairman Mitrick asked Ms. Yost to explain some of the highlighted areas.

YOST Ms. Yost indicated that she had highlighted elements that are not within the budget to develop as part of this Phase I for you. With regard to the sequence of construction, there are certain things that wouldn't go in, such as four tennis courts. The western most tennis courts and the parking associated most closely to them makes a nice phase of elements that can be added in the future. The lights that would be associated with them and the walkway that goes from the parking area west and then circles around down to meet another walkway would now be part of that phase. Also, the proposed hot lot that really aligns with the one you have existing was eliminated. The pavilion located at the north may not fit within your budget. It is an easy item to take out, but discussing with the architect it should be designed now and put in as an alternate either an add or deduct depending upon how the cost estimate comes out as we move forward. It will be designed on a modular system so that the two pavilions will be a like style. That way the design is done and you could have it implemented at any time. Also you may find someone who is willing to pay for a structure, which gives you that opportunity.

SCHENCK Mr. Schenck asked whether these items would be bid separately.

YOST Ms. Yost indicated it could be approached in a lot of different ways. One of the services provided is a cost estimate as the construction documents read showing 90% plus phase. They would be willing to sit down with the representatives of the Board and to determine what alternatives should be put into the bid so that the budget could be targeted.

GURRERI Mr. Gurreri asked whether the walkway was an expensive item.

YOST Ms. Yost responded that walkways are quite expensive. However, she added that if the tennis courts aren't in, we have to come in and do construction in this area there is no need to put the walkway in and then have to disrupt it in the future. It would not connect to much now. There

are other ways to get where you need to go. We will save the walkway for a future phase.

PASCH Mr. Pasch asked whether all the utilities for the pavilion would be in.

YOST Ms. Yost indicated that was correct.

SCHENCK Mr. Schenck asked whether the same was correct for the four tennis courts, i.e., all the electric would be in.

YOST Ms. Yost indicated that was correct. The electrical conduit would be installed to a point that would make sense in full anticipation the build out of the master plan as it was developed. Other alternates discussed is possible lighting. Lighting tends to be a very expensive item. In park development it will very often be conduited into the point where you need it and as you are able to put it in, it is a matter of putting up the standards and the fixtures. Right now we are hoping that all of that will fit into your phase.

SCHENCK Mr. Schenck asked whether she would envision something different for the pavilion than what is currently being used in our parks.

YOST Ms. Yost responded that they would be working more closely on the Board's ideas about what is appropriate. When she talked with the architect that we intend to work with, she talked about complimenting the new campus building as one of the major emphasis in this design.

GURRERI Mr. Gurreri wanted to know whether eliminating the four tennis courts would save a lot of money.

YOST Ms. Yost responded that the tennis courts were $153,000.00, somewhere in that range, in the Master Plan. It is a significant dollar amount for four.

MITRICK Chairman Mitrick commented that there had been some discussion as to whether or not we need those based on the participation of the tennis game right now.

GURRERI Mr. Gurreri asked whether there were any studies on the subject. Some people think we need four; some think we need six courts.

YOST Ms. Yost indicated that she was comfortable with the four courts because it makes it a tennis destination. People drive to tennis. They like it close to the road. They want to see if the courts are open, and if they are open, they go in and play tennis. Four makes it a nice destination. You want to do them in banks of two or four. Ms. Yost stated that tennis had fallen off, however, there is a slight resurge in tennis now, but I think building four

courts should be able to monitor that. A paving contractor would be doing this work. Doing that is an easy add-on in a future phase for you.

MITRICK Chairman Mitrick stated that Ms. Yost had done what had been requested during a Work Session regarding the Master Plan. Chairman Mitrick requested a motion.

MR. BISHOP MOVED THAT THE BOARD ACCEPT THE PROPOSAL FROM YSM FOR THE SPRINGETTSBURY PARK PHASE I CONSTRUCTION DOCUMENTS IN THE AMOUNT OF $184,250 PLUS EXPENSES. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

J. Yost Strodoski Mears (YSM) – Springettsbury Township Park – Grant Application Services - $1,500

SABATINI Mr. Sabatini commented that item J. covers grant operation services from YSM. It is the intent of the Township to pursue a variety of grants from the state and other sources for this park. YSM had provided a proposal in the amount of $1,500 for this grant which is very competitive. Mr. Sabatini recommended that the Board approve the grant application for that proposal.

PASCH Mr. Pasch asked Ms. Yost what the grant application service provides to the Township.

YOST Ms. Yost responded that experience and basic knowledge would be available to the Township on other grants. In this case YSM would actually write the grant for the Township. We will sit down with you and get the information in writing. Typically we just do a cost estimate or review what they have done. We will be working with you and writing it and walking through the steps of whatever resolutions need to be done; meeting with representatives of DC&R and discussing what needs to be done and talking with them about what they think is critical in terms of your grant.

PASCH Mr. Pasch commented that it was more than just the application and follow up.

YOST Ms. Yost responded that it's the research and justification. It is not the fill in the blank part that you are paying for. You need to base it on standards, the need in the community and all the things that we did in the Master Plan. Hopefully we can tie into this through other trends in recreation and make it the most viable grant that we can.

SABATINI Mr. Sabatini added that they are very familiar with the point system that DC&R uses and several opportunities had been discussed where our point

value could be improved for our grant application with minimal amount of work from the Township side. That would improve the Township's ability to receive these grants. Mr. Sabatini had calculated the cost and determined that this was pretty competitive for these types of grants.

MITRICK Chairman Mitrick stated that Mr. Sabatini had commented numerous times that he felt there was a lot of money available.

SABATINI Mr. Sabatini responded that was true, especially in recreation and police departments.

MR. PASCH MOVED TO ACCEPT THE PROPOSAL FOR YOST STRODOSKI MEARS FOR GRANT APPLICATION SERVICES IN THE AMOUNT OF $1,500. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Note from the Stenographer: Solicitor Yost returned to the Table.

6. SUBDIVISIONS AND LAND DEVELOPMENT:

A. LD-00-04 – Strictly Fitness – Extension of Time to 6/30/00 (5/31/00)

MR. GURRERI MOVED TO GRANT AN EXTENSION OF TIME FOR STRICTLY FITNESS LD00-04 TO 6/30/00 (5/31/00). MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-00-05 – Pleasant Valley Road Condos – Extension of Time to 8/24/00 (5/25/00)

MR. SCHENCK MOVED TO GRANT EXTENSION OF TIME FOR PLEASANT VALLEY ROAD CONDOS, LAND DEVELOPMENT 00-05 TO 8/24/00. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

Dover Township Open House

GURRERI Mr. Gurreri reported that he had attended the Dover open house in the new addition to their building. He elaborated on the building and passed around photos of the facility. He showed an information board on which they post their meetings and other information. He spent some time talking with the Manager about the building. He passed along information to Dori Bowders for future use.

Community Map

MITRICK Chairman Mitrick asked Mr. Sabatini whether he had an opportunity to contact Mr. Kominick regarding the (community) map and newsletter.

SABATINI Mr. Sabatini indicated that he had contacted Mr. Kominick and a gentleman who has done work in the past on similar projects will do the work. He stated he had information ready to send to him, which will result in a cost estimate. It should be in the $300 to $500 range due to the large amount of writing involved in it.

Boyle Residence – 2426 Wharton Drive

MITRICK Chairman Mitrick asked Mr. Luciani if he recalled a visit to Mr. Boyle's home on Wharton. She received a call from Todd Platts' office regarding Mr. Boyle who was having a problem with storm water. He has very big problems now. The storm water is being traced, and you can see it running down and coming onto his property. Charlie Webb was contacted again from PennDot. He somewhat relates it to the widening of Mt. Rose Avenue, but knowing what it might be related to is not solving the problem for Mr. Boyle. She requested Mr. Sabatini to get together with Mr. Luciani on this right away. She requested Mr. Luciani to please call Mr. Ron Boyle at 757-1087. His address is 2426 Wharton. She asked that Mr. Luciani discuss it and respond quickly.

Police Recognition

MITRICK Chairman Mitrick announced that an invitation had been received from Police Chief Eshbach regarding the Recognition of Achievement award ceremony to be held on June 12, 2000, which was brought to the Board's attention. That is a Monday at 6:30 p.m. at Central York Middle School.

North Hills Bible Church – Drainage Pond

MITRICK Chairman Mitrick received a call from a Mr. Bradley, who lives at 1921 North Hills, and he said that there is a pond at the North Hills Bible Church at 1951 North Hills Road, and the pond doesn't drain. He said that Mr. Luciani was aware of this. He is wondering what the Township can do about it. He had been referred to Chairman Mitrick's home number by Commissioner Minnich.

LUCIANI Mr. Luciani commented that this was a stormwater pond designed to be a seepage pit. During last year's drought it was full of water. Mr. Luciani had discussed it with their engineer Brown and asked him to install a small discharge device so that the water can drain over a two to three day period and be dry over a larger portion of time. That was supposed to have been done some time ago. The plan was approved many years ago, but Mr. Luciani was unsure of what could be done as an enforcement situation. Ron Simmons and Mr. Luciani met with their engineer and came up with a solution. He questioned how to get it implemented.

MITRICK Chairman Mitrick asked Mr. Luciani if he would inform Solicitor Yost about this and get back to the Board.

YOST Solicitor Yost indicated he would take a look at it.

Volunteer Relief Fire Association

MITRICK Chairman Mitrick received a communication regarding the Volunteer Relief Fire Association. She passed it along to Mr. Sabatini.

Penn Oaks Ball Field - Regrading

MITRICK Chairman Mitrick reported that correspondence had been received from the Army Corps of Engineers related to the regrading of Penn Oaks Park. The Army Corps doesn't do that anymore. She would like to determine what the next step would be.

SABATINI Mr. Sabatini reported that he had sent a letter to the Pennsylvania National Guard requesting that they use that as a training exercise for the civil engineering division. That letter was mailed May 25, 2000.

SCHENCK Mr. Schenck commented that the Board also had looked at the one ball field at that park, the one which still has the bricks in it. He wondered whether the park should be closed for a year. This ball field has the backstops and everything there. He asked whether consideration could be given to replacing that playing surface with material that was used on the other ball fields.

SABATINI Mr. Sabatini asked if he meant the Dimetex.

SCHENCK Mr. Schenck responded that was correct.

SABATINI Mr. Sabatini responded that he could see no reason not to do so.

SCHENCK Mr. Schenck stated that other ones had been done, i.e., the old dug out and replaced it with the new. The only thing that Mr. Schenck would condition it on is if there were no group that wants to use it and then he would not make the investment to improve it.

SABATINI Mr. Sabatini indicated there was still a liability issue. Children are playing there, and we do have notice that there is a problem there. The Township has the material, and it would be mostly the matter of taking a front-end loader and removing the existing material down to a level of 6-8 inches and adding the Dimetex. Public works should be able to do the grading. The best time to do it would be in the fall, and then the material could settle properly.

SCHENCK Mr. Schenck asked whether that project could be discussed with Bruce Bainbridge and his department to see how they feel about it.

SABATINI Mr. Sabatini stated that it's a good suggestion to replace the surface with the existing Dimetex. It would have been a budgetary issue otherwise. You would spend $10,000 on it. He stated that the Township really has no choice in this matter because, as this Board had observed, kids can get hurt.

PASCH Mr. Pasch agreed. Playing baseball can involve falling and hitting one of the bricks, which could create real injury to an eye or other parts of the body. The Township would not want to be responsible for this or any type of an accident. If it is to be used as a baseball diamond, then we do have the responsibility to fix it so it's usable or put seed in.

MITRICK Chairman Mitrick suggested that Charlie Lauer should be asked if he has room in his fall schedule.

SABATINI Mr. Sabatini indicated that would be the first item.

Re-codification Proposal

MITRICK Chairman Mitrick asked about the status of the Re-codification Proposal.

SABATINI Mr. Sabatini stated he discussed the proposal with Burton Hunch from Penns Valley Publishers. He thought that we were within several weeks of receipt.

MITRICK Chairman Mitrick asked whether there was any time limitation when this began.

SABATINI Mr. Sabatini indicated he was not aware of any time limit. He will call him.

MITRICK Chairman Mitrick commented that this project had been started in September of last year.

Fire Police

MITRICK Chairman Mitrick asked Chief Eshbach and Chief Hickman about the status of the Fire Police meeting. There had been one initial meeting that was felt to be very successful. She asked whether there was a follow-up coming soon.

ESHBACH Chief Eshbach responded that there had been several questions. Most of the answers had been received, and they are attempting to get everything together so that we can go back and have all the answers to all the questions. They wanted to know if they could address their own rank structure such as they wanted to select their own Captain, Sergeant, etc. There was disagreement among the fire police themselves about whether they should do that or whether someone else should. Chief Eshbach thought it should be addressed in the by-laws of both fire companies. Both companies have two sets of by-laws and that ties in with the

Emergency Services Commission. We are trying to come down with a solid answer of who can do what. Some of them are under that impression that the Fire Chief could do it. Others want to be able to do it themselves. We are trying to get it clarified.

PASCH Mr. Pasch indicated that in terms of structure in the supervisory positions there should be some type of credentialing that the Township requires. If it gets to the point where they want to select them, then Mr. Pasch did not think it should just be a popular vote. He added that there has to be something in there that says in order for Springettsbury Township to accept them in those positions they have to have this type of credentials before they can serve in those positions.

Wall Projection Unit

MITRICK Chairman Mitrick asked about the possibility of a projection device on the wall for plans to be projected. It had been reported that there was nothing available.

STERN Mr. Stern responded that Mr. Hinkle, Dori and he met with several companies and showed them what we had in mind with the larger plans. Those companies indicated that the technology wasn't conducive to what the Township wanted to do.

MITRICK Chairman Mitrick questioned Mr. Bishop as to whether he had any information about equipment that might produce this result.

BISHOP Mr. Bishop stated that he had been thinking about this in a slightly different way, but not that someone physically brought in a plan and laid it down and then there was a device that projected that on a wall. There are excellent devices that will project on a wall from a computer. These days all of these things are available on the computer anyway. It was his assumption that if someone came in here with a computer presentation of their plan, they could do it on a computer screen. It eliminates that one step of putting a camera in there. This could save a lot of money. Mr. Bishop thought it would be relatively easy to do. It's not going to be a totally universal solution, but all the good engineers would be able to do this.

GURRERI Mr. Gurreri indicated that York Township has a pull down screen that they use.

BISHOP Mr. Bishop indicated that Springettsbury has a screen, but he had never seen it down.

MITRICK Chairman Mitrick asked that Mr. Bishop discuss this with Andy Hinkle and Andrew Stern in the near future and recommend the right direction.

Old East York Signs

MITRICK Chairman Mitrick stated that she noticed that the Old East York signs are up along Market Street and added she thought they looked wonderful.

Odor Problem

MITRICK Chairman Mitrick stated that she had received calls from homeowners north of the creek complaining about odor. She referred one woman to Bob Sabatini. She added that the individual had already gotten DEP involved in it.

SCHENCK Mr. Schenck commented that apparently DEP has a program if after so many complaints then they come in and do something. These people are actually working to that goal.

HODGKINSON Mr. Hodgkinson indicated that DEP has to respond to every complaint. It is generally our inspector. He has been down five or six times in the last three weeks. As far as he is concerned everything is normal. He had received some calls as well and had provided explanation.

East Manchester Development

SCHENCK Mr. Schenck asked Mr. Hodgkinson how the meeting went in East Manchester Township.

HODGKINSON Mr. Hodgkinson responded that they had approved the project with a special exception. The realtor/developers were required to place comments in their literature, making potential buyers aware of the wastewater plant. Additionally there is a Sportsman's Club in East Manchester Township. They had concerns of shooting their rifles. They do not want people boycotting because of their activities. They made them add that to the literature as well, that there is a gun club shooting in the late evening hours.

SABATINI Mr. Sabatini stated that follow up may be necessary with the listing realtors to be certain that it is covered. East Manchester Township may get the complaints, but not the visits from DEP. Follow up in a year with East Manchester Township questioning whether that could be verified.

PASCH Mr. Pasch would have no remorse about making our position known and reknown to whomever. As he saw it we would not have a course of action against those realtors or the builders because they are not agreeing with us; they are agreeing with Manchester Township.

YOST Solicitor Yost indicated that Springettsbury would have every right to seek enforcement of the condition by East Manchester Township. Springettsbury is a party to the action. We should receive a copy of the decisions in order to know exactly how it is phrased.

HODGKINSON Mr. Hodgkinson indicated he had read Mr. Sabatini's letter almost verbatim.

YOST Solicitor Yost stated it would be interesting to see how they rephrase it in their decision, which could be checked immediately. They will have to file a formal decision. It will probably be 45 days if they file their actual decision.

PASCH Mr. Pasch stated that Springettsbury should be looking and following up on everything that East Manchester does before this thing gets into the file.

Public Works Vehicles

GURRERI Mr. Gurreri visited Public Works and there are five vehicles over there that need to be sold. Several of them are not worth very much. He brought up discussion as to whether there would be an auction and whether the autos would be put up for bid.

SABATINI Mr. Sabatini responded that there are several different ways. Advertisement would be placed in the Auto Locator and bid per the normal procedures.

GURRERI Mr. Gurreri indicated that was a good suggestion. It is very expensive to advertise.

Haines – Prospect Road Traffic Signal

GURRERI Mr. Gurreri asked Chief Eshbach whether he had received any complaints about the light on Haines Road and Prospect Street. He stated he had been down there and observed. There were four people in line and only three got through before there was a red light again.

ESHBACH Chief Eshbach responded that six months ago PennDot investigated as there was extreme backup on the interstate down the exit ramp as far as you could see. PennDot had no problem with adjustments being made at that time to clean that area out, but Chief Eshbach did not think an adjustment could be made to delay the light any more than what it is.

8. SOLICITORS REPORT:

YOST Solicitor Yost had a few additions to his written report. The Livingston's have filed a response to our motion. They still want to fight. He passed out some packets of materials on the proposed consolidation of the fire companies for the Board's perusal. Also he had provided fully signed copies of the lease agreement with the ambulance club. York Air has

withdrawn its suit. They apparently do not want the Township looking at their books.

Township Audit Project

SABATINI Mr. Sabatini indicated they are still setting up and meeting with the Auditor that was suggested and something like this would be appropriate as an ongoing process concerning over a thousand businesses here in the township. It might be worthwhile to have an ongoing program.

PASCH Mr. Pasch indicated that he had used this type of service for telephone, electrical billings and had tremendous success with them. This particular group is aggressive, because their income depends on it. There has to be some way to try to control them, but at the same time finding all these little nuggets of gold that are sitting out there, which should be coming to the Township.

YOST Solicitor Yost added that, even though they are only done rarely, the word gets around the community that an audit will be done, and there is an aggressive auditor.

Public Records Act

PASCH Mr. Pasch brought up the Public Records Act and stated that it would be one horrendous kind of project. He wondered whether the Board should take any action with the legislature or with our representatives such as Platts, Armstrong, etc. Reading what was said, whenever the media asks for information, the Township needs to be providing information.

SABATINI Mr. Sabatini responded that what was really difficult is that this is the endorsed bill by the Boroughs Association and the League of Cities.

PASCH Mr. Pasch asked whether they gave a reason. He asked whether there had been any letter from PSATS. He stated this was not a good bill.

SABATINI Mr. Sabatini responded that there are a number of municipalities and several organizations reviewing it because many municipalities can't comply for the very simple fact that they are not opened five days a week. They are open two days a week.

YOST Solicitor Yost stated that it was not a balanced bill.

SABATINI Mr. Sabatini stated that one of the things done was to help municipalities enact a policy where an inquiry would have to be written. In that way the municipality would know exactly what it would be required to provide.

PASCH Mr. Pasch indicated there should be some type of policy on that anyway. If this thing goes into effect I think it is specifically designed for the

media. It can be very expensive for the Township. Mr. Pasch expressed interest in going on record that Springettsbury Township is opposed to this bill in its present form.

SABATINI Mr. Sabatini indicated he would provide a legislative review of it and provide it to the Supervisors.

9. MANAGERS REPORT:

SABATINI Mr. Sabatini reported that a copy of the Fireman's Relief Audit had been forwarded to the Board. This is a public document and had been made available to the news media through the Auditor General's office. There were no significant findings with the exception that they should be maintained in a list of capital items purchased with that. Additionally he received the Township Audit, which would be distributed.

Interior Design Services – New Administration Building

SABATINI Mr. Sabatini, Dori Bowders and Betty Speicher met with Diversified Design, NuTech, and Murphy & Dittenhafer. The prices were relatively close together, $4,800, $5,200, and $5,500. We believe that Murphy and Dittenhafer has the best ability to meet our timetable, very specifically because they are very close in physical proximity to the site and to the staff. They compared with Diversified Design, which is actually in New Cumberland. Of the three they have the best understanding of the building itself. It was recommended that the Board approve Murphy and Dittenhafer in the amount of $4,800.

SCHENCK Mr. Schenck asked whether Murphy and Dittenhafer has a staff person who does this.

BOWDERS Dori Bowders responded that Deb Miller graduated from the Pennsylvania School of Art & Design. She has done work with West Manchester Twp. and a variety of other public facilities.

MR. SCHENCK MOVED TO AUTHORIZE THE STAFF AND APPROPRIATE TOWNSHIP OFFICIALS TO ENTER INTO AN AGREEMENT WITH MURPHY & DITTENHAFER FOR INTERIOR DESIGN SERVICES NOT TO EXCEED $4,800. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Farmhouse Inspection – Labor & Industry

SABATINI Mr. Sabatini reported that there would be an L&I inspection of the farmhouse scheduled for May 30, 2000. Several items need correction, and he added that the punch list still has nearly a solid page to be addressed by the contractor. Township people are working diligently on this.

Park Vandalism

SABATINI Mr. Sabatini reported a problem with vandalism at the Township parks. The Police Chief was requested to watch the parks more closely. In addition, a press release had been issued, and Channel 27 asked the public to keep an eye on our parks in behalf of the Township.

Thermal Navigation Equipment

SABATINI Mr. Sabatini reported that on Monday a structure fire was reported on Pleasant View Drive. When our paid people came to the scene, they were told by a neighbor that there were kids inside. Three fire fighters who initially came on the scene popped the door, and two went in with the new vision goggles without support of a hose to quickly scan through because of the heavy smoke involved. They did not find any children, and in fact, they had actually left for school. These guys really put themselves on the line according to the Chief's report in terms of going in there without a hose to make sure that there weren't people still trapped in there.

MITRICK Chairman Mitrick asked whether that was what the vision goggles are for.

HICKMAN Chief Hickman responded that it is a thermal navigating camera. He explained that it is actually hand held, and that is exactly what it is for.

MITRICK Chairman Mitrick asked to have a written article in the next newsletter to express gratitude to them.

SABATINI Mr. Sabatini commented that the fire fighters had been equipped with up to date equipment, and it had made a difference.

MITRICK Chairman Mitrick asked whether Chief Hickman had considered writing a letter about the use of the equipment.

HICKMAN Chief Hickman responded that a letter had been sent about a month ago following an incident where it had been used to locate a scene of a fire.

MITRICK Chairman Mitrick stated that the fact that they went in looking for children would be an added reason for another letter.

9. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Ordinance 00-05 – Signs within the Flexible Development Zoning District (permission to advertise public hearing on June 22, 2000 at 7:00 p.m. and advertise "intent to adopt")

SABATINI Mr. Sabatini stated that item A covered adding signs in the Flexible Development Zoning district. He stated that authorization was required for a Public Hearing. He suggested that it be scheduled for June 22, 2000

at 7:00 p.m. which is just prior to the Board meeting. Authorization was requested to advertising the Ordinance with the intent to adopt it at that very same evening.

MR. GURRERI MOVED TO AUTHORIZE THE TOWNSHIP STAFF TO ADVERTISE PUBLIC HEARINGS ON THE AMENDMENT TO THE ZONING ORDINANCE REGARDING SIGNS IN THE FLEXIBLE DEVELOPMENT ZONE DISTRICT FOR JUNE 22, 2000 AT 7 P.M. AND FURTHER AUTHORIZE STAFF TO ADVERTISE THE ORDINANCE WITH THE INTENT TO ADOPT THE PROPOSED ORDINANCE AT THE JUNE 22 MEETING. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution 00-31 – Conflict of Interest

SABATINI Mr. Sabatini commented that item B dealt with conflict of interest. This basically referenced the state law governing the ethics of any municipal official.

GURRERI Mr. Gurreri proposed several scenarios for clarification. If a personal friend comes in for a Board decision, it would be strictly up to the Supervisor as to whether they should or should not leave the table. If a person comes in and a Supervisor is a member of a club, there would be no need to leave the table; however, if the Supervisor is a member of the club's Board, and there would be a Land Development issue, then the Supervisor should leave the table.

BISHOP Mr. Bishop stated that he did not see any of that information written in Resolution 00-31.

SABATINI Mr. Sabatini commented that actual or perceived conflict of interest is defined in the Act. He commented that if a person were a director or had anything more than a 5% interest in a business or, as it states, a perceived conflict of interest could be concluded. There may not be an actual fiscal relationship, but there may be the perceived conflict of interest even though there is not an actual fiscal impact.

BISHOP Mr. Bishop asked who would decide what is a perceived conflict of interest.

SABATINI Mr. Sabatini responded that, as a general rule, it is the responsibility of the Board member.

BISHOP Mr. Bishop indicated he agreed but added that he was not convinced that the proposed Ordinance stated that fact. Mr. Bishop stated that the Ordinance did not allow much flexibility in consideration of Mr. Gurreri's

previous comment. It stated that the Board member should disclose perceived conflict of interest.

YOST Solicitor Yost stated that the intent was that there are conflicts of interest, they are defined in the Ethics Act. Each Supervisor should be prepared to go one step further even though something may not be technically a conflict of interest, if it could be perceived by anyone as a conflict, that the person as well as the Board and the Township are better served by sitting out in the audience while the action is being taken on it.

BISHOP Mr. Bishop stated that he disagreed. He knows that there are people who dislike him intensely who could perceive a conflict when no reasonable person would perceive that a conflict existed.

YOST Solicitor Yost indicated that, in that scenario, he would not think there was a perceived conflict.

SABATINI Mr. Sabatini stated that one of the difficulties in drafting this is because it is drafted from a script and put it into a legislative language. Consideration had to be given to a variety of action, such as land development or purchasing situations or whether a next door neighbor coming in with a sub-division plan. The public official must use his/her best judgment.

GURRERI Mr. Gurreri stated that there would be some things that are automatic, such as being on the Board of a club or the involvement of a family member.

MITRICK Chairman Mitrick asked Solicitor Yost to comment.

YOST Solicitor Yost responded that he agreed that the Township should have a similar type of policy. He added that just sitting at the Board table and abstaining just not necessarily convey to the public that you are not having some sort of input. One could say the same thing by sitting with the public.

SCHENCK Mr. Schenck stated that he thought it was somewhat unnecessary to have a written policy, but what would make him comfortable would be that when an individual perceives there is a conflict of interest he removes himself/herself. Mr. Schenck felt that he should be making the decision toward a perceived conflict of interest and not another Board member. He added that if there could be some differentiation made towards actual and perceived and the understanding that the perceived comes from the individual, he would not have a big problem with it.

SABATINI Mr. Sabatini stated that it could be changed so it states in one paragraph that when there is an actual one per the state code, one must disclose that it

is perceived. It is an individual decision, and if the individual perceives that this is a conflict of interest they state it and step out.

MITRICK Chairman Mitrick asked whether this was basically written for the public.

YOST Solicitor Yost responded that was true, but added that he agreed with Mr. Schenck in that only the person sitting up here can determine whether or not it would be perceived by them as a conflict. The people out there might have any number of reasons looking for conflicts everywhere and anywhere. Ultimately it does have to be the decision of the person sitting behind that table.

SABATINI Mr. Sabatini commented that consideration must be given to the teeth of the state ethics law on the actual side. It really is a moral decision, or a decision of integrity that one makes as a public official.

SCHENCK Mr. Schenck stated that he had previously commented based on his question as to whether this Resolution was needed at all.

BISHOP Mr. Bishop stated he did not think a Resolution was necessary.

PASCH Mr. Pasch commented that whatever applies to one Board member applies to all Board members. He would not volunteer on his own to go sit in the audience if the rest of Board has a conflict of interest and does not do the same. Mr. Pasch indicated he had no problem with a Resolution. In consideration of actual conflict it were stated in state ethics code that would be fine. If perceived conflict of interest were stated, that would be fine, but ultimately that is up to each person individually. Where it is perceived, he personally would have to make that decision.

SABATINI Mr. Sabatini added that this matter would apply to employees, Zoning Hearing Board and any of the boards that are appointed bodies by the Supervisors and staff that are defined as public officials.

MITRICK Chairman Mitrick asked Mr. Sabatini to revise the draft for the Board.

SABATINI Mr. Sabatini indicated he would do so. Mr. Sabatini added that his reason for proposing it as a Resolution was because it would become an ongoing policy for the Board. Having a legislative action brings a certain level of permanence to this that Board members and other public officials can reference in the future

C. Resolution 00-34 – Police Pension Fund – Chief Administrative Officer

D. Resolution 00-35 – Firemen's Pension Fund – Chief Administrative Officer

E. Resolution 00-36 – Non-Uniformed Employee Pension Fund – Chief Administrative Officer

SABATINI Mr. Sabatini presented the three Resolutions (00-34, 00-35, and 00-36) dealing with Chief Administrative Officer requirement of the various state pension laws for the firemen's non-uniformed police. This action was required by law to appoint by Resolution. The last one was done in 1997 and it appointed Paul Amic as the CAO. This action would cover the matter until the appointment of a new Township Manager. At that time an appointment would be made at the beginning of the year.

SCHENCK Mr. Schenck asked Solicitor Yost whether this action was anything he should be concerned with inasmuch as Mr. Sabatini is an interim manager.

YOST Solicitor Yost indicated he did not think so, because actually Mr. Sabatini is the manager and has all the power and authority by the power of the manager's ordinance.

SABATINI Mr. Sabatini added that this would allow him to sign AG 385's, the state filings. Generally a good amount of the power is held with the pension board's themselves. This basically authorizes him to send the paper work and sign off on the paper work that comes from the actuaries.

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 00-34. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 00-35. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 00-36. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Resolution 00-37 – Purchasing Procedures

SABATINI Mr. Sabatini commented that Resolution 00-37 covered the purchasing procedures. During an April Board meeting, there had been a discussion about establishing a threshold where the Board needs to have approval. He expounded with some scenarios and details for the Board.

MITRICK Chairman Mitrick asked Mr. Sabatini if Resolution 00-37 would clarify any misunderstanding of things that are approved during the budget process. She asked whether this outline would satisfy the concern that the Board has had.

SABATINI Mr. Sabatini responded that it clarified the questions.

BISHOP Mr. Bishop asked whether there were other aspects of the purchasing policy that need to be brought forth, not as part of this Resolution, but whether a policy needed to be in place that is currently not in place.

SABATINI Mr. Sabatini responded that the policies probably need to be upgraded somewhat. There is no intent to change the standing purchasing policy. At this point the Resolution does not have a negative impact upon the existing policies.

PASCH Mr. Pasch commented that what happens is that most of these purchases that are under $10,000.00 come to the Board and it delays them. Mr. Pasch could not remember instances where any were denied. The Township staff is very good. They do a good job. There may be times when it would benefit to be able to move quickly.

MR. GURRERI MOVED TO APPROVE RESOLUTION 00-37. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

10. ACTION ON MINUTES:

A. Board of Supervisors Work Session – May 11, 2000

MR. GURRERI MOVED FOR APPROVAL OF THE MINUTES OF THE BOARD OF SUPERVISORS WORK SESSION MAY 11, 2000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Regular Meeting – May 11, 2000

MR. GURRERI MOVED FOR APPROVAL OF THE BOARD OF SUPERVISORS REGULAR MEETING MAY 11, 2000 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. BISHOP ABSTAINED AS HE WAS NOT IN ATTENDANCE.

11. OLD BUSINESS:

SABATINI Mr. Sabatini brought up the matter of Patricia Walters and consideration of her membership on the Historic Preservation Board. She would like an answer.

GURRERI Mr. Gurreri commented that he had discussed her candidacy with Luther Sowers, who had known her for many years. Her mother owns property in the Historic District. She is an adult reading supervisor in adult education. Mr. Gurreri was in favor of her appointment.

MR. GURRERI MOVED TO APPOINT PATRICIA WALTERS TO THE HISTORIC PRESERVATION COMMITTEE. MR. BISHOP WAS SECOND.

MOTION CARRIED. MR. PASCH ABSTAINED DUE TO A CONFLICT OF INTEREST. CHAIRMAN MITRICK VOTED NO.

12. NEW BUSINESS:

A. Cimmeron Road Speed Limit

SABATINI Mr. Sabatini commented that Cimmeron Road meets the criteria for 25 miles per hour speed limit. Requests had been received to set the speed limit below 35 miles per hour. Authorization was requested to advertise an Ordinance to set the speed limit at 25 miles per hour based on a traffic study and Township codes.

ESHBACH Chief Eshbach commented that this is a residential district and there had been vehicles cited in violation of the 35 mile per hour speed limit. Chief Eshbach was in complete agreement to lower the limit.

MR. GURRERI MOVED TO AUTHORIZE ADVERTISEMENT OF AN ORDINANCE TO ESTABLISH A 25 MILE PER HOUR SPEED LIMIT ON CIMMERON ROAD. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Pleasant Valley – Memory Lane – Four-Way Stop

MITRICK Chairman Mitrick commented that a letter had been written with a request for a four-way stop sign at the intersection of Pleasant Valley Road and Memory Lane. The letter was signed by Dr. Philip Scott.

13. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 11:30 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

BOARD OF SUPERVISORS **JUNE 7, 2000**
FIRE & RESCUE ORDINANCES WORK SESSION **APPROVED**

The Board of Supervisors held an 8:00 a.m. work session on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick – Chairman
Don Bishop
Ken Pasch
Nick Gurreri
Bill Schenck

ALSO IN ATTENDANCE:
Robert Sabatini – Interim Township Manager
Donald Yost - Solicitor
Michael Hickman – Fire Chief
Andrew Stern – Director of Economic Development
Jewel Frey – Receptionist/Administration Office Support

MITRICK Chairman Mitrick called the meeting to order at 8:00 a.m. She indicated the purpose of the work session is to further discuss draft ordinances related to the Springetts and Commonwealth Fire Companies. Also, Mr. Sabatini recommended advertising the work session to include other business as well. She added that some decisions needed to be made concerning the construction of the new municipal building before addressing the fire ordinances. Chairman Mitrick turned the meeting over to Andrew Stern.

STERN Mr. Stern went over several changes for the new municipal building, such as the board table, cabinetry in the caucus room for a refrigerator to be added and a separate patio area for smokers. Mr. Stern also indicated that the microphones would be voice activated, as well as clip on. He also added that headsets are required for the hearing impaired. Additionally, there will be a floor jack for public comment and wiring for audio video jacks for monitors. He informed that Board that the contractors are ten days ahead of schedule.

MITRICK Chairman Mitrick thanked Mr. Stern and announced that there will be an executive session following this meeting regarding personnel.

MITRICK Chairman Mitrick stated there were serious discussions for over three years now concerning the fire service with work sessions and Emergency Service Commission meetings to attempt to come up with an agreement. There were drafts and redrafts done and the two drafts prepared for this meeting were compiled by Attorney Yost from all of the previous meetings, input from the volunteers and employees and the Board of Supervisors. One of draft ordinances relates to Springetts Fire Company as number one and Commonwealth Fire Company as number two, as the

official volunteer fire companies of the Township. The other draft ordinance requires the consolidation of Springetts and Commonwealth Fire Companies into a single fire company. Both drafts indicate that the office of the Fire Chief and the Board of Governors would be established with the proposed ordinance.

YOST Attorney Yost mentioned that the ordinances do not address the issue that the consensus of the Board of Supervisors was to empower the Fire Chief.

SCHENCK Mr. Schenck questioned where the Board of Governors would fit in with the Board of Directors in the consolidation draft.

YOST Attorney Yost said the concept of the Board of Governors is to have a direct line of communication for the volunteer fire company with the Township.

SCHENCK Mr. Schenck questioned if this would make it mandatory to consolidate.

YOST Attorney Yost said it would be mandatory consolidation. Attorney Yost said the Second Class Township Code is an equity action in the Court of Common Pleas to compel the fire companies to consolidate based on the authority of the ordinance.

SABATINI Mr. Sabatini mentioned another option would be to recognize only one Fire Company and that would basically put the other fire company out of business.

SCHENCK Mr. Schenck believed it to be true that the Fire Chief reports solely to the Township Manager. The two questions Mr. Schenck had were the authority of the Fire Chief and the authority of the Board of Governors in the ordinance.

PASCH Mr. Pasch said the big question is the consolidation of the two fire companies.

YOST Attorney Yost had talked with Mr. Sabatini on the issue of the loans for the fire companies and both agreed that there would be no reason to have three outstanding loans at any one time.

BISHOP Mr. Bishop agreed that if it can't be done with three loans, then the fire company isn't being run properly.

SABATINI Mr. Sabatini said there is no need to do that type of borrowing.

MITRICK Chairman Mitrick has read the minutes of the Emergency Services Commission and asked Mr. Bishop if anything has come forward from any of the companies. Mr. Bishop responded no, nothing has come to his attention. Chairman Mitrick asked the Fire Chief if this meeting was

posted at both stations. Chief Hickman responded yes, this meeting was posted at both fire stations.

BISHOP Mr. Bishop noticed that there hasn't been any activity on the part of the fire companies to come up with a proposal. The bottom line is that the fire companies were waiting for the Board of Supervisors to do whatever it is that needs to be done to move forward. Mr. Bishop mentioned that the fire companies had at least six months to come up with a proposal on their own.

MITRICK Chairman Mitrick asked the Fire Chief for his recommendation on this matter.

HICKMAN Chief Hickman recommended consolidating both fire companies into one company. The main reason being there would be one set of rules and regulations. It makes it streamlined and theoretically easier to manage.

PASCH Mr. Pasch recommended that consolidation is the way to go. The whole operation would definitely be more efficient and become one team effort.

GURRERI Mr. Gurreri agreed with Mr. Pasch and mentioned that the Township should look into the possibility of building a new fire hall in the future.

SCHENCK Mr. Schenck stated he was surprised that no one has heard anything from any of the fire companies.

MITRICK Chairman Mitrick mentioned that the Board of Supervisors had an open atmosphere to work with the fire companies and had asked for their input, along with the Emergency Services Commission meetings. Chairman Mitrick was also surprised that nothing was heard from any of the fire companies.

PASCH Mr. Pasch mentioned that there will be a meeting on Monday, June 12, 2000 at 1:00 p.m. and invited Attorney Yost to attend.

MITRICK Chairman Mitrick suggested making a motion supporting restructuring the fire companies into consolidation and then further that motion to advise Attorney Yost to fine-tune that ordinance with the issues raised at this meeting.

MR. BISHOP MOVED TO DIRECT THE SOLICITOR TO WORK WITH THE APPROPRIATE PARTIES TO DRAFT AN ORDINANCE TO CONSOLIDATE THE TWO FIRE COMPANIES. MR. PASCH SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick mentioned there would be a work session on June 15, 2000 at 7:00 a.m. The purpose of the work session would be related to consolidation of the fire companies.

MITRICK Chairman Mitrick asked the other Board members if they had received letters and phone calls from residents from Springetts Oaks and Century Woods area regarding the future development of a tract of land on Pleasant Valley Road. Chairman Mitrick had received a call from Alan Maciejewski, the Planning Commission Chairman concerning this same matter. Mr. Maciejewski would like to meet with the rest of the Planning Commission and the Board of Supervisors, as well as the developer at a work session to collectively look at the plan. No decisions from the Board would be made; this would be an informational work session only.

It was the consensus of the Board to hold a work session on Thursday, July 6, 2000 at 7:00 p.m. with the Planning Commission Members.

MITRICK Chairman Mitrick adjourned the meeting at 9:12 a.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/jaf

BOARD OF SUPERVISORS **JUNE 15, 2000**
FIRE & RESCUE ORDINANCE WORK SESSION **APPROVED**

The Board of Supervisors held a 7:00 a.m. work session on the above date at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick – Chairman
Don Bishop
Ken Pasch
Nick Gurreri
Bill Schenck

ALSO IN ATTENDANCE:
Robert Sabatini – Interim Township Manager
Michael Hickman – Fire Chief
Andrew Stern – Director of Economic Development
Donald Yost - Solicitor
Jewel Frey – Receptionist/Administration Office Support

MITRICK Chairman Mitrick called the meeting to order at 7:00 a.m. The purpose of the work session is to further discuss a draft ordinance related to the consolidation of Springetts and Commonwealth Fire Companies and also to discuss other business. Chairman Mitrick mentioned there would be a brief executive session following this meeting.

YOST Attorney Yost handed out the draft ordinance on consolidation of the two fire companies, which incorporated comments from the previous work session and from the meeting with Ken Pasch, Bob Sabatini and the Fire Chief held Monday, June 12, 2000. Attorney Yost specified that the Board of Governors would replace the Emergency Services Commission. Attorney Yost made minor revisions to the by-laws and took out the redundant language and added language concerning fire police.

BISHOP Mr. Bishop wondered when the recognition of the new fire company would come into existence, when the ordinance would be adopted, or in 60 days.

YOST Attorney Yost said once the ordinance comes into existence, the new fire company would automatically be recognized. The consolidation would not change status, contracts or anything of the individual companies. The biggest change is power of authority to the Fire Chief. With approval from the Board of Supervisors, the Fire Chief could set up an internal structure within the fire department.

SABATINI Mr. Sabatini wanted to directly strength the authority and responsibility of the Fire Chief as it relates to emergency services. He wanted to make everyone aware that they are treating the Board of Governors as a public

agency with open records, minutes and the availability for the public to attend. It is very important that this be an open process.

SURTASKY Mr. Surtasky was very disappointed in the Board of Supervisors and wondered why it is taking so long to get a Deputy Fire Chief. He understands that several firefighters have turned down the position. He also wondered why there was no promotion within the company, and feels there is something not right that no one wants the Deputy Fire Chief's position. He questioned an article in the paper that quoted Bob Sabatini saying that basically the one fire company could be put out of business.

BISHOP Mr. Bishop intervened and made it clear that no one from the Township, Board of Supervisors, Interim Manager or Fire Chief publicly discussed closing any of the fire companies.

SABATINI Mr. Sabatini mentioned that the Township has the ability to control, under state law, the fire companies and there is no consideration of closing a fire station. He also mentioned that the decision would come from the Board of Supervisors and not the Township Manager.

PASCH Mr. Pasch mentioned that under Section 6.03 of the ordinance it gives the Township an opportunity to establish such a structure within the fire department. The Fire Chief has to have the capabilities to establish the requirements and qualifications of the positions within the fire department.

SURTASKY Mr. Surtasky wondered what would happen if Station 17 would turn over the fire station to the Township.

PASCH Mr. Pasch had hoped that scenario wouldn't happen and if it would, the Board would have to address the issue.

SURTASKY Mr. Surtasky noted that he had never heard anything from the public that the fire service in the Township was not adequate enough.

MITRICK Chairman Mitrick asked Mr. Surtasky to call Mr. Pasch if he had any more questions concerning the ordinance. She also appreciated Mr. Surtasky's presence at this meeting, as well as all the other meetings.

BISHOP Mr. Bishop suggested another meeting be held primarily to explain the ordinance to the members of the fire companies. The members will be expected to have a meeting in sixty days to vote on this matter.

YOST Attorney Yost recommended that copies of the ordinance be sent out to the heads of the fire companies in advance.

MITRICK Chairman Mitrick called for a motion to schedule a special meeting to discuss and adopt the proposed ordinance.

MR. BISHOP MOVED TO ADVERTISE A MEETING TO BE HELD ON MONDAY, JULY 10, 2000 AT 7:00 P.M. TO ADOPT THE ORDINANCE. MR. SCHENCK SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY APPROVED.

HICKMAN Fire Chief Hickman mentioned that the Ambulance Club membership forms were in the process of being printed and would be mailed out in the very near future.

SABATINI Mr. Sabatini informed the Board that he would like to have an executive session on June 22, 2000 at 6:30 p.m. regarding personnel.

MITRICK Chairman Mitrick mentioned that there would be a meeting on Friday morning, June 16, 2000 concerning the landscaping project in front of the prison. The County mentioned that they would do whatever the Township had in mind, even if they had to landscape the full length of Concord Road. Chairman Mitrick also mentioned that the Planning Commission would have their own work session concerning the Pleasant Valley Road Condo project.

MITRICK Chairman Mitrick adjourned the meeting at 7:40 a.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/jaf

BOARD OF SUPERVISORS **JUNE 22, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors held a Regular meeting on Thursday, June 22, 2000 at 7:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Bill Schenck
Ken Pasch

ALSO IN ATTENDANCE:
Robert Sabatini, Interim Township Manager
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Robert Halbert, Rummel, Klepper & Kahl
Bruce Bainbridge, Director of Recreation
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Michael Hickman, Fire Chief
Andy Hinkle, MIS
Mark Hodgkinson, Wastewater Treatment Superintendent
Charles Lauer, Director of Public Works
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m. She welcomed the public to the General Meeting of the Board of Supervisors. She announced that there would be an Executive Session following the General Meeting regarding legal and personnel matters. She also reminded the public that the Board of Supervisors scheduled a Work Session with the Planning Commission members on Thursday, July 6 related to the Pleasant Valley condominium development. She thanked Andrew Stern for including the information on that development in their Board packets. She indicated that the Planning Commission should submit a written report to his office prior to that meeting. She asked that that report be supplied to the Board. She announced that on Monday, July 10, at 7:00 p.m. the Board scheduled a Special Meeting regarding the Fire Ordinance.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

B. Resolution 00-33 – Eleanor Pioli

MITRICK Chairman Mitrick stated that the Board of Supervisors had been provided an opportunity to honor Mrs. Eleanor Pioli. She asked Mr. Pasch to present Resolution 00-33. She asked Mr. Bainbridge to participate as well.

PASCH Mr. Pasch asked Mr. Bainbridge for his comments.

BAINBRIDGE Mr. Bainbridge indicated that Eleanor had always been 10 steps ahead of him in the office. She watched the program grow through the years. She handled everything all year round. He summarized her response to Springettsbury Township in that she had been faithful, thorough, and a workman that never had to be ashamed. She had been committed to Springettsbury Township and the community.

PASCH Mr. Pasch stated that it was a special privilege for him to read the proclamation to her. He read the content of Resolution 00-33 in recognition of Eleanor V. Pioli. Mrs. Pioli began her career with Springettsbury Township February 10, 1981 and served the citizens of Springettsbury for more than 19 years. Her official retirement began on June 2, 2000. On behalf of the Board of Supervisors, he extended their thanks and best wishes for a happy, healthy and productive retirement. He presented her with a gift for her years of service.

PIOLI Mrs. Pioli thanked the Board for taking the time to acknowledge her retirement. She stated that the 19 years that she worked for the township with Mr. B. had been pleasant, and rewarding.

2. COMMUNICATION FROM CITIZENS:

MITRICK Chairman Mitrick opened the meeting for citizen comment and asked if anyone wished to address the Board. She requested that they provide their name and address for the record.

Hunters Crossing

RANDALL Mr. Richard Randall of 3601 Cimmeron Road in Penn Oaks, along with a group of neighbors, wished to voice some concerns about a development in the planning stages called Hunters Crossing. He stated that the development location was on the John Wiest farm in the township bordering Penn Oaks at the end of Kingston Road. They had discussion with some Board members and Mr. Stern prior to the meeting, and they understood that the Board had not yet seen the plans. They are learning the process and understand that they need to spend more time talking to Mr. Stern and the Planning Commission. Their intention was to briefly advise the Board of their concerns.

1. The proposed site is being studied as Camp Security, the Revolutionary War site. One concern would be that if there is a reasonably important historical site in the area, and that there would be concern for preservation of that site.
2. The site is on a very steep hill, which comes up behind the properties of many of the residents on Cimmeron Road. They are concerned about drainage. Preliminary plans show a rather large holding pond, which would be located right behind his house.
3. There is a rather deep, large stand of trees running along the creek between Penn Oaks properties and the proposed development. The stand of trees is esthetically very nice and a habitat for quite a bit of wildlife – deer, birds, blue heron, osprey, owls. There was indication that those trees would be taken down for the holding pond and a small public park.
4. Many neighbors have concerns about traffic. Kingston and Cimmeron Road have become very busy in recent years as a cut-through to East Prospect Street. Putting in another development, which would take traffic through Kingston Road into that development with limited entry and access would only aggravate the traffic situation.

Those are the preliminary concerns. They understood no comment would be made. They will be presenting those concerns as the planning progresses.

MITRICK Chairman Mitrick asked Solicitor Yost to explain the process for clarification purposes on a typical land development movement in the Township.

YOST Solicitor Yost responded that the particular plan began on a two-pronged course in that the developer brought a preliminary plan to the Supervisors with several waiver requests. The Board had not yet acted upon those plans and had no legal requirement to act upon if within a specified period of time. The plan was taken back to the Planning Commission, which is the normal process. Once a plan is filed with the township, the township must act upon it within 90 days unless the developer agrees to extend the time. Right now the plan is before the Planning Commission, which had not yet acted upon it. Their action would be in the form of a recommendation to the Board of Supervisors. The developer had extended the time within which the township had to act on the plan until August 31, 2000. Time is critical because acting upon it in 90 days unless extended is mandatory, and if there is no action, that is the Board of Supervisors does not act within the 90 days, the applicant gets what is called a deemed approval. They get what they presented. The developer here has acted responsibly recognizing there are a number of problems with the plan and concerns that must be addressed

including Camp Security. For that reason the time was extended within which the Township had to act until August 31. Eventually it will get back to the Board of Supervisors, but concerns at this point in time should be expressed to the Planning Commission. Solicitor Yost indicated an assumption that it would be on the Planning Commission agenda at their next meeting. They meet on the 3rd Thursday of each month at 6 p.m.

RANDALL Mr. Randall asked how they could determine whether it would be on their agenda.

YOST Solicitor Yost responded that they should be in contact with Mr. Stern.

Memory Lane – Pleasant Valley – Four Way Stop

FOLTZ Mr. Don Foltz of 3501 Ridgewood Road, York, PA spoke regarding the four-way stop signs at Memory Lane and Pleasant Valley Road. He read an article in the newspaper that the four-way stop signs were only temporary and asked whether the Board had actually made a decision regarding the matter. He wished to go on record that he would like to see those four-way stop signs there permanently. At the southeast corner there is a home, trees and a hedge, which make it difficult to see. He compared this intersection with other four-way stop signs (Hake's Corner, Route 238 West, Mennonite Church on East Prospect Road) in York County, which have better visibility.

LUCIANI Mr. Luciani responded that the criteria for a four-way intersection is very stringent and similar to a traffic signal. Occasionally permission might be granted for a four-way intersection when site distance is not adequate. The site distance at Memory Lane and Pleasant Valley Road had been reviewed. Mr. Lauer had made some improvements; some vegetation had been removed resulting in adequate site distance. The lack of visibility potential was not as available to make it a four-way stop, and now traffic is the key within an 8-hour period. Mr. Luciani did not believe that Memory Lane and Pleasant Valley Road would meet the criteria for a four-way stop sign, resulting in the selection of direction for the traffic to flow. Pleasant Valley Road is the through street with the higher volume of traffic.

PASCH Mr. Pasch asked how traffic volume is determined.

LUCIANI Mr. Luciani responded that Mr. Lauer had counters, which supplied traffic count data. Additionally, an evaluation was being done of the flow of traffic on Pleasant Valley Road prior to the change in stop signs in order to have a benchmark.

PASCH Mr. Pasch agreed and indicated he liked the four-way stop. He added that if the Township were not permitted to keep the four-way stop, they would have no choice.

SABATINI Mr. Sabatini commented that PennDot regulations had changed in the past 10-20 years regarding four-way intersections. Some existing four-way stops may have been established many years ago prior to the more stringent current criteria.

MITRICK Chairman Mitrick stated that she preferred a four-way stop as she felt it was safer. However, she acknowledged that the decision would not rest with the Board of Supervisors.

Pleasant Valley Condominium Project

KLAUBER Roy Klauber of 3775 Springetts Drive, York stated that he understood that the plan for Pleasant Valley condos was still in the Planning Commission stage. He wondered if there was any information available as to when there might be a public meeting when public comment would be accepted.

MITRICK Chairman Mitrick responded that there would be a special Work Session scheduled for Thursday, July 6 at 7 p.m. Chairman Mitrick requested that Mr. Sabatini be sure that Mr. Klauber would be notified.

KAHLBAUGH Ann Kahlbaugh of 1700 Deamerlyn Drive, York, PA indicated she needed clarification as to why the Planning Commission would not discuss the plan when public discussion was requested.

MITRICK Chairman Mitrick responded that she had discussed the matter with Mr. Maciejewski prior to that meeting and that the subject had not been on the agenda.

KAHLBAUGH Ms. Kahlbaugh stated that they had asked the Planning Commission when they would be able to discuss it publicly.

MITRICK Chairman Mitrick stated that when the plan would come to the Board of Supervisors there would be open comment. Prior to that when it is still in the Planning Commission, time would be allotted on that agenda for public comment as well.

KAHLBAUGH Ms. Kahlbaugh asked how they, as citizens, could be pro-active in shaping a future development if the Planning Commission would not hear their concerns.

YOST Solicitor Yost stated that they would hear their concerns. Solicitor Yost indicated the Planning Commission already has the plan. When it's on their agenda as a discussion item for themselves, it's on the agenda for the citizens to speak also.

MITRICK Chairman Mitrick stated, in order to clarify, it doesn't mean that a plan under consideration by the Planning Commission is written in stone. That is a forum where comments from the public would be taken into consideration. Even when the plan is passed forward to the Board of Supervisors and the plan sits before us on the table, it still isn't written in stone until we have our dialog with the developer, and all of our questions and concerns are satisfied.

KAHLBAUGH Ms. Kahlbaugh thanked the Board.

Fire Ordinance

ASTOR Bob Astor, 2950 Chesapeake Road, York, PA commented about the Fire and Rescue Ordinance Work Session. He stated that he had been unable to comment during the meeting since he had been on suspension from all fire company activities along with another member of the Board of Directors of the Fire Company. There had been a comment made at the Work Session concerning the Fire Company's inability or unwillingness to come up with a document consolidating two fire companies. Mr. Astor provided specific details about information and documentation and his interpretation of the working agenda between the fire companies and the Board of Supervisors.

MITRICK Chairman Mitrick responded that the Board of Supervisors had been working on the effort for over three years. There had been numerous public forums specifically related to ordinance development with the fire companies, and other forums where the item had been on the general meeting agenda. Every member of the Board felt that they had given the topic adequate time.

PASCH Mr. Pasch pointed out that the suspension had been given was for fire scene activities and had not involved anything else. Mr. Astor would have been welcome at the Work Session and anything else that was involved that did not involve fire scene activities.

ASTOR Mr. Astor stated that the letter that he received from Chief Hickman specifically stated that he was not allowed to participate in any fire activities as related to fire company, fire scene adding that he was not even allowed in the station.

MITRICK Chairman Mitrick terminated the discussion as it was confidential information. She stated if Mr. Astor wanted to go public with it, that was up to Mr. Astor; however, she stated it was confidential as far as the Board of Supervisors was concerned.

Kingston Road Traffic and Speed

SCHAFFER Chuck Shaeffer, 2675 Kingston Road, York, PA was concerned about traffic and speed on Kingston Road. He wanted to point this out to the Board.

MITRICK Chairman Mitrick responded that she had received calls from residents in that area. She asked Chief Eshbach to comment as he had just recently responded to a resident at Cortleigh and Kingston.

BISHOP Mr. Bishop asked where Mr. Shaeffer referred to on Kingston.

SCHAFFER Mr. Shaeffer responded that his property was the third house from the stop sign at Sundale and Kingston. He would like to see a stop sign or two, which might help to slow the traffic down.

ESHBACH Police Chief Eshbach stated that the Police Department had been enforcing speed in that neighborhood numerous times within the past month to two months and would continue to do so. The police could not divert traffic. Chief Eshbach added that stop signs could not be erected to slow speed.

SCHAFFER Mr. Schaeffer asked whether the stop signs could be changed around and put the stop signs on Kingston.

ESHBACH Chief Eshbach responded that they had not studied it in that way. The speed problem was being addressed.

PASCH Mr. Pasch commented that perhaps putting another stop on Kingston itself rather than where it exists would be helpful, and he would be in favor of a review of that possibility. He was in agreement with the speed of traffic.

ESHBACH Chief Eshbach indicated the department would address it.

GURRERI Mr. Gurreri commented that especially on Cortleigh would be one area to review.

MITRICK Chairman Mitrick requested the Chief also review the stop sign at Meridian and Kingston. She added that increased development in that area had been compounding the problem.

ESHBACH Chief Eshbach indicated it had been addressed the last time the intersections were studied. He stated he would look at Meridian and east of that and east of the school.

MITRICK Chairman Mitrick stated that on matters of this nature, these decisions are not Board decisions; nor of the Police Chief. Permission needed to be granted from the State of Pennsylvania.

3. ENGINEERING REPORTS:

SCHOBER Mr. Schober provided an update regarding the payment request for Am-liner. The amount of work that was completed to date amounts to $58,456.00, and the project was considered substantially complete. The typical procedure following substantial completion is to generate a punch list of the items which needed to be done, in this case, mainly restoration, assign a value to that, and withhold or deduct that amount from the amount being requested.

PASCH Mr. Pasch asked whether the $10,000 was adequate and whether retaining further monies was unnecessary for the work itself particularly for the difficulty created with the water main break.

SCHOBER Mr. Schober responded that this work is mainly related to the relining. Springfield, the other contractor, was involved in the water main break.

BISHOP Mr. Bishop asked what was known about when that work would be finished on Harrowgate.

SCHOBER Mr. Schober responded that they are ready to complete it, but the weather had prevented the work.

MITRICK Chairman Mitrick stated that part of that work would be seeding, and noted that this was not the time of year to re-seed.

SCHOBER Mr. Schober indicated that the areas to be seeded are in areas where the seed could take hold.

SCHOBER Mr. Schober reported that one of the landscape architects had looked at Mrs. Williams' lawn. Through an educational process, they were able to answer her questions and provide some confidence. This property had not yet fully developed; it appeared that everything had been done correctly.

SCHOBER Mr. Schober reported that the east/west interceptor mapping had been done. Surveyors would be out shooting pipe inverts for the manholes in the storm sewer and other utilities and begin laying out the sewer. The raw pump drive contract is about 50% complete. Fieldwork had been completed; design is in the final drawing and spec production.

MITRICK Chairman Mitrick asked about the 537 Plan and with the extension whether someone else might step in.

SCHOBER Mr. Schober responded that he had spoken with the reviewer. He had not yet reviewed it in detail but expected to do so within the next few weeks.

B. Civil Engineer – First Capital Engineering

Ridgewood Road

LUCIANI Mr. Luciani reported that, based on the May 25th Supervisor's meeting, he had contacted the property owner on Ridgewood Road via letter on June 5. The individual met with Mr. Sabatini and Mr. Luciani to discuss the situation on June 14th. Following explanation regarding the water channel, the individual met the intent of the certified letter and indicated willingness to correct the situation.

Boyle Residence – 2426 Wharton Road

LUCIANI Mr. Luciani also indicated he had spoken with Mr. Boyle, who had contacted Todd Platts office regarding a water problem. Mr. Luciani is generating a report for Mr. Boyle to explain the situation. He added that this situation ironically tied into a water main break on Sundale and School House Road.

Traffic Issues

LUCIANI Mr. Luciani discussed traffic issues, the first and most severe intersection on Mt. Zion Road and Market Street. He had prepared a re-review of the Home Depot report. He had discussed the matter with PennDot. A motorist going south on Route 24 wanting to turn left and go east proceeds through a short light amounting to nine seconds. Then there is a very long period during which straight through traffic proceeds, which resulted in a stacking lane situation. Mr. Luciani suggested doubling the southbound left-turn lanes necessitating cutting into the island. Even providing an 18-second timing, the intersection would still fail.

GURRERI Mr. Gurreri asked how many seconds the light had been in the past.

LUCIANI Mr. Luciani indicated the light had previously allowed 60 seconds, so that there was a significant change. Presently there are only nine seconds.

PASCH Mr. Pasch asked why it would not be logical to do the same for the northbound traffic.

LUCIANI Mr. Luciani stated that he would look at that. He added that because of the lane configuration recreated on the south side of the lane and the way turns are made from the south, there is an overlapping left turn. As a result those automobiles can only move on the left green arrow.

MITRICK Chairman Mitrick asked what level the intersection measured.

LUCIANI Mr. Luciani responded it had been an E before Home Depot. He added that in their review of Home Depot, there are still some failing intersections, which need to be brought back to a D level of service. Home Depot has cited "lack of right-of-way" as the reason for non-compliance. Mr. Luciani stated that the most severe intersection is Market Street and Mt. Zion Road. He did not indicate that there could be a return to the 60-second light, i.e., the level of service before money had been invested in that intersection. As far as a long-term solution, Mr. Luciani discussed the connection from Concord to the County property for a decent by-pass.

PASCH Mr. Pasch stated that all of the traffic issues must be addressed now especially reviewing the new developments going up, i.e. Buttonwood, East Manchester; otherwise, in five to ten years traffic will come to a complete standstill. He encouraged resolution with forward thinking.

GURRERI Mr. Gurreri asked whether he had reviewed Northern Way, turning left on Market Street and stated that the configuration was confusing. He added that the culvert should be widened which would be expensive.

LUCIANI Mr. Luciani agreed and added that there would be a lot of permits involved. The problem would not be solved overnight. Haines Road and Memory Lane is an additional problem. He stated that he and John Seitz of TRG had studied many of the roads in question and the impacts of each. He mentioned the school impacts as well. He had provided a technical proposal outline defining some of the things to be done. The proposal followed PennDot format guidelines with a cost and an estimated time frame to complete the work in July, 2001. It would take a year to complete the study from Exit 7, which covered one corridor.

PASCH Mr. Pasch commented regarding the timing for the remaining work, the funding, the planning, and establishment of rights-of-way

MITRICK Chairman Mitrick agreed with Mr. Pasch's frustration; however, she pointed out that the Board was not in a position to be reactive with the problem as it exists.

PASCH Mr. Pasch responded that if a pro-active approach were not taken, there could only be a band aid application.

LUCIANI Mr. Luciani added that there are a number of plans regarding the Haines Road corridor, such as Autozone, Amerada Hess. He cited examples where small businesses along Haines Road could not survive if an additional 12 feet of their property were taken for roadway work. Roadway.

PASCH Mr. Pasch asked what is required of the township, working in a forward direction to get the job done and looking to the state and the federal government for whatever assistance needed, presenting a proposal to them indicating that their assistance is needed to help get this resolved before it becomes an absolute nightmare.

LUCIANI Mr. Luciani indicated that one of the things needed is a plan to say 12 , six or 24 feet are needed. Mr. Luciani had brought with him a plan to define what that right of way width and improvements would be. Ultimately a lane configuration would be required, and then we'll require this property and that property.

PASCH Mr. Pasch stated that project should be undertaken, Mdm. Chair, and we should be working and getting some activity to give us at least some valid information on which to make our decisions. At this point I don't think we can.

MITRICK Chairman Mitrick asked Mr. Bishop to comment.

BISHOP Mr. Bishop indicated that he agreed with Mr. Pasch's sentiment. His inclination would be to move as quickly as possible with the study in front of the Board because it could not be ignored. He indicated that there should be no postponement.

GURRERI Mr. Gurreri asked whether a Work Session was in order.

PASCH Mr. Pasch indicated there would not be enough information available at this point.

BISHOP Mr. Bishop asked Mr. Luciani what he needed from the Board because there really was nothing to approve.

LUCIANI Mr. Luciani indicated he had generated an outline and a cost estimate, which he could provide as a not-to-exceed contract. Ultimately a committee would be needed to work with TRG, such as Police Chief, Fire Chief, and a number of Supervisors. This will take a number of meetings outside of this forum to review the areas, recommendations. We have a good handle on the traffic problems. He asked that the Board approve the cost estimate.

MR. BISHOP MOVED THAT THE BOARD ACCEPT FIRST CAPITAL ENGINEERING'S TECHNICAL PROPOSAL FOR THE HAINES ROAD-MEMORY LANE CORRIDOR STUDY IN AN AMOUNT NOT-TO-EXCEED $80,000 AND DIRECT THE APPROPRIATE TOWNSHIP PERSONNEL TO ENTER INTO DEVELOPING A FINAL CONTRACT WITH FIRST CAPITAL

FOR THAT WORK. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Caterpillar

LUCIANI Mr. Luciani discussed the subdivision plan developed by Caterpillar covering the right-of-way running along their property connecting to Concord Road. He reported that Caterpillar was working toward separating off the solar power plant and had provided the 60 foot right-of-way for storm water and grading. He added that they had accommodated everything requested by the township. The right-of-way from Concord Road runs to the back of Sam's Club and would be a completed segment if the plan was approved.

Meadowland Stormwater Project

PASCH Mr. Pasch asked about the next step concerning Meadowland storm water with future coordination between the County, Township and Kinsley

MITRICK Chairman Mitrick indicated she had turned the project over to Mr. Sabatini. She asked him to respond to Mr. Pasch's question.

SABATINI Mr. Sabatini responded that he had not attended the meetings with Kinsley and the County. He indicated that there would be a working group to explore how to address the storm water issues. He planned to act as the lead on behalf of the Township utilizing other appropriate staff personnel. He planned to make a contact early next week with the County and Kinsley to notify them that the Township is prepared to move forward in terms of the manpower and resources.

PASCH Mr. Pasch stated that the township had then taken the lead.

SABATINI Mr. Sabatini stated that the intent would be to get the parties together and brainstorm to see how this could be accomplished. He added that it would depend on the direction the project takes as to who would lead the project. If it becomes a County project because of the significant nature of the County's involvement, they may end up taking the lead. If it becomes apparent that Kinsley's efforts, because of their developments, would be more significant, then they would take the lead on it; if it's apparent that no one is taking the lead, it may be up to the Township to make sure that it happens with the cooperation of all parties.

PASCH Mr. Pasch added that prior to whoever is going to take the lead, the Township should take the role to see that the matter be moved ahead.

SABATINI Mr. Sabatini responded that it is the Township's intention to fill that role.

PASCH Mr. Pasch indicated that he was re-assured that someone would be pushing the project. He added that between Mr. Kinsley and the County there seemed to be an open-mindedness toward getting this done. He would not want to see that opportunity pass.

MITRICK Chairman Mitrick stated that she had a conversation with Mr. Klinedinst from the County, who wanted to know what the Township intended to do about getting a meeting together. In addition, she received a call from Mr. Kinsley who indicated interest and wanted to know about a meeting as well. She contacted Mr. Sabatini and requested that he, along with John Luciani and Andrew Stern, get a meeting on the calendar.

LUCIANI Mr. Luciani added that he met with a lady who owns the home next to the railroad tracks on a different issue. She asked about it, and her comment to us was, "Since PennDot took the bridge out, I've never had more water problems." She's thinking PennDot has some responsibility in this too.

Road Development

GURRERI Mr. Gurreri asked for some clarification on the road from Memory Lane up to Mt. Zion Road behind Sam's Wholesale and the existing railroad track.

LUCIANI Mr. Luciani responded that travel would cross over the railroad track and come out at the light at Concord and Mt. Zion.

GURRERI Mr. Gurreri stated he was referring to the other way coming over Memory Lane.

LUCIANI Mr. Luciani reported that Mr. Stern was attempting to work out something with the landowners to swing over onto Industrial Highway. It would connect from Industrial Highway where Sheetz is, and instead of making a sharp turn, he may be able to secure some real estate to make a better alignment.

GURRERI Mr. Gurreri asked whether there would be any chance of it going behind Sheetz or Giambalvo's.

LUCIANI Mr. Luciani indicated no because of a stream and wetlands in that area.

Plymouth Road Project

GURRERI Mr. Gurreri asked about the status of the Plymouth Road project.

LUCIANI Mr. Luciani had spoken with the owner two weeks ago, who promised to send the application. PennDot will not renew the application without the owner's signature. Mr. Luciani indicated he might have to enlist the aid of

Solicitor Yost to get his signature. The owner has had the application for at least 90 days. Mr. Luciani added that the owner lived in North Carolina.

YOST Solicitor Yost asked whether any right-of-way was needed.

LUCIANI Mr. Luciani responded that it was all work within the PennDot right-of-way and within the Township right-of-way; curbing his parcel, but because a formal highway occupancy permit was requested, it must be submitted in the name of the owner to put curbing around his property. Chairman Mitrick had signed the PennDot application, and PennDot sent it back to the Township indicating that the owner had not signed the document. Mr. Luciani was unable to provide a solution to get the owner to sign the document and asked for suggestions.

YOST Solicitor Yost indicated he would investigate the matter.

MITRICK Chairman Mitrick stated that the issue had been brought up by Mr. Gurreri at every meeting for the last several months. She asked Mr. Luciani to work with Solicitor Yost to find an avenue to get this accomplished.

LUCIANI Mr. Luciani indicated that he would do so.

Traffic Issues

GURRERI Mr. Gurreri asked whether it would be appropriate to form a committee to study of the problems of intersections and traffic.

MITRICK Chairman Mitrick stated that a committee did not need to be formed at the present time.

MITRICK Chairman Mitrick discussed the proposal that had been approved and added that a letter had been received from Mr. Risetto wondering about the status of traffic issues in the Township. She asked Mr. Sabatini whether he would keep him informed.

SABATINI Mr. Sabatini indicated he would now be able to provide Mr. Risetto with additional information.

C. Design Engineer – Rummel, Klepper & Kahl

HALBERT Mr. Halbert provided the updated Construction Progress Payment Chart to be used as a method for discussion of project status focusing on administrative paperwork issues. He explained the chart and the status of the Diversion Pump project. The contractor had made good progress with accomplishing the largest pour on the project and was working effectively

with other contractor, Phillips Brothers. Quality of construction was good, and the work would be reflected in the next pay voucher.

HALBERT Mr. Halbert mentioned the Treatment Plant Utility Water System Upgrade. A Note to Proceed had been processed, along with a Pre-construction Conference, and the job is underway.

HALBERT Mr. Halbert reported that the Bio-Solids Public Education Program project was moving forward into the video clip and Power Point presentation. A meeting had been scheduled with Messrs. Hodgkinson and Chronister to go over the outline for the video and corresponding Power Point presentation. The presentation would be made available to the Supervisors when ready.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 6/22/00.
B. Rummel Klepper & Kahl, LLP – Progress Billing #18 – Diversion Pumping System and Parallel Interceptor - $21,535.63.
C. Rummel Klepper & Kahl, LLP – Progress Billing #6 – WWTF Utility Water System Upgrade - $1,207.
D. Rummel Klepper & Kahl, LLP – Progress Billing #4 (Final) – WWTF Standby Generator - $173.
E. Rummel Klepper & Kahl, LLP – Progress Billing #5 – Bio-solids Public Education Program - $1,098.50.
F. Rummel Klepper & Kahl, LLP – Progress Billing #8 – Overview Sewer Design - $2,342.
G. Buchart Horn, Inc. – Invoice #10 – Harrowgate Sewer Bid - $643.88.
H. Buchart Horn, Inc. – Invoice #1 – WWTF Tapping Fee Review 2000 - $933.64
I. Buchart Horn, Inc. – Invoice #13 – Millcreek Repair - $370.50.
J. Allan A. Myers, Inc. – Pay Estimate #2 – Diversion Pumping System - $156,745.20.
K. Shannon A. Smith Electric – Progress Billing #7 – New Municipal Building - $15,853.50.
L. East Coast Contracting, Inc. – Progress Billing #5 – New Municipal Building - $227,409.66.
M. Frey Lutz Plumbing – Progress Billing #6 – New Municipal Building - $22,744.11
N. Murphy & Dittenhafer – Progress Billing – New Municipal Building - $1,556.45
O. Springfield Contractors, Inc. – Wilshire Drive – Final Payment - $7,062.
P. Springfield Contractors, Inc. – Raleigh Drive – Final Payment - $30,708.31.
Q. Am-Liner East, Inc. – Harrowgate/Raleigh Drive Sanitary Sewer Line Rehabilitation - $48,156.

MITRICK Chairman Mitrick called for any questions regarding Accounts Payable.

GURRERI Mr. Gurreri questioned item Q and the amount of $48,156. Mr. Gurreri understood the amount to be $58,156.

BISHOP Mr. Bishop responded that $10,000 had been retained.

MR. GURRERI MOVED TO PAY ACCOUNTS PAYABLE ITEMS A THROUGH Q. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & QUOTES:

SABATINI Mr. Sabatini indicated that each year the Board of Supervisors issues awards for a variety of road material and re-surfacing projects. Following bid openings, Mr. Lauer calculated the bid awards, which information had been previously provided to the Board. Awards were recommended to:

- ID 2 Wearing Course and Binder to Highway and Materials, Inc.
- Crushed Aggregate to York Building Products.
- Paving and Manhole adjustments to Emory J. Peters Excavating and Paving Contractor, Inc.
- Milling to Recon Construction Services
- Surface treatments and joint sealing to Stewart & Tate, Inc., Roadite Division
- Curbing and sidewalks and handicapped ramps to A. Pantano & Son**.**

PASCH Mr. Pasch asked why the manhole covers award was not given to the low bidder, York Building Products.

LAUER Mr. Lauer responded that, according to the contract information, under item 4, it indicated that the adjustment in the new road surface with the manholes would be awarded to item 1, the paving contractor.

PASCH Mr. Pasch understood then that whoever received the item 1 bid would receive that work.

LAUER Mr. Lauer added that it eliminated any conflict when it came time to do the work.

MR. GURRERI MOVED TO APPROVE THE 2000 ROAD MATERIAL AND RESURFACING PROJECT BIDS ACCORDING TO THE JUNE 13, 2000 DOCUMENT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

PASCH Mr. Pasch mentioned his appreciation for the Manager's Report being provided with recommended resolutions. He stated that the report made it very easy for him in reviewing the resolutions and reading the recommended motions. He requested an avenue to coordinate the Manager's Report and recommended Resolutions, it would speed up the meeting process and the meeting would be over a half an hour earlier.

SABATINI Mr. Sabatini indicated he would attempt to tweak that process.

B. Agreement for Auditing Services – Robert Susko, CPA – Mercantile, Business Privilege, and Occupational Privilege Taxes

SABATINI Mr. Sabatini stated that the next item on the agenda covered auditing services for the mercantile, business privilege and occupational privilege taxes. At the previous Board meeting there had been discussion regarding litigation that had been since withdrawn. Contact had been made with Robert Susko, CPA, for auditing services regarding the business related taxes. Mr. Susko would be evaluating the reports submitted by the businesses and verifying them against the business' own records. He would charge a 25% commission on all unpaid taxes recovered by the township. This is above and beyond what we are currently receiving. He had been in business for 20 years and used throughout the Lehigh Valley, although York Township had used him extensively. It was recommended that the Board enter into agreement with Mr. Susko for the audits under the agreement shown.

PASCH Mr. Pasch commented that there had been some controversy regarding the fact that Mr. Susko's pay depended upon what he collected. He added that the contract indicated that he would conduct himself with proper decorum. An additional paragraph indicated that the contractor should carry bodily injury and property damage. He questioned the need.

YOST Solicitor Yost indicated he did not think those risks were very prominent. The risk involved would be economic damage. Solicitor Yost recommended some type of professional liability or errors and omissions insurance.

SABATINI Mr. Sabatini indicated that could be written into the agreement that those certificates of insurance would be provided if the Board directed.

GURRERI Mr. Gurreri asked whether Mr. Sabatini had spoken with York Township.

SABATINI Mr. Sabatini indicated he had spoken with Mr. Derr regarding the matter.

GURRERI Mr. Gurreri indicated he would like to have his views on how Mr. Susko treated people.

SABATINI Mr. Sabatini responded that Mr. Derr had been impressed with the businesses that he had audited, and in some cases Mr. Susko determined that the township had been overpaid and worked to get the person a refund.

GURRERI Mr. Gurreri asked how long the contract would be in effect.

SABATINI Mr. Sabatini responded it would be in effect three years.

BISHOP Mr. Bishop stated that he had a number of significant problems with the contract. He indicated that the way he read the contract was that the Township would be in it for three years, and there is only one way to get out of it, that being our determination that Mr. Susko was bankrupt. The Township might have 100 businesses complaining that they've been grievously damaged by him asking for things that he shouldn't be asking for, and we have no way of getting out of it for any reason.

PASCH Mr. Pasch indicated that was why he had brought up the point of proper decorum.

BISHOP Mr. Bishop stated that, even if he doesn't, it doesn't indicate the township could get out of it.

PASCH Mr. Pasch indicated there would be a cause of action against him anyway. He added that the Township should do an audit, as one had never been done.

BISHOP Mr. Bishop asked how many years back the audits would go.

PASCH Mr. Pasch recommended probably to the Statute of Limitations.

SABATINI Mr. Sabatini added that the Statute of Limitations on the Taxpayer Bill of Rights is three years.

PASCH Mr. Pasch reiterated that it would be good business on our part to have an audit.

YOST Solicitor Yost asked who determined who gets audited.

SABATINI Mr. Sabatini responded that he had asked Mr. Susko to have the ability to do 200 audits a year, which would mean that over a course of six years he would cover the entire Township for the most part starting with the largest businesses and move downward.

GURRERI Mr. Gurreri asked whether Mr. Derr of York Township was happy with his work.

SABATINI Mr. Sabatini indicated that Mr. Derr was very enthusiastic.

BISHOP Mr. Bishop asked whether the York Township agreement was the same as the one proposed for Springettsbury.

SABATINI Mr. Sabatini indicated he had not asked that question.

GURRERI Mr. Gurreri asked how long York Township had been using his service.

SABATINI Mr. Sabatini indicated Mr. Derr had used his services within several municipalities over a period of six years.

BISHOP Mr. Bishop stated that if the research were done on a public relations level, this firm's activities in York City was a nightmare. They had people very upset about the way a lot of these were handled. Mr. Bishop agreed that something should be done and that the Board had a responsibility to do something, but he was not sure what the responsibilities should be. He added that he was almost certain that the agreement was a terrible agreement for Springettsbury.

PASCH Mr. Pasch asked what he would like to change.

BISHOP Mr. Bishop responded that he would like to see some way for the Township to get out of the agreement. He would like to have some more specific language about what Mr. Susko was going to do; how he decided who gets audited, and how many audits would be done. When the original discussion took place Mr. Bishop recalled that the Board felt it was a good idea for people to know that there were some audits being done. The idea of having 600 audits over three years is a big difference from that. It was not what Mr. Bishop had in mind when the original discussion took place.

PASCH Mr. Pasch continued that the ones that are typically known to be underreporting, based on this man's experience over 20 years, by mistake or otherwise, that's where we should be looking. The township has a fiscal responsibility to insure that everybody pays the correct amount of taxes.

BISHOP Mr. Bishop agreed and added that the information should be out and on the table so we know what it is. He suggested more research be done into how successful the firm had been in the past in other municipalities.

PASCH Mr. Pasch indicated that York Township had provided that.

SABATINI Mr. Sabatini commented that he felt it was important that all businesses within the township would be treated alike.

PASCH Mr. Pasch stated that he had no objection to Mr. Susko being appointed, but he indicated that he would defer and asked Mr. Sabatini to secure further information regarding the contract for a vote the next meeting.

Consensus of the Board was to table Item B. until the next Board meeting.

C. Agreement for Auditing Services – Robert Susko, CPA – Cable Franchise Fee

Item C. was deferred along with Item B. until the next Board meeting.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. Planning Module – A3-67957-306-3 – York County Prison – Springettsbury Township – 11,750 GPC

STERN Mr. Stern commented that item A. covered the trailers previously approved by the Board. Approval was recommended. Official Chapter 94 approval was expected to be provided; verbal approval had been given.

SCHENCK Mr. Schenck indicated a concern about the Wastewater Plant that this area had been an area of trouble as far as conveyance of the sewage. The problems that we had down here at the insurance company from the pump station that handles this flow is that the downstream pipe has serious bends in it and the water doesn't flow well. Any additional flow from the prison would go to that pump station, which then will discharge into this restricted line that is causing the backups already. Mr. Schenck did not know whether the process for planning modules would allow for any of those considerations, but this is another 12,000 gallons per day that would be discharging into a line that is already overloaded. The pump station itself will handle it with no problem. Where it discharges is the problem. He indicated his concern knowing that the condition existed.

YOST Solicitor Yost stated that he had not done any research, but in his opinion, a planning module has to deal with not only the capacity to treat, but also the capacity to transport. If it doesn't have the capacity to transport, he thought approval would be a mistake at this time.

STERN Mr. Stern commented about the planning module process for Township projects. Mr. Stern does the planning review, and Ed Sowers does the technical review. Mr. Sowers had indicated the problem in a footnote. Mr. Sowers had taken that into account and still had recommended approval.

BISHOP Mr. Bishop asked about any legal aspects.

SCHENCK Mr. Schenck stated that, if our staff is saying approve it, they're the people who are supposed to review it.

BISHOP Mr. Bishop commented that, no matter what Mr. Sowers approved, he put a note on the plan for a reason, and Mr. Bishop felt the note should be taken seriously.

HODGKINSON Mr. Hodgkinson stated that it would be a serious problem in certain scenarios. There are three pumps at the pump station. The pump station is fine and can handle a lot more flow. In high flow periods when more than two pumps are pumping, Lincoln Insurance is unable to use their toilet facilities. It will not backflow into their building any more, because the backflow mechanism is in place. The flow would build up some until the lines clear out.

SCHENCK Mr. Schenck stated that the check valve is a band-aid at best.

LUCIANI Mr. Luciani stated that when the valve is closed it builds up and holds 300 gallons in a 6" line.

PASCH Mr. Pasch questioned what would happen in a period of high flow and a crushing downpour.

HODGKINSON Mr. Hodgkinson indicated that the check valve would prevent any backflow.

LUCIANI Mr. Luciani explained that the 6" line connector from the building to the street probably holds 200 to 300 gallons. The period that the line may be shut down might only be a few hours, and that 300 gallons of storage could hold the flow.

PASCH Mr. Pasch stated that the situation exists now where they have to have a backup valve to prevent all this sludge from backing up into the insurance company. When an additional 12,500 gallons are added from the prison, and you already have a problem with what's there now, where will the 12,500 gallons plus everything else going to go.

HODGKINSON Mr. Hogkinson indicated that was the problem.

MITRICK Chairman Mitrick asked Mr. Lauer if he wished to add any comments.

LAUER Mr. Lauer stated that the manhole there surcharges onto the street.

PASCH Mr. Pasch indicated that was an answer; we have a serious problem.

LUCIANI Mr. Luciani indicated that a solution could be to provide a method whereby all the pump stations would not discharge at the same time.

SCHENCK Mr. Schenck indicated that his understanding was that the way the sewer line was constructed there are some real tight turns in it that probably shouldn't have been put in in the first place. If those are corrected the gravity line would probably be all right.

HODGKINSON Mr. Hodgkinson indicated that he was correct, but the size of the line is big enough; it's just the 45 degrees turns, etc. slows the flow down and backs it up.

SCHENCK Mr. Schenck stated that perhaps with some help that could be fixed.

PASCH Mr. Pasch stated that it is something that should be fixed.

LUCIANI Mr. Luciani asked whether a response to the applicant could be that until the conveyance becomes resolved with some help we can't approve the sewer line.

MITRICK Chairman Mitrick asked how quickly, with help, this could be resolved.

LUCIANI Mr. Luciani responded that following usual procedure it would take 60 days.

SABATINI Mr. Sabatini commented that he had a memo from Mr. Sowers and Mr. Crooks indicating what the cost would be to fix the problem. This involved a request that Mr.Crooks had to move the project forward. He was proposing this in the fiscal year 2000 Capital Budget. The estimate at that time was $127,000; a copy of the map provided the doglegs. Mr. Sabatini explained the doglegs.

PASCH Mr. Pasch asked whether the right angle dogleg could be taken out.

SCHENCK Mr. Schenck indicated that the Township people indicated two 90-degree angles to replace them with two 45-degree angles. That's their interpretation, not the engineers.

SABATINI Mr. Sabatini added that the transition from the force main to the gravity sewer cause turbulence and slow the flow, then the two 90 degree bends also slow the flow.

SCHOBER Mr. Schober commented that this was a worst-case scenario of having to replace several hundred feet of pipe and fix the doglegs. The initial evaluation could be reviewed and evaluated to a lesser degree and lesser cost.

PASCH Mr. Pasch indicated that the Township is a bit under the gun because the prison construction had already begun. The flows will be there in a short period of time.

SCHENCK Mr. Schenck stated that if our staff is not being as loud in their memos as they have been verbally I'm disappointed. I just hate to throw more flow at a problem area.

STERN Mr. Stern stated he had not issued any permits for the projects. They dug some holes for footers.

BISHOP Mr. Bishop stated that the options were either to approve a planning module tonight, or not approve or deny a planning module.

YOST Solicitor Yost indicated that they could file a request to DEP to overrule.

HODGKINSON Mr. Hodgkinson stated that the collection system was not under his supervision, so he was not sure of the full scope of the problem. With an existing problem it would only get worse.

MR. SCHENCK MOVED TO DENY THE PLANNING MODULE FOR THE YORK COUNTY PRISON PROJECT. THE DENIAL WAS BASED ON THE KNOWN PROBLEMS IN THE TOWNSHIP DOWNSTREAM HYDRAULICALLY FROM WHERE THIS FLOW WILL DISCHARGE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick asked whether there was a way to establish communication with the County on this point.

SABATINI Mr. Sabatini indicated he would make contact.

MITRICK Chairman Mitrick asked that the Township expedite this matter to attempt to find a reasonable solution. She suggested tacking the matter on to a Work Session within the next few weeks.

B. Planning Module – A3-67971-454-3 – Glenlyn Enterprises – York Township – 4,900 GPD

MR. GURRERI MOVED TO APPROVE PLANNING MODULE A3-67971-454-3 – GLENLYN ENTERPRISES – YORK TOWNSHIP – 4,900 GPD. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. LD-00-09 – Hess Express – Time Extension to August 25, 2000

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME FOR HESS EXPRESS TO AUGUST 25, 2000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. LD-00-08 Hawks Gunning Club – Time Extension to July 27, 2000

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM HAWKS GUNNING CLUB, LD-00-08 TO JULY 27, 2000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. LD-00-04 – Strictly Fitness – Time Extension to July 27, 2000

MR. SCHENCK MOVED TO ACCEPT THE EXTENSION OF TIME FROM STRICTLY FITNESS LD-00-04 TO JULY 27, 2000. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. SD-99-09 – Hunters Crossing – Time Extension to August 30, 2000

MR. SCHENCK MOVED TO ACCEPT THE EXTENSION OF TIME FROM HUNTERS CROSSING SD-99-09 TO AUGUST 30, 2000. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. KEN PASCH ABSTAINED DUE TO A FAMILY MEMBER INVOLVEMENT.

G. SD-99-09 – Hunters Crossing – Request by Director of Economic Development to Allocate an Amount Not to Exceed $5,000 from the Community Development Budget to be used for Open Space/Cluster Design and Consultation Assistance.

STERN Mr. Stern requested permission to utilize township funds to hire a planning consultant at a cost of approximately $5,000. The purpose would be to provide an outside consultant who is knowledgeable and experienced to provide sketches of the proposed Hunters Crossing property to show the developer and the township that other possibilities exist for meeting a goal of a win-win situation. Historic Preservation states this is an extremely significant, important property and desires to preserve Pennsylvania's number one most endangered historic properties, Camp Security. Mr. Stern commented on information he had obtained regarding what may have taken place at Camp Security during the Revolutionary War. Historians at the Federal, state and local level are in the process preparing a report as to what really happened.

Mr. Stern explained that a plan would be coming for approval for 72 lots, which he considered to be cookie-cutter property plan meaning that the entire property is cookie-cut up into equal sized properties. In looking at an open space cluster plan where we could identify Camp Security, which the

archeologists and historians have come up with, isolate that and cluster the houses on smaller lots around the open spaces preserving as much of Camp Security as possible, and still build as many houses as possible so that the developer can win and integrate the two together.

GURRERI Mr. Gurreri stated that the use of Township funds would be unusual.

STERN Mr. Stern agreed it was very unusual. Several reasons were cited; the first reason was that the builder has already provided plans to meet the ordinance. There would be no requirement for him to explore open space development. He had done a plan with the exception of geo-technical issues, which generally complies with the ordinance. There are no good examples in Springettsbury Township or even in the immediate area of an open space plan, and there are no examples in York County, which appear to be as significant as this one. The Township, as well as the state and Federal government are trying to work together. The Township's contribution at this point should be to have a planning expert come in and review the project.

GURRERI Mr. Gurreri commented that if the developer meets the Township ordinance, why would the Township take this step.

STERN Mr. Stern explained that nothing has to be done. If the Township does not do anything, the plan as submitted would proceed, and what's left of Camp Security would be gone forever. If that's not a concern, then nothing has to be done.

GURRERI Mr. Gurreri asked what the liability would be.

STERN Mr. Stern responded that the Township has no obligation to do this. He indicated that Tim Pasch, the developer, supported the Township effort. This is a totally different approach to development not only in Springettsbury Township, but also in York County. Tim Pasch does not believe that he should be the guinea pig. If the Township wanted him to explore different options, then the Township should participate and assist in finding a different way to do so. Mr. Stern added that the Governor had signed two new bills into law encouraging open space development. Even if the Township goes through this process and it turns out not to work for Tim Pasch for this property, it will still be a beneficial exercise for the Township, the Supervisors, Planning Commission and himself to learn about open space, because within the next few years it will be mandated.

GURRERI Mr. Gurreri indicated he did not think it was a bad idea, which he actually liked; he added he struggled with spending Township funds for it.

STERN Mr. Stern stated that, unless all the parties work together to find a win-win scenario, someone will lose. The property has the potential to either be the absolute best development in York County, or the potential to be an absolute nightmare if one takes into account the Camp Security.

SABATINI Mr. Sabatini indicated that one option the Township intended to explore is the win-win situation taking into account historical preservation plus the ability of the property or equitable owner to develop the land according to township ordinances. He stated that it would be appropriate for the Township to at least talk to groups interested in this property to help create the win-win situation. He felt it was a good exercise for the Township and would provide very good examples and put Springettsbury Township on the forefront of being able to preserve Camp Security and still deal well with taxpayer's money. He encouraged that the process begin immediately.

STERN Mr. Stern added that there is no time line on the project. Tim Pasch has two options, one is to put a box in the stream which required Federal approval; he has chosen to go the long route with the box and work with the Federal and state. At any point he could choose to place a bridge over it and that would eliminate the Federal people and the state and he could revert to the cookie-cutter plan and destroy Camp Security.

GURRERI Mr. Gurreri stated that the last plan he provided there were some changes he did not care for. He indicated he would be against using Township funds.

MR. BISHOP MOVED TO AUTHORIZE THE EXPENDITURE OF UP TO $5,000 FROM THE COMMUNITY DEVELOPMENT BUDGET TO EXPLORE OPEN SPACE CLUSTER DESIGN IN CONCENTRATION ASSISTANCE. MR. SCHENCK WAS SECOND.

SCHENCK Mr. Schenck observed that if this were an attempt to work toward a win-win situation it's terrific. However, he would be disappointed if it were used as a delaying tactic. He mentioned a situation from several years ago with a developer who brought a cluster design, which was horrible. He used the intent of the design to do the opposite. It's an appropriate expenditure if nothing else to be able in the future to lay the two plans down beside each other to any other developer and say here's what's proposed; here's what could have been done.

YOST Solicitor Yost commented that the action would cure the deficiencies in our ordinance.

SCHENCK Mr. Schenck stated that the last open space plan he saw was terrible.

SABATINI Mr. Sabatini indicated that, to address the situation regarding Grafton Associates, he had recommended them. They were preparing a comprehensive plan in Chester County for a municipality where he had been an interim manager. They are very strong proponents of cluster development, transferable development rights, more the open space preservation aspect. Additionally, because of the nature of Chester County with its historical markers, the firm is very aware of the historical property impacts.

MITRICK Chairman Mitrick commented that soon after Mr. Stern's meeting she received a call from Brenda Barrett, Pennsylvania Director of the Bureau of Historic Preservation. She was wondering whether Springettsbury Township would be interested in helping to look at the significance of Camp Security. This is somewhat of a response to that, but it also opens the door for the Township to seek other funds. She stated that she had been with Tim Pasch on another site in the Township, and he indicated he was very open to this. He indicated that he would be interested in participating in this type of study.

STERN Mr. Stern indicated that was correct, but added that he received a letter from Tim Pasch indicating that he was committed to it and provided authorized for Mr. Grafton to enter the property, and also that he would have his two consultants, Milner & Associates (the archeologist), and Stallman (the engineer) cooperate with Mr. Grafton. He understands he is under no obligation to use the plan proposed by Grafton Associates, and that the work would be done at no cost to Tim Pasch. He stated that he appreciated the Township's efforts in providing assistance for the project.

SABATINI Mr. Sabatini stated that the project would move very quickly. It's not a three to four-month process; more like a two to three-week process.

STERN Mr. Grafton had assured Mr. Stern that as soon as he received approval he would make arrangements to be in York for project meetings.

SABATINI Mr. Sabatini indicated the intention was to have the project before the Board quickly.

STERN Mr. Stern added that Mr. Grafton is not an engineer; he is a planner. The arrangement was that after Mr. Grafton provides the sketches to Tim Pasch, if he likes the sketches and wants to proceed, he would have to provide the engineer to take what Mr. Grafton had done and provide a plan that meets the requirements.

MOTION CARRIED. MR. KEN PASCH ABSTAINED DUE TO FAMILY MEMBER INVOLVEMENT.

H. LD-00-06 – Autozone – Time Extension to July 31, 2000

MR. BISHOP MOVED TO ACCEPT THE TIME EXTENSION FROM AUTOZONE – LA-00-06 UNTIL JULY 31, 2000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

I. LD-00-07 – Kickers on the Boulevard – Time Extension to August 31, 2000

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF EXTENSION OF TIME – KICKERS ON THE BOULEVARD PROJECT TO AUGUST 31, 2000. MR. GURRERI WAS SECOND.

BISHOP Mr. Bishop questioned the actual extension of time referred to Plan 300026 C1 and C2.

STERN Mr. Stern explained that the engineer put his own number down, but that's not wrong; it's the correct project.

MOTION UNANIMOUSLY CARRIED.

J. Quality Inn & Suites/Down Under Steak House – Request to Waive Land Development for an Outdoor Eating Area

STERN Mr. Stern provided information regarding item J, which involved a request to waive land development for a deck that was put in Down Under Steak House, an existing restaurant in a hotel. When the final inspection was done at the restaurant, they showed the deck, which the township did not know about, and the Township then advised them that they couldn't use the deck until they do a land development plan. They have requested that it be waived. Mr. Andy Reese attended the meeting from Down Under Steak House. Mr. Stern advised that, at this point, it is built, and there are no problems with it. It's tucked away in the middle of their hotel so there are no impacts. It has been inspected and passed.

SCHENCK Mr. Schenck asked about current construction of it, if there had been land development and subdivision.

STERN Mr. Stern responded that there had only been one issue with it and that was to build a ramp for handicap access.

SCHENCK Mr. Schenck proposed a second scenario in that now there's a deck there, and the next logical step would be put a thatched roof over it, and then put some clear plastic sides over it, and it will grow into more than you expect,

so as long as the Township understands that we're waiving this on the basis of what's there is there. Any further construction on that and future activity would require Township participation.

PASCH Mr. Pasch asked whether the Township would have a problem with the ordinance on accessory buildings. He questioned why, if it were not required on a building, why it would be required on a deck.

STERN Mr. Stern responded that in the past there had been an attempt by the township to find ways to avoid doing land development for minor projects. Recently Mr. Stern had attempted to expand upon that, and the County Planning Commission had adamantly said that you can't do that, but there are no exceptions to land development. Since that is already in our ordinance, leave it there.

YOST Solicitor Yost asked how this case should be distinguished from the one right above it. Several months had been spent trying to get approval for the same thing.

STERN Mr. Stern responded that there are a few differences. Mr. Stern agreed in scope.

PASCH Mr. Pasch indicated at this point that anything that had been done had been inspected and meets all of the ordinances.

STERN Mr. Stern responded, with the exception of the ramp, which had been completed but not inspected. If the Board approved the plan, that was the only item that must be verified.

MITRICK Chairman Mitrick asked whether the information would be attached to their plan if it were approved.

STERN Mr. Stern responded that it would not become part of the record in the courthouse, but it would be in Township files.

BISHOP Mr. Bishop indicated it would not be recorded. He asked whether there was any significant opportunity for confusion in the future.

YOST Solicitor Yost indicated we had not typically done that. Plans are either approved or denied. Plans are approved by what is there. You don't have to say it does not include a roof because that is not what was approved.

SCHENCK Mr. Schenck stated that they should have at least had a Building Permit to build a deck, as the Township was not aware they were building a deck. He

wanted to be sure that they are aware that any activity requires the participation of the township.

MR. GURRERI MOVED TO APPROVE REQUEST FOR WAIVER LAND DEVELOPMENT FOR AN OUTDOOR EATING AREA, QUALITY INN AND SIGHTS DOWN UNDER STEAK HOUSE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

K. Frank Beddia – Appeal of Sewage Enforcement Officer's Decision

STERN Mr. Stern commented that item K covered an item for Frank Beddia on Trout Run Road for a garage, which was renovated into in-laws quarters and actually became a second dwelling. The zoning was okay for that, but then his in-laws were living in it. The Certificate of Occupancy can not be issued because of a septic system problem. Mr. Stern indicated that Brad Hengst had run into a roadblock regarding the septic system. Mr. Beddia formally requested the Board overturn Mr. Hengst's decision in order to move forward to give him his permits for occupancy.

GURRERI Mr. Gurreri excused himself from the discussion due to a personal friendship with Mr. Beddia.

Note from the Stenographer: Mr. Gurreri left the Board table.

HENGST Mr. Hengst provided information regarding the sequence of events. He learned about the matter in spring of 1999. The building had been converted into a residence and hooked into the existing septic system. He spoke with Mr. Beddia and explained that what he had done did not meet the regulations and it would have to be resolved in some way. He attempted to get information to determine whether the septic system was adequate but could not do that because the former owners were not around, and there was no way to answer the questions.

Mr. Hengst told Mr. Beddia he had the right to apply for a permit for what he did, and that because it did not meet the regulations he could not issue the permit, but he had the right to apply, and if I denied it he had the right to appeal. He did apply; Mr. Hengst denied it, which was in September of 1999. He assumed that he would not be able to win the appeal so he did nothing. He did not apply for the appeal in the appropriate amount of time, so the time lapsed.

In January of 2000 Mr. Hengst had cited him; in April there was a hearing and he was found guilty of doing the work without a permit. Following the hearing, Mr. Stern, Mr. Hengst and Mr. Beddia had a meeting and agreed to waive the time limits and allow him to come before the Board and request

the appeal that he should have done in the fall, to appeal Mr. Hengst's decision to deny the permit. Mr. Hengst could see two sides of the story.

The two problems with the system or with the appeal being granted is, 1) it doesn't meet the regulations. What he did was he has the present house with a septic system, and he constructed a residence in a garage without a septic system, ran a pipe with a pump that pumps it up into the septic tank for his house. If his in-laws would've moved in another bedroom in the house, there wouldn't be a problem. They'd be using that system. But the regulations require that the system be adequate for two houses, which would be a double sized system. Right now it's only one, so by the regulations he only has half a system for the flow. The other negative is that the system is running through a pipe to a pump. Mr. Hengst's experience was that when a pump is used for an on-lot septic system, this is a grinder pump, that will pump all the sewage into the septic tank, the surge of ground up sewage going into the septic tank tends to push sludge through into the drain field and advances the possibility of a malfunction, which is one of the concerns about letting this condition continue. Those are the two negatives.

On the positive side, the liability in the malfunction of the system is all Mr. Beddia's. He's owns the necessary land, and he's in a subdivision that was in much contest a few years ago. There were several other perk tests done and he could build septic systems to meet the need if his septic would malfunction.

Mr. Hengst would not have a problem with the Board granting the appeal because Mr. Beddia has the room to do a repair. There are several places on his property where septic systems could be built to replace what would malfunction.

BISHOP Mr. Bishop asked whether the problem with the grinder pump was just physically too close.

HENGST Mr. Hengst responded that it was not in the proximity. It was the fact that a septic tank is designed to be a placid place where sewage can settle to the bottom or float to the top so the liquid can slowly move through the tank out to the drain field so the sludge is trapped in a septic tank. With a grinder pump you do not get a flush in; you get a surge in from a pump.

SCHENCK Mr. Schenck mentioned new sewer management ordinance and questioned a future inspection of that property. Would Mr. Hengst be looking for a failed system?

HENGST Mr. Hengst stated that was correct.

SCHENCK Mr. Schenck stated that the Township's concern is whether the system is functioning or not. If it had failed Mr. Beddia had to fix it.

HENGST Mr. Hengst added that the Board was charged with enforcing the law, and his job was on the street. This is one where, with him doing his job, he can't issue the permit, but a property owner always has the right to appeal his decision to the township.

YOST Solicitor Yost indicated that this was being done informally. If Mr. Beddia had filed the appeal last September, he could have had a hearing. This is an informal hearing rather than to continue to cite Mr. Beddia.

PASCH Mr. Pasch asked whether, because our enforcement officer states that it's contrary to the law, we have the authority to say that's all right go ahead.

YOST Solicitor Yost indicated yes, we could do that because, in a genuine appeal, if it had been appealed last September, technically the Board could do that. Solicitor Yost recommended that Mr. Beddia have an agreement with the Township that it would be overlooked and that nothing would be done so long as that system continues to function properly. He suggested that a covenant be imposed and recorded with Mr. Beddia so that if and when any third party, an innocent party, buys that property, they know there is an unauthorized system.

SCHENCK Mr. Schenck added that if and when the system fails, it should be constructed in a fashion that is acceptable.

HENGST Mr. Hengst was in agreement with that concept.

MITRICK Chairman Mitrick asked whether that property was ever subdivided.

BEDDIA Mr. Frank Beddia indicated the Township approved five-lot subdivision; however, the neighborhood got together and took the previous owner to court and the judge overturned the Township's subdivision approval. It is now part of the legal description in the court house that that property can no longer be subdivided.

MITRICK Chairman Mitrick stated that all of the three areas that have perked are on the Beddia lot.

BEDDIA Mr. Beddia stated that of the five lots that were approved, only three of them perked and were approved, and when the appeal was done by the neighbors, the judge overturned that and now it's part of the deed that the property can no longer be subdivided.

YOST Solicitor Yost stated that a very simple agreement would accommodate all concerns. He indicated he would draft the agreement.

MR. SCHENCK MOVED TO AUTHORIZE SOLICITOR YOST TO DRAFT AN AGREEMENT WITH MR. FRANK BEDDIA REGARDING HIS ON-LOT SYSTEM AND ALSO AUTHORIZE THE APPROPRIATE TOWNSHIP OFFICIAL TO EXECUTE THAT DOCUMENT. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED DUE TO A PERSONAL FRIENDSHIP WITH MR. BEDDIA.

Note from Stenographer: Mr. Gurreri returned to the Board table.

7. COMMUNICATION FROM SUPERVISORS:

Fire Police Presence

BISHOP Mr. Bishop commented that he noticed that the St. Joe's Carnival that the fire police are out working in a very professional manner and looking great. He was not sure what changed along the way. He saw some faces he had never seen in uniform before, and they were doing a great job. Doc Wolfe had been there a lot.

Note of Appreciation

GURRERI Mr. Gurreri reported that several people had mentioned to him how much they appreciate Andrew Stern working with them on building projects.

Farmhouse Air Conditioning & Heating System

GURRERI Mr. Gurreri commented on the air conditioning and heating in the farmhouse. The air conditioning is on; the heat comes on; the air conditioning comes on; the air conditioning comes on. He asked why it was even running at all. He noticed that the heat bill was $95.00 over the past month.

STERN Mr. Stern indicated his comment was absolutely correct; there are two separate thermostats for air and heat, and they are both operating as he reported. He indicated he would work with Charlie Lauer and find a solution.

Workmen's Comp – Volunteer Firefighters

PASCH Mr. Pasch asked about the PA News & Views. He was under the impression that if the township was paying an incentive bonus and were running into difficulties with workmen's comp for the volunteers because we were paying the bonus. In this bulletin it says the act specifically defines volunteer fire fighters as employees for the purpose of Workers Compensation coverage.

YOST Solicitor Yost responded that Workers Comp was not the issue; it was the Fair Labor Standards Act.

PASCH Mr. Pasch commented that one of the problems we were discussing was that if they were injured as a volunteer fire fighter they would not get the same Workman's Compensation that they would as if they were injured on their job.

YOST Solicitor Yost indicated that for at least 40 years volunteer firemen are required to be covered under our Workers Compensation policy. They are required to be covered by the Township for Workers Compensation.

BISHOP Mr. Bishop indicated that was true whether we pay them or not.

PASCH Mr. Pasch inquired whether it made any difference as to how much money they made as to how their Workman's Comp would be determined.

YOST Solicitor Yost responded that it would be based on their income from their primary employment.

HICKMAN Chief Hickman stated that the question had been asked of him by representative of the volunteer fire police. We actually required the people fill out an application with the township as well as the forms to tax their paycheck. That's where the questions that he had came from. Representatives from VFIS indicated to him that because they were considered an employee that their Workman's Comp was based on their compensation.

YOST Solicitor Yost indicated that he could see the argument being made.

BISHOP Mr. Bishop asked who would make the argument.

YOST Solicitor Yost responded that the carrier would make the argument that they are an employee of the Township; no longer volunteer firemen.

Township Vandalism and Drunkenness

PASCH Mr. Pasch asked about the police report, and in certain categories there was an increase in vandalism and drunk and disorderly conduct. He asked whether there was a problem coming forth.

ESHBACH Chief Eshbach indicated that when school lets out these were typical types of problems, no different from other years. When the weather is nice people come out and are outside drinking. Additionally there is a lot of vandalism this time of year. The police department keeps tabs on specific cluster areas.

Note of Appreciation

MITRICK Chairman Mitrick thanked Chief Eshbach for the quick response regarding Industrial Highway/North Hills Road with traffic and the railroad crossing.

Patio – New Administration Building

MITRICK Chairman Mitrick indicated there had been an improved re-design of the patio area of the new township building.

Note of Appreciation

MITRICK Chairman Mitrick thanked Andrew Stern for his immediate response to specific items needing quick attention. She commented that, because of the department subdivision of responsibilities, in working closely with Mr. Stern, he had been a tremendous support, not only on the days when Mr. Sabatini was in the office, but also when he is not on the schedule. He has been, with Dori's help, carrying the bulk of the work. She personally thanked him for that.

MITRICK Chairman Mitrick acknowledged that a letter had been received from Mr. Charlie Myers.

Community Map Project

MITRICK Chairman Mitrick asked Mr. Sabatini whether any progress had been made regarding the community map project.

SABATINI Mr. Sabatini responded that he was securing a person to do the write up. He was hoping to have the map out during early to mid-July. He indicated that this particular map was the largest one the firm had ever done.

Penn Oaks Regrading - Ball field

MITRICK Chairman Mitrick asked Mr. Sabatini about a letter written to Penn National Guard related to the possibility of grading Penn Oaks, and whether he had received a response.

SABATINI Mr. Sabatini indicated no response had been received.

MITRICK Chairman Mitrick indicated she would appreciate him following up as she did not want to lose track of that issue.

Re-codification Project

MITRICK Chairman Mitrick asked Mr. Sabatini about the progress on the recodification project.

SABATINI Mr. Sabatini responded he had spoken with Burton Hunt. Some additional Resolutions were submitted and that would be the final piece of the puzzle. Their work should be completed in six weeks.

Farmhouse Occupancy Permit

MITRICK Chairman Mitrick asked about the status of the Occupancy Permit for occupying the farmhouse.

STERN Mr. Stern responded that the State Review Board granted variances for the issues that the field inspector had noted.

Ambulance Club Membership

MITRICK Chairman Mitrick asked about the Ambulance Club membership forms.

HICKMAN Chief Hickman responded that he had been promised they would be in the mail by Tuesday, June 27th.

MITRICK Chairman Mitrick asked Chief Eshbach about Mr. Davilla's letter and whether he had responded.

ESHBACH Chief Eshbach indicated he had responded.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost reported that his written report was supplemented by letters he had distributed earlier during the evening. He had provided material for the next Work Session. He asked for permission to share that information with the Planning Commission.

Consensus of the Board was in agreement.

YOST Solicitor Yost requested a motion for the execution of the Reservation of Rights Letter Agreement with Allan A. Myers for payment of Change Order #1 in the amount agreed upon.

MR. PASCH MOVED THAT WE APPROVE THIS RESERVATION RIGHTS BY ALLAN A. MYERS FOR CHANGE ORDER #1. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. MANAGER'S REPORT:

Open Records Act

SABATINI Mr. Sabatini reported that the Board had asked him to evaluate the Open Records Act. Two things were troubling to him. One is the 24 hour turnaround time, which he indicated would cause bureaucratic terrorism. Individuals will hound a municipality for purposes of their own with repeated requests under the guise of the Freedom of Information Act. The vast majority of municipalities in the Commonwealth of Pennsylvania has

office staffs of less than three people, and is open season on a municipality. There are standards regarding what is not a public record. Mr. Sabatini indicated that to put pressure on a municipality requiring a 24-hour deadline and with all the things that can, may and may not be involved has the potential to cause significant harm to many municipalities.

BISHOP Mr. Bishop asked whether this is a current law.

SABATINI Mr. Sabatini responded that it is a Bill in the Senate. It has endorsement from many associations representing local government.

BISHOP Mr. Bishop asked whether the Township should be doing anything about it.

SABATINI Mr. Sabatini's recommendation is that the Board of Supervisors authorize the Township Manager to send letters to the State Representatives, State Senator plus the State Association regarding this matter.

YOST Solicitor Yost indicated that the request does not have to be in writing, but the municipality's response must be in writing.

PASCH Mr. Pasch asked whether there are any restrictions as to who has the right to ask for this information.

SABATINI Mr. Sabatini indicated any resident of the Commonwealth of Pennsylvania could request information. His past practice had always been to receive requests in writing. He strongly urged the Board to address this matter with elected officials and associations.

PASCH Mr. Pasch indicated that the matter had been discussed previously. He commented that PSATS stated that in their last memo, and they indicated they would like comments.

SABATINI Mr. Sabatini stated the Board had directed him at the end of May to evaluate them all, which he had done.

MR. PASCH MOVED THAT THE BOARD SHOULD AUTHORIZE MR. SABATINI TO GO AHEAD AND MAKE COMMENTS TO THE PUBLIC OFFICIALS, SENATORS, REPRESENTATIVES, PSATS AND ANY OTHER ORGANIZATIONS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Wastewater Treatment Plant Awards

SABATINI Mr. Sabatini announced that the Wastewater Treatment Facility had received an award from their association regarding a safety award.

HODGKINSON Mr. Hodgkinson reported that last summer the Treatment Plant had been nominated for Central Section Safety Award. They took First Place, and with that were automatically nominated for the state award. There's First Place and Honorable Mention. We got Honorable Mention throughout the state. We missed First Place by a point.

SABATINI Mr. Sabatini also mentioned that the township had been nominated as a potential recipient for the 2000 National Pre-Treatment Program Excellence Award at the Wastewater Plant. This award was offered by EPA in recognition of the activities done to pre-treat wastewater.

PASCH Mr. Pasch indicated that very few people were in attendance and no reporters were present.

MITRICK Chairman Mitrick stated that a reporter was present and asked him to introduce himself.

TAYLOR Mr. John Taylor identified himself from the York Dispatch.

PASCH Mr. Pasch indicated there should be some type of public recognition of Mark Hodgkinson and the folks at the plant.

SCHENCK Mr. Schenck stated it should be placed in the next newsletter.

BISHOP Mr. Bishop indicated that the way to do that was to draft a press release and fax it to the newspapers as a minimum.

HODGKINSON Mr. Hodgkinson stated that the EPA audit had taken place earlier during the week on the pre-treatment program. We passed with flying colors, and he mentioned during the audit that he covered most of Pennsylvania and Maryland. This program is one of the best he had ever seen.

Penn Oaks - Re-grading Ball Field

SABATINI Mr. Sabatini mentioned that the Board had requested that he review the costs associated with taking the materials from the existing park baseball diamond infield and moving it to Penn Oaks. The material that is current on the infield is the same material. However, a quote was received to actually use Dimetex over at Penn Oaks. This material was $6500 for 400 tons essentially six inches in depth. With the additional costs for manpower and equipment, the total would be $9639 as an estimate. One of the things we would want to do is make sure that the efforts are coordinated as to activities for next year. Charlie Lauer indicated that if the project is to be completed

in 2000 it must begin as soon as possible due to the summer and fall work schedule. This work must be done by the first week of October, 2000 and would be accomplished in one week or six days in which to do the work. The total project would be a two-year fix.

PASCH Mr. Pasch indicated his position was to either fix the ball diamond so that it's useful and safe or it be converted to grass.

BISHOP Mr. Bishop asked whether $10,000 would cover just one ball diamond.

SABATINI Mr. Sabatini responded that was correct.

MITRICK Chairman Mitrick asked whether the ball field would be disrupted if Penn Oaks were re-graded

LAUER Mr. Lauer stated that he had heard comments years ago that that ball diamond was going to be removed. He asked whether that in any way would reflect on what is to be done with the soccer field.

SABATINI Mr. Sabatini indicated that was why coordination was necessary.

MITRICK Chairman Mitrick requested that he place the item on the July agenda.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Ordinance 00-04 – Gasoline Station Canopies

MR. PASCH MOVED TO ADOPT ORDINANCE 00-04 – GASOLINE STATION CANOPIES ON ITS FIRST AND FINAL READING. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Ordinance 00-05 – Signs within the Flexible Development Zone

MR. GURRERI MOVED TO APPROVE SIGNS WITHIN THE FLEXIBLE DEVELOPMENT ZONE ORDINANCE 00-05. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Ordinance 00-06 – Establishing Speed Limits on Cimmeron Road, from Rimrock Road to Cayuga Lane

MR. SCHENCK MOVED FOR ADOPTION OF ORDINANCE 00-06 – ESTABLISHING SPEED LIMITS ON CIMMERON ROAD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Resolution 00-31 – Conflict of Interest

MR. PASCH MOVED THAT THE BOARD ADOPT RESOLUTION 00-31 REGARDING CONFLICT OF INTEREST AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick requested Mr. Sabatini to forward the Resolution to all public officials and representatives, boards and commissions with a letter of explanation.

11. ACTION ON THE MINUTES:

A. Board of Supervisors Regular Meeting – May 25, 2000

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING MINUTES OF MAY 25, 2000 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Work Session – June 7, 2000

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS WORK SESSION JUNE 7, 2000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

There was no Old Business brought forward for action.

13. NEW BUSINESS:

Truck Traffic – Pleasant Valley Road

SABATINI Mr. Sabatini reported that a memo had been received from Mr. Stern regarding comments made at the Planning Commission about the current use of Pleasant Valley Road from Pleasant Acres Road east to the Hellam Township line for a truck roadway being used basically by a company in Hellam Township. The Planning Commission had a concern about that. The question was whether the Board would want the staff to pursue this in any manner.

STERN Mr. Stern commented about the section on Pleasant Valley and Pleasant Acres Road east to Hellam Township which travels past the Chronister Farm down by Shoe House Road. Comment had been made to the Planning Commission regarding the truck traffic on Pleasant Valley Road. The indications were that the road was in bad condition for commercial traffic.

MITRICK Chairman Mitrick asked Charlie Lauer whether he had any knowledge of this matter coming before the Hellam Township officials.

LAUER Mr. Lauer indicated it had come up a couple of months ago, and a contact had been made at Delta Packaging. At that time they were running one truck from Delta to Dawn Foods. There may have been an increase due to the expansion.

MITRICK Chairman Mitrick asked Police Chief Eshbach for his comments.

ESHBACH Chief Eshbach responded that the road between Arbor Lane and Alpine Road is in bad shape and narrow. The road was not made for tractor trailers. He indicated if the Board so desired, the department would set something in motion for prohibition of trucks in that area.

PASCH Mr. Pasch asked whether the township had authority to stop truck traffic if the road was not built for that type of traffic.

YOST Solicitor Yost indicated that was the only way it could be done.

ESHBACH Chief Eshbach stated he had gone out and reviewed the roadway.

LAUER Mr. Lauer commented that the reason the road is in its present condition is because of Pleasant Tree Development, the widening of the road, the sewer, the water and all the utilities. They have to put a new culvert in under the road. That's why the improvements to the road are on hold. They don't want to spend that money to fix that section and then come through and rip everything out to put in the utilities.

PASCH Mr. Pasch asked whether it was built for truck traffic

LAUER Mr. Lauer stated it had been that way for years with garbage trucks and everything else using it to this point.

PASCH Mr. Pasch stated that the Township must have a valid reason for prohibiting truck traffic; otherwise there is no authority to do so.

SCHENCK Mr. Schenck asked whether it is a Township road.

LAUER Mr. Lauer responded that was correct; it is a Township road.

PASCH Mr. Pasch indicated that there are other routes that are built to take the traffic. They should be alerted.

BISHOP Mr. Bishop asked whether there was any affirmative way to learn whether trucks actually utilize the road.

LAUER Mr. Lauer indicated that traffic counters can be set up to count axels on a unit.

BISHOP Mr. Bishop indicated that would be worthwhile knowing. He would not want to take action if there were just one truck a day, but if there were 20 trucks a day it would be nice to know.

ESHBACH Chief Eshbach indicated he would pursue counting the truck traffic.

Historic Preservation Committee Meeting

MITRICK Chairman Mitrick reported that she had attended the Historic Preservation Committee Meeting. They requested that the Board invite Brenda Barrett from the Bureau of Historic Preservation simply for educational purposes to inform the Board about the findings to date regarding Camp Security. Chairman Mitrick asked whether the Board was interested in additing on a half hour to a Work Session on the 6th or the 10th, or for consideration on July 27th.

BISHOP Mr. Bishop asked whether this would be different information than had been provided in writing.

STERN Mr. Stern responded that he was unsure what Ms. Barrett had in mind. Mr. Pasch had hired an archeologist firm, Milner Associates. They are the ones doing the work. Ms. Barrett has some of the information but not all of it. He indicated he would discourage her from presenting anything that Milner is working on until they have completed their work, at which time they should present their findings. Mr. Stern stated that his understand for her asking for meeting time was to present her request to have the Township become more active and involved in the attempt to save Camp Security.

MITRICK Chairman Mitrick stated that the intent is merely to educate.

BISHOP Mr. Bishop stated he had no problem with adding a half hour before the meetings either on the 6th or the 10th.

Consensus of the Board was to proceed for the 6th.

BISHOP Mr. Bishop asked that confirmation be provided to the Board of the earlier meeting time for the 6th.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 11:15 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

BOARD OF SUPERVISORS **JUNE 22, 2000**
PUBLIC HEARING **APPROVED**

The Board of Supervisors held a Public Hearing on Thursday, June 22, 2000 at 7:18 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Bill Schenck
Ken Pasch

ALSO IN ATTENDANCE:
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the Public Hearing to order at 7:18 p.m. She stated that the Public Hearing related to Ordinance 00-04 amending Article 19 Supplemental Regulations Section 1905, Automobile Garage, Body Shop, or Gasoline Station of the Springettsbury Township Zoning Ordinance. She stated that a public hearing is an opportunity to hear comments from the public. She asked Mr. Stern to explain the Ordinance.

STERN Mr. Stern reported that the current ordinance, Section 1905.3 stated that gasoline stations may not extend more than 10 feet beyond the centerline of the gas pump. This section caused difficulty for some of the newer gasoline stations: Sheetz, Wawa, Rutters, whose normal pumping canopies extend beyond resulting in variance requests from both Wawa and Sheetz, as well as a Rutters on Haines at Mt. Rose Avenue. York County Planning Commission, as well as attorneys Stock and Leader which firm represents Wawa, had done some research, which indicated no other York County municipalities had a similar ordinance. The other ordinances from other townships simply require all structures to meet the same setback. Mr. Stern, therefore, proposed in the ordinance that a change would be made for the canopies or any structure to meet the required building setbacks for the zoning district in which they are located.

GURRERI Mr. Gurreri asked what the size could be for the canopies.

STERN Mr. Stern responded that a canopy could be as big as they want as long as it met the building setbacks in the residing district.

PASCH Mr. Pasch asked what the portion of that ordinance indicated that vehicles being serviced cannot project into setback areas.

STERN Mr. Stern responded that fueling areas must be designed so that vehicles being fueled would not project into a required setback area. The idea is that they put the gasoline pumps right on the setback line; then cars being fueled are going to hang out over the setback area. This is designed to make clear that that's not acceptable.

PASCH Mr. Pasch stated that they're precluded from violating the setback.

STERN Mr. Stern responded that was correct.

MITRICK Chairman Mitrick asked for any further comments from the Board. There were none. Chairman Mitrick asked for comments from the public. There were no comments.

2. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the Public Hearing at 7:20 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

BOARD OF SUPERVISORS **JUNE 22, 2000**
PUBLIC HEARING **APPROVED**

The Board of Supervisors held a Public Hearing on Thursday, June 22, 2000 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Bill Schenck
Ken Pasch

ALSO IN ATTENDANCE:
Don Yost, Solicitor
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the Public Hearing to order at 7:05 p.m. She stated that the Public Hearing related to Ordinance 00-05 – Types of Signs in Springettsbury Township Zoning Ordinance. She asked Mr. Stern for a brief synopsis.

STERN Mr. Stern reported that in December of 1999 the Board of Supervisors adopted the Flexible Zoning District for the Township. At that time the provisions for that district did not indicate anything about signs, which in effect meant the signs are not permitted in the Flexible Development Zone. Ordinance 00-05 allows signs within the Flexible Development Zone, those signs being the same as permitted in Commercial, Commercial Highway and Industrial Districts. An additional item mentioned was a "special exception section" so that if someone were to put a sign within 150 feet of a property which contained a conforming use other than a use that is allowed in Commercial Highway and Industrial Office zoning district, that sign would have to be cut in half as far as size. If there were a housing community such as an elderly care facility in the Flexible Development District and a factory wanted to move in next door, if they were within 150 feet of that elderly care housing their sign would have to be cut down in size. The word "conforming" was added as a recommendation of York County Planning when there's a non-conforming use. He cited an example of two single-family houses near Eastern Market. Whoever goes into Eastern Market wouldn't be penalized because there are two non-conforming uses next door. Mr. Stern pointed out that billboards are not addressed in the Ordinance. At the present time they are not permitted in the Flexible Development District, and he was not proposing that they would be.

SCHENCK Mr. Schenck stated that one of his questions was whether not allowing billboards was stated in the Flexible Development Zone Ordinance or whether it was part of the sign ordinance, since the sign ordinance states they have to be in the Industrial Zone.

STERN Mr. Stern indicated that Mr. Schenck's interpretation was correct. Article 17 in the Sign Ordinance indicates they have to be in an Industrial Zone, and in that case are permitted by special exception.

SCHENCK Mr. Schenck asked whether someone could take that to mean because Flexible Development allows industrial uses, therefore it is, in fact, an industrial zone; therefore, they could have a billboard.

STERN Mr. Stern indicated he would say no, because it specifically states the Industrial Zone.

YOST Solicitor Yost was in agreement. He added he could see the issue but was confident that any court would interpret it as Mr. Stern interpreted it. It specifically states Industrial District.

PASCH Mr. Pasch agreed with the concept, but asked why it would be worded in such a way that it would even be taken into court.

SCHENCK Mr. Schenck asked if there was any language, which should be added.

PASCH Mr. Pasch agreed that if there would be any language added that would prevent going to court, he would prefer to see it written that way.

STERN Mr. Stern indicated that it states "billboards and outdoor advertising shall be allowed by special exception in Industrial District." Flexible Development District is a total different district. It has nothing to do with an Industrial District.

PASCH Mr. Pasch stated that it would be put in as a separate district. It would go into the Ordinance and be added in there as a separate issue.

YOST Solicitor Yost commented that it would have to be consistently stated that billboards are not permitted in R1, R2, AO, Commercial, Commercial Highway, Industrial and Flexible Development District.

STERN Mr. Stern responded that that is the way the Flexible Development District is titled, as opposed to the Industrial District; two totally different districts.

MITRICK Chairman Mitrick stated that, if an industrial site were placed in an industrial site within the Flexible Development District, it's the chosen use.

STERN Mr. Stern agreed in that it would be the use and not the district.

SCHENCK Mr. Schenck stated that was his question. He added that if Mr. Stern and Solicitor Yost were comfortable with that, he would agree. He indicated he had received some comments that some of the sign people were getting excited about that district.

STERN Mr. Stern responded that two billboard companies had contacted him. One company thought they could not put signs in the Flexible Development District and the other knew that they could not and were concerned that the first company was going to get away with something.

MITRICK Chairman Mitrick asked if there were any further questions from the Board. There were none. Chairman Mitrick asked if there was anyone from the public who wished to comment on Ordinance 00-05. There were no public comments.

2. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the Public Hearing at 7:15 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

BOARD OF SUPERVISORS **JULY 6, 2000**
WORK SESSION – CAMP SECURITY **APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, July 6, 2000 at 6:30 p.m. at Commonwealth Fire Company, 2045 North Sherman Street, York, PA. The purpose of the Work Session was to discuss Camp Security.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Bill Schenck
Ken Pasch

ALSO IN ATTENDANCE:
Don Yost, Solicitor
Robert Sabatini, Interim Township Manager
Andrew Stern, Economic Development Director
John Luciani, Civil Engineer
Alan Maciejewski, Chairman, Planning Commission
Randy Meyerhoff, Member, Planning Commission
Mark Robertson, Member, Planning Commission
Larry Stets, Member, Planning Commission
Larry Gibbs, Member, Planning Commission
Jean Abreght, Stenographer

Brenda Barret, Director, Pennsylvania Bureau of Historic Preservation
Mark Shaffer, Historical Archeologist, Pennsylvania Bureau of Historic Preservation

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 6:30 p.m. She explained the purpose of the meeting and introduced Ms. Brenda Barret from the Bureau of Historic Preservation in Harrisburg. Ms. Barret holds the position of Director, and her purpose was to inform the Board, the Planning Commission and the public about the most recent information regarding Camp Security. Historical Archaeologist Mark Shaffer, who also works for the Pennsylvania Bureau of Historic Preservation, accompanied Ms. Barret.

Chairman Mitrick asked Carol Tanzola of the Historic Preservation Committee for introduction of those people in attendance, which had been instrumental in bringing the information to the Board's attention.

TANZOLA Carol Tanzola thanked Ms. Barret for her guidance. She introduced Tom Schaefer, a member of the Historic Preservation Committee, who had been

keeping the Committee up to date regarding what Camp Security actually was and where. She introduced additional members of the Committee as Raymonde Stets, Sally Fears, Lois Miller, Luther Sowers, Mary Ellen Monson, and Mark Shermeyer.

BARRET Ms. Barret indicated that, as the Director of the state's Historic Preservation Program, she intended to bring the attendees up to date regarding Camp Security/Camp Indulgence. A synopsis of the information she presented follows:

Ms. Barret described various aspects of the rediscovery of the Revolutionary War. She had been leading an effort to preserve over 500 acres on the Brandywine Battlefield, as well as the site of the Paoli Massacre. She commented that Governor Ridge's recent commitment of $3 Million enabled saving a key portion of the Brandywine Battlefield. She stated that as the first Capitol, York is probably one of the key places where the Revolutionary War has not been forgotten especially with the rebuild of the Court House. The site of Camp Security/Camp Indulgence may be the last Revolutionary War Prisoner of War Camp left in the United States and is considered to be a very rare site. She reported that the researchers from John Milner Associates had tracked down a number of other Revolutionary War camps, which had since been destroyed and added that Camp Security/Camp Indulgence may be the last one capable of being preserved.

Ms. Barret elaborated on the timing during the Revolutionary War as many of the major battles had been fought, and the prisoners who had been placed in the camps were actually in a very rural place south of the City of York. The prisoners were from Saratoga and from Yorktowne. The Battle of Yorktowne was won in 1781, but the Treaty of Paris was not signed until 1783 because of the difficulties of transatlantic travel and the difficulty of getting agreements ferried back and forth across the Atlantic for signatures. The prisoners were probably placeholders as our government negotiated with the British and the French. There were a lot of troops stationed in two areas.

Ms. Barret described Camp Security as a stockade prisoner of war camp. Camp Indulgence was not so much a prisoner of war camp, but a place, which was not stockaded. Research indicated that there were British regulars and Canadian Provincials living in Camp Indulgence. Additional research showed that the full-scale British army personnel resided there, along with their wives and children.

She described the site as sloping with two fields surrounded by heavy and quite mature woodlands. There is an upper field and a lower field. In the

center, the steepest area of the site is a series of four step-down terraces. The research that John Milner Associates has undertaken found drawings of British Prisoner of War Camps in New York where the terraces were used as a platform for the prisoner's huts. It was set up in eighteenth century military precision. They would build the platforms and place the huts in rank order. Much of the debris found was preserved in the tree line of this property and had not been discovered nor understood until this most recent look at the site.

Ms. Barret stated that she hoped through working together a part of the site could be saved. Government funds are available but it takes time to raise money to preserve sites. In the meantime, she suggested that everybody work to be as flexible as possible to preserve as much of this site as possible. One way the flexibility can be built is through the Corps of Engineers. Ken Baumgartner had been very helpful in the process. The Corps of Engineers was asked to permit this project and responded that they would be very flexible in their wetlands requirements. The Corps indicated that it would be willing to do some real tradeoffs on the amount of land to be avoided for wetlands to preserve the historic site, an extremely rare action.

Ms. Barret thanked the Township for its part in the development. She thanked the Supervisors, the Township Manager and Andrew Stern for suggesting the flexible approach to the development of this site. She added that she hoped to seek funding toward the effort. She added that they have only scratched the surface on the site. She stated that Mark Shaffer had recently met with a gentleman who had a really wonderful collection from the property.

SHAFFER Mark Shaffer stated that a gentleman by the name of Robert Ditchburn had watched an archaeological dig going on in 1979. Mr. Shaffer met with Mr. Ditchburn, who described some of the archaeological methods, which had been previously used. Mr. Shaffer explained that important contexts are in the deposits of the pits themselves. Mr. Ditchburn has a collection of regimental buttons, coins, pieces of eight Spanish silver dollars cut into eight and sixteen pieces indicating that many of those soldiers had their families with them.

Mr. Shaffer encouraged a commitment to interpret what happened here and why it is important to the people of York County.

MACIEJEWSKI Alan Maciejewski asked what Ms. Barret would see as the most beneficial preservation and presentation of the site.

BARRET Ms. Barret responded that she could envision bringing the benches and platform areas back with an interpretation of the earth works. She added that artifacts could be displayed at the Heritage Center to exhibit the kinds of things that were found here.

MACIEJEWSKI Mr. Maciejewski asked whether she was thinking about any re-creation.

BARRET Ms. Barret commented that re-creations could be done but it might be difficult for people to imagine what the site looked like.

MACIEJEWSKI Mr. Maciejewski stated that it would be pointless to have a plot of grass with a fence around it, with everyone wondering what it was. There would be very little interest.

SHAFFER Mr. Shaffer agreed and added that the earth works are in a wooded area. In order to interpret the area, it would have to be cleared out. He added that the visual eye catcher is there. There would have to be a lot of signage too.

BARRET Ms. Barret commented that a public excavation program is a challenge and people are drawn to them.

MACIEJEWSKI Mr. Maciejewski brought up the matter of having a residential development in the area of an historic site. How much of this site would be heavily visited, and how would a developer lay out the housing in the area.

BARRET Ms. Barret added that visitation at a site does not always mean huge numbers of people. It can be a modest number of people. Many archaeological sites are preserved temporarily and left just as open space. The goal is to see if the site can be kept here so that 100 years from now people can see York County in the Revolution.

ROBERTSON Mr. Robertson stated that the site could wind up being in the National Historic Register and perhaps on the Internet. People could have visual access, which would tend to grow more than a few signs advertising the site.

SHAFFER Mr. Shaffer responded that Milner Associates had mentioned the development of a web page for the property.

BARRET Ms. Barret added that the site is not just in-the-ground-research, but there is historic research that needs to be done. She mentioned Mr. Johnathan Strayer, who is from York County, works as an archivist. He has done some very fine preliminary primary source documentation. Additionally

there is more information in England in regimental museums, and in the British Museum there is probably a drawing of this camp. There are probably diaries and records of this camp.

RAU Clair Rau asked for more information about Camp Indulgence. This was the first that he had heard that term.

BARRET Ms. Barret responded that in some of the research she had reviewed preliminarily there was one stockade camp and one camp with no stockades. The stockade one was Camp Security and the non-stockade one was Camp Indulgence.

TANZOLA Carol Tanzola asked whether there was a possibility that the site extends further to other property that had been developed.

BARRET Ms. Barret responded that they really did not know the answer to that. If the site extended across a part of the housing development and parts of the sites were there, naturally they are not there anymore. She asked Mark Shaffer how many people were living here in the camp overall.

SHAFFER Mr. Shaffer responded that there were over 1,000 people.

BARRET Ms. Barret added that with over 1,000 people, there were a good number of folks there.

SHAFFER Mr. Shaffer added that York itself at that time might have had 1,000 in the town of York. The prison camp was the size of the community in general.

BARRET Ms. Barret thanked everyone for allowing her to address the matter. She stated that the Pennsylvania Historic Museum Commission would like to work with the Township Manager, the Township Economic Development Director, the developer, and anyone else to try to preserve the site.

MITRICK Chairman Mitrick thanked Ms. Barret and Mr. Shaffer for coming. She also thanked the Historic Preservation Committee for keeping the Township informed and also Mr. Tim Pasch who had been very cooperative in this learning process right along with the Township.

2. ADJOURNMENT:

MITRICK Chairman Mitrick thanked Ms. Barret and Mr. Shaffer for coming. She also thanked the Historic Preservation Committee for keeping the Township informed and also Mr. Tim Pasch who had been very cooperative in this learning process right along with the Township.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

BOARD OF SUPERVISORS/PLANNING COMMISSION WORK SESSION **JULY 6, 2000 APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session with the Planning Commission on Thursday, July 6, 2000 at 7:00 p.m. at the Commonwealth Fire Company, 2045 North Sherman Street, York, PA. The purpose of the Work Session was to discuss the Pleasant Valley Road Condominium Project.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Bill Schenck
Ken Pasch

ALSO IN ATTENDANCE:
Don Yost, Solicitor
Robert Sabatini, Interim Township Manager
Andrew Stern, Economic Development Director
John Luciani, Civil Engineer
Alan Maciejewski, Chairman, Planning Commission
Mark Robertson, Member, Planning Commission
Larry Stets, Member, Planning Commission
Randy Meyerhoff, Member, Planning Commission
Jean Abreght, Stenographer

1. INTRODUCTION:

MITRICK Chairman Mitrick called the Board of Supervisors/Planning Commission Work Session to order at 7 p.m. Chairman Mitrick thanked the members of the Board and the Planning Commission for their attendance. She also thanked Township Manager Robert Sabatini, Solicitor Don Yost, Economic Development Director Andrew Stern and Civil Engineer John Luciani, along with other members of the staff for their attendance. She also thanked the interested citizens and the representatives of the York Pleasant Valley Road Condominium Project for taking the time to come. She expressed her thanks to Commonwealth Fire Company for the use of their facility.

MITRICK Chairman Mitrick stated that following the Work Session the Board of Supervisors would have an Executive Session regarding personnel and legal matters.

MITRICK Chairman Mitrick stated that the purpose of the Work Session was to provide the Board of Supervisors and members of the Planning Commission the opportunity for discussion of the Land Development Plan, which are submitted to date for York Pleasant Valley Condos. This Land Development Plan has had much citizen interest. The Supervisors wanted to create an environment where interested citizens could witness the plan being studied at the table. In addition, the developer is provided an opportunity to hear issues and concerns prior to the final stages of the process.

MITRICK Chairman Mitrick indicated that sign-in sheets were available if a citizen wished to be recognized to speak. Chairman Mitrick added that this is not a decision making forum and that the hard fast decisions on this proposed Land Development would be made during the final Land Development Plan stage when it appears as an Action Item on the Agenda for the Board of Supervisors. At this time, we really do not know when that will be.

MITRICK Chairman Mitrick asked Solicitor Yost for his comments.

2. TOWNSHIP SOLICITOR COMMENTS:

YOST Solicitor Yost stated that, because of the recognized sensitive nature of the project, the Board of Supervisors agreed to meet with the Planning Commission in this Work Session. The developer would be a participant and everyone interested in the plan may comment or raise questions. Solicitor Yost brought forward several legal principles as follows:
Under Pennsylvania law and actually under the law of any state of the union, if a developer presents a subdivision or a land development plan to a municipality and the plan meets all of the requirements of the ordinance, the Board does not have discretion to deny plans, if the developer meets the requirements of the ordinances. He added that the Board of Supervisors as the governing body, and the Planning Commission as an appointed body with responsibilities for reviewing this plan, can and have been held liable in Pennsylvania for denying a plan based on some pretext other than what is set forth in the Ordinance. At this point the Board does not know whether this plans meets all of the requirements of the Ordinance. If it does meet the Ordinance requirements, the Board is not in a position to turn it down,

because we do not like who may be living there. That is not a basis for denying the plan. We understand your concerns, and we understand the concerns of who may or who may not be living there. We must be very careful when we address those issues.

3. ZONING OFFICER COMMENTS:

STERN Mr. Stern provided a summary of the details of the plans as submitted on March 14, 2000. He commented about the 90-day requirement. The Township is required to act upon the plan within 90 days from the first Planning Commission Meeting after the plan is submitted. However, the applicant had extended that time period for the Township until August 24, 2000. In addition to that the applicant may provide additional extensions of time, if that is necessary. So the time does not force us to speed up this plan. The plans have been submitted to the Planning Commission. The Planning Commission, as a normal procedure, hears plans at least twice. The first is a briefing item when the plan is first introduced, and that has occurred with this plan. The second time would be called an action item, which is where the Planning Commission would make the recommendation to the Board of Supervisors for action whether it is approval or denial, or recommendations for waivers if necessary.

Mr. Stern stated that no action or recommendations had occurred by the Planning Commission. The plan was still in the planning process. Mr. Stern did not anticipate that approval would take place during the July Planning Commission Meeting. The earliest would be during the August meeting. Mr. Stern continued that the majority of items, such as traffic, storm water, etc. have been addressed, but all of the requirements of the Ordinance have not yet been met. The applicant was made aware of the Ordinance requirements. Mr. Stern stated that the role of the Planning Commission is to be actively involved in the planning process, particularly with traffic and storm water issues.

Mr. Stern provided an overview of the property, which dated back to about 1988 with the Shelley Condominiums. Zoning changes, along with changes in developers, had dictated that only 62 units, rather than twice that many would be permitted. The plan

proposed 58 units. He indicated that copies of the plan were available.

MITRICK Chairman Mitrick thanked Mr. Stern for his comments. She then reported that she had met with Mr. Stern and discussed the results of several meetings related to the Land Development Plan. Mr. Stern provided key items. (Those items were shown on the Agenda for discussion). Chairman Mitrick requested that the items be followed in order so that all of the issues could be discussed. She called attention to the footprint plan related to the development of the building and the layout of the plan. Chairman Mitrick requested Alan Maciejewski, Chairman of the Planning Commission, if he would discuss some of the items that the Planning Commission has related to the footprint.

4. DEVELOPMENT FOOTPRINT, PARKING, NUMBER OF OCCUPANTS

MACIEJEWSKI Alan Maciejewski stated that one of the larger issues was where the property would be situated in relationship to Pleasant Valley Road, the water course that transverses the property, and its proximity to the schools to the south. The delineation of wetlands and waterways had not yet been formally submitted and is considered to be a major item. Mr. Maciejewski commented that Mr. Luciani's report on the flow of water to the property revealed that a substantial amount of drainage takes place through this property, and it is Mr. Luciani's intention that these areas need to be studied in particular so that we understand where the water is coming from and how that water is going to be removed from the property.

MITRICK Chairman Mitrick stated that she, along with Mr. Luciani, had visited the site. A question had surfaced related to the activity that had been completed or is the process of being completed.

LUCIANI Mr. Luciani responded that, with regard to the wetland, a plan was being prepared to restore the wetlands which had been eliminated in the previous development work. Mr. Luciani asked for clarification from the developer as to what wetland restoration had been done and where that was located.

PASCH Mr. Pasch asked whether the retention pond was within the original wetland.

LUCIANI Mr. Luciani responded that he was not certain. He thought it might be outside the limits. He again deferred to the developer.

MITRICK Chairman Mitrick asked Paul Francis to respond.

FRANCIS Mr. Francis reported that difficulty had arisen with the wetlands that were filled during the first phase of this development. A Citation had been leveled at the contractor, along with a letter of violation which took effect. The area is located outside of the basin. Previous documents indicate it was intended to serve that area as a storm water basin. Mr. Francis reported that the Corps of Engineers and DEP had visited the site when his firm became involved. Since then wetland litigation plan had been submitted, which had been approved by both the Corps and DEP. The plan was then amended, reviewed by the Corps, and a letter of satisfaction had been provided for the first phase.

LUCIANI Mr. Luciani asked Mr. Francis if he could review a copy of the above-mentioned letter.

FRANCIS Mr. Francis indicated he would be providing the letter to the Township.

MITRICK Chairman Mitrick asked which plan, LD4 or LD5, was under consideration.

FRANCIS Mr. Francis responded that LD5 showed the landscape plan for an original 48-unit proposed development, which had been reviewed by the Planning Commission at their briefing meeting. Based on some of the comments, the design was altered slightly by LD4. The backs of the units could have been shielded more from Pleasant Valley Road. LD4 proposed 60 units; LD5 proposed 58. The present density yield is 61.

MEYERHOFF Mr. Meyerhoff asked about the height of the berm on LD4.

FRANCIS Mr. Francis responded that to the west of the entrance drive appeared to be 4 feet. A street scape buffer had been added in addition to the road, as well as a berm on the east side.

STETS Mr. Stets asked whether the units would be conventional townhouse type units, 30 to 30 feet.

FRANCIS Mr. Francis responded that was correct. They had included an elevation on some of the other plans. He added that the color scheme had not yet been determined.

MITRICK Chairman Mitrick asked whether, in an attempt accommodate some of the issues related to visibility from Pleasant Valley Road, the layout of LD4 would be used.

FRANCIS Mr. Francis responded that was correct. He added that the small triangular area toward the east side of the property would be filled with trees and that both plans, LD4 and LD5, exceed the requirements for landscaping required by the Ordinance.

MITRICK Chairman Mitrick inquired whether there would be any work done on the property east of the pine trees.

FRANCIS Mr. Francis responded that they would only develop one side of the stream.

PASCH Mr. Pasch asked who would maintain the significant green area shown on the plan, i.e., would it be maintained by the condominium association.

FRANCIS Mr. Francis responded that the condominium association would create an easement not to build in that area, and added that it would be maintained by the condominium association.

MACIEJEWSKI Mr. Maciejewski asked whether he was referring to the existing condominium association?

FRANCIS Mr. Francis indicated that a new association would be formulated.

<u>Traffic Concerns</u>

MACIEJEWSKI Mr. Maciejewski stated that the next major issue for discussion would be traffic going in and out of the development. He voiced concern for the existing Pleasant Valley intersection and the potential flow back and forth between YTI and Bradley Academy. As a result of discussion LD4 currently indicates a more defined roadway in between two of the buildings. He added that the problem of the Williams Road/Pleasant Valley intersection was still considered to be a problem area. Mention was made of how to solve the topography of Williams Road and the visibility problems with the farm land. A separate entrance for the development on Williams Road was mentioned as a possibility. There are additional parking concerns in the neighborhood, along with the proximity of the playground and its traffic impact on Pleasant Valley Road. Traffic study recommendations had been provided.

PASCH Mr. Pasch asked whether it had been concluded that the four-way stop would be permitted. He added that Chief Eshbach had indicated it would be dependent upon the amount of traffic.

MACIEJEWSKI Mr. Maciejewski stated that, if these houses are going to be occupied by students, it would not be likely that they would all use their automobiles to drive to YTI when it is only 150 feet from their residence. However, at the end of the school day, many of the students work and the traffic activity would come at noon and 5 p.m. St. Onge built a two-story office building; their previous building will be leased with additional traffic impacts.

STETS Mr. Stets asked how a four-way stop would be justified.

LUCIANI Mr. Luciani responded that it would not be based on traffic volume, but on site distance. Mr. Luciani recommended that, in this particular development, an effort made toward creating site distance by trimming vegetation and acquiring right of way would be productive. He added that the increased development in that area would impact the level of service at the Pleasant Valley/Williams Road intersection. Traffic studies will help to assess the current and future level of service.

BISHOP Mr. Bishop asked for clarification of LD4 and LD5.

FRANCIS Mr. Francis commented that LD5 is the plan as submitted. It is landscape plan that would have accompanied their submittal. LD4 is an enhancement of that plan, which showed the entrance drive earlier referred to.

BISHOP Mr. Bishop stated that the drive is an item presently on the table.

FRANCIS Mr. Francis indicated it had been done with a focus toward emergency vehicle access, providing a thoroughfare for the residents.

MACIEJEWSKI Mr. Maciejewski asked about footpaths for the students.

FRANCIS Mr. Francis responded that a sidewalk had been provided.

MITRICK Chairman Mitrick asked Mr. Stern whether there are currently sidewalks and curbs on the north side of the private road in the area of YTI, St. Onge and Bradley.

STERN Mr. Stern responded that the only sidewalks and curbs he was aware of are on the south side across from Bradley at the new St. Onge.

STETS Mr. Stets asked whether there had been a note on the St. Onge plan.

STERN Mr. Stern responded that there was no note on the Bradley Academy plan.

MITRICK Chairman Mitrick asked whether there would be a deck on the back of each unit.

FRANCIS Mr. Francis indicated that a patio is planned.

MITRICK Chairman Mitrick stated that it would then just be on the ground floor.

FRANCIS Mr. Francis responded that was correct.

<u>Landscape</u>

MACIEJEWSKI Mr. Maciejewski observed that the planting seemed to be very close to the wetland boundary, and he asked whether there would be any problem with disturbing the soil in order to accomplish the plan.

FRANCIS Mr. Francis responded that he did not think this would adversely affect the area.

MITRICK Chairman Mitrick asked whether there would be space to put an increased treeline with a buffer along Pleasant Valley.

STERN Mr. Stern responded that the berm is designed to accommodate the trees that are shown. The berm could be made bigger to accommodate additional trees if needed.

FRANCIS Mr. Francis indicated that the owners would entertain putting more trees in.

LUCIANI Mr. Luciani indicated that there is a swale, which needed to go between Pleasant Valley Road and the berm. There is currently a 36" pipe underneath that. We will have to pipe that or swale that. He asked Mr. Francis what their intention would be.

FRANCIS Mr. Francis responded that there is a culvert underneath the road. They plan to extend the storm drain, pick up the swale in back of the two western units, and convey it under the roadway access drive to the stream.

ROBERTSON Mr. Robertson asked about whose responsibility it would be to maintain the road and sidewalks going into the school area.

FRANCIS Mr. Francis responded that it could still be the condominium association to maintain. He was unsure exactly how that would take place, but assured that it would be maintained.

STETS Mr. Stets asked whether any discussion had taken place regarding the possibility of using the southern road as the primary road.

FRANCIS Mr. Francis responded that it had not been discussed strictly as a primary road.

KATHERMAN Attorney Katherman stated that it might create another problem in that the egress traffic would not be coming out onto a public road but onto another private owner's land onto a private road.

BISHOP Mr. Bishop commented that would be true if it were the only access.

MITRICK Chairman Mitrick asked what the square footage would be of each proposed unit.

STERN Mr. Stern responded that he thought it was 1200 to 1300 square feet.

ROBERTSON Mr. Robertson asked whether there would be room for any additional parking.

FRANCIS Mr. Francis responded that originally LD5 indicated 123 spaces were proposed for 58 units, and the requirement would have been 116 spaces. This LD4 proposes 60 units and 146 parking spaces, which was 26 over the required of 120.

MITRICK Chairman Mitrick asked whether the Ordinance on the square footage of each unit provided for a number as to how many occupants could reside in each unit.

STERN Mr. Stern responded that the Zoning Ordinance would allow up to eight people before it would become a group quarters or group home. Under the Building Code there is a square footage per occupant, but the eight people quota would be reached before the requirement of the Building Code.

GURRERI Mr. Gurreri asked whether the units are two and three bedrooms.

PASCH Mr. Pasch asked whether any are one bedroom units.

FRANCIS Mr. Francis responded that they are all proposed three bedroom units.

PASCH Mr. Pasch commented that the maximum occupancy of each unit would be eight.

STERN Mr. Stern added that it would be eight if they were unrelated. If they are related and you have a family of more than eight people as long as it stays within the standards of the Building Code it would be permitted.

PASCH Mr. Pasch asked whose responsibility it would be to monitor that.

STERN Mr. Stern indicated that the applicant had offered something in the condominium rules to address that.

KATHERMAN Attorney Katherman stated that he had met with the condominium owners. The indication was that a provision would be made in the condominium documents much earlier in the process. His recommendation to the owners would be that they have no more than four people living in any unit. He stated that was not in writing yet. The condominium association would have to do this, as in every other condominium in Springettsbury Township.

MITRICK Chairman Mitrick commented that, if there might be four unrelated people living in each unit, that would impact traffic counts and parking volume.

STERN Mr. Stern stated that the Ordinance only requires two per unit. Mr. Stern indicated that the Township could not require more parking spaces.

KATHERMAN Attorney Katherman stated that if it would be a concern of individuals that students from YTI or Bradley Academy would have an excess number of vehicles, both of the institutions, which are located immediately adjacent, have extremely large parking lots, which would be empty at night.

MITRICK Chairman Mitrick asked whether there would be no parking signs placed in areas other than those designated for parking

STERN Mr. Stern asked whether she meant within or off the property.

MITRICK Chairman Mitrick responded that she meant within the property.

STERN Mr. Stern indicated that was a matter for the Supervisors to decide.

KATHERMAN Attorney Katherman stated that the condominium documents would address that to make it a violation of rules and regulations to park anywhere other than assigned spot. Signs would be placed for no parking spots.

MACIEJEWSKI Mr. Maciejewski commented that if it is a private road no police action could be taken.

KATHERMAN Attorney Katherman responded that was correct.

MITRICK Chairman Mitrick indicated that she would think the Fire Chief would be extremely concerned about additional parking in that area.

KATHERMAN Attorney Katherman reported that in the same way as most shopping centers, there is a fire lane immediately in front of the stores. That is private property, but the Fire Department will site you if you park in that lane. In any case, we could designate fire lanes within the interior lines of the property; label them as such, and then there would be enforcement powers by the municipality.

LUCIANI Mr. Luciani commented that the lack of quantity of available parking would be a concern. The potential realistic demand could be 240 parking spaces. Mr. Luciani asked whether it would be possible to create additional parking on the site so that there could be an assurance if there is a shortage they are not parking on Pleasant Valley Road.

KATHERMAN Attorney Katherman stated that Pleasant Valley Road would be marked by the Police Department and there will absolutely be no parking along that road.

BISHOP Mr. Bishop commented that he didn't think that was the issue. He asked whether the owner would be willing to make provisions for parking for what you say is going to be there. Mr. Bishop observed that if there would be four people per unit it would be reasonable to expect that there might be somewhere close to four cars per unit. He stated that the spirit of the Ordinance would be to provide ample parking for the people that are anticipated to be living there.

KATHERMAN Attorney Katherman agreed with Mr. Bishop and indicated a willingness to go back and revise the plan providing for parking if it becomes a problem.

GURRERI Mr. Gurreri observed that the four people occupying the unit would be going to school.

KATHERMAN Attorney Katherman agreed and stated that the units would be put up for sale. In all likelihood some will be occupied by students, some by a husband, wife and one child in which case there would only be one or two cars at that location.

ROBERTSON Mr. Robertson stated that the students would be going to school part-time as well as working part-time. He commented that in high-density areas there usually are parking issues. There are cars parked on Pleasant Valley Road now in the condominium areas.

MACIEJEWSKI Mr. Maciejewski commented that additional parking was something worth consideration, especially for residents who might have visitors, who would have a need for additional parking.

MITRICK Chairman Mitrick inquired whether the traffic study had been calculated on four vehicles per unit or whether it was dependent on a particular number of vehicles for a development like this.

FRANCIS Mr. Francis responded that, as he understood, it had been prepared based on the apartment townhouse unit generation notes.

MITRICK Chairman Mitrick asked what figure was used to calculate it.

FRANCIS Mr. Francis responded that the figure was not shown. The study simply states that apartments and townhouses use this figure. That is on the application. None of the folks in this study were considered to be students that already are in the base line counts.

MACIEJEWSKI Mr. Maciejewski stated that the actual impact of the development of traffic in the area may not include just students. Certainly through traffic flow the Planning Commission wanted to see what the worse case scenario would be.

PASCH Mr. Pasch thought Chairman Mitrick's point was well taken. He stated that there had to be a figure in the stats when the study was originally created.

FRANCIS Mr. Francis indicated that would be addressed.

LUCIANI Mr. Luciani reported that the average daily week-day traffic on Page 10 of the traffic study, indicates 422 trips. That equates to about seven trips per apartment unit. A typical single-family residential home makes six to eight trips per day depending upon whether it is a condominium or single-family residential detached dwelling. Mr. Luciani's observation was that, with the numbers used, the average daily weekday traffic is seven trips for a unit. He suggested that the number be evaluated if in fact that is the occupancy limit that they are targeting.

PASCH Mr. Pasch stated that information would be very important along with the intersection that is controlled.

GURRERI Mr. Gurreri asked whether there was room to provide overflow parking.

STERN Mr. Stern stated that everything which showed in green was available except for the wetlands area.

FRANCIS Mr. Francis indicated that there is a variance indicating a 24 by 36 area.

Wetlands

FRANCIS Mr. Francis provided explanation of the wetlands. There is an existing farm pond for the property. These wetlands are as delineated and verified by the Corps about a year or so ago before we started our litigation. We had the Corps and DEP verify each one depicted on the plans. The litigation area that we are referring to is at the base of these two spillways is located down stream off the property.

PASCH Mr. Pasch asked whether one could look at the wetlands and determine that it is a wetland.

FRANCIS Mr. Francis stated that there are three criteria in evaluating wetlands. One is the soil. The soils are inundated by water or ground water over a period of time. The second criteria is vegetation. The third is hydraulic. There is criteria to establish what the wetlands are.

MITRICK Chairman Mitrick indicated that many of the residents wondered where the wetlands are located. She asked whether it would be possible for the wetlands to be marked.

FRANCIS Mr. Francis indicated that the wetlands are flagged.

MITRICK Chairman Mitrick stated that she had visited the site but had not seen the flagged area.

FRANCIS Mr. Francis indicated that they had been flagged over a year ago. He indicated he would check and re-flag the area.

MITRICK Chairman Mitrick indicated that would be appreciated.

Stormwater Management

SCHENCK Mr. Schenck asked Mr. Francis to identify the storm water catch basin.

FRANCIS Mr. Francis pointed out the area. He indicated they had added some contours as well.

MITRICK Chairman Mitrick asked whether the information regarding overflow parking could be provided soon.

FRANCIS Mr. Francis responded that it would be provided with the next submittal.

MITRICK Chairman Mitrick asked Mr. Luciani whether he had any comments on the storm water drainage.

LUCIANI Mr. Luciani responded that he had discussed a number of issues with Mr. Francis. One of his concerns was that the channel which comes from the box culvert extending underneath Pleasant Valley was 100 acres, which is a significant drainage area. Mr. Francis was to provide a conveyance calculation. Similarly to the method

followed with Diehl Toyota, the Township made sure that water would be able to get from underneath Pleasant Valley Road through the site without impacting into the buildings.

PASCH Mr. Pasch asked Mr. Luciani whether he had any concern about taking care of the storm water.

LUCIANI Mr. Luciani responded that he did not. A separate basin would be built which will discharge into the Meadowlands basin. However, the Ordinance requires that the discharge be the same as it is in its current condition. There are really two storm water issues. One is to allow for the additional impervious area for the buildings and parking area. The second is getting the existing stream from underneath Pleasant Valley Rd. to the lower side of the site. Paul has indicated he is going to be able to document what is needed.

MACIEJEWSKI Mr. Maciejewski reported that during a previous storm water management discussion, they had discussed an abnormal storm dating back to July of 1996. There is a tremendous accumulation of water at that end of Deamerlyn during heavy rains. He added there is some question as to the adequacy of how the storm water basin was working on Your Lands and how that all interrelates. He asked whether the new development would create an additional problem further downstream.

LUCIANI Mr. Luciani responded that the property Mr. Maciejewski mentioned is a corner unit. There is a storm system that comes down Deamerlyn and discharges right at the corner of the site. Mr. Luciani could not state whether this developer would be able to improve that channel so that it continues to flow through that property and maybe doesn't back up. That would be one of the third areas to be reviewed.

MITRICK Chairman Mitrick asked Mr. Sabatini for comment since he had been asked to take the lead toward getting the parties involved in the storm water project. She added that the intent of the getting interested parties together for discussion of the problems involved on the south side of Route 30 and work toward a solution. She stated that the County and Bob Kinsley had indicated interest in working with the Township toward a solution. She asked Mr.

Sabatini to keep the Planning Commissioners informed as well of the progress.

SABATINI Mr. Sabatini indicated he would see that Mr. Stern received copies of letters to be distributed to the Planning Commission.

Recreation Issues

MITRICK Chairman Mitrick asked Mr. Stern for a report on the recreation issue.

STERN Mr. Stern stated that the original plans showed a little recreation area. LD2 shows a volleyball court, and I think the bigger plans show more detail. The Planning Commission and staff I think unanimously pointed out that if it was to be recreation as far as the Ordinance is concerned, it should be accessible and useful by the public at large and not simply the residents of that group of condominiums. Another issue that was discussed was at an early meeting I believe the applicant/developer had suggested the possibility of giving the Township the big green area on the plan, for us to use as some extension of the existing Springetts Oak Park. The staff was concerned with why we would want wetlands areas, that aren't very useful, that we would be stuck maintaining forever and ever. For example, the land could not be used for a soccer field.

MITRICK Chairman Mitrick asked whether the green area extended all the way to those existing units that sit back off Pleasant Valley. There is a little driveway that cuts through there.

STERN Mr. Stern responded that was correct.

BISHOP Mr. Bishop asked whether Mr. Luciani could provide an idea whether the piece of land up against the park would be big enough for a soccer field.

LUCIANI Mr. Luciani stated that the land is about 320 feet north/south and about 270 feet east/west. If you were to create a soccer field, length wise it wouldn't be long enough. A soccer field is 110 yards long-330 feet, but if you oriented the soccer field regulation, you could probably run the soccer field east/west continuous and make that work.

MITRICK Chairman Mitrick stated that the first question was to learn where the wetlands are. Even with wetlands there is always the thought of some passive recreation that the Board has discussed many times in the past. So let us take it off the record at this point that the Board declines the offer of the land.

SCHENCK Mr. Schenck stated that recreation is great but then you have maintenance. Right now you are talking about putting recreation facilities behind homes where people are. Recreation is great if you are the one doing the recreation. If you live next door to it, there are an equal number of complaints from those that want it and those that don't, due to noise and parking.

PASCH Mr. Pasch stated agreement with Chairman Mitrick to keep an open mind to recreation.

Consensus was to seek the location of the wetlands and then determine what extra land would be available for recreation.

Conservation Issues

STERN Mr. Stern commented that the issue of conservation is of a similar nature as had just been discussed.

Density Coverage

SCHENCK Mr. Schenck asked for further clarification regarding the amount of acreage excluding the wetlands, i.e., could there be additional coverage or did they max out on the density.

STERN Mr. Stern responded that they had utilized the maximum density on the number of units, but they have not maxed out on the percent of impervious coverage. They have approximately 14.6% used of 30%. No more dwelling units could be added unless they were reduced from three to two or one bedroom.

MACIEJEWSKI Mr. Maciejewski stated that all of the questionable areas had been discussed and added that the Planning Commission's concerns had been addressed. The Planning Commission will be very interested in the environmental impact of the area and that holds true with the storm water and traffic. He identified those two areas, storm water and traffic as the two major items still on the table.

Traffic Issues

BISHOP Mr. Bishop provided his view on the traffic discussion. He stated that the interior road should be pursued. He added that from a Township point of view, one of the major areas needing a solution was to get that intersection of Williams Road and Pleasant Valley Road fixed. He suggested not to think in terms of band-aids and 4-way stops and other small solutions, but to make it into an intersection that will work. He added that now is the time to pursue that even if meant re-grading and taking land or whatever it needs.

MITRICK Chairman Mitrick agreed with Mr. Bishop in that the band-aids will only last so long and then we will have a problem before us again.

5. PUBLIC COMMENT:

MITRICK Chairman Mitrick stated that twelve people had signed up to address the Board. She welcomed them and asked that if the questions that you have already had been asked that the individual not repeat them. She called upon Nancy Richards.

RICHARDS Nancy Richards of 3632 Hope Lane provided her comments. She indicated she was aware of where the wetlands are located. She stated that as you look back on the right there is a line of trees after where it is mowed. That field when we have heavy rains fills with water, and the back of the existing playground fills with water as well. Therefore, there is an existing drainage problem. She questioned whether the berm and the trees in front of the units would cause a traffic hazard for the students or residents coming out making left hand turns. She asked whether that would obstruct vision in any way.

LUCIANI Mr. Luciani responded to her comments that with this berm, if the developer pushed it back on the edge of the right of way where it would block site distance, it would be a problem. If he would have the berm placed where the vehicle pulled within 10 feet of Pleasant Valley Road, it would be safe to look left or right. This would be something we would look at from an engineering standpoint. I think the berm is a plus to provide some aesthetic relief, but at the

same time we would make sure that this would not create a hazard to the people of the Township.

RICHARDS Mr. Richards stated that even though they say that in the condominium documents they are limited to four people per unit; condominium documents do change and the Township would have no way of knowing that. You have based your traffic studies on that, but I think you would really have to consider at least that some of them would have less. You can trade development rights where there's already infrastructure and we have this big mixed use development and the schools really want student housing, could they build dormitories there and have bus services to the school. They are coming in and changing an environment. I think with this structure the water problem will worsen.

PRITCHARD Mr. Pritchard did not comment.

KAHLBAUGH Mr. Keith Kahlbaugh, 1700 Deamerlyn Drive commented that he had a number of concerns, some which may not have any value but he needed to ask them anyway for the sake of his wife who could not attend. He asked what was the number one motive of this development.

KATHERMAN Attorney Robert Katherman responded that the developers are in business for a profit.

KAHLBAUGH Mr. Kahlbaugh asked how the development of these dormitories would benefit Springettsbury Township and the residents of Springetts Oaks.

KATHERMAN Attorney Katherman stated that there are two well established, post-secondary schools in the area, both of which are a compliment to Springettsbury Township. They are both locally owned by individuals that in building these condominiums would have long term interest in building both of those schools. It is a harmonious and natural consequence in the presence of those schools. The units will be condominiums and not dormitories. I am sure there will be some young, single professionals who will buy these because they are in a great location at a great price. It is anticipated that there will be some people who will buy them and

as investors, will lease them. Therefore, some of the people they lease to will be students going to those two schools.

KAHLBAUGH Mr. Kahlbaugh asked what relationship the condo association would have with the developer.

KATHERMAN Attorney Katherman stated that the developer owns all of the land when you condominimize the property. Then you start selling units. When you have sold a certain number of units, ordinarily 75%, then the condominium association steps into the shoes of the owner/developer. Ultimately when a sufficient number are sold, then the LLC which now owns the land would be superceded by the condominium association, which would be composed of people who own the condominiums.

KAHLBAUGH Mr. Kahlbaugh asked whether Kinsley would have the opportunity to purchase some of those properties when they go up for sale.

KATHERMAN Attorney Katherman stated that he would.

KAHLBAUGH Mr. Kahlbaugh asked whether Mr. Kinsley would get the first shot of what he would want to purchase.

KATHERMAN Attorney Katherman responded that he did not know if they are going to have a preferential grant of purchase and added that he had never discussed that with them.

KAHLBAUGH Mr. Kahlbaugh asked whether a value had been placed on the individual condominiums.

KATHERMAN Attorney Katherman responded that the price range was estimated at between $95,000 to $105,000 per condominium unit.

KAHLBAUGH Mr. Kahlbaugh stated that a soccer field and basketball courts are already in the area, and there is probably no need for extra recreation if this plan goes through. He asked whether the existing properties should be used, rather than take up current land and build on it.

KATHERMAN Attorney Katherman responded that undeveloped land is all around Springetts Oaks. The land will be developed eventually. This land

is being developed because it is there, and because it is zoned for development. Attorney Katherman stated that he didn't think you can get a better trio of responsible parties to be a developer than the people that are coming up to the table with this project.

KAHLBAUGH Mr. Kahlbaugh agreed. Someone would develop it, but at the same time Mr. Kinsley would be part of the land trust fund.

SCHENCK Mr. Schenck responded that in a discussion about preserving land and open land from farmland, there is the theory that this type of development is the solution to preservation of the land. If we were to build this many housing units, say off of Druck Valley Road for example, we would be looking at probably one acre lots per housing unit. Although sometimes you look at these high-density residential developments as unattractive, in the big scope of things this is the type of development that actually preserves the space. That is not my opinion. That is what the development scholars out there have come up with, and I agree with them. As much as we might not like this type of development, as opposed to single family development on a one acre lot where every resident wants a one acre lot and single home and a nice driveway to themselves we can turn out that land at a much faster rate. Again, it cuts both ways. This development could very well be saving a much larger chunk of land somewhere else.

KAHLBAUGH Mr. Kahlbaugh asked whether the development of the condos would increase the value of their properties.

KATHERMAN Attorney Katherman indicated that to be an impermissible question. He knew there are people who live in your neighborhood who look askew at the present condominium owners and feel that their condominiums brought down the quality of like in their neighborhood and the value of their homes. He did not agree with that, but did know there are many who do feel that way. He did not believe that was a criteria of whether or not something meets or doesn't meet the plan. Whether or not it has a direct impact is so subjective that you can't really answer that question.

KAHLBAUGH Mr. Kahlbaugh asked who would be responsible for the maintenance of the building.

MITRICK Chairman Mitrick asked Attorney Katherman if he had issues for discussion, as his name appeared on the list.

KATHERMAN Attorney Katherman stated that he had nothing further for comment. He indicated he had placed his name on the list in order to respond to questions.

MITRICK Chairman Mitrick asked him if she could cross his name off the list.

KATHERMAN Attorney Katherman stated she could do so.

KLAUBER Mr. Klauber asked Mr. Stern for clarification regarding how many people could be in each unit. He asked whether, if it was a group home, it could be up to eight people.

STERN Mr. Stern responded that eight or more people become group quarters as opposed to a single family attached or semi-attached to a group quarters or dormitory.

KLAUBER Mr. Klauber asked whether the square footage of each unit remained at 1,302 feet.

FRANCIS Mr. Francis responded that was the correct square footage.

KLAUBER Mr. Klauber asked whether the developer was being asked to revise the traffic study to include more vehicles per unit.

MACIEJEWSKI Mr. Maciejewski responded that a certain number of spaces are allotted whether it be a hospital, restaurant, movie theatre or school. Even though the majority of residents are students at either YTI or Bradley, they probably would not drive their cars to school. More importantly was the aspect of the traffic during the day and evening.

BISHOP Mr. Bishop stated it was his understanding that the developer had not been asked to redo the traffic study. We have asked for some clarification of what they have done.

KLAUBER Mr. Klauber asked whether there would be a move to ask the developer to redo the traffic study.

LUCIANI Mr. Luciani commented that if there are four unrelated people living in a unit, the numbers used in the study would not be super conservative. He indicated they would be asked to raise the trip number up and re-estimate it. They are re-working the plan in a number of ways.

PASCH Mr. Pasch commented that it would simply be the use of a different formula.

LUCIANI Mr. Luciani commented that it might have more of an impact on Mt. Zion and Pleasant Valley. Because that is likely where the impact will show up something different will have to be done there.

KATHERMAN Attorney Katherman stated that it would have more impact on parking spaces because those people are going to school there right now everyday. They will be parking at a different spot, but they are already coming in off of Mt. Zion Road.

MITRICK Chairman Mitrick asked whether Drena Shostak wished to comment. However, she had left the building.

MITRICK Chairman Mitrick called on Dallas Barclift.

BARCLIFT Mr. Dallas Barclift of 3606 Coventry Court asked how might this development affect Springettsbury Township's ability with its current sewer system and wastewater treatment. He asked whether anyone had reviewed the burden on utilities.

STERN Mr. Stern responded that the sewer Planning Module had not yet been approved through the state of Pennsylvania. The Township currently does not have the sewer capacity to grant tap-in certificates. However, the Township expects sometime late this year or early next year to have the capacity as a result of our pump station connection to the City of York. When that capacity becomes available, they are on our Chapter 94 report, which lists how we intend to allocate the sewer. Mr. Stern stated that, as far as other utilities, the water company had agreed that there is sufficient water. However, as far as gas and electric, he couldn't comment on that.

MITRICK Chairman Mitrick called on Deedre Abram.

ABRAM Ms. Deedre Abram of 3640 Springetts Drive, York, PA questioned whether the traffic study should be based on the maximum of eight people making it the worst scenario.

PASCH Mr. Pasch agreed with Ms. Abram indicating she had a valid point.

MACIEJEWSKI Mr. Maciejewski stated that they had taken into consideration that the schools are already there. The other aspect would be consideration of the possibility that every unit had the maximum number of students or people and they each have a vehicle. Maybe more than half of the cars are already there right now.

ABRAM Ms. Abram stated concern with the traffic grid locked at the four-way stop sign. She indicated that there would be heavy traffic at different times of the day. She added that there are many children in the neighborhood riding bikes. She stated her concern for the safety of the young children.

MITRICK Chairman Mitrick commented that, in looking at the traffic study and to reiterate what Mr. Bishop said that the Board of Supervisors is not looking for band aids at this point, but for solid controls over the traffic in that area. That had been voiced very clearly here.

ABRAM Ms. Abram asked whether Alan Deamer might have information on the wetlands.

KINSLEY Mr. Paul Kinsley responded that the fact that Mr. Deamer did not have information about where the wetlands are located was what started the whole issue with the Corps of Engineers. The development started before wetlands were really an issue. When construction was done, they were discovered. The Corps did a jurisdictional determination to determine where the wetlands were located. The wetlands have been located.

ABRAM Ms. Abram asked whether the Police Department would be prepared for the increase in people.

MITRICK Chairman Mitrick stated that the Police Chief had been involved, and the Police Chief was made aware of the plan as it had progressed. He had indicated some concern about the increase in population in this given area. She stated that he had not voiced any concern related strictly to a student population.

KATHERMAN Attorney Katherman commented additionally regarding the student population. He stated that, for a period in excess of eight years, one of the two subject schools had rented entire blocks of another apartment complex in Springettsbury Township. Police Department records had not indicated any lower or higher incidents of calls to those apartments that have been rented by students.

FARISH Mr. Dave Farish of 4850 Deamerlyn Drive, York, PA stated that his concern was that he lives at the top of Deamerlyn and Williams is located right behind his home. He had observed Williams Road being used as a drag strip, and he had never seen a single person pulled over for speeding.

MITRICK Chairman Mitrick stated that if Mr. Farish was observing a current problem, the information could be passed along to Chief Eshbach in order to gain control of that situation. She asked Mr. Sabatini to pass along the information to the Police Chief.

MITRICK Chairman Mitrick asked Patrick Kinsley if he had any comment to make.

KINSLEY Mr. Kinsley responded that his name was simply on the list in order to provide responses to questions.

MITRICK Chairman Mitrick asked Paul Francis if he had any further comments to make.

FRANCIS Mr. Francis did not have anything further to comment.

MILLER Mr. Jay Miller of 3645 Hope Lane stated that in 1968 he bought land on Maryland Avenue in the City of York, which is half way up a hill. I built a super market there and blacktopped two lots for a parking lot. As other businesses began to expand around the area and gradually the grass became more blacktop, the city began

having more problems about a block and a half down the street at Roosevelt Avenue. All the basements became flooded down there. In the 1970's the city tore up Maryland Avenue and built a two-foot drain that he connected to off his roof, his two parking lots, and we even built a drugstore there. All this water would go into the drain so that it wouldn't flood down there. Mr. Miller suggested that a close review be made of the tremendous area coming down off of that mountain. Route 30 is a perfect dam. An unknown factor related to how many years would pass until Route 30 will be expanded to six lanes, which will take some of the land designated as wetlands.

MITRICK Chairman Mitrick responded that Mr. Miller's comments were appreciated. She commented that recently the Township Engineer had been directed to study the water flow coming down the ridge north of Ridgewood Road. In addition, Mr. Sabatini had been directed by the Board to gather interested parties together, the Kinsleys, the County and any other large developer in that area who together have admitted that storm water is a problem and they want to be part of the solution. Mr. Sabatini said earlier that letters had been sent out and very soon a date will be placed on the calendar for such meetings. She indicated that Mr. Miller was correct that there is a storm water problem, and the Township is attempting to address it in a much fuller picture

CAMPBELL Mr. Dick Campbell, 3755 Springetts Drive, stated that he purchased his property in 1985 and built a home in 1986. Druck Valley Road was constructed in about 1987 or 1988. At that time we had many discussions with the Township people and suggested that Pleasant Valley Road instead of coming through the farmer's field where it is today, it would cross up on top right where the hedgerow is so that as the area was developed between that hedgerow and Route 30, the subject of discussion tonight with the two schools. That road could serve that side and then it could also serve the north side. We were told the reason the road would never go through there was because that was all wetlands down in the area. The Township knew at that time that it was wetlands. Those records should still be available, and you really should not have too much discussion as to where the wetlands are located.

MACIEJEWSKI Mr. Maciejewski responded to Mr. Campbell that his point was well taken. He reiterated about the work done in time past regarding the wetlands. He recalled that there were problems with other takings of wetlands in York County. The decision at that time was rather than getting involved with the wetlands, the normal course to take was Pleasant Valley Road. Mr. Maciejewski agreed with Mr. Kinsley's point that it had not been very well mapped, resulting in the current need for remediation work that has to take place back there.

CAMPBELL Mr. Campbell asked whether there would be maps in the archives of the Township showing the wetlands.

MACIEJEWSKI Mr. Maciejewski stated that the original Shelly Land Development drawings might show the wetlands. It could be a problem locating the drawings.

LUCIANI Mr. Luciani commented that it had only been since the 1980's that wetlands were regulated as to what they were. At that time the criteria had been established of hydrology, soil and plant vegetation. Mr. Luciani responded to Mr. Campbells question that the older documentation probably would not be valid today.

YOST Solicitor Yost commented that he did not recall that the road had not been built because of wetlands. It was not built because there was a vociferous group of individuals from the Springetts Oak Development who convinced the Board at that time not to continue that road. I don't think it had anything to do with wetlands.

ROBERTSON Mr. Robertson stated that Mr. Stern had provided some history of discussion from 1988. In December of 1989 the Township Engineer issued certification that a flood plane would not impose on a development. That was the entire development, all 171 condos. A registered engineer certified that the development would not be in jeopardy because of the flood plane.

MACIEJEWSKI Mr. Maciejewski added that when the Environmental Impact Study is received from the developer, a Letter of Delineation from the U.S. Corps of Engineers had been requested. That would be an official stating where the wetlands were. If they go out and mark it

tomorrow with flags, there still is a condition of this plan to have that formally submitted as part of their development plan.

MITRICK Chairman Mitrick stated that resident's comments had been received. She thanked everyone for their attendance and encouraged anyone with questions as the land development goes through the process, the Supervisors and the Planning Commission would be available. She added that information could be obtained through the Township office or by telling one of the members of the Board of Supervisors.

6. OTHER BUSINESS:

STERN Mr. Stern provided information regarding the Sewer Planning Module for York Prison, which had been denied due to a concern about the sewer line that runs from the pump station by the prison past the Township building. A meeting had been held with the waste water plant staff and Mike Schober. Through the discussion, the report changed somewhat in that there is a problem, but it had been a problem for some time, and that the prison's additional sewage flow really will have no effect on it. With that in mind those in attendance at the meeting, i.e., Messrs. Stern and Sabatini and Chairman Mitrick, indicated to the County that the matter would be re-addressed as soon as possible for reconsideration of approval of the planning module. In the meantime, the waste water plant has begun the first step to correct the problem, which involved a correction at the manhole that the force main goes into, which will slow down the flow a little bit in the gravity part of the line where the backup is. For the second part, Mike Schober is gathering specification costs. The bottom line was that the problem is not going to be changed by the prison. If the Board agrees to that then the planning module shouldn't be held up due to the problem.

MITRICK Chairman Mitrick stated that the projected cost to resolve the problem was $148,000.

STERN Mr. Stern responded that the figure was revised to $50,000.

SABATINI Mr. Sabatini stated that the insurance company had to install anti-backflow devices in order to prevent the sewage from backing up.

It had filled up the manholes and gone out to the street on more than one occasion. Mr. Sabatini and Attorney Yost discussed the situation and concluded that this could constitute a public health issue under state law. The Township could be justified if the Board of Supervisors would determine a public health issue and order a Resolution. A no-bid contract could be justified as well, in order to correct this in an extremely fast timetable, in order to not hold up the issues related to the prison

PASCH Mr. Pasch asked why anything would have to be done if the prison project is not a problem.

SABATINI Mr. Sabatini responded that the existing situation is a problem with an additional problem on top of it.

SABATINI Mr. Sabatini recommended that it would be in the Township's best interest to solve the entire problem and concurrently address the planning module. He added that there is a 60 to 90-day period for the state to approve anything.

STERN Mr. Stern stated that he would separate the problem and the prison project. His reasoning was that the pump sends 500 gallons per minute through the lines. The line can only handle only 343 gallons a minute at half a percent, but the additional flow would not increase the volume or pressure of the material through the sewer lines.

LUCIANI Mr. Luciani added that the pump only operates at one speed.

STERN Mr. Stern continued that only the length of time that the pump operates increases. The pump operates like a sump pump in a basement. Considering the increased flow from the prison and averaging out the numbers, it equated half a second of additional time each time the pump operates. Looking at it in that way, the prison would have no effect on it. Mr. Stern added that, when the prison first put their addition on, the Township approved it at 50,000 gallons and they only used 38,000 for the addition. The remaining 12,000 are available for use.

BISHOP Mr. Bishop commented that, if one assumed that the previous comments were true, had there been a problem with the Board receiving bad information at a public meeting.

SCHENCK Mr. Schenck explained that, based on the information he received, he had led the charge at the meeting. The meeting with the County people started out discussing a huge problem, and by the time the meeting was over, it only involved a half a second extra pump time. He concluded it was not a problem at all.

SABATINI Mr. Sabatini reported that the waste water plant staff had been made aware of the difficult situation placed upon the Board. He suggested one approach which included the comment of additional capacity based on the previous planning module. The correction of the sewer line and providing a new planning module concurrently either by bid or by declaration of public health safety would be another approach. He stated it would all be dependent upon how quickly the Board wanted to see results. Mr. Sabatini continued that when a business has the need to install anti-back flow devices to keep waste water from coming into the property it would be considered a serious problem.

PASCH Mr. Pasch stated that the anti-back flow device corrected their problem.

SABATINI Mr. Sabatini responded that they had not corrected the Township problem.

PASCH Mr. Pasch commented that the only problem with Lincoln General was that they might not be able to use their toilets for a short period.

BISHOP Mr. Bishop asked how often that occurred.

STERN Mr. Stern responded that it is surcharged several times a month. The last time that Ed Sowers had it recorded that it came out of the manholes was during a storm on the July 4th, 1996.

PASCH Mr. Pasch asked whether a few seconds from the prison would coincide with a surcharge. He asked whether that would force the material outside the manhole.

LUCIANI Mr. Luciani reported that the bigger the force main the more flow can be handled. The prison's worst case is to put out 20 gallons a minute in a 6" force main that can hold 180 gallons a minute. I was thinking at the time that this is pretty significant. Their flow would contribute to that force main significantly. It is an 8" force main. When you spread the flow from the prison over an entire day of 500 gallons a day, your peak flow at the prison is probably 10 gallons a minute. That would contribute to the total flow. In 10 gallons to 500 gallons per minute is probably a correct ratio. The answer is, yes, at about 1% of the problem.

PASCH Mr. Pasch stated that he would not dispute the numbers, but added that during certain times of the day the flow from the prison is going to be significantly more than average. If that additional flow is added to a situation where you could have surcharge into the manhole, you could have it coming out of the manhole without any question.

GURRERI Mr. Gurreri stated that the problem must be fixed regardless of what the prison does.

PASCH Mr. Pasch indicated he did not question that but asked why there should be special situations as far as the bidding procedure.

SABATINI Mr. Sabatini responded that this project could not be just turned around and bid. The information is needed from Mike Schober regarding how long it will take him to finish the specs and everything, and we may be able to bid it. He stated that his preference would be to bid the project; however, there is a need to cut the time by three to five weeks.

SCHENCK Mr. Schenck stated that there are worse situations in the Township.

MITRICK Chairman Mitrick asked whether anyone had been involved when Lincoln Insurance opted to do this in their system to remedy the situation.

LUCIANI Mr. Luciani responded that he had been there. He stated that when they went through the plan for the project, he remembered a

discussion about the fact that there were backups. He added that it had been about three years ago.

SCHENCK Mr. Schenck stated that he had been involved as well, and Lincoln General had been very quiet about it.

PASCH Mr. Pasch stated that there were two problems. One was to fix it, and the second problem is whether the County is held up because of it.

SCHENCK Mr. Schenck indicated that the engineers on our staff now are saying that it is not a problem.

SABATINI Mr. Sabatini stated that if the plan was to move ahead and do repair work on the line, that is the trigger. The planning module could be approved as long as we are going ahead and fixing it. Once again we are going to have varied opinions. My opinion is that unless you are going to fix it, it is hard to justify going back on what the Board had intended.

MITRICK Chairman Mitrick commented that the County had been asked at that meeting for money to help fix this problem, and they said they would contribute.

STERN Mr. Stern agreed and indicated they had repeated that since. If we determine the sewage flow through that line and determine their percent, they will pay that percent of the cost of the work.

SABATINI Mr. Sabatini stated that his direction to Mike Schober was that he wanted to see what our costs are going to be to do the work. Whether we go with a bid or a declaration of a public health issue, timing is still a matter of three weeks. He asked the Board whether they were willing to commit to proceed.

GURERRI Mr. Gurreri stated he was in favor of repairing the line.

SCHENCK Mr. Schenck stated that the Board needed to approve their module.

BISHOP Mr. Bishop asked about the legality of a planning module.

STERN Mr. Stern responded that it had been denied, but that he had never formally submitted it.

SCHENCK Mr. Schenck stated that if it had been submitted as a denial, that would be a huge process.

BISHOP Mr. Bishop stated that if Mr. Stern had not submitted it, it doesn't matter.

YOST Solicitor Yost indicated that he didn't think the County has much to do or say about it.

BISHOP Mr. Bishop indicated he meant that the State wouldn't care.

YOST Solicitor Yost stated that he didn't think DEP would care either. The Township is addressing the problem.

MR. GURRERI MOVED TO REPAIR THE BID SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT OF SEWER LINE REPAIR PROJECT FOR THE GRAVITY LINE IN THE AREA OF LINCOLN GENERAL AND BOUNDARY LINES. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. SCHENCK MOVED TO APPROVE THE PLANNING MODULE FOR THE YORK COUNTY PRISON TEMPORARY STRUCTURE ADDITIONAL CAPACITY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10:30 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

SPRINGETTSBURY TOWNSHIP **JULY 10, 2000**
FIRE ORDINANCE **APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Monday, July 10, 2000 at 7 p.m. for the purpose of discussion regarding the proposed Fire Ordinance and Consolidation of Springetts and Commonwealth Fire Companies. The meeting was held at the Township offices at 1501 Mt. Zion Road, York, PA.

MEMBERS IN ATTENDANCE: Lori Mitrick Chairman
Don Bishop
Nick Gurreri
Ken Pasch

NOT IN ATTENDANCE: Bill Schenck

ALSO IN ATTENDANCE: Robert Sabatini, Interim Township Manager
Don Yost, Solicitor
Michael Hickman, Fire Chief
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:03 p.m. She stated that the meeting was a Public Hearing for discussion regarding the proposed Ordinance, titled as follows:

AN ORDINANCE OF SPRINGETTSBURY TOWNSHIP, YORK COUNTY, PENNSYLVANIA, ESTABLISHING AND RE-ESTABLISHING A DEPARTMENT OF FIRE AND RESCUE SERVICES OF THE TOWNSHIP, REQUIRING THE CONSOLIDATION OF SPRINGETTS FIRE COMPANY NO. 1 AND COMMONWEALTH FIRE COMPANY NO.1 INTO A SINGLE VOLUNTEER FIRE COMPANY AND RECOGNIZING SUCH CONSOLIDATED COMPANY AS THE OFFICIAL VOLUNTEER FIRE COMPANY OF THE TOWNSHIP, ESTABLISHING THE OFFICE OF FIRE CHIEF AND A BOARD OF GOVERNORS TO PROVIDE ADVISORY RECOMMENDATIONS TO THE DEPARTMENT AND THE FIRE CHIEF.

MITRICK Chairman Mitrick stated that the Board would like to receive input from those in attendance regarding the ordinance. She advised that the ordinance was on the agenda for action.

MITRICK Chairman Mitrick stated that Mr. Schenck would not be in attendance.

SURTASKY Mr. Tony Surtasky asked what affect the ordinance would have on the residents of the township. He asked whether there would be a quicker response, better equipment, more trained people and what the end result would be. He commented on the fund raising events provided by the fire companies, which resulted in monies for equipment and asked whether that additional revenue would come from taxes.

MITRICK Chairman Mitrick referred his question to Mr. Pasch, who had been assigned the responsibility of the emergency services in the absence of a permanent Township Manager.

PASCH Mr. Pasch responded that for the past several years the Emergency Services Commission had been meeting and recommendations had been made toward the consolidation of the fire companies. He explained that the reason that Board had gone the route of an ordinance was because, having given the fire companies many opportunities, nothing came back in terms of consolidation. Mr. Pasch stated that it was the Board's intention to have better service. Mr. Pasch asked Mr. Surtasky whether the fire companies had discontinued holding yard sales and renting halls because of the ordinance.

SURTASKY Mr. Surtasky responded that he did not believe a determination had been made but questioned whether the Board had forecasted for the $100,000 to $150,000 raised each year.

PASCH Mr. Pasch indicated that he was hearing Mr. Surtasky state that if the Board decided to consolidate then the volunteer fire companies would no longer function in the same way that they had in the past.

SURTASKY Mr. Surtasky indicated that he could not speak for the volunteers but that it seemed that the volunteers are helping put out the fires, but they are not involved in the operation of the fire company.

PASCH Mr. Pasch responded that complaints that had been made involved the volunteers and the fact that they had difficulty getting the administrative work completed. Mr. Pasch stated that the Board was looking at taking the administrative chores, but not to running the volunteer fire companies.

SURTASKY Mr. Surtasky continued with his concern about what the volunteers were going to do. He asked about the trustees as he understood only one person, the Fire Chief, would be in charge. He asked about the executive officers, the Lieutenants, etc.

PASCH Mr. Pasch responded that there was nothing in the ordinance to indicate that any of those positions would be disbanded. He added that the

suggested By-laws state that the fire companies would still have the same command. He added that anyone in a supervisory position, whether they are volunteer or paid, would have to have the qualifications to be in that position.

SURTASKY Mr. Surtasky agreed but added that there was no mention of the structure.

PASCH Mr. Pasch responded that the fire company would be represented on the Board of Governors.

SURTASKY Mr. Surtasky commented that it would just be by one person. He indicated that he did not understand the way the Board of Directors was put together. He asked how many people would be on the Board of Directors.

PASCH Mr. Pasch responded that number would be seven. He added that the By-laws are recommended for the fire companies. He stated that the Supervisors had no interest in seeing the fire companies disband.

SURTASKY Mr. Surtasky indicated that he was simply recommending that a review should be made of the monies raised by the fire companies themselves. He stated that the money that would be raised by the fire companies from their hall rentals and whatever should be under the direct control of the fire companies. The chief shouldn't have anything to do with that.

PASCH Mr. Pasch responded that a provision had been made where functions provided fire company money, then a purchase could be made for fire company needs.

SURTASKY Mr. Surtasky indicated that he would have to have a clearer understanding of what was meant by public money.

PASCH Mr. Pasch responded that public monies are monies raised from the general public of the township. He asked Solicitor Yost for comment.

YOST Solicitor Yost indicated that was the intent. If a fundraiser was held and raffle tickets or Christmas trees were sold, the net profit would be considered public funds.

SURTASKY Mr. Surtasky asked whether renting the hall would be considered public funds.

YOST Solicitor Yost indicated it would be public funds because the hall is held in trust for the public of Springettsbury Township.

SURTASKY Mr. Surtasky asked who would control the public funds money.

YOST Solicitor Yost responded that the Board of Directors would control all of the private monies of the consolidated fire company. The public monies that are raised by fund raising activities or a hall rental by the new fire company would be considered part of the fire department budget process. It will be used together with the township funds in the budgeting process, which is under the direction of the Fire Chief and alternately the Board of Supervisors.

PASCH Mr. Pasch explained that one of the purposes for consolidation was to provide for efficient spending for the residents of the township. The volunteers had indicated throughout the discussions that they are interested in having a more efficient allocation of funds. This would provide for equipment purchases for the township, but not necessarily for a duplication of equipment in each station. The volunteer companies would have representation on the Board of Governors to determine how the money would be spent, and those meetings would be public meetings where residents would have a say in the decisions.

SURTASKY Mr. Surtasky asked what the difference was between the Board of Governors and the Board of Directors.

PASCH Mr. Pasch responded that the Board of Directors is the board in each fire company under the suggested by-laws.

SURTASKY Mr. Surtasky asked how many people would be on that Board.

PASCH Mr. Pasch responded that seven were suggested in the proposed by-laws.

ECKERT Mr. Don Eckert stated that the new corporation has a Board of Directors of seven. That is why all the money would be consolidated into one, which would have a Board of Directors of seven. He stated that on page seven of the draft provided for this meeting, it had been stated very clearly in item (h) that "the supervision, direction and control of all moneys expended by the department." The department referred to the Township. In this proposed wording there were more controlling and positive words. This draft indicated that the Fire Chief would be charged with the sole authority and responsibility. The Fire Chief is subordinate only to the Township Manager. Mr. Eckert continued that the proposed Board of Governors consists of only five, which reduced the representation of the volunteers. Previously there were two from each of two companies for a total of four on an operating committee of seven. The proposed Board of Governors would be just fundamental to facilitate the status of the department to satisfy the requirements of the trusteeship of a non-profit corporation. Mr.

Eckert commented that the representation from the fire service had been reduced by 50%.

PASCH Mr. Pasch asked Mr. Eckert whether he thought there should be seven instead of five.

ECKERT Mr. Eckert indicated that the number should be seven and the other two be from the newly formed corporation, which is the fire service now.

PASCH Mr. Pasch asked him to clarify that he was suggesting four from the Emergency Services Corporation.

ECKERT Mr. Eckert indicated that he had not conferred with other members of the fire service. He stated he would not be in favor of cutting the representation by 50%. The representation would only be a recommending body. He mentioned the authority of the Fire Chief being only subordinate to the Township Manager.

PASCH Mr. Pasch responded that the Fire Chief is subordinate to the Township Manager and the Board of Supervisors. He added that when in a fire situation, the Chief must have absolute control.

ECKERT Mr. Eckert responded that the discussion was not referring to a fire scene, but rather operation of the fire company.

PASCH Mr. Pasch stated that the fire companies have their own Board of Directors to operate the company.

ECKERT Mr. Eckert asked where the ordinance recognized the function of the Board in the day-to-day operation and the authority of running the fire service. The suggested Board of Directors under the formation of the new corporation does not relate to the Ordinance that establishes the control and operation of the Emergency Services in Springettsbury Township.

PASCH Mr. Pasch responded that it would not include the fire company except on the fire scene.

ECKERT Mr. Eckert stated that the proposed ordinance does not allow the fire companies to spend a dime.

PASCH Mr. Pasch stated that that had not changed from its beginning. The first ordinance had stated that the public funds, funds that are not public funds, would be in a separate account for the disbursement of the fire companies.

SABATINI Mr. Sabatini interjected that the comment was stated within the by-laws. He added that the by-laws stated specifically for use of revenue. He continued that the By-laws stated "Public revenue shall be deemed to be allocated to the department for budgetary and fiscal purposes shall be used and expended only as provided in the department's annual budget or otherwise required by law. Private revenues which are dues from active fire fighters and supporting members, unrestricted donations and other earnings may be used and expended by the corporation at its discretion."

ECKERT Mr. Eckert indicated that had been within the suggested format of how to organize the new corporation. He asked Solicitor Yost about the previously referred to Fund "A" and Fund "B". Within previous discussion mention had been made toward allowing $5,000 for the fire companies to have expenditures for non-emergency purposes. He asked whether it was true or not that all of that had been split by the proposed ordinance.

YOST Solicitor Yost responded that it had been; however, in substitution for it was the provision in the by-laws.

ECKERT Mr. Eckert asked where it would be stated that the fire companies would have 'x' dollars and from what source to enforce that suggested format of corporation. This ordinance will become law and this is what the Chief is going to be solely responsible for.

YOST Solicitor Yost responded that the ordinance would mandate the consolidated company to adopt by-laws substantially in accordance with the appendix, which is attached to the ordinance. So-called public monies would be segregated from the private monies of the fire company. The fire company would have exclusive control over the private monies; those public monies would be part of the department budget.

ECKERT Mr. Eckert observed that the ordinance provided a page and a half to explain the Chief's duties, which included all budgets, requirements, inventories, and everything.

YOST Solicitor Yost responded that it does not indicate from where the money is coming.

ECKERT Mr. Eckert observed that the other document did not indicate that either. He stated that without clearly spelling out the funds it was silent. Somehow it would magically be under the control of the newly formed corporation.

BISHOP Mr. Bishop stated that the plan of consolidation was not silent on that issue at all.

ECKERT Mr. Eckert stated he was not referring to the plan of consolidation. He was referring to the law and how the fire services are going to be run. His concern related to the day-to-day functions of a volunteer or elected treasurer regarding issuing checks, paying bills, as mandated by the Chief. He stated he was not in opposition.

PASCH Mr. Pasch responded that his difficulty was that everything Mr. Eckert had mentioned was stated within the whole context of the Articles of Incorporation, the by-laws, and the ordinance.

ECKERT Mr. Eckert did not agree and added that the ordinance would establish the law under which the township was restructuring the fire service and taking control of the administration of it.

MITRICK Chairman Mitrick stated that she could see two issues. She suggested a change to page 7 of the ordinance under item (h). She stated that it seemed as though there was concern over who would have authority over the money in the department. She asked Solicitor Yost whether it would be appropriate to insert the word "public" control of all monies expended. Then at least that does separate the public fund from private fund.

YOST Solicitor Yost responded that the department would have nothing to do with the private fund. He indicated that it would be redundant but it would not be a problem to add the word.

MITRICK Chairman Mitrick stated that her second issue related to the draft ordinances. The scope of the private fund, or fund 'B' as it was in a previous ordinance, had been reduced. In a previous ordinance, money from hall rental, etc. went into the fund 'B' or the private fund. Solicitor Yost now advised that, if that money is raised by involvement with the public, then that money must go into the public fund or fund 'A'. She indicated she understood the concern that opportunities to get money into the private fund would be reduced by this ordinance.

WERTZ Mr. Bud Wertz commented that selling chances, renting the hall would be considered public funds.

YOST Solicitor Yost provided an explanation of public and private funds. He stated that each of the fire companies operated as a non-profit corporation organized and existing under the laws of the Commonwealth of Pennsylvania. Each is considered a charitable organization under both state and federal law. Any money earned from the public through fund

raising, etc. would be acquired in trust for a public purpose, in this case for fire protection in Springettsbury Township. The fire halls, the fire stations are owned individually by the fire company and are held in trust for the fire protection to the public Springettsbury Township.

SURTASKY Mr. Surtasky commented that all the rest of the fire companies in York County must be illegal in their actions.

YOST Solicitor Yost stated that they are operating just the way it had been operated in Springettsbury Township. It would be illegal to spend money on anything other than the purpose for which they were organized.

MILLER Mr. Ray Miller of 5 Wellesley Court indicated he thought the law stated that the assets of a non-profit organization could not be touched. He asked whether his interpretation was right or wrong.

YOST Solicitor Yost responded that Mr. Miller was wrong in the sense that assets could be touched by a third party if they are diverted from their purpose. In this case the assets could only be used for fire protection purposes.

MILLER Mr. Miller stated that when the hall was rented, they are selective in who is able to rent the hall. He asked who would control that once the Township takes over.

YOST Solicitor Yost indicated that the fire company would still control the hall rental.

TIPPLER Mr. Todd Tippler of 4088 Robin Wood Road provided a commentary on the services that the firefighter provided. He was concerned with the air of contention with regard to the consolidation of Springetts and Commonwealth but indicated he could understand the purpose toward generating efficiencies. He stated that the recruitment of the volunteer was paramount and the sole responsibility of the Fire Chief. He asked what would happen if the Fire Chief, who is only accountable to the Manager upsets the volunteers to the extent that the volunteers won't volunteer anymore. He added that could have a real impact on our tax base. He suggested that the Board of Governors be provided more of a role to be intimately involved in understanding the operation of the fire company. He concluded that from what he had heard, this might be the beginning of the slippery slope of having an all paid fire company, which would involve some serious tax money.

YOST Solicitor Yost responded that with regard to the matter of the Fire Chief, that had been very thoroughly thought about and discussed in the various

meetings of the Emergency Service Commission. It was Solicitor Yost's opinion that the Chief sincerely believed that the Township could enhance and improve volunteerism under this ordinance with him out actively working to get volunteers.

TIPPLER Mr. Tippler asked how the Fire Chief would feel about being accountable to the Board of Governors as opposed to just the Supervisors.

BISHOP Mr. Bishop responded that there was absolutely no question that every one sitting at this table thinks that the volunteers in Springettsbury Township are a wonderful group of people that provide an unbelievable service. Mr. Bishop stated that the objective was to improve the fire service and to make sure that volunteers are an important part of that. Mr. Bishop responded to Mr. Tippler's reference to starting down the slippery slope to having no volunteers with his personal opinion that the Township is half way off that cliff right now and had been going down the slope for a number of years. For six to seven years there had been an effort to consolidate the fire companies to, among other things, stop that trend. One of the main objectives of this initiative is to do that. Mr. Bishop added that the Board of Supervisors believed that putting that responsibility to manage that process squarely in the lap of the Fire Chief as the person that is responsible is the way to do that. Presently, in Mr. Bishop's opinion, no one is responsible. That doesn't mean the Chief is the only one that is going to be doing that but it means he would be ultimately responsible. Mr. Bishop added that Mr. Tippler was correct in that the matter had become a very contentious issue.

TIPPLER Mr. Tippler asked why Mr. Bishop thought it had become contentious.

BISHOP Mr. Bishop responded that people are very passionate on the subject because everyone had worked really hard on it. He added that people who have put their hearts and souls into these organizations, and they have right to feel strongly about them. He stated that the Board of Supervisors determined that drastic action was required to set things on a future path, which would allow for an organization that will work in the future. The Board preferred not to look back at the past but to look ahead to a new way to do things. We are looking to get things organized, and we think that putting a lot of that responsibility on the lap of the Chief is very important. There is no question that the Chief has to report to the Board of Supervisors and the Township Manager in my mind because we are the people ultimately responsible for the safety of the public in this Township.

TIPPLER Mr. Tippler asked whether Mr. Bishop thought the Board of Governors would be an accountability source.

BISHOP Mr. Bishop responded that he was in favor of making that Board of Governors as important to the process as we can possibly make it. However, he added that he, along with the five other Supervisors, are ultimately responsible. The Supervisors were elected and one of our most important responsibilities is public safety in Springettsbury Township. The fire service is a crucial part of that, which we take very seriously and will do whatever it takes to make sure we've got that organized properly for the future.

TIPPLER Mr. Tippler asked whether he could hear from the firefighters why it's so critical. I hear a lot of questions about the ordinance, is there distrust of unwritten agendas?

MITRICK Chairman Mitrick asked whether one person wished to respond.

WOLFE Doc Wolfe of 40 Dietz Road stated that he heard about looking back at all the bad things. He would like to see a list of all the bad things.

BISHOP Mr. Bishop responded that the most important one that he had heard from the Fire Chief and statistics is that there aren't enough volunteers out when there is a fire. He added that one was worth 10 in his book.

WOLFE Mr. Wolfe indicated that would be worth a hundred but that would be a general thing no matter where you go. You need all these documents because you don't have a good recruit.

BISHOP Mr. Bishop stated that the second item was raised by Mr. Surtasky that the two volunteer fire companies in essence raise no money to support their efforts.

WOLFE Mr. Wolfe stated that he sold calendars for a month and a half. The money went into a fund, which had been audited by the township. He commented that he had never known of any discrepancy.

YOST Solicitor Yost indicated that there had been no mention of any discrepancy.

WOLFE Mr. Wolfe stated that, even though the volunteers raise money, they couldn't say anything as far as where the money goes. He added that the word volunteer didn't appear to exist in the proposed ordinance.

PASCH Mr. Pasch interjected that part of the Chief's responsibility would be the recruitment of volunteer personnel.

WOLFE Mr. Wolfe agreed that recruitment was a big item. Mr. Wolfe commented regarding the previous Fund 'B' which covered money raised by the fire company including rentals, calendars, etc. He stated that the term "public money" had surfaced in the latest draft. He indicated that reference to Fund 'B' gave the volunteers a little voice. He said he didn't mind mopping that floor down there every night for a week all winter long. In the end, at the meeting, he had a voice to decide something. Everybody in that room had a voice, and all were part of it. You can run for the Board, but the Board doesn't really do anything. Mr. Wolfe felt that the volunteers had been stripped of their voice.

MITRICK Chairman Mitrick called attention to the draft ordinance, page 2. She indicated that the paragraph specifically mentioned the importance of volunteers. She pointed out that the top paragraph explained why this move was taking place. She added that all the volunteers know this to be true.

WOLFE Mr. Wolfe was 100% in agreement.

MITRICK Chairman Mitrick stated that the Board receives reports showing attendance at the fire scenes. The draft ordinance stated why this Board of Supervisors feels that it must get involved and take an active part in reversing the size of the volunteer force. By the ordinance the Board is not trying to take the significance of the volunteers away. We are trying to enhance it and support it. Now maybe some of the means or the mechanisms that are outlined in this ordinance may not satisfy everyone. She added that this is a very sincere effort to increase and improve volunteerism in Springettsbury Township.

WOLFE Mr. Wolfe indicated that the documents would only enhance a full paid department.

SMETZER Dawn Smetzer of 3910 Ridgewood Road asked how the recruitment of volunteers would be different through this new policy three or four weeks from now. She asked what the difference would be in how more volunteers would be recruited.

PASCH Mr. Pasch responded that, except for very small rural areas, any township of the size of Springettsbury Township has the same problem as we do in attracting volunteers. He stated that there are a number of reasons: full-time employment, other activities, or family obligations. Volunteerism is not the same as it was years ago when there was a spirit of camaraderie that does not exist today. The younger people have a different spirit. Recruitment is not an easy job; it's a very difficult job no matter whom you talk to throughout the State of Pennsylvania or any of the other states within the United States. Mr. Pasch continued that, as the Fire Chief had

stated, some times at a fire scene there are only two or three volunteers. Mr. Pasch continued that if the Township didn't have paid fire fighters in the Township today, we would not have people on the scene many times. Mr. Pasch agreed that some of the people have a long relationship and association with the fire station and they know the work that they put into it and a lot of hard labor. He commented that a lot of the equipment that the township has in service today was in place because of those volunteers selling Christmas trees and having the chicken barbeques. This Board respects and honors that hard work. Mr. Pasch added that the Board was looking for a solution, and that a concerted effort of all the volunteer company, the Chief and the District Chiefs, the Board of Supervisors, the Board of Governors and everybody else involved would be necessary. Mr. Pasch agreed with Mr. Bishop in that unless a change is made, a fully paid fire protection service within this Township would be inevitable within a 10-year time frame.

BISHOP Mr. Bishop commented on the question regarding the change with respect to attracting volunteers. He stated that there were three things he believed the changes would accomplish:

(1) Of utmost importance is having a Fire Chief who is going to organize this entire company and make it the best fire and ambulance service in this county. A top quality organization will attract people, and Mr. Bishop believes that the Fire Chief can do that.

(2) Mr. Bishop stated that the new organization would provide a structure so that can be done successfully. Some of the problems of the past will be reversed where people have volunteered and have not been welcomed with open arms into the ranks. There are documented cases where volunteers have come in, but they have not been integrated effectively. That is something that we can stop almost immediately.

(3) The third thing this will do is that the companies are structured now with two different kinds of voting members. There are active fire fighting members, and the other members who are still voting members but who can do some of the other kinds of things that have to be done such as administration and fund raising. I believe that we can attract people into these organizations who will be able to help make a strong and vibrant organization and make the fund raising aspect of this a whole lot easier by attracting people who are very good at that and don't have to be the same people that are out running calls and doing all the other important things that have to be done.

HOSTETTER Mr. John Hostetter of Auburn Road asked for clarification of Revenue on page 11 of the Consolidation plan. He referred to item (b) Private

Revenue, which covered the monies received into the corporation for dues, unrestricted donations and monies earned from projects or events.

YOST Solicitor Yost responded that a dance for the volunteers and spouses where a fee would be charged would be considered private revenue. Dues and money coming from a 50/50 raffle are monies coming strictly from the membership. Chicken barbecues, calendar sales would be considered public revenue.

HOSTETTER Mr. Hostetter commented that Mr. Bishop's statement that the fire companies had not had fund raising projects was in error. Funds had been raised through hall rentals and calendar sales. Commonwealth had a yard sale and some other fund raising events.

BISHOP Mr. Bishop responded that there was no question in his mind that there had been activity. However, over the past two or three years, the reports he had reviewed indicated a lot of money had changed hands, but that very little money was made available for any kind of services.

HOSTETTER Mr. Hostetter stated that he could not contradict Mr. Bishop.

SURTASKY Mr. Surtasky commented that a review of the calendar at either of the two fire stations would indicate how the funds had been raised.

BISHOP Mr. Bishop responded that there is money coming in but there is a lot of money going out too, to generate that money. He acknowledged that there is a lot of activity, but the there was little change to the bottom line.

TIPPLER Mr. Tippler commented that the current volunteers are a valuable part of the fire company. He asked about giving the volunteers more voice, such as expanding the Board of Governors by a few more volunteers. In this way the volunteers might be more excited about the fire company and go out and tell their friends or anybody that will listen, come on out and join us. It's for the betterment of the community.

PASCH Mr. Pasch responded that the Fire Chief, as an employee of the Township, should be accountable to the Board of Governors. The Board of Governors should be an Advisory Committee and have a lot of say in it. There should be public meetings, and if the Board of Governors has any responsibility it should be back to the Board of Supervisors.

TIPPLER Mr. Tippler asked whether there could be more representation for the volunteers on the Board of Governors.

PASCH Mr. Pasch responded that Mr. Tippler had a good point. He added that if all of the income that the folks are going to have is $2.00 from each member, it would not be a lot of money for operation. He added that the volunteers are working hard and have a right to have some of those funds as a result of the effort they put into it. Mr. Yost would need to work through the legal requirements.

MITRICK Chairman Mitrick stated that it seemed that the anxiety expressed over the ordinance was related to the public and private funds. She acknowledged that when the volunteers are working selling calendars and doing chicken barbecues, she could understand their frustration with the way the ordinance was designed as related to the funds. She requested that Solicitor Yost review a way to legally broaden the definition of private funds to put more available money in that line item and take some of it out of the public fund. She also stated that she was not opposed to expanding the Board of Governors to include two additional members from the fire company.

WOLFE Mr. Wolfe commented on the fact that people who are paid twice a year had not been paid on a timely basis.

SURTASKY Mr. Surtasky asked for an explanation regarding special taxes in the general fund.

YOST Solicitor Yost responded that the Township levies a fire tax.

SURTASKY Mr. Surtasky indicated it had been his understanding that a fire tax was never levied.

YOST Solicitor Yost responded that part of the township millage is a special fire tax, and all of that money was divided between the two companies.

BISHOP Mr. Bishop interjected that the item had been in the budget every year.

PASCH Mr. Pasch clarified that the item was not stated on the tax bill as a fire tax, but it was part of the millage. It was stated in the budget.

BISHOP Mr. Bishop stated that the Fire Chief would prepare a budget for all of the fire company activities. He asked whether it was possible that the discretion for spending large budget items would be exercised by the individual fire companies. He indicated the purchases would still have to handled through a purchase order system. However, the individual companies could be included in the decision-making process.

PASCH Mr. Pasch commented on each company doing an inventory of the necessary equipment and the fire halls. The discretion would there to spend money on particular needs because it becomes a part of the budget. Mr. Pasch indicated that the members of each fire company would have an opportunity for involvement during the creation of the budget through their representatives. The Fire Chief creates a budget based on information received from the representatives and the Board of Governors. The budget then would be presented to the Board of Supervisors, which could either accept or reject it. The fire company members have a right to attend any budget meeting.

MITRICK Chairman Mitrick referred to page 11 of the by-laws under Segregation of Revenue and asked Solicitor Yost whether that was a legal separation based on what a non-profit organization would be required to have.

YOST Solicitor Yost responded that essentially it was and that conceptually that was a fair statement.

MITRICK Chairman Mitrick asked whether any consideration could be given to altering item (a) and (b) to include more in (b).

YOST Solicitor Yost indicated that it could be altered.

MITRICK Chairman Mitrick stated that was what the members were requesting.

YOST Solicitor Yost commented that no one has indicated what was needed.

MITRICK Chairman Mitrick responded that they might not know right now.

YOST Solicitor Yost added that the building is going to be taken care of, and equipment would need to be maintained.

ECKERT Mr. Eckert commented that he wanted to have everyone agree and understand that what was intended to be enacted would be workable. The Fire Chief has the sole authority and responsibility only subordinate to the Township Manager and the Board of Supervisors. There are two individuals from the fire service, one could be a paid professional and the other a volunteer. There are properties to consider, along with a lot of equipment that's in trust of the two companies. That vehicle must be in place in the new corporation under the same laws as the Commonwealth of Pennsylvania to take trust of that equipment. Under the fiscal affairs portion it very carefully words it that the newly-formed corporation acknowledges its position as a controlling part of the Fire and Rescue Service of Springettsbury as run by the Fire Chief, who is responsible to cooperate and participate in the annual capital budget process. Other

monies could be set aside, but there's really nothing left to buy. Mr. Eckert added that he sat on the Board of Supervisors and was aware of the responsibility to the citizens for public safety. Again he encouraged everyone to agree on how the ordinance would be intended to work.

YOST Solicitor Yost stated agreement with Mr. Eckert's comments.

GURRERI Mr. Gurreri commented that this ordinance was a way to try to make it work. The Board wants it to work and wants volunteers to stay.

SMITH Bill Smith of 526 Wellington Drive questioned who would be handling the Relief Fund, the Board of Governors, the Fire Chief or the Board of Supervisors. He added that the relief fund was strictly all state money.

SABATINI Mr. Sabatini responded that legally it has to be handled by the Board of Directors of the corporation. He added that it could not change and stated that township could not pass an ordinance redirecting management of fire Relief Funds.

YOST Solicitor Yost stated that this should not affect the fire Relief Fund.

SMITH Mr. Smith asked who would run it.

YOST Solicitor Yost responded that the Board of Directors of the new fire company would run it, a total of seven people.

SABATINI Mr. Sabatini stated that elected officials could not participate in that unless the are active members of the Board of Directors.

MITRICK Chairman Mitrick asked whether all seven members of the Board of Directors must be a member of the fire company.

YOST Solicitor Yost responded that they must be a member of the volunteer fire company. They can be a paid person. He added that the by-laws would expand the membership pool somewhat in that someone who was not a fire fighter but who is willing to come and do fund raising or other activities would have the same voting rights as a fire fighter.

WILSON Mr. Tom Wilson of 554 Madison Avenue asked for clarification as to the organization. He asked whether anyone could show a flow of responsibilities.

MITRICK Chairman Mitrick responded that a chart would be assembled while addressing other questions.

YOST Solicitor Yost commented that if the roles of each body would be followed through the ordinance, they are fairly well defined. As they interrelate might not be as well defined. The Board of Directors of the new consolidated fire company does not report to anybody; it runs the fire company. It does not report to anyone.

WILSON Mr. Wilson observed that if the numbers as proposed are counted, there are probably an equal number of people required to run the current organization that we have now than would seem to be with the Board of Governors, Board of Directors, officers, etc.

BISHOP Mr. Bishop addressed the issue of boards. He stated that the proposed structure required fewer people to be involved in administrative activities in the fire service. Because the Board of Directors for the corporation consists of five or seven, those are the only ones required. Two from that group would then be on the Board of Governors. There are only two boards, which was one less than currently existed.

TIPPLER Mr. Tippler asked about the proposal from back in January.

BISHOP Mr. Bishop explained the attempt to consolidate dating back six years. Approximately six years ago there was a committee of the two volunteer fire companies that met for a while and tried to come up with an agreement to consolidate. They failed and stopped. A few years after that they tried again, they failed and stopped. It laid dormant for a number of years. The Emergency Services Commission got involved and drafted a Joint Operating Agreement for the two companies, which would have maintained total sovereignty within the two companies. There was a vote taken on October 17, 1999. The fire companies voted that down. They did not want to do that Joint Operating Agreement. The efforts that took place subsequent to that were some efforts pointed in the direction of trying to do something, none of which were successful.

WILSON Mr. Tom Wilson stated that following the October meeting, it had been agreed in that the fire companies would have time to have their committees selected by their members, have time to meet and because of the holidays in December, the meetings were put off until January. The proposal had been given back to the Township almost to the letter. There are a lot of people who put a lot of time and effort going through that original ordinance trying to keep most of it in tact but at least giving back to the Board what we thought was important to the fire companies at the time and what we wanted to keep in tact as far as the operation of the company.

TIPPLER Mr. Tippler asked what happened to that proposal.

BISHOP Mr. Bishop responded that they gave up.

WILSON Mr. Wilson responded that they never heard anything back. He indicated he had a copy of what had been provided in February.

BISHOP Mr. Bishop indicated that his understanding was that it was only the activity of one company. At the same time there was a letter from one of the companies that they agreed with the plan that was on the table.

SURTASKY Mr. Surtasky commented that they agreed with the plan in the event that the other plan did not meet your approval.

BISHOP Mr. Bishop stated that he stood by what he originally stated. He indicated that there had been a great deal of effort put forward. He, personally, did not see how it was going to be implemented. There had been no real plan to get there and no real idea of how to get it to a vote and get everyone to agree.

TIPPLER Mr. Tippler commented that was Mr. Bishop's opinion.

BISHOP Mr. Bishop responded that was correct, and he had to make the decision about what my opinion was about weather that was going forward. He personally viewed that as another effort to delay the process and that the more the process was delayed the less likely we were to get to where we are this evening.

SURTASKY Mr. Surtasky indicated he was on that group that met there. He indicated they had tried to work something out but that it was not a delay tactic.

GURRERI Mr. Gurreri stated that when the Emergency Service Commission met two years, a group of them tried come up with an ordinance agreement. The guys who wrote it were volunteer fire people and volunteer EMT's. Then they came here and voted against it, and they're the ones that wrote it. The Board didn't write it. Mr. Gurreri called that stalling.

ASTOR Bob Astor of 2950 Chesapeake Road commented on the volunteers who served on the committee to help prepare a document. The people felt that they put a lot of work into that document and it did not resemble the finished documents presented to the fire companies or the ambulance club to vote on it.

GURRERI Mr. Gurreri responded that they voted at the meeting. They agreed that it was what they wanted. Mr. Gurreri stated he had been at the meeting.

ASTOR Mr. Astor asked whether that was a unanimous vote.

GURRERI Mr. Gurreri responded that the vote had been unanimous. They may have changed their mind the next day, but at that table they all voted.

ASTOR Mr. Astor stated that he acknowledged that the Board of Supervisors had put a lot of diligent work into this. He stated that the documents as presented were above anything else they had reviewed. In Mr. Astor's understanding there were still some questions in the State Attorney General's mind as to whether or not the fire companies could turn over the presently held funds to the township. They are looking into that issue but no determination had been made. Mr. Astor mentioned that two issues are under consideration in Lancaster County, one involving a township, which enacted an ordinance, which gave sweeping control to the Supervisors. He asked a question relating specifically to active members and active supporting members. There are two classes of individuals within that proposal, active fire fighters, and supporting role people. He asked whether all the individuals would have an equal vote and whether that would be only through their representation to vote in their Board of Directors. He also asked whether it would be a decision of the Board of Directors of the fire company to establish the rule and guidelines as to memberships for those individuals or is it going to be up the Fire Chief who has complete and total authority over how he establishes what training criteria has to be met, what other criteria has to be met for all members of the fire company.

YOST Solicitor Yost responded that the professional qualifications of a fire fighter would be determined by the Chief.

ASTOR Mr. Astor asked whether the supporting members would be governed by the guidelines that would be laid down by this new Board of Directors. If a membership fee for supporting members was established of $1.00 a year, and every individual in Springettsbury Township was solicited and joined, then every time there was a fund raiser, chicken barbecue, raffle, calendars sales, Christmas tree sales, if we could guarantee that only people from Springettsbury Township participated in those fund drives would all of that money then revert to the fire company fund.

YOST Solicitor Yost responded that was correct theoretically.

SABATINI Mr. Sabatini interjected that it would be viewed very dimly by the Attorney General's office. Segregating that within the Township would be virtually impossible.

GURRERI Mr. Gurreri stated that even all the volunteers aren't all residents of Springettsbury Township.

ASTOR Mr. Astor acknowledged that was true, but they are members of the volunteer fire company, and their contributions would be part of the private fund. He commented on the preparation of budgets previously done by the volunteer fire companies with five and ten-year plans.

BISHOP Mr. Bishop indicated that the bottom line was that was how it had been previously done, and this is the new way.

ASTOR Mr. Astor asked if changes would be made to the proposed by-laws that are contrary of what is being seen as the right direction, how would the fire company be notified.

BISHOP Mr. Bishop stated that whenever an ordinance is written, to a certain extent an attempt is being made to predict the future, which is a stretch of nature as to how a decision would be made. An account must be taken to consider everything that you know at a given point in time, the best information you have and you have to make a decision. Any circumstance that comes up in the future, the Board will act at that time.

PASCH Mr. Pasch added that if a reasonable set of proposed by-laws were presented, which would satisfy the needs of fire protection in this community and allow the volunteer services to expand, he would not object.

GURRERI Mr. Gurreri indicated that changes could be made in the future, but encouraged every one to give it some time.

ASTOR Mr. Astor indicated a concern about the incentive to want to be a member of the Board of Directors of this newly formed fire company.

GURRERI Mr. Gurreri indicated that seven years had been spent trying to come up with an organization that worked. Mr. Gurreri stated he wanted to see it work, and it had to start somewhere.

SABATINI Mr. Sabatini indicated that he had met with the Trustees at Springetts Fire Co. One of the items discussed was as the process was worked through, it would need to be tweaked. He stated that it was only set on paper, not in stone. He added that, in his experience of consolidation, it was important that everyone keep an open mind that at one time or another during the next year or two adjustments would have to be made. He stated that the Township has brought on board an administrative individual as an intern through the end of the year to deal with SOP's, along with some of the

issues that had been discussed including most especially the recruitment and retention of volunteers. The issue of volunteers was the highest priority among the members of the Board of Supervisors. Mr. Sabatini indicated it had been made clear what the Board needed along with the Fire Chief and an expectation that the number of volunteers would increase.

SURTASKY Mr. Surtasky asked whether or not a Deputy Chief had been hired.

SABATINI Mr. Sabatini responded that the candidate had declined the position.

SURTASKY Mr. Surtasky indicated he knew that but wanted to know why.

SABATINI Mr. Sabatini responded that the matter had been in process for nearly 10 years. Recruiting a professional management person would not happen until changes had been implemented. He could not look a person straight in the eye and say this is the perfect job for you right now. There's got to be an action to move this to a closure one way or another. Mr. Sabatini indicated he had directed the Fire Chief and asked the Board to delay action on this because the Township will not be effective in recruiting a volunteer fire fighter or an individual, be it volunteer or paid fire fighter, to be a Deputy Chief, with a reasonable expectation that he is going to last for several years. Nothing will not happen until this is settled one way or another.

BISHOP Mr. Bishop added that it was the Board's intention that a Deputy Fire Chief be hired as soon as can be done so successfully. The position had been created, it still exists and is budgeted.

MITRICK Chairman Mitrick indicated she would take a few more questions and then have Mr. Sabatini explain the line of command.

TIPPLER Mr. Tippler commented that the Board of Supervisors was serious about moving this forward. He stated that it was obvious that something needed to be done and everyone agreed. He added that, as far as the document put together in January, it seemed that it had not been taken seriously. He suggested, in the spirit of harmony, to not vote tonight but vote next month. During that time the Board could read the January proposal. Then the vote would be the final answer, final offer and final perspective. He added that he was just a guy who wants the firemen to show up at his house to put out the fire and doesn't want to pay more taxes. He encouraged the Board to keep the people in the loop somehow.

MITRICK Chairman Mitrick commented that when the fire radio went off earlier during the meeting, every single volunteer and every employee listened to

see if they were needed on that scene. When the room went silent, that told her that the priorities are in the right place. Chairman Mitrick stated that was what she wanted to continue. She added that, as Mr. Sabatini indicated, this document might need to be tweaked. The Board of Supervisors does not want something that would be totally offensive to the fire companies.

LAKE Mr. Dick Lake, Silver Spur Drive brought up the matter of eligibility for state loans. He stated that the fire companies had been eligible for six to eight loans. Under the new organization there would only be eligibility for three state loans. Right now there are four existing state loans, and another was being investigated due to the purchase of an aerial truck. That means one would have to be paid off early. Right now, each company is allowed three loans. He asked how can we know next year if they're going to reduce that to two or one loan.

SABATINI Mr. Sabatini responded that the loans are not for full value of equipment as a general rule and cap at $150,000 for most equipment. Interest is at a reduced loan rate; however, the municipality could borrow money for 4% to 6%. If an aerial truck were to be purchased for $750,000, the amount being used would be $150,000 at 2%. Additionally a sum of $600,000 would be borrowed at 4% to 6%. The dollar difference on that interest rate is not so substantial that the Township's own reserves and the fire companies own reserves can't make up that difference. That lets the cart lead the horse. Mr. Sabatini commented that organizations should not be developed just to take advantage of grants and loan; you develop organizations that loans will work for, but you don't develop the organization just to take advantage of that and you don't structure the organization just to take advantage of that. There is a cost of money there and, you're right, that money may disappear. It may just put us into a different situation. There are many communities that are served by five and six that are considerably smaller than Springettsbury Township. Mr. Sabatini added that more effective purchasing could be scheduled for equipment.

PASCH Mr. Pasch stated that an important item to remember is, even though $200,000 may be lost with the absence of grants, what means more is having an organization that's examining what is needed in the township and you find that you don't have duplication of equipment, you may save more money.

SABATINI Mr. Sabatini explained the chain of command with a review of a organization chart. He explained that Boards of Supervisors are responsible to the voters and also the Commonwealth of Pennsylvania. Specific laws must be abided by in a number of different things,

everything from personnel law to purchasing to the holding of public meetings to the spending and the investment of money. The Township Manager reports directly to the Board of Supervisors and the Fire Chief reports directly to the Township Manager. He explained in detail the working of the council manager form of government where every department head reports directly to the Township Manager. The Fire Chief is responsible for paid personnel, Fire and EMS. Mr. Sabatini stated that there are multiple lines of communication. He stated that the Board of Governors was set up and governed by essentially the same rules of the governing body, our Planning Commission, Zoning Hearing Board. Public access to the meetings, the opportunity to speak, to be heard, to listen to things that are covered also provides a level of credibility to the process and it provides documentation of what you're looking for because it has to have minutes. Actions have to be documented and that provides a history, which is very important for this Board, for the fire company and the fire fighters.

MITRICK Chairman Mitrick indicated that time was available for one more comment.

WILSON Tom Wilson asked if the Officers of the corporation are elected by the Board of Directors, such as the president, vice president, secretary and the treasurer.

SABATINI Mr. Sabatini responded that they are organized internally. If you are elected to the Board of Directors, then the group of directors then votes who is going to be president, vice president and secretary treasury.

YOST Solicitor Yost added that they do not have to be Board members.

MITRICK Chairman Mitrick stated that sufficient time had been allowed to provide the Supervisors input. She turned the discussion over to the Supervisors to provide their input and reach some conclusion.

PASCH Mr. Pasch stated that he realized a number of questions. One question to be addressed was the matter of representation. Mr. Pasch indicated he though representation should be examined. The second thing is that it's been brought up that there was a presentation of a Joint Operating Agreement. Mr. Pasch stated that there had been so many Joint Operating Agreements that he was unsure as to whether the Board had reviewed the one mentioned or not. He asked that a copy be made available to the Township Manager for review.

GURRERI Mr. Gurreri asked for a change on page 5, item 4.03, "Composition of Board." It was proposed for five individuals. Mr. Gurreri would like to

change the number to seven individuals. The composition would be two members of the Board of Supervisors, two would be the appointed Fire Chief of the Township and Deputy Fire Chief, four member of the fire company, no more than two paid out of that four.

MR. GURRERI MOVED TO ADOPT ORDINANCE 00-02 WITH THE FOLLOWING AMENDMENT TO CHANGE ITEM 4.03 "COMPOSITION OF BOARD" FROM THE PROPOSED FIVE INDIVIDUALS TO THE NUMBER SEVEN INDIVIDUALS. MR. BISHOP WAS SECOND.

BISHOP Mr. Bishop asked Solicitor Yost whether there were any ramifications in terms of changing the number from five to seven.

YOST Solicitor Yost responded that he did not consider that a substantive change. I don't see that effecting the operation other than the additional input by the volunteer fire company.

BISHOP Mr. Bishop asked Chief Hickman about the blank on page 4 asking for the name of his department.

HICKMAN Fire Chief Hickman responded Springettsbury Township Emergency Services.

PASCH Mr. Pasch commented that he had heard Solicitor Yost's comment regarding the number not being a substantial change.

MITRICK Chairman Mitrick indicated she could not support the motion because she, along with Mr. Pasch, was not sure whether she had seen the final effort on the Joint Operating Agreement. She felt that she owed that to the fire companies, as they had been involved in the process and are as frustrated as the Board. In her opinion, delaying action one month was not monumental in consideration of the significance of what was being done. I also would ask the Board to consider having Solicitor Yost look into the definition of public and private funds so that the result would be more acceptable to both sides of the table and at the same time, what was best for the residents of Springettsbury Township.

Chairman Mitrick called attention to a change on one of the items in this document where we were going to, just for clarity not for definition, insert the word "public." That was on page 7 under Article V, 5.01 (h) where it would be changed to 'supervision, direction and control of all *public* monies.' With due respect to both sides for everyone who has walked this to the table tonight and seemingly wants to take action on it, she could not support it until she was sure she had seen the document.

BISHOP Mr. Bishop asked for clarification on what this document is, who agreed to it, and who did not agree to it.

MITRICK Chairman Mitrick called for the vote.

MOTION DEFEATED. MESSRS. BISHOP AND GURRERI VOTED YES; CHAIRMAN MITRICK AND MR. PASCH VOTED NO.

ECKERT Mr. Eckert called attention to another correction under Article 1; Item 1.01, the last line of that paragraph, 'maintaining a liaison between the two volunteer fire companies,' you have the one.

YOST Solicitor Yost indicated that was intended to address the current situation.

SABATINI Mr. Sabatini indicated that the vote was being taken on amended version of it. The board could choose to vote on an unammended versions or table it and still be able to protect it.

MR. PASCH MOVED THAT ACTION BE TABLED ON ORDINANCE 00-02 AS ORIGINALLY PRESENTED FOR THIS EVENING'S DISCUSSION UNTIL THE REGULARLY SCHEDULED BOARD OF SUPERVISORS MEETING ON AUGUST 24. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI WAS ABSENT FROM THIS VOTE.

MITRICK Chairman Mitrick summarized the action taken. She advised the Board of Supervisors had not raised many questions with this document. The Board was providing a response to the questions, which the fire company had raised, related to the number of people on the Board of Governors and also want to determine whether we have seen what you submitted to Ken tonight. Lastly, Chairman Mitrick requested that Solicitor Yost review the matter of the public and private funds. This matter will be placed for Adoption on August 24, 2000.

2. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:35 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

BOARD OF SUPERVISORS **JULY 27, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors held a Regular meeting on Thursday, July 27, 2000 at 7:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Nick Gurreri
Don Bishop
Ken Pasch
Bill Schenck

ALSO IN ATTENDANCE:
Robert Sabatini, Interim Township Manger
Don Yost, Solicitor
John Luciani, Civil Engineer
Mike Myers, RK & K
Dori Bowders, Manager of Administrative Operations
Michael Hickman, Fire Chief
Mark Hodgkinson, Wastewater Treatment Superintendent
Scott Laird, Sergeant – Police Department
Andrew Stern, Economical Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m. She advised that the agenda was lengthy; however, it was the Board's intention to hear from the public and then proceed with the business on the agenda.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

MITRICK Chairman Mitrick went on record stating there would be an Executive Session following the regular meeting regarding personnel matters.

2. COMMUNICATONS FROM CITIZENS:

MITRICK Chairman Mitrick requested those who desired to comment to please provide name and address for the record.

SCHAEFER Mr. Tom Schaefer of 138 N. Keesey Street had been asked to present the Board with petitions signed by over 300 concerned citizens regarding the opposition to the proposed Hunters Crossing development. He stated that the significant number protesting this development was generated in only one week and many more signatures can be expected. The signers fall into

two interrelated categories, those who oppose the expansion of suburban sprawl in this township and those who oppose the development of the national and internationally significant historic site, that being the Camp Security and the satellite Camp Indulgence.

Mr. Schaefer embellished on the key issues regarding Camp Security and Camp Indulgence by reading a statement in behalf of the citizens who desired to have the sites preserved.

MITRICK Chairman Mitrick requested that he present the petition to the Township Manager, Mr. Sabatini.

FOLKS Mr. Don Folks of 3601 Ridgewood Road commented regarding the petition. He, personally, could not see saving that property for it's historical value, for something that was a prison camp many, many years ago. He desired to go on record as being against its preservation.

RANDALL Mr. Richard Randall of 3601 Cinnamon Road spoke for a group of Penn Oaks residents on the area of Camp Security and the Hunters Crossing Development. They provided a copy of a letter, which had been sent to the Planning Commission. Three main points raised in the letter were: (1) Concern for the cultural and historical preservation of Camp Security. (2) An environmental concern about the wooded areas surrounding the camp, which had become a natural habitat for wildlife. (3) The high traffic area of Kingston Road.

KINSLEY Mr. Pat Kinsley of 1110 East Princess Street spoke on behalf of the Springettesbury Township Business Association. The Business Association had provided the Board of Supervisors previously with a letter outlining some recommendations on your proposed Mercantile Tax audit. Mr. Kinsley understood that this matter was not listed on the agenda for discussion. He asked what the current position was with regard to any Mercantile Tax audit.

MITRICK Chairman Mitrick provided an overview of what had occurred. Mr. Sabatini had written up a proposal for consideration. Because the Board had many questions, it had been returned to Mr. Sabatini for action. She suggested that Mr. Kinsley meet with Mr. Sabatini as a representative from the business group.

SABATINI Mr. Sabatini recommended to the Board of Supervisors that the matter of the Mercantile Tax audit be tabled until after the new year. He stated that, because of turnover in several departments and especially in the Finance Department, the staff would not be able to handle this matter. He stated that the township would be going into the budget season, along with

handling a variety of significant projects, and he did not believe it would be good business sense to do an audit. Mr. Sabatini added that he was not recommending that it should not be done, just not at this time.

BISHOP Mr. Bishop stated that action had been tabled on this proposal. He was uncomfortable with the idea of having items tabled indefinitely.

MR. BISHOP MOVED THAT THE BOARD OF SUPERVISORS REJECT THE PROPOSAL FOR AUDITING THE MERCANTILE BUSINESS PRIVILEGE TAX IN THE TOWNSHIP. MR. GURRERI WAS SECOND.

PASCH Mr. Pasch stated that he was very much in favor of having an audit as a sound business practice, which the Township must engage in. He understood Mr. Sabatini's concern with regard to staffing. Mr. Pasch stated that he would bring up the matter again as soon as the staff was ready.

GURRERI Mr. Gurreri stated he had not been aware that any discussion had been had with the tax collector. He understood she had done some audits.

PASCH Mr. Pasch stated that very few audits had been done. He added that an audit is a vital part of the business of the community.

MITRICK Chairman Mitrick asked Mr. Sabatini that when the matter was being prepared to be brought back to the Board, he would meet with Mr. Kinsley and also consider the items that were in their letter.

MOTION UNANIMOUSLY CARRIED.

MR. KEN PASCH LEFT THE BOARD TABLE AT 7:50 P.M.

PASCH Mr. Tim Pasch brought forward a matter regarding tap-in fees. He observed that in his old office building, which he now rents, he had 15 people there along with several of his businesses. They are now in two distinct units. His question was how a use and a unit would be described. Tim Pasch stated that he had been attempting to build houses, but because EDU's were not available he had been struggling. He was aware of unused EDU's even in his own building, for which he paid to tap in, but indicated they would never reach 350 gallons. He wondered whether the allocation should be done differently for commercial use so that more are available to build houses. He was not sure how to address this as related to his old office building, because Ed Sowers wanted $1800.00 from him.

SABATINI Mr. Sabatini responded that he would suggest Solicitor Yost be consulted about the matter. Mr. Sabatini indicated then the recommendations could be brought to the Board.

BISHOP Mr. Bishop asked if there were any time constraints for Tim Pasch.

PASCH Mr. Pasch responded that the timing issue was more related to Ed Sowers, who wanted some answers.

MITRICK Chairman Mitrick asked Mr. Sabatini when he would be able to contact Tim Pasch.

SABATINI Mr. Sabatini stated that he would talk to Attorney Yost and attempt to set up a meeting next week.

MR. KEN PASCH RETURNED TO THE BOARD TABLE AT 7:55 P.M.

MITRICK Chairman Mitrick asked Mr. Sabatini to introduce to our community our new Finance Director.

SABATINI Mr. Sabatini stated that the Board was please to announce that Mr. Jack Hadge had been appointed as the Finance Director for the Township. He stated that Mr. Hadge brought almost thirty years of municipal experience in finance and management to the municipal team. Mr. Hadge is very highly experienced and will be a great asset to the community and to the people and businesses that we serve. Mr. Sabatini welcomed Mr. Hadge to Springettsbury Township.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported that there was nothing new on the Act 537 Revision.

He had spoken with the DEP representative; however he had not finished his review. The Sewage Management Ordinance was being updated and reviewed by the Sewage Enforcement Officer because he had some concerns about it. Some revisions were made, and it would be reviewed again by the staff and presented to Mr. Sabatini for his review.

With regard to the Am-liner project out of Harrowgate, a meeting had been held with them last week to discuss the final portion of the restoration of lawn and sidewalk. They provided a proposal to let the Township complete it, and they would give a credit back to the Township if the Township wanted to pursue that. Jim Krebs is looking into that. This would be a way to expedite getting that done if we deal with someone here locally. The plan would be to get that done in the next week. That project would then be complete.

BISHOP Mr. Bishop clarified that the Township could complete that work within the amount of money that had been retained.

SCHOBER Mr. Schober indicated that was correct.

SABATINI Mr. Sabatini indicated the amount is fairly nominal, at about $2,800.

SCHOBER Mr. Schober stated that the Township was holding $10,000 to $12,000 and that half of that might be needed to do all the restoration. Mr. Schober continued his report on the East/West Interceptor. They are moving along well with those designs and expect to be bidding them both this fall. The timing of that for the beginning of next year's construction would be beneficial as far as getting bids in. Mr. Schober discussed the Meadowland Pump Station and Force Main Project. There are two approaches with regard to the short term and the long term. The Township did do the short-term improvements, which seemed to help somewhat with the surcharging out there and cut it about in half. There is a proposal on the agenda tonight for the long-term improvements on that.

SCHENCK Mr. Schenck asked whether the Township Maintenance Crew did that work. He asked whether it was Wastewater or Public Works or both.

SABATINI Mr. Sabatini stated that Wastewater had done the work and finished it within two days instead of four.

B. Civil Engineer – First Capital Engineering

<u>Railroad Crossing – Memory Lane at Caterpillar</u>

LUCIANI Mr. Luciani added a few additions to his written report. He reported on the rail crossing at Memory Lane at Caterpillar, which is in poor condition. Normally the crossings are maintained by the individual railroads that operate through that area. It had been repaired about five years ago. The type of crossing is timber and asphalt, which does not hold up very well. Penn DOT tried to secure some funding to put in a state-of-the-art rail crossing. rubberized or pre-cast concrete. The preferred one is pre-cast concrete. Mr. Luciani stated he had discussed this with Mr. Lauer and the Township Manager. If the Township were willing to pay for the crossing, labor to put the crossing in would be in the hands of Northfolk Southern. Nortfolk Southern will provide the Township a quote. Mr. Luciani stated he would estimate $220.00 a foot and then the crossing would last 20 years or better; it would be a much smoother crossing with little maintenance. Norfolk Southern would probably put a timbered asphalt crossing back in. Mr. Luciani encouraged the Board to consider

action on that item to proceed and obtain pricing for the materials. If it was within budget possibly the Township could purchase that material on behalf of Northfolk Southern to get a better material.

SABATINI Mr. Sabatini commented that this covered four lanes and not just two. The Board had directed that the staff review the crossing issue. By sharing the labor costs and building out the intersection to a four-lane roadway, the Township saves the taxpayers a good amount of money. He cautioned that sometimes there are hoops to go through when the width of those crossings needs to be expanded. However, it seems to be a fast track with relatively nominal cost to the Township.

PASCH Mr. Pasch clarified the fact that the Township had no responsibility to maintain the railroad at all.

LUCIANI Mr. Luciani agreed; however, he again mentioned that the timber and asphalt crossings are habitually a maintenance headache. The PUC is charged with the responsibility of making sure that the crossings are safe. The railroad does not stay on top of these things like they should and they are not forced to put in the pre-cast material which is the preferred material.

PASCH Mr. Pasch asked what the relative cost is between labor and materials.

LUCIANI Mr. Luciani responded that during 1989 he had been involved with one. The cost was almost $70,000.00 for a pre-cast crossing. It was about the same size, about sixty feet long of lane width in that area. The material cost is maybe $15,000.00. The material cost is less than 20% of the total costs.

PASCH Mr. Pasch stated that there would be a lot of advantages to us toward getting that entire corridor straightened out. The economical requirement is the responsibility of the railroad.

YOST Solicitor Yost stated they are only required to put in the two lanes and poorer construction.

PASCH Mr. Pasch questioned whether the railroad would go to the four lanes if the Township supplied the materials, and they put all of the labor into it.

LUCIANI Mr. Luciani responded that was correct.

BISHOP Mr. Bishop stated they would go to the four lanes and provide a better construction technique as well.

MITRICK Chairman Mitrick stated that the item did not appear on the agenda.

SABATINI Mr. Sabatini stated that the proposal was just being finalized.

BISHOP Mr. Bishop asked whether any action was needed by the Board during this meeting.

LUCIANI Mr. Luciani responded that no action was necessary at this time

SABATINI Mr. Sabatini indicated that the Board would be made aware immediately as information would become available.

Meadowlands Storm Water

LUCIANI Mr. Luciani continued his report with regard to the Meadowlands basin and storm water. Mr. Luciani indicated that the same railroad individual he had spoken with regarding the railroad crossing was responsible for maintaining the railroad track down through to the crossing on Market Street. He and Mr. Luciani had a discussion about the ballast washing out. Mr. Luciani discussed several of the hazards occurring when the storm water runs on the track and is now tripping the signal at Market Street because it is flooded. It short-circuits the crossing gate lights, and the cars are stuck there and line up for a mile in each direction. He told Mr. Luciani that they had a Penn DOT meeting and Penn DOT was trying to resolve that problem by putting larger grates in. Mr. Luciani commented that during his conversation with the gentleman, he mentioned that Penn DOT wanted Norfolk Southern to agree to close the Penn DOT project out on Market Street. He had been reluctant to sign off because he felt there were still an outstanding issues with the flooding and storm water, along with the crossing gates continuing to be a problem. Mr. Luciani's point was that there are a number of other parties, in addition to the Township and the developers, including Penn DOT and Norfolk Southern that have a concern about the Market Street crossing.

Witmer and Orchard Roads

LUCIANI Mr. Luciani reported on a proposal to re-align Witmer and Orchard Roads. TRG had submitted a drawing and wished to apply for a Penn DOT permit as part of the concept of their residential development.

PASCH Mr. Pasch asked Mr. Luciani what his impression of the change.

LUCIANI Mr. Luciani indicated that the site lacked site distance. The proposal would be an improvement He added that the developer and engineer

indicated that if the large trees were removed there would be better visibility.

SCHENCK Mr. Schenck stated that Mr. Luciani was correct about the site distance. He asked how the developer could make sure the line of sight would be maintained.

LUCIANI Mr. Luciani responded that he was relying on the fact that they are showing that there would be a line of sight of 300 feet and as long as that is there, that may be sufficient.

SCHENCK Mr. Schenck asked Mr. Luciani what he hoped to accomplish during the meeting.

LUCIANI Mr. Luciani responded that TRG had requested that it be submitted to the Board in order to get their feelings.

PASCH Mr. Pasch asked what the hold up would be if it were not discussed.

LUCIANI Mr. Luciani responded that TRG wanted to submit a Highway Occupancy Permit to Penn DOT because those are township roads. The Township needed to be the advocate because they are Township roads, not a private driveway.

MITRICK Chairman Mitrick stated that the Board would prefer that to go through standard procedure and get a written report from you and Mr. Stern related to this before proceeding. She stated that it could be placed on the next agenda.

GURRERI Mr. Gurreri asked about the progress on Plymouth Road.

LUCIANI Mr. Luciani responded that he was working with Solicitor Yost, who had made a contact with the owner to sign the Highway Occupancy Permit.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Mike Myers provided his July 20, 2000 report. He presented a task schedule of the current status regarding the Pumping Station Project. He also provided a payment schedule. He provided an explanation of the reports. He added that the contractor was approximately one month behind in his schedule and had requested approval to work six-day weeks. No action would be taken until the Township was consulted.

PASCH Mr. Pasch asked what six-day weeks would mean to the Township economically.

MYERS Mr. Myers responded that the only economic impact may be that an inspector might have to be there an extra day a week. He added that there is extra budget to do that. Mr. Myers stated that this was a lump sum project; they have to finish it even if they've got to work 24-hour days and we approve it, that is up to them, no additional costs. R.K. & K. will take a look at that and make a recommendation to the Township for approval.

YOST Solicitor Yost indicated that the contractor would be paying overtime, which increases their costs but it's a lump sum contract so they've got to eat it.

PASCH Mr. Pasch stated that he was only concerned that the Township approval would be stated in such a way that we are not recognizing in any way any delays caused them to have to work the six days.

MYERS Mr. Myers responded that any type of approval would be standard.

MITRICK Chairman Mitrick asked Solicitor Yost whether that was something that the Board would have to decide.

YOST Solicitor Yost responded that Mr. Sabatini and R.K.&K. could make that decision.

MYERS Mr. Myers added that the construction was going well out there and they are doing a good quality job.

Bio-Solids Brochure

MITRICK Chairman Mitrick asked whether the Board had agreed on 60 submitted copies about the Bio-Solids tri-fold.

MYERS Mr. Myers responded that in the agreement, R.K.&K. agreed to provide 60 copies. He had provided those to Mr. Hodgkinson, who had requested another 100, which were provided.

BISHOP Mr. Bishop stated that the brochure might be something that would be wise to figure out how to get on our website.

MYERS Mr. Myers indicated he had given Mr. Hinkle a CD with the brochure on it. R.K.&K.'s graphics department was working with him to manipulate that. In addition, Mr. Myers indicated they might want to do some further printing of the brochure.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 7/27/00
B. Williams Service Company – New Municipal Building – Progress Billing #3 - $100,125
C. Shannon A. Smith – New Municipal Building – Progress Billing #8 - $40,240.80
D. East Coast Contracting, Inc. – New Municipal Building – Progress Billing #6 - $165,613.32
E. East Coast Contracting, Inc. – New Municipal Building – Progress Billing #7 - $134,302.68
F. Frey Lutz – New Municipal Building – Progress Billing #7 - $24,852.79
G. Rummel, Klepper & Kahl, LLP – Progress Billing #17 – Diversion Pumping System & Parallel Interceptor - $36,169.23
H. Rummel Klepper & Kahl, LLP – Progress Billing #19 – Diversion Pumping System & Parallel Interceptor - $16,104.38
I. Allan A. Myers, Inc. – Diversion Pumping System – Pay Estimate #3 - $257,174.61
J. Philips Brothers Electrical Contractors, Inc. – Diversion Pumping System – Pay Estimate #3 - $58,119.25
K. Buchart Horn, Inc. – Invoice #11663 – East/West Interceptor - $5,906.18
L. Buchart Horn, Inc. – Invoice #12150 – Solids Handling Improvements - $1,507.18
M. Buchart Horn, Inc. – Invoice #11817 – Raw Pump Drives - $6,677.08
N. Buchart Horn, Inc. – Invoice #11819 – Harrowgate Sewer Bid - $1,585.10
O. Buchart Horn, Inc. – Invoice #12270 – Harrowgate Sewer Bid - $1,307.36
P. Buchart Horn, Inc. – Invoice #12271 – Raw Pump Drives - $8,921.48
Q. I. B. Abel, Inc. – WWTF Standby Generator Upgrade – Invoice #10093 - $7,799
R. Highway Equipment & Supply Co. – 2000 Volvo Front End Loader - $120,000
S. MPJ Construction – Farmhouse – Change Order #3 - $724.88
T. MPJ Construction – Farmhouse – Progress Billing #5 - $2,468.54 (conditioned on 4S)

MITRICK Chairman Mitrick asked whether there were any questions or comments regarding Accounts Payable.

PASCH Mr. Pasch commented that the reports presented to the Board with regard to accounts payable do not reflect meaningful information. He asked that Mr. Sabatini review the reporting and provide more adequate accounting.

SABATINI Mr. Sabatini indicated that was something that was being addressed and Mr. Hadge, the new Finance head.

MR. GURRERI MOVED TO AUTHORIZE THE PAYMENT OF INVOICES A THROUGH R. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. SHENCK MOVED TO AUTHORIZE THE PAYMENT OF PAYABLES AS LISTED ON THE AGENDA, ITEMS S AND T. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

5. BIDS, PROPOSALS & QUOTES:

A. Buchart Horn, Inc. – Proposed for Engineering Services (#16040)

SABATINI Mr. Sabatini requested approval for Item A. indicating that the Board had authorized the staff to obtain a proposal from Buchart Horn for design of the force main for the Meadowlands Pump Station. The proposal includes design, bid and construction services in the amount of $36,100.

PASCH Mr. Pasch asked whether the engineering phase of the construction costs seemed proportionately high.

SCHOBER Mr. Schober responded the figure was just under 24%.

SCHENCK Mr. Schenck stated that this would be a not-to-exceed bid.

SCHOBER Mr. Schober responded that was correct.

PASCH Mr. Pasch asked Mr. Sabatini whether he had reviewed this project and was satisfied.

SABATINI Mr. Sabatini indicated that, based upon his review of this lower cost projects usually don’t mean lower cost engineering. In his view it was reasonable.

MR. GURRERI MOVED TO APPROVE THE AGREEMENT WITH BUCHART HORN AND COMPANY FOR DESIGN, BID, AND CONSTRUCTION SERVICES FOR MEADOWLANDS PUMP STATION, FORCE MAIN REPLACMENT PROJECT IN THE AMOUNT OF $36,100. MR. SCHENCK WAS SECOND.

BISHOP Mr. Bishop asked that the motion be amended to include the words, "not to exceed."

MR. GURRERI AMENDED THE MOTION TO APPROVE THE AGREEMENT WITH BUCHART HORN AND COMPANY FOR DESIGN, BID, AND CONSTRUCTION SERVICES FOR MEADOWLANDS PUMP STATION, FORCE MAIN REPLACEMENT PROJECT IN A NOT TO EXCEED AMOUNT OF $36,000. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. The Zigmund Co., Ltd. – Insurance Consulting Services Agreement

SABATINI Mr. Sabatini explained a proposed agreement from The Zigmund Company, Ltd., an insurance consulting firm. He stated that he had worked with the Zigmund Company within two other municipalities and had been very pleased with their work, having saved substantial amounts of money and having improved insurance coverage. He asked for approval of the agreement.

PASCH Mr. Pasch commented that he would not enter into this agreement with the idea of saving money; however he was in agreement that the work be done in order to ascertain the current status.

SABATINI Mr. Sabatini stated that the proposal is $5,000. He added that in a few months he would request Board approval for a recommendation of Scope 2 which is preparation of an RFP for insurance coverage.

MR. PASCH MOVED THAT SCOPE 1 OF THE PROPOSAL TO ZIGMUND COMPANY FOR A CHARGE NOT-TO-EXCEED $5,000 BE APPROVED. MR. BISHOP WAS SECOND.

MITRICK Chairman Mitrick asked, is 25% percent of recovery typical?

SABATINI Mr. Sabatini responded that 25% would be on the low end. He had utilized the services of other consultants who typically will go at 50% for recoveries. This is for overpayment of insurance premiums or recovery of previously denied claims.

GURRERI Mr. Gurreri asked why three companies couldn't bid on the insurance with the same result.

SABATINI Mr. Sabatini responded that the first step would be to figure out exactly what is needed as a benchmark. Then it could be brought to three different brokers and have our existing broker farm it out or bid it out between a variety of insurers. Typically from Mr. Sabatini's experience in

municipal work the insurance should be bid out every three years. Every year causes too much disruption.

PASCH Mr. Pasch asked why an item like this should be included within the administrative budget. Mr. Pasch suggested that the Township Manager, whoever that is, be given the responsibility and authority to do whatever is best for the Township in terms of providing the best possible coverage at the lowest possible price. Mr. Pasch did not think this was something that needed to come before the Board.

SABATINI Mr. Sabatini responded that he had considered the recovery portion, which would become part of the agreement, which could potentially top the $10,000 invoice part. The Board had a previous policy set that anything below $10,000 is an issue to be handled by the manager whether budgeted or unbudgeted but once you top the $10,000.00 it needs the approval of the board.

MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

MITRICK Chairman Mitrick informed the Board Item T - Diehl Motor Company is not going to be on the agenda tonight.

A. Sewer Planning Module A3-67957-308-3 – Hawks Gunning Club – 1,740 GPD

STERN Mr. Stern advised that his staff recommended approval of item A.

MR. GURRERI MOVED THAT THE SEWER PLANNING MODULE A3-67957-308-3 – HAWKS GUNNING CLUB – 1,740 GPD BE APPROVED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED

B. Sewer Planning Module A3-67971-501-3 – Hogg Farm – York Township – 14,000 GPD

STERN Mr. Stern indicated that item B had been recommended by the Wastewater staff for approval.

MR. BISHOP MOVED TO APPROVE THE HOGG FARM PLANNING MODULE FOR 14,000 GPD. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Sewer Planning Module A3-67971-496-3 – Honey Valley Estates – York Township – 10,500 GPD.

STERN Mr. Stern commented that item C had been recommended by Wastewater staff for 10,500 GPD.

MR. SHENCK MOVED TO APPROVE THE PLANNING MODULE FOR HONEY VALLEY ESTATES – 10,500 GPD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. LD-00-11 – Maple Donuts – Extension of Time to 8/24/00

STERN Mr. Stern stated that Item D was an Extension of Time made to the Township by Maple Donuts to 8/24/00.

MR. PASCH MOVED TO ACCEPT THE EXTENSION OF TIME UNTIL AUGUST 24, 2000 BY MAPLE DONUTS. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. LD-00-13 – York Volkswagon – Extension of Time to 8/24/00

STERN Mr. Stern indicated that Item E also was an Extension of Time granted to the Township by Volkswagon to 8/24/00.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM YORK VOLKSWAGON TO AUGUST 24, 2000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. SD-00-07 – York Volkswagon – Extension of Time to 8/24/00

STERN Mr. Stern stated that Item F was for an Extension of Time granted from York Volkswagon, SD-00-07 to 8/24/00.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM YORK VOLKSWAGON, SD-00-07 TO AUGUST 24, 2000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. SD-00-06 – Dallmeyer Lot #7 – Extension of Time to 8/24/00

STERN Mr. Stern stated that Item G covered an Extension of Time from Dallmeyer Lot #7 – SD-00-06 until 8/24/00.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION – CRAIG E. DALLMEYER – SD-00-06 TO 8/24/00. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. SD-00-05 – Caterpillar – Extension of Time to 8/24/00

STERN Mr. Stern indicated that Item H was an Extension of Time from Caterpillar – SD-00-05 to 8/24/00. He added that plans for that subdivision had been provided to the Supervisors for their review.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM CATERPILLAR – SD-00-05 TO 8/24/00. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. LD-00-10 – Sheetz – Extension of Time to 8/24/00

STERN Mr. Stern indicated that Item I covered an Extension of Time from Sheets – LD-00-10 – to 8/24/00.

MR. GURRERI MOVED TO GRANT EXTENSION OF TIME TO SHEETZ – LD-00-10 TO 8/24/00. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

I. LD-97-19 – Two Ton/Burger King – Extension of Time to 10/31/00

STERN Mr. Stern commented that Item J was an Extension of Time for Two Ton/Burger King – LD-97-19 to 10/31/00.

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM TWO TON/BURGER KING LD-97-19 AND SUBDIVISION 98-06 TO 10/31/00. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

L. LD-00-12 – St. Joseph Church & School – Extension of Time to 8/24/00

STERN Mr. Stern stated that Item L was an Extension of Time from St. Joseph Church & School – LD-00-12 – to 8/24/00.

MR. PASCH MOVED THAT THE BOARD ACCEPT THE EXTENSION OF TIME GRANTED BY ST. JOSEPH CATHOLIC CHURCH, UNTIL 8/24/00. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLYCARRIED.

M. LD-99-12 – Wawa – Re-approved Plan for Recording
N. SD-98-06 – Wawa – Re-approved Plan for Recording

STERN Mr. Stern commented that Items M and N were for Wawa on Market Street. There had been a 90-day time period to report which had expired, and they were not proper notarized. They have since been notarized re-approval was needed. It is the same plan. Mr. Stern recommended re-approval.

MR. GURRERI MOVED TO GRANT RE-APPROVAL OF PLANS FOR RECORDING AND RE-APPROVE PLANS FOR RECORDING WAWA LD-99-12 AND SD-98-06 WITH ALL PREVIOUS WAIVERS AND CONDITIONS. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

O. LD-00-06 – Autozone – Action

STERN Mr. Stern commented that Item O was for Autozone, for the redevelopment of the Bergey's Tire Site on Haines Road and East Market Street. Planning Commission had recommended approval with several waivers and conditions Planning Commission had also recommended that the property owner grant to the township additional right-of-way along Haines Road for future widening if necessary. Autozone is not the owner of the property. Mr. Stern added that he had spoken with the owner of the property and they indicated that they are not willing to grant additional right-of-way until such time that we present them with a plan showing the Township's plan.

PASCH Mr. Pasch stated that the way it appeared, the building would be situated so that there should be no difficulty granting additional right-of-way.

STERN Mr. Stern agreed. There are 36 feet of landscaping so if 12 feet were required for an additional lane, it would still leave 24 feet of landscaping, plus the parking lot area.

MITRICK Chairman Mitrick asked if they go ahead and build it and do all of the curbing and new entrance and everything and then the Township widens the road, who would be responsible to correct that.

STERN Mr. Stern responded that the Township would be responsible. Mr. Stern introduced Mark Mox to speak about the plan.

MOX Mr. Mox stated that his company is McIlvried, Didiano & Mox, Inc., which is an engineering and surveying company. He provided a drawing of the landscaping plan. He discussed the easement area, curb cuts, potential street widening, and indicated that the financial security had been submitted to the township.

PASCH Mr. Pasch asked whether any problem existed with the driveway movements.

STERN Mr. Stern responded that they were asked to eliminate the second driveway. Originally that had two full movement driveways, now there is going to be one full and one right in/right out. They finally got down to having just one full movement driveway to address that potential problem.

MOX Mr. Mox responded that they had reviewed the utilization of the existing stack lane already there in the placement of the curb cut and also consideration of staying as far back from the E. Market Street intersection in order to not interfere with that stack lane also.

PASCH Mr. Pasch indicated that eventually with the build out of the development zone and with Caterpillar the Township may find that is going to be a little tight but at this point in time it is probably all right.

Haines Road-East Market Street Intersection – Right-of-Ways

LUCIANI Mr. Luciani commented that with the Home Depot right-of-way and land configuration they had attempted to do some additional improvements there and didn't have the right-of-way. Since that time Amerada Hess had come in and provided 12 feet on their pretty cramped site. They went for a variance but in their plan they did go 20 feet from the sound line so they provided some additional right-of-way if the Township needs to put a lane in there. Home Depot pointed out in their traffic study that at that intersection they indicated Amerada Hess was a problem and also Amoco on the corner because Amoco doesn't have very much frontage and then it begins to run into the Bergey's Tire or the Autozone track. Mr. Luciani agreed that if the Haines Road/Memory Lane corridor study is completed, there will be a need for right-of-ways.

PASCH Mr. Pasch stated that the main problem is all the eventual legal requirements to get all of that done to complete additional right-of-way.

YOST Solicitor Yost stated that the only way to begin would be to conduct requests asking for it but if it were not voluntarily given then the alternative would be to do a taking.

PASCH Mr. Pasch stated that he was concerned about any construction in that corridor. He stated that if the right-of-ways were not pursued, there would be a lot of problems and expense later in terms of constructing that corridor, which would be extremely time consuming and expensive. He added that the work was inevitable.

YOST Solicitor Yost stated that once the Township knows what is needed, what Penn DOT used to call an ultimate right-of-way could be laid out Legally it no meaning, but at least would be on record to take care of this intersection. Every plan that comes in would then be addressed, recognizing what that need is. At this time the Township has no legal authority to compel the owners to grant the right-of-way.

PASCH Mr. Pasch stated that it does point out that the study is vital and must be done.

LUCIANI Mr. Luciani stated that their own traffic report, and this is before they consolidated from two to one driveway, had recommend a left turn lane be constructed. Well, there is no additional right-of-way for them to construct their own turn lane that's required. They moved the driveway up 30 or 40 feet as a result of TRG's suggestion a left turn lane be constructed there to make lefts into the site.

PASCH Mr. Pasch observed that there was no space to do it.

BISHOP Mr. Bishop thought that there was enough space to do so.

MOX Mr. Mox explained that the problem with the left turn lane would be that the left turn lane for this intersection is also then the left turn lane for the next intersection down. It would require additional property.

MITRICK Chairman Mitrick questioned Solicitor Yost whether the Board had any right to require a right-of-way, even though the Board had committed money to traffic study in this area and that there is a very obvious need recognized by the other traffic studies completed.

YOST Solicitor Yost stated that even upon completion of the traffic study, the Township would not have a right to require right-of-ways. He commented that when the study is completed and the Township has a plan for the ultimate right-of-way, then what is needed would be known. Solicitor Yost stated that the nice thing about the Autozone plan, as was pointed out, there is room to widen Haines Road without destroying setback, buildings, and so forth on this site, and the developer had been cooperative to that extent. In order to correct the Haines Road/Market Street problem it is going to cost the Township money. Hopefully some owners will recognize that there will be a help and benefit to their property and will contribute; however, the Township will be in the business of taking property.

SCHENCK Mr. Schenck commented that if taking of that property would occur, the way the land development is done, the impact to the use of the property would be very minimal.

MITRICK Chairman Mitrick asked whether there were sidewalks.

MOX Mr. Mox responded that the proposed sidewalks are right up against the property line to line up with the existing sidewalks that go around. They propose to add sidewalk that isn't there now along Market Street.

LUCIANI Mr. Luciani commented that one of the recommendations in the traffic study was to optimize both the signal at Market and Haines Road and also the next signal at Eastern Boulevard and Memory Lane. A cost estimate had been prepared to include the Market/Haines Road signal, but not the Eastern Boulevard/Memory Lane signal. Mr. Luciani suggested approval of the plan, subject to a review of the bond estimate and other outstanding conditions that Mr. Stern may include.

MOX Mr. Mox stated that modifications had been discussed, and the original estimate was for $900; however, other factors were added including Mr. Luciani's time, and Autozone had written a check for $2,500.

BISHOP Mr. Bishop asked for clarification that Mr. Luciani was suggesting that Autozone contribute to signalization adjustments at both Eastern Boulevard and Market Street.

LUCIANI Mr. Luciani indicated that was correct.

BISHOP Mr. Bishop asked whether he was suggesting that $2,500 would or would not be enough to cover that.

LUCIANI Mr. Luciani responded that he would prefer to leave the contribution outstanding subject to a further review of both intersections. Bonding would be the second condition.

MR. BISHOP MOVED THAT THE BOARD APPROVE LAND DEVELOPMENT 00-06 FOR AUTOZONE WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FOR REQUIREMENT TO SUBMIT A PRELIMINARY PLAN,**
- **WAIVER FOR PLAN SCALE REQUIREMENT,**
- **CONDITIONED UPON SUBMISSION OF FINANCIAL SECURITY IN THE TOWNSHIP IN AN AMOUT TO BE APPROVED BY THE TOWNSHIP ENGINEER,**
- **MODIFICATION FROM THE STREET LANDSCAPE PLAN AND**
- **CONDITIONED UPON THE APPLICANT CONTRIBUTING TO SIGNALIZATION CHANGES AT THE INTERSECTION OF HAINES ROAD AND EAST MARKET STREET AND HAINES ROAD AND EASTERN BOULEVARD IN AN AMOUNT TO BE DETERMINED BY THE TOWNSHIP ENGINEER BASED ON BEST ESTIMATES OF THAT WORK FROM MILTON,**
- **ALONG WITH STATEMENT NUMBER ONE REGARDING SIGNS BY THE PLANNING COMMISSION.**

MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

P. LD-00-08 – Hawks Gunning Club – Action

STERN Mr. Stern spoke concerning Item P for a 3,500 square foot expansion of the Hawks Gunning Club facility in Pleasureville on Pleasant View Drive. Mr. Stern advised that the Club had met the variances and conditions as requested by the Zoning Board and the Planning Commission. One item worthy of mention was that a utility pole needed to be moved. GPU in the past used to move poles as a service to the Township, and recently they had been sending invoices. Mr. Stern wanted to be certain that, if there was a cost involved with moving the pole, that it was sent to the applicant. Brad Peters of Site Design Concepts, along with Lloyd Zercher, President of the Hawks Gunning Club represented the plan.

PASCH Mr. Pasch asked about the number of members of the Club.

STERN Mr. Stern responded that when the Zoning Hearing Board granted the variance, the use is in an residential zone and it's a pre-existing non-conforming use. The Club had already used up their expansion capability permitted by the ordinance. They received a variance to put on an expansion of that non-conformity. The concern of the Zoning Hearing Board was that if they expanded, then they will have more members and therefore you haven't used the expansion to satisfy the needs of your current members. They put a condition on that they not increase their membership above the current level which is at 3,500.

MITRICK Chairman Mitrick asked Andrew about the required number of parking spaces.

STERN Mr. Stern stated that the parking space requirements are the same as for a restaurant, i.e. one space per three seats. They are adding additional parking, which will bring them up to 176.

PETERS Mr. Peters commented that if the number of spaces are counted, it's greater than the net gain of 54 spaces because we have lost some spaces due to the addition and landscaping.

PASCH Mr. Pasch asked why the space was being added if it were not to increase membership.

ZERCHER Mr. Lloyd Zercher of 4671 North Sherman Street, Mt. Wolf, President of Hawks Club responded that currently they have a problem getting the present members in the Club. Members have advised them that they drive

in the parking lot and can't get in the place, so they leave and go someplace else. We have 3500 members.

PASCH Mr. Pasch ascertained that they want to more efficiently serve the existing membership.

ZERCHER Mr. Zercher responded that was correct.

MITRICK Chairman Mitrick asked about the modification from the landscape/streetscape plan.

STERN Mr. Stern responded that they would be required to have minimal landscape along the front at the berm.

PETERS Mr. Peters stated that they would be providing some lower level landscaping. Part of the problem was the clear sight triangle requirement. At the present time paving extends all the way to the street and the curb line. No changes had been initially proposed to that, however, the staff recommended that we put islands in there to get those parked cars actually out of the right-of-ways so the islands will be curbed.

MITRICK Chairman Mitrick asked about a note regarding putting a lane line on Pleasant View.

STERN Mr. Stern responded that it had been brought up, but there are no lane lines on Pleasant View.

MITRICK Chairman Mitrick recalled that the report indicated that it would help to keep traffic in the proper lane.

LUCIANI Mr. Luciani stated that he did not see a need to do so.

PASCH Mr. Pasch commented that, even though there would be no additional usage, there would be increased traffic

MITRICK Chairman Mitrick commented that the trees on the south side of the intersection should be trimmed.

MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT 00-08 – HAWKS GUNNING CLUB WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN,**
- **WAIVER FOR A PLAN SCALE REQUIREMENT,**

- **CONDITIONED UPON COMPLETION OF ALL SIGNATURE SEALS AND NOTORIZATION,**
- **CONDITIONED ON THE SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER,**
- **CONDITIONED ON THE RELOCATION OF THE EXSTING UTILITY POLE WITH DEVELOPER BEING RESPONSIBLE FOR ALL COSTS THAT MAY ARISE,**
- **MODIFICATION FOR LANDSCAPING AND STREETSCAPE PLANNING,**
- **MODIFICATION FROM INSTALLING SIDEWALKS AS PER SIX MONTH AGREEMENT,**
- **WAIVER FROM SHOWING ALL EXISTING FEATURES,**
- **WAIVERS FOR PLAN SCALE REQUIREMENTS,**
- **MODIFICATION TO ALLOW SLOPE OF STORMWATER BASIN AT THE RATE OF THREE TO ONE,**
- **CONDITIONED ON THE SUBMISSION AND APPROVAL OF A SEWER PLANNING MODULE.**

MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Q. LD-00-07 – Kickers on the Boulevard – Action

STERN Mr. Stern commented on Item Q for Kickers on the Boulevard, located on Eastern Boulevard. He stated that the name was no longer Kickers on the Boulevard. The plan was for a 2,400 square foot patio intended to hold 30 seats as a restaurant and bar or what ever it may become. The Planning Commission had recommended approval of the plan with several waivers and conditions. Mr. Tim Debes of NuTec Design represented the plan. .

DEBES Mr. Debes provided information which included a color-coded plan to show the improvements. He stated that the main focus of the request was to construct a patio in front of the restaurant facing Eastern Boulevard. He commented on several planned items including: (1) decorative stone around the perimeter, (2) a separation from the exit way out onto Eastern Boulevard, (3) landscape diamond constructed to help channel and divert the traffic out, (4) supplement the existing landscaping with some additional street trees, and (5) two planters and a couple pipe bollards just to make sure nobody drives into the patio. He added that the property owners see this as a valuable asset in the future to make that a more profitable venture. The outdoor cafes seem to be quite popular.

PASCH Mr. Pasch commented about the installation of a railing to protect people from cars. He stated that the railing would protect people from stepping out into the roadway, but was not sufficient to protect them from cars if somebody came running through.

DEBES Mr. Debes added that the patio would be built on an elevated slab six to eight inches from the pavement. The railing was meant to protect people from falling off the concrete slab.

BISHOP Mr. Bishop commented that the site had been designed for a lot less capacity than when Finley's was there. Finley's was in the 7,000 to 8,000 gallon range. Kickers was only in the 1,500 gallon per day range. He added that if TGIF goes in there, and they increase the seating capacity, they would have to purchase additional sewage.

MITRICK Chairman Mitrick asked about any traffic problems related to the one-way east exit.

LUCIANI Mr. Luciani responded that the matter had been reviewed. The traffic pattern existed around the building. Because Eastern Boulevard is one way, there will be less traffic and Planning Commission was satisfied.

BISHOP Mr. Bishop asked Solicitor Yost whether there would be a concern about the name of the owner and the person submitting the plan. The owner was indicated on the plan, but the plan was signed by someone else

DEBES Mr. Debes responded that Moser Moosa was the original owner, who had a buyout agreement with Lou Skeparnias, the actual owner. He wasn't able to make a viable go of it. Mr. Skeparnias signed and notarized the plan, but that fact was missed in that the name of the owner was not changed in the notes on the plan, which should be changed to Lou Skeparnias, who is the actual owner.

MR. BISHOP MOVED FOR THE APPROVAL OF LD-00-07, KICKERS ON THE BOULEVARD PATIO WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FOR CLIMATE TO SUBMIT A PRELIMINARY PLAN,**
- **CONDITIONED ON SUBMISSION OF FINANCIAL SECURITY IN THE AMOUNT APPROVED BY THE TOWNSHIP ENGINEER,**
- **CONDITIONED UPON NOTE 16 ON THE PLAN BEING CHANGED TO REFLECT THE CURRENT OWNER, LOU SKEPARNIAS.**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

R. LD-00-04 Strictly Fitness – Action

STERN Mr. Stern commented that Item R was for a parking lot expansion at Strictly Fitness. Strictly Fitness, an athletic center, is on Carol Road.

They currently have 40 off street parking spaces. Strictly Fitness proposes 80 new parking spaces so they will have a total of 100 spaces. The Planning Commission had recommended approval with several waivers and conditions. Mr. Rod Becker, President of Strictly Fitness represented the plan.

PASCH Mr. Pasch asked about additional impervious surface. He also commented on storm water removal.

STERN Mr. Stern responded that the additional storm water issue had been addressed.

LUCIANI Mr. Luciani stated that there had been a pond, which was being filled in and relocated. He had reviewed the site and discovered that there was an existing pipe and an easement to move the water through a pipe and be conveyed underneath Mt. Rose Avenue right in though Heritage Hills. The basin had been re-built and checked. It has placed the land back into meadow-type condition.

MITRICK Chairman Mitrick requested some history of Strictly Fitness.

BECKER Rod Becker of Strictly Fitness stated that it had been a tennis club which housed only 12 courts which was more than feasible for the amount of players. However, since taking over there might be 80 to 100 people there at one time.

STERN Mr. Stern added that when they first moved in the magnitude of the problem that they have was not expected. The Township had worked with them to get a few other parking spaces in there, but it was still a continuation of prior use. At that time there had been discussion about what the possibilities were in the future. They have become a lot more successful than Mr. Becker, his partner, or the Township expected.

MITRICK Chairman Mitrick stated that the land development would certainly make the residents in that area happy. She asked whether the lighting had been reviewed.

STERN Mr. Stern assured her that the Planning Commission was satisfied.

MR. GURRERI MOVED FOR APPROVAL OF LD-00-04, STRICTLY FITNESS, WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM REQUIREMENTS TO SUBMIT A PRELIMINARY PLAN,**

- **CONDITIONED ON THE SUBMISSION OF THE FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER,**
- **WAIVER FROM SHOWING ALL STREETS WITHIN 400 FEET OF THE PROPERTY,**
- **CONDITIONED ON THE COMPLETION OF ALL SIGNATURES, SEALS, AND NOTARIZATIONS.**

MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

S. LD-00-14 – Harley Davidson – Temporary Modular Units

STERN Mr. Stern commented regarding Item S, Harley Davidson Temporary Modular Units. He explained that Harley had recently approached the township about a need for temporary modular units during the time of site development, which had been previously approved by the Township on 6/24/99. That plan was a master plan for five years of development for the 161,000 square foot additions, renovations and remodeling site. He continued that recently Harley had decided to move forward aggressively with that and they need somewhere to put the displaced workers temporarily. Mr. Stern advised that the Planning Commission and staff had reviewed the matter and was satisfied with the review. Mr. Stern stated that the different modular units are being placed at different times. the endeavor to be set up, it says August 1st but I don't think it is going to be that fast. The other 12 units will be set up approximately September 1st and those units would be there for approximately up to two years. Mr. Tim Debes of NuTec Design and Gary Seyler, Manager of Plant Engineering for Harley Davidson represented the plan.

DEBES Mr. Debes indicated that he had highlighted on the plan each of the modular units in order to provide a better frame of reference as to where they are located. The purpose of these is to provide a home for the York County Visitors Bureau and it will also provide a means for Harley Davidson to continue to allow people to see their Museum and motorcycles while Building 1 is undergoing renovation work. The other sets of modular units would be for the displacement of Human Resources staff and for displaced workers out of Building 1 while the renovation work takes place. Mr. Debes also provided information as to the appearance of the modular units. He added that there would be handicapped ramps to comply with ADA and OSHA requirements. The color would blend very readily to the background of Harley Davidson. They would be anchored to the ground and ultimately provided with skirts and localized shrubs to dress them up because Harley is still visible for daily tours and also their Octoberfest and other events during the course of

the year so they want to be presentable looking even though they are temporary.

PASCH Mr. Pasch asked about the width.

SEYLER Mr. Seyler indicated that four trailers could be placed together and come up with a wider appearance.

STERN Mr. Stern stated that the exact same units had been placed at the prison.

SEYLER Mr. Seyler reported that Harley forecasted a one-year period for the two, four-unit modular units (A and B); the balance of the units would be in place for about two years.

MITRICK Chairman Mitrick observed that units A and B constituted eights units.

SEYLER Mr. Seyler indicated that the two modulars are each composed of four units.

PASCH Mr. Pasch asked whether work would begin immediately, in order to have the building completed for 2001.

SEYLER Mr. Seyler responded that was correct. He stated that Building 1 renovations would take place in two phases internally. The first phase would be completely gutting the first and second floor of the building and renovating the interior of it. They are forecasting a one year time frame for that. Upon completion of that, we can then decommission two modular units and move the people back into Building 1 in the tour area of the building which would be the south end of it. Phase II of the building improvements would be expansion towards the south and renovations there. That will take place during the second year. Once that is completed we can eliminate all of the modular units.

MR. BISHOP MOVED TO APPROVE LD-00-14, HARLEY DAVIDSON TEMPORARY MODULAR UNITS WITH A WAIVER FROM REQUIREMENTS TO SUBMIT A PRELIMINARY PLAN. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick asked about truck traffic on Eden Road. Previously there had been discussion regarding the truck traffic and whether or not that section of the road was able to handle it. She asked Mr. Stern whether anything further had been done.

STERN Mr. Stern responded that work is ongoing. He reported that there were two parts to the project. The first portion focused on a separate truck

entrance that would come in around the back side of Harley. The second portion is part of Harley's long-range goal to try to relocate Eden Road completely to the west side of their parking lot and change the intersection of Eden Road at Route 30. Mr. Stern indicated that would be an especially big undertaking inasmuch as Route 30 had just been re-designed to accommodate that intersection. Mr. Stern advised that nothing would be happening for at least a year.

MITRICK Chairman Mitrick indicated that her question related more to the Route 30 construction trucks. The road was not meant to handle those trucks.

LUCIANI Mr. Luciani commented that the road had been discussed on the Road Tour. He recalled that Charlie Lauer was going to discuss that with Kinsley and Penn DOT.

MITRICK Chairman Mitrick encouraged the staff to address the matter, because the road was being damaged.

LUCIANI Mr. Luciani indicated he would follow up.

MITRICK Chairman Mitrick asked Mr. Stern whether the Board should formally table Item T.

STERN Mr. Stern indicated he didn't think it was necessary as he had received a letter from Mr. Diehl saying he was unable to attend tonight's meeting and to table the plan to a future meeting and time for that is by September 30th.

MITRICK Chairman Mitrick indicated that since it had appeared on the Agenda, it should be formalized in recognition of Mr. Diehl's letter.

MR. SCHENCK MOVED THAT WE REMOVE LD-99-17 FROM THIS EVENING'S AGENDA RECOGNIZING THE REQUEST BY THE OWNER OF THAT PROPERTY PER HIS LETTER DATED JULY 25, 2000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

PASCH Mr. Pasch reported that he met with Mr. Stern and Mr. Byron Enrons regarding the audio system in the new building. Mr. Pasch stated that Mr. Enrons is very cognizant and knowledgeable of what needed to be done. He will be very practical in terms of his approach as to what he would recommend for the building, and Mr. Pasch thought his recommendations to have everything done would be made in time to have everything done by the time we move into the new building. It appeared to Mr. Pasch that this individual is very capable and will do a good job for us. Mr. Pasch

stated that with Mr. Stern working with Mr. Enrons it will work out well.

Mr. Pasch also reported on the Emergency Services Commission. The last meeting was relatively uneventful but Mr. Pasch indicated it was becoming more and more evident that the number of people involved in the volunteer fire companies was dwindling rapidly. He stated that the Ordinance slated for action during the month of August was critical to be passed in order to get the activity going.

GURRERI Mr. Gurreri reported that the Full Committee Meeting of the Local Governor Advisory will be held on September 6, 2000 at Cool Creek Country Club. Also the York County County Code Development Corporation invited everyone on September 7 at the York Water Company. He reminded everyone of the Appreciation Dinner on Friday, October 27, at Billy Budd Inn. The committee will meet again on August 10 at 8 a.m., and everyone is welcome to come. The committee would like some input on getting some kind of gift.

Mr. Gurreri reported that Exit 7 was being repaved by Penn DOT. Mr. Gurreri thought that it was to be redone and that the bridge was to be raised up. Because of his concern he telephoned Stan Saylor's office, which advised it was to be done in a couple of years. Senator Armstrong's office said it was planned for 2002. I called Felicia Dell who said it was planned for 2003. The plan called for redoing Exits 6, 7 and 8.

MITRICK Chairman Mitrick asked Mr. Sabatini to extend a thank you to Charlie Lauer. Mr. Lauer had provided a prompt response to a light out in a residential neighborhood. The resident had indicated her appreciation, and Chairman Mitrick wanted to thank Mr. Lauer for his quick response.

8. SOLICITORS REPORT:

YOST Solicitor Yost indicated he had nothing to report in addition to his written report. He stated that he had not yet received a response from the Attorney General's office with regard to the Fire Ordinance.

PASCH Mr. Pasch asked about a letter from Solicitor Yost to Mr. Sabatini regarding the land application of bio-solids. This related to a farmer who wanted to obtain a loan and was asking for a particular clause. One of the things stated in Solicitor Yost's letter, was that assuming the Township complies with the laws and regulations in effect at the time of the application and is neither negligent nor willfully causes the water contamination, the Township would not be liable. Mr. Pasch's question related to when we're doing the sewage treatment are there internal records which indicate the Township's compliance.

YOST Solicitor Yost responded that nothing goes out that is not tested and documented as meeting the requirements.

HODGKINSON Mr. Hodgkinson responded that the Township meets the regulations to the letter.

MITRICK Chairman Mitrick commented that from an issue of the View News it discussed the "full count." The article stated that the majority of an entire Board of Supervisors, rather than a majority of a quorum, is necessary for the Board to carry on.

MITRICK Chairman Mitrick requested Solicitor Yost to discuss the Ordinance related to the Fire Department.

YOST Solicitor Yost stated that, following the July 10 Public Hearing, he had reviewed the Agreement which the board had summarily rejected. That was nothing more than Fire Ordinance in the form of the Agreement with reduced representation by the Board. A labor issue had been addressed, and one recommendation made. The other two Solicitor Yost recommended summarily rejecting. They are management prerogatives. . Chairman Mitrick asked Solicitor Yost to review the portion of the distinguishing public/private revenues. Solicitor Yost stated that he had drafted a new section of the by-laws and shared it with Mr. Sabatini and with Chairman Mitrick.

MITRICK Chairman Mitrick stated that would be on the Agenda at the next meeting. She asked whether there was any need to re-advertise as the changes are all minor ones.

YOST Solicitor Yost responded that none of the changes are substantial which would require a re-advertisement. I don't think that any of the changes that are proposed are what I would call substantial or which would require a re-advertisement.

MITRICK Chairman Mitrick requested a rewrite of the ordinance including the comments that SolicitorYost had indicated to us and please be sure that the companies are aware of the Ordinance that is going to be discussed then on August 24th.

SABATINI Mr. Sabatini asked Chairman Mitrick if she wanted to be sure that a copy was made available prior to the action.

MITRICK Chairman Mitrick indicated she thought it would be appreciated.

9. MANAGERS REPORT

SABATINI Mr. Sabatini reported that several meetings had been held with the County, Kinsley, staff and our engineer, all parties dealing with the Meadowland storm water situation to examine the problem to see what sort of resources are out there and what would create a win/win situation for the Township, the County and adjacent property owners. Mr. Luciani had made contact with Norfolk Southern, and remarkable overall progress had been made in a very short time. One of the things that being reviewed is to address the storm water situation by looking at having a larger retention pond in that area. Because this was conceptual no plans are available yet. Mr. Sabatini stated that it was possible that this project could fall under the Growing Greener grants for water sheds. Mr. Sabatini would like to have authorization from the Board of Supervisors to submit an application prior to the Board having full review and discussion of this plan because it's moving very quickly, almost too far too fast, and the deadline is August 11th.

PASCH Mr. Pasch asked whether adequate information was available to submit the grant.

SABATINI Mr. Sabatini responded that more information in terms of better drawings, costs and a better narrative would be available for the following week.

PASCH Mr. Pasch asked about the location of the storm water retention pond.

LUCIANI Mr. Luciani responded that it is on a combination of County land and Kinsley land, it will be on the north side of the tracks from where it currently is.

PASCH Mr. Pasch asked whether it was south of Route 30.

LUCIANI Mr. Luciani responded that was correct. Eighty percent of the water that is generating the problem is generated south of Route 30.

MITRICK Chairman Mitrick asked whether Mr. Sabatini wanted permission to proceed.

SABATINI Mr. Sabatini indicated he did wish to proceed with the application for the grant.

MR. BISHOP MOVED FOR PERMISSION TO PROCEED FOR THE APPLICATION FOR THE GRANT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick commented that she hoped the Board heard clearly what Mr. Sabatini had stated. She had never heard this in government here before. "Too far, too fast."

SABATINI Mr. Sabatini stated that the cooperation had been tremendous. Many ideas were coming together.

STERN Mr. Stern added that in part of these discussion have also included the potential roadway that we have talked about.

SABATINI Mr. Sabatini reported that a meeting had been held with Ann Yost and one of her partners as well as Park and Recreation and Public Works, and Mr. Stern regarding the park project schedule for next year. The purpose of the meeting was to gather additional information, but to discuss ideas of where to put the different organizations next year and possibly for two years for baseball, for soccer, etc. Further ideas may be brought to the Board if additional improvements need to be made to some of the other parks on a temporary basis.

Concert Series

SABATINI Mr. Sabatini reported that one item that came up very quickly was the fact that the concert series is very successful, in part because it is outside. When you bring it inside in the summer months it loses the aura. Some other options had been reviewed including Township parks and the County Park. Either there is insufficient parking or no evening capabilities. We would like the opportunity to contact some of the local organizations or businesses or educational organizations in the area to inquire if there was an interest in allow us to use their property during the summer months for the concert series. We would like to make contact with some local organizations, businesses and/or educational institutions in the area to determine any interest in allowing the Township to utilize their property during the summer months for the concert series.

PASCH Mr. Pasch asked whether he was referring to Central Middle School.

SABATINI Mr. Sabatini stated it could be the Middle School, it could be Bradley Academy, York Tech. It could be a church, but it has to have sufficient parking and ease of access. He added that there has to be enough room for the thousands or two thousands of people who show up for some of these concerts, as well as the ability to place the trailer there. We want to explore this, but we need to move early. We would like permission from the Board to make contacts with the different organizations to see who is interested.

Consensus of the Board was to have Mr. Sabatini pursue securing a place for the Summer Concert Series, 2001.

SABATINI Mr. Sabatini commented that he had received a communication from Mr. Luciani regarding the Memory Lane Study Committee. Mr. Luciani made recommendations for the membership on that Committee; Mr. Sabatini reviewed it and had no problems with it. He requested that the Board make the appointment to the Committee.

Consensus of the Board was to proceed with making the appointments according to Mr. Luciani's recommendation.

SABATINI Mr. Sabatini stated that this month congratulations go to the Police Department. A lot of energy, work and cooperation had been involved with the trial of Leonard Johnson for the Route 30 shootings. One of the victim's families thanked the Springettsbury Township Police for their part in the case. Mr. Sabatini indicated that in his discussions with Chief Eshbach, it had been successful because of the cooperation of a lot of different organizations, namely Northern Regional, York City Police, PSP, and our Public Works. Congratulations to the police for doing a very good job.

SABATINI Mr. Sabatini indicated he needed to have an Executive Session with the Board.

PASCH Mr. Pasch commented regarding the letter from Montgomery & McCracken saying that Coflesh is no longer involved. Mr. Pasch recommended that a labor attorney be secured more closely located to Springettsbury Township.

SABATINI Mr. Sabatini indicated he would be happy to discuss the matter with the Board. He added that it may overlap with the Collective Bargaining strategies, which was one of the reasons he requested an Executive Session.

BISHOP Mr. Bishop commented for Mr. Sabatini's information that the matter had been reviewed several months ago. There were some quotes and files, and there may be some helpful information available.

BISHOP Mr. Bishop commented on Mr. Sabatini's report in terms of the garbage contract. He stated that he did not have any problem with a joint bid, but added that bigger may not necessarily be better in this situation.

SABATINI Mr. Sabatini responded that he had talked with people and companies associated with the waste industry. Their concern in this area is that

companies have limited capabilities. By combining all of them together, they could over bid and be stuck in a situation that they can't provide the level of service because we've tied together two or three municipalities. Mr. Sabatini assured Mr. Bishop that a close look would be given to the entire matter.

PASCH Mr. Pasch commented on the York County Solid Waste report and the indication during the latest period that hexyl and chromium was in excess of what is allowed. They are saying that they can average it so that it comes into the requirement. Mr. Pasch cautioned that this is a very serious type of pollutant that can be very harmful. The Township should be sure that this was monitored that there is no trend indicating an increase.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Resolution Authorizing Corporate Account – Solomon Smith Barney

SABATINI Mr. Sabatini indicated items A., B., and C. covered three banking related resolutions. Item A. covered authorization for the existing Solomon Smith Barney account. Mr. Hadge did not find a current Resolution authorizing this account even though we've had it for a number of years. Board approval was requested to approve the standard Resolution authorizing the accounts at Solomon Smith Barney.

MR. PASCH MOVED TO APPROVED RESOLUTION 2000-39, RESOLUTION AUTHORIZING THE TOWNSHIP ACCOUNTS AT SOLOMON SMITH BARNEY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution Authorizing Account Signature – Mellon Bank

SABATINI Mr. Sabatini commented that Item B covered a Resolution authorizing account signatures. He stated that the names needed updated on the accounts. Those names would include all members of the Board of Supervisors, the Finance Director, and Interim Township Manager authorized to sign checks. He added that it always has to include the Treasurer. The policy is that the Treasurer and at least one Board member are necessary to sign checks.

MR. GURRERI MOVED TO APPROVE 2000-40, THE RESOLUTION TO ESTABLISH AUTHORIZED SIGNATURES OF TOWNSHIP FUNDS HELD BY MELLON BANK BEING SUPERVISOR FIRST SIGNER AND MR. SABATINI OR JACK HADGE SECOND SIGNER. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Resolution Authorizing Account Signature – York Federal

SABATINI Mr. Sabatini stated that this account was a signatory one. He requested that the Board amend the proposed motion to require at least one Board member to sign any of the checks dispersed off of the York Federal account.

BISHOP Mr. Bishop asked what the accounts were for.

HADGE Mr. Hadge responded that they were primarily escrow accounts that Mr. Stern provides to the Finance Department for development. They are invested into Certificates of Deposit.

BISHOP Mr. Bishop questioned whether this had surfaced because there was no record of it.

HADGE Mr. Hadge stated that for this particular account, this had surfaced because of Mr. Sabatini's presence here, they still had Mr. Amic's name as the authorized signature.

SABATINI Mr. Sabatini indicated it was one of the catch up ones.

BISHOP Mr. Bishop stated that there must be a lot more.

HADGE Mr. Hadge indicated there would be a series of these. We've got our general fund in Mellon Bank.

MR. GURRERI MOVED TO APPROVE RESOLUTION NUMBER 2000-41, RESOLUTION TO ESTABLISH AUTHORIZED SIGNATURE OF TOWNSHIP FUNDS HELD BY YORK FEDERAL. THE FIRST SIGNER BEING A MEMBER OF THE BOARD OF SUPERVISORS AND THE SECOND BEING MR. BOB SABATINI. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Work Session – June 15, 2000

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS WORK SESSION JUNE 15, 2000 AS DRAFTED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Board of Supervisors Public Hearing (Ordinance 00-04) June 22, 2000

MR. GURRERI MOVED TO APPROVE BOARD OF SUPERVISORS PUBLIC HEARING ORDINANCE 00-04 – JUNE 22, 2000 AS DRAFTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Board of Supervisors Public Hearing (Ordinance 00-05) – June 22, 2000

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING FOR ORDINANCE 00-05 – JUNE 22, 2000 AS DRAFTED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Board of Supervisors Regular Meeting – June 22, 2000

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISOR REGULAR MEETING, JUNE 22, 2000 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

A. Student Home Amendment to Zoning Ordinance

SABATINI Mr. Sabatini stated that the Student Home Amendment had been sent to the County Planning as well as to the Township Planning Commission as indicated in correspondence from Mr. Stern. The staff recommends that some additional tweaking be done in order to deal with potential, or unexpected problems. The staff asked that the Board table action on this Amendment until additional work could be done with Solicitor Yost, Mr. Stern and Mr. Sabatini.

MITRICK Chairman Mitrick asked Solicitor Yost whether it was important that it be formally tabled.

YOST Solicitor Yost responded that it would not require any action.

STERN Mr. Stern asked for clarification as to whether there was a recommendation for this or not.

SABATINI Mr. Sabatini indicated that any modifications would be significant and will eventually be sent back to the Planning Commission.

BISHOP Mr. Bishop's recollection was that it had not actually been referred to the Planning Commission.

STERN Mr. Stern stated that it was his understanding that in the last meeting Solicitor Yost had a letter about Pleasant Valley Road condos. He had been asked if this could be turned over to the Planning Commission and was advised to do so. Well, on the back of this was the Ordinance. So, Solicitor Yost and I thought that you were authorizing this Ordinance to go to the Planning Commission. Shortly thereafter a couple of you had asked me how it got to the Planning Commission which is how that confused us about the intent.

BISHOP Mr. Bishop commented that he did not consider that to be referring an Ordinance to the Planning Commission. It was more communication for information.

YOST Solicitor Yost stated that he had misunderstood that.

GURRERI Mr. Gurreri stated that he had attended the Local Government Advisory Committee meeting and discussed this and they indicated the Township should not do this at all.

MITRICK Chairman Mitrick suggested that, since the Board was tabling it, not to have the Planning Commission have to deal with it until we've examined it.

Consensus of the Board was to table the matter until the Board had an opportunity to examine the entire issue.

13. NEW BUSINESS:

There was no New Business for action.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10:50 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

BOARD OF SUPERVISORS **AUGUST 24, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, August 24, 2000 at 7:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Nick Gurreri
Don Bishop
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Bill Schenck

ALSO IN ATTENDANCE: Robert Sabatini, Interim Township Manager
Don Yost, Solicitor
John Luciani, Civil Engineer
Mike Myers, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m. with a welcome to all in attendance. She stated that there would be an Executive Session regarding personnel and legal matters. In addition, she advised that Bill Schenck would be absent. Copies of the agenda were provided.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance

2. COMMUNICATION FROM CITIZENS:

There were no communications from citizens.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SABATINI Mr. Sabatini reported that Mr. Schober was out of town. He indicated there were no additions to his written report. He stated that approval had been received regarding the Act 537 Plan as amended. Work will proceed

with the on-lot management system program with the new Ordinance and regulations this fall for an early 2001 kick off.

B. Civil Engineer – First Capital Engineering

Witmer and Old Orchard Road

LUCIANI Mr. Luciani reported on the Witmer Road intersection in the Orchard Hills development. Sewer and wetlands issues are still pending, along with a number of stormwater comments being addressed. An outstanding traffic situation still exists at the intersection of Old Orchard Road and Witmer Road. Mr. Luciani indicated the intersection was not being very well maintained. He stated that a conceptual plan had been found, but there are stormwater details to work out. Because these are state roads, the Township would need to be the applicant as opposed to the developer. This plan shows to change the intersection of Old Orchard Road to the South to allow better site distance on the curve. In addition the motorists taking a left turn would get enhanced site distance. Mr. Luciani stated from a geometry standpoint this would be an improvement. He added that the developer would be looking to have the Township agree to be the applicant and indicate that conceptually it would agree. Mr. Luciani had discussed this issue with Mr. Schenck who stated that, if the site distance could not be established and more trees needed to be cut than are authorized, he'd have a problem.

PASCH Mr. Pasch raised the question of vegetation and removal. He asked who would control future vegetation removal.

LUCIANI Mr. Luciani indicated that some of the vegetation could be changed to lower growing vegetation.

PASCH Mr. Pasch stated that the vegetation had been there since 1986 and had since grown up and had not been trimmed. Even though there is a prohibition in place, it had not been controlled.

LUCIANI Mr. Luciani responded he was not sure whose responsibility it would be to keep the vegetation trimmed. The enforceability rests in the Township.

PASCH Mr. Pasch indicated he would be in favor of assigning responsibility to Public Works or the Code Department to handle these safety problems.

MITRICK Chairman Mitrick asked Mr. Luciani whether the Township would have the right to determine what might occur in that location if the Township agreed to be the applicant.

LUCIANI Mr. Luciani indicated that was correct. The Township would be the applicant and would submit a Letter of Awareness.

BISHOP Mr. Bishop asked what Mr. Lauer had recommended.

LUCIANI Mr. Luciani responded that Mr. Lauer was in favor of the improved plan.

BISHOP Mr. Bishop asked what Mr. Luciani would recommend.

LUCIANI Mr. Luciani responded that he was in favor of the plan even with future development.

YOST Solicitor Yost asked what the status was of the sub-division plan.

LUCIANI Mr. Luciani responded that PennDot permits had been applied for, with some of the driveways relocated for site distance; however, outstanding stormwater comments still exist.

YOST Solicitor Yost asked whether they had re-filed.

STERN Mr. Stern responded they had not.

YOST Solicitor Yost stated that this had been pending for five or six years. An appeal had been taken, which had never been processed; however, the matter is still active in the courts.

LUCIANI Mr. Luciani indicated he was not aware of the legal status.

BISHOP Mr. Bishop asked Solicitor Yost whether he was concerned that any action taken by the Board would be mistaken.

YOST Solicitor Yost responded that he would not want anyone to think that because of Township action, they can take that as a reading that now they can do the rest of the plan. There were additional issues, which resulted in that plan being denied. This work is actually off site. Solicitor Yost would caution signing off on things on the plan while they are still litigating the issues. Solicitor Yost indicated he would try to learn the status. He would like to see some of the current issues being addressed as an aside rather than as part of the plan.

PASCH Mr. Pasch asked whether the Township's making the application would indicate approval.

YOST Solicitor Yost responded that the Township could state that it conceptually agreed that this is a solution and give them a conceptual Letter of

Awareness. Solicitor Yost indicated he was comfortable that doing this would not be an indication of total approval.

LUCIANI Mr. Luciani indicated the action toward an HOP would not be necessary for a few weeks. The next step for the concept plan would be a paper application asking for an authorized official signature.

YOST Solicitor Yost indicated he would review the matter to discern where the developer planned to go with their plan.

MITRICK Chairman Mitrick asked whether the renovation at that intersection must be constructed if the Township agreed to be the applicant and PennDot approved it.

YOST Solicitor Yost responded it would not have to be constructed.

Plymouth Road

GURRERI Mr. Gurreri asked about the status of Plymouth Road and whether the owner's signature had been obtained.

LUCIANI Mr. Luciani responded that the signature had been obtained. He added that Heritage Hills work was being reactivated. The improvements tie together.

GURRERI Mr. Gurreri commented about the traffic pattern into Heritage Hills.

LUCIANI Mr. Luciani indicated that the plan had been reactivated for a future hotel but stated that it was very preliminary at this time.

GURRERI Mr. Gurreri stated that he understood there was a possibility for a traffic signal at Plymouth but that PennDot would not place the signal there.

LUCIANI Mr. Luciani indicated that, perhaps with an additional conference center, the area might meet the criteria.

GURRERI Mr. Gurreri added comments about the entrance into Heritage Hill heading from the east to the west, whereby no left turns are permitted. He stated that the area is very dangerous. He asked Chief Eshbach for his comments.

ESHBACH Police Chief Eshbach responded that a traffic study had been conducted and it had been sent to PennDot. Traffic counts had been taken.

Stormwater Management Issues

LUCIANI Mr. Luciani continued his report on the Regional Stormwater pond. Several meetings had been held with Township, PennDot and the homeowner in the Market Street area where the flooding problem occurs PennDot's response was that they are trying to get more capacity. Mr. Lauer recommended that in order to eliminate the flooding problem on Market street at least temporarily, the storm system should be extended up the railroad tracks with end walls so that the water flowing down the tracks during a big storm can be drawn into those inlets. PennDot responded with an indication to review that. The railroad has not signed off. The homeowners have complained, and the Township has some concerns.

Pleasant Valley Road

BISHOP Mr. Bishop asked for the status of the Pleasant Valley Road stop sign.

LUCIANI Mr. Luciani indicated his portion of that work had been completed.

PASCH Mr. Pasch commented that the site distance on Pleasant Valley Road and Memory Lane extended showed some distance problems. He asked whether there would be any other means to derive an exception from the State. He added that the 4-way stop sign was working quite well.

LUCIANI Mr. Luciani responded with several scenarios including growth of vegetation and site distance.

PASCH Mr. Pasch added that coming down the hill and making a right turn onto Pleasant Valley Road is tight.

GURRERI Mr. Gurreri mentioned that he had heard at least five complaints indicating they would like to see the four-way stop sign stay.

SABATINI Mr. Sabatini stated that they had learned today of a different more hands on approach to dealing with PennDot following the Labor Day weekend.

MITRICK Chairman Mitrick agreed with Mr. Pasch and indicated it was much safer with the four-way stop. She encouraged as much creativity as possible to attempt to justify it.

Memory Lane Corridor Study

MITRICK Chairman Mitrick asked about the Memory Lane Corridor Study. She recommended that there would be no delay in setting a date for the meeting even if it would be in late September.

PASCH Mr. Pasch stated that the planning for that Corridor was of utmost importance in view of future plans coming forward for development. Right of ways need to be established.

LUCIANI Mr. Luciani indicated that York County was working with PennDot in enlarging the ramps at Exits 7 and 8. He encouraged better coordination with Felicia Dell at PennDot.

PASCH Mr. Pasch stated that there would be a large amount of money spent on Exits 7 and 8, but he had not seen any money for Route 24. He agreed with Mr. Luciani that better coordination was needed with PennDot.

BISHOP Mr. Bishop commented about Mr. Luciani's report, which discussed traffic calming.

LUCIANI Mr. Luciani responded he had referred to areas off Industrial Boulevard. He planned to get the actual complainants so that he could determine where this work was needed.

MITRICK Chairman Mitrick asked that Mr. Luciani would advise the Board of that date in the event they wished to be included.

GURRERI Mr. Gurreri stated that in the year 2003 Exit 7 would be completed as well as working on the Mt. Zion Road corridor.

MITRICK Chairman Mitrick stated she received a copy of correspondence from YSM regarding the park boundaries.

LUCIANI Mr. Luciani responded that all the park boundaries had been set.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers provided a progress chart and report for the pump station. Concrete for the second lift of the walls had been poured. They are starting the force main. They are about 30 days behind schedule. Some of that will be picked up by working some Saturdays, which had been approved by the Township. November 16th is the expected date for completion.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 8/24/00
B. Shannon A. Smith, Inc. – New Building – Progress Billing #9 - $82,888.30

C. Rummel, Klepper & Kahl, LLP – Progress Billing #20 – Diversion Pumping Station and Parallel Interceptor - $23,571.88

D. Rummel, Klepper & Kahl, LLP – Progress Billing #21 – Diversion Pumping Station and Parallel Interceptor - $13,164.38

E. Johnston Construction Company – Pay Estimate #2 – Diversion Pumping System, HVAC/Plumbing - $5,744.16

F. Allan A. Myers, Inc. – Pay Estimate #4 – Diversion Pumping System, General - $260,494.92

G. MPJ Construction – Farmhouse - $500

MITRICK Chairman Mitrick asked Mr. Stern about item G, MPJ Construction. She asked whether everything had been completed, and when would the Occupancy Permit be provided.

STERN Mr. Stern responded that a State inspection would be done on Monday, the 28th. Mr. Stern was confident that the Codes had been met. The permit should be provided immediately.

MR. BISHOP MOVED TO APPROVE THE ACCOUNTS PAYABLE AS LISTED ON THE AGENDA ITEMS A. THROUGH G. MR. PASCH WAS SECOND. MOTION CARRIED. MR. GURRERI VOTED NO.

5. BIDS, PROPOSALS AND QUOTES:

A. Shannon A. Smith, Inc. – New Building – Change Order #6 - $2,588

STERN Mr. Stern spoke for item A and advised the Change Order covered work already completed. This involved conduits for networks and telephones from the basement to the first floor network room.

MR. GURRERI MOVED TO APPROVE SHANNON A. SMITH, INC. CHANGE ORDER #6 IN THE AMOUNT OF $2,588. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Shannon A. Smith, Inc. – New Building – Change Order #7 - $4,781

STERN Mr. Stern spoke for item B covering the audio sound system for the new boardroom. A meeting had been held recently to discuss what had been planned for the new building and what outcome was expected. A new package had been submitted, which supplied over and above what was presently in place. The new package would include better accommodations such as elimination of background noise, individual speaker sensitivity, gooseneck microphones. Also provided would be a

hand held wireless microphone, along with an ADA hearing aid unit including four receivers and a transmitter system. Mr. Stern recommended approval of this excellent system.

MITRICK Chairman Mitrick asked whether the microphones would come out from the front of the board table.

STERN Mr. Stern responded that they should come out from the front, inasmuch as they are gooseneck microphones; however, that had not been determined.

PASCH Mr. Pasch added that when discussions were held with this supplier, the fact that people could not hear in the back of the room had been addressed through the speaker system. He stated that the microphones and coordination with the tapes would provide the secretary with a lot better chance to understand what had been said during transcription of the minutes.

MR. GURRERI MOVED TO APPROVE SHANNON A. SMITH, INC. CHANGE ORDER #7 IN THE AMOUNT OF $4,781. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Williams Service Company – New Building – Change Order #1 - $1,345

STERN Mr. Stern advised that item C was for vent piping for the new generator, which had been omitted, albeit required, from the contractor specifications.

MR. BISHOP MOVED TO APPROVE WILLIAMS SERVICE COMPANY CHANGE ORDER #1 - $1,345. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Williams Service Company – New Building – Change Order #2 - $955

STERN Mr. Stern advised that item D was a Change Order to move the rooftop radiator to another (less visible) rooftop location.

MR. BISHOP MOVED TO APPROVE WILLIAMS SERVICE COMPANY CHANGE ORDER #2 FOR $955. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Williams Service Company – New Building – Change Order #3 - $1,565

STERN Mr. Stern advised that the original plan called for concrete pads for each of eight HVAC unit condensers. The contractor suggested that one continuous concrete pad be poured for all units to reduce maintenance and other problems. Mr. Lauer concurred.

MR. GURRERI MOVED TO APPROVE WILLIAMS SERVICE COMPANY CHANGE ORDER #3 IN THE AMOUNT OF $1,565. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Infra Tech International – Combination Sewer Cleaner Contract - $176,053

SABATINI Mr. Sabatini commented regarding item F relating to a sewer clean up vacuum unit. Low bidder resulting from the specifications had been received from Infra Tech International in the amount of $176,053. Funding had been approved as part of the 2000 capital improvements budget. Mr. Sabatini recommended approval.

MR. GURRERI MOVED TO ACCEPT THE BID FROM INFRA TECH INTERNATIONAL FOR A COMBINATION SEWER CLEANER IN THE AMOUNT OF $176,053 AND TO DIRECT THE PROPER TOWNSHIP OFFICIAL TO PREPARE THE APPROPRIATE DOCUMENTS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. Sell Aquatech Sewer Cleaner to Northeastern Sewer Authority - $15,000

SABATINI Mr. Sabatini commented that item G related to selling the existing sewer cleaner (not a vacuum unit) to the Northeastern Sewer Authority. Four of their members determined the purchase was appropriate in the amount of $15,000.

MR. BISHOP MOVED TO AUTHORIZE THE SALE OF THE AQUATECH SEWER CLEANER TO NORTHEASTERN SEWER AUTHORITY FOR THE AMOUNT OF $15,000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. Public Planning & Management Group, Inc. – Property Maintenance Code and Enforcement Consulting Services

Note from the Stenographer: Mr. Sabatini left the board table at 8:20 p.m.

SABATINI Mr. Sabatini excused himself from the board table due to the discussion of item H. He indicated he would be happy to answer any questions from the audience.

MITRICK Chairman Mitrick stated that this would involve looking at the codes and then also being involved in the citations.

SABATINI Mr. Sabatini responded that it would be done in a singular code enforcement action, writing up the citation, preparing the documentation as appropriate for filing with the District Justice or the Zoning Hearing Board or any other bodies of the Township that are appropriate in which to file and following through.

MITRICK Chairman Mitrick asked Mr. Sabatini, if the staff chose very specific sites in the Township, those would be the only ones that would be addressed by this firm.

SABATINI Mr. Sabatini responded that this proposal addresses singular sites. If the Board at any time during the contract chooses to modify it to include other properties, then a change order could be provided for the proposal.

GURRERI Mr. Gurreri asked whether the Township staff could do this work.

BISHOP Mr. Bishop stated that the Township had been unable to do so for the last three years.

SABATINI Mr. Sabatini added that the Board had requested the proposal because of the inability to solve the problem and had expressed an interest in trying an alternative approach, something less standard or more comprehensive to deal with the problem properly. This proposal would provide for that.

PASCH Mr. Pasch agreed that the Township had not been able to get this accomplished for a number of reasons. If the Board approved this proposal, he would request that whoever is involved in it work with Township staff intimately.

SABATINI Mr. Sabatini indicated they did not consider their services to be proprietary. Mr. Stern would be working very closely with the people that PPMG would bring on board to do the work locally and there would be a lot of interaction. He stated that Mr. Stern has a great deal of knowledge on the issue; the PPMG personnel have significant experience in dealing with the problem properties as well as a demonstrated track record in dealing with these issues.

MITRICK Chairman Mitrick asked Mr. Stern whether he viewed this proposal as an asset and assistance to his department.

STERN Mr. Stern responded that he had encouraged Mr. Sabatini to explore this. He reported that there are a few properties that are major problems, and the Township does not have the resources. Time and people provide the impetus toward solving the difficulties. Mr. Stern stated that any help that PPMG could provide would be helpful toward focusing on the one or two properties and eliminate the problem.

GURRERI Mr. Gurreri stated he had heard some good ideas on the problem and thought the staff had a handle on it, but apparently that was not the case.

STERN Mr. Stern responded that generally they have a handle on general property maintenance issues, but the properties being referred to are the worst of the worst. Full time attention is required in every aspect of every code so that there are no loopholes.

SABATINI Mr. Sabatini stated that the company would come in, evaluate the existing code, and evaluate how effective BOCA 2000 would be, along with the Property Maintenance Code.

MITRICK Chairman Mitrick stated that many times the homeowner is unaware of violations. She asked whether there was flexibility within the approach.

SABATINI Mr. Sabatini commented that within the overall code there are essentially two phases. One would be dealing with staff to evaluate the existing codes and to find ways to beef up the codes. A reasonable level of due process still must be followed when property owners are notified of a code violation. That would be maintained. Work would be done with the staff and a process put into place that is fair and reasonable. The idea would not be to cite people but to get the property cleaned up. The second phase of the proposal is a singular code enforcement action.

MR. PASCH MOVED TO ACCEPT THE PROPOSAL OF PPMG FOR CODE ENFORCEMENT SERVICES AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Note from the Stenographer: Mr. Sabatini returned to the board table at 8:30 p.m.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

MITRICK Chairman Mitrick stated that at the last Regular Meeting a point was made of asking the Interim Manager to save time for the developers present at the meeting by putting the time extensions at the bottom of the list.

A. Sewer Planning Module A3-67939-340-3 – Datum Filing Systems, Inc. (Manchester Township) – 5,250 GPD

STERN Mr. Stern stated that item A related to a Sewer Planning Module for Datum Filing Systems in Manchester Township, 5,250 GPD. Staff recommended approval.

MR. GURRERI MOVED TO APPROVE THE SEWER PLANNING MODULE A3-67939-340-3 DATUM FILING SYSTEMS, 5,250 GPD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. SD-00-05 – Caterpillar – Action

STERN Mr. Stern commented that this plan had been brought before the Board at a previous meeting. Caterpillar was seeking to divide off the solar co-generation plant to make it a separate lot. Mr. Tim Debes and Mr. Thomas May of Caterpillar represented the plan.

DEBES Mr. Debes introduced Mr. May as the Manager of all of Caterpillar real estate in the United States, North America and South America. Mr. Debes provided a color rendition of the plan. He stated that the area is 146 acres total. Caterpillar would keep the solar turbine tract of about 20 acres. The residual of 126 acres would be sold. The parcel would not become a land locked parcel, as Caterpillar had provided public access via Concord Road extended from Mt. Zion Road with a right-of-way easement for the road as well as a drainage easement to Three Mile Run. Sewage would be fully separated.

PASCH Mr. Pasch asked whether both lots in the subdivision would meet all of the ordinance requirements when this work would be completed.

STERN Mr. Stern responded it would for the most part. Mr. Stern had provided a memorandum listing several items, such as landscaping and curbs and sidewalks, which would remain.

MITRICK Chairman Mitrick asked about an item discussed by York County Planning Commission regarding a copy of the deed restrictions from Lot 3.

STERN Mr. Stern responded that Lot 3 no longer existed; it had been added to another plot as an area shown as restricted, not a building lot. There was potential hazardous waste at some point in time. The area was identified so that it was clear and restrictions shown.

MITRICK Chairman Mitrick asked whether anything needed to occur as a result of that Lot #3 having disappeared.

YOST Solicitor Yost indicated it was not a problem. Caterpillar would have to notify the buyer of that location when the property would be deeded as there would be a restriction shown on the plan.

DEBES Mr. Debes indicated there is a series of bearings and distances surrounding and circling the area. That was in a recorded deed at the Court House. It's on the record in accordance with the 1986 Hazardous Waste, which Pennsylvania required by law.

YOST Solicitor Yost indicated he had reviewed the cross easement agreements and access roads, and everything met his approval as far as giving the two lots adequate access.

LUCIANI Mr. Luciani responded that Caterpillar had worked with them to provide a drainage area to Three Mile Run. That easement had been provided. Continuous right-of-way also had been provided from Industrial Highway.

MR. GURRERI MOVED TO APPROVE CATERPILLAR SD-00-05 WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN;**
- **MODIFICATION FOR REQUIREMENT TO SHOW ALL LANDSCAPING AND BUFFERING AS PER NOTE 11 ON THE TITLE PAGE;**
- **MODIFICATION FROM REQUIREMENTS TO INSTALL CURBS AND SIDEWALKS AS PER NOTE 10 ON THE TITLE PAGE.**

MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick asked Mr. May to carry a message back to Caterpillar in Peoria that York is sad to see Caterpillar leave. Caterpillar had been a very good neighbor to Springettsbury Township during its time here. The Township was grateful for the land contributed for the road to go through there.

C. LD-00-12 – St. Joseph Church – Action

STERN Mr. Stern commented that the item covered St. Joseph Church on Kingston Road. He provided some background information as to their proposal for moving the access road to the existing parking lot and adding parking. They had received variances from the Zoning Hearing Board for impervious surface to add the lot, as well as future additions for a social hall and school, not part of the current proposal. Mr. Laymon Mortorff of

Gordon Brown & Associates prepared the plan. They recommended approval with several waivers.

PASCH Mr. Pasch asked Mr. Luciani whether there was adequate storm drainage with the addition of impervious surface.

LUCIANI Mr. Luciani responded that he had been more concerned about the approvals Mr. Stern discussed. As far as stormwater was concerned, he had reviewed channeling water through the tracts, and he was comfortable with it.

BISHOP Mr. Bishop asked whether the other end of that channel where it leaves the property at Cortleigh had been reviewed.

LUCIANI Mr. Luciani responded that he had not walked the entire channel. He was aware it goes to Athletic Lettering.

BISHOP Mr. Bishop stated that it seemed to be a deteriorating situation there where the sidewalk drops off into the creek about six feet down.

LUCIANI Mr. Luciani indicated there was a box culvert there that's larger than what was being conveyed, but in addition to the 100 acres they pick up another 100 acres, which produces a large amount of water coming down through.

MORTORFF Mr. Mortorff stated that, when the building addition plans come before the Board, modifications would then be made to the pond. That would be an additional opportunity to review the situation.

MITRICK Chairman Mitrick asked about increased traffic.

FULLERTON Mr. Bill Fullerton, member of the parish of St. Joseph Church and Father John Dayo spoke for the plan. Mr. Fullerton explained the ingress and egress planning for buses and parents dropping off and picking up students. On Sunday traffic is heavier. Their intent is to provide 50 more parking spaces in order to get more cars off the street.

DAYA Father Daya explained that there was no way to alleviate the backup of traffic on Kingston Road simply because of the drop off and pick up of children, but with the addition of the access road it would help alleviate that congestion on Kingston and brings the traffic off Kingston.

BISHOP Mr. Bishop interjected that to be on Sundays only.

DAYA Father Daya responded that was correct. During the school week the road was blocked off.

BISHOP Mr. Bishop indicated that there are back ups during the week when school buses are dropping off children. There is a potential for stacking out on to Kingston during school, which concerned Mr. Bishop. Mr. Bishop asked whether the parking calculations on the current plan are totally for what exists as the school and the church.

FULLERTON Mr. Fullerton stated that the school has the capacity of 390 students and that was on the current plan. The seating capacity of the church is still the same. When the new building is added they anticipate 100 to 110 more students. They will pick up more parking spaces.

BISHOP Mr. Bishop asked whether there would be additional parking requirements because of the building extension toward Kingston.

FULLERTON Mr. Fullerton responded that the use of the social hall would be divided into three segments in order to break it up into three meeting rooms for evening use.

DAYA Father Daya responded that he did not think that additional parking would be required because when the social hall is used, other things are not necessarily being used. The church, social hall and the school would not be used altogether to increase need for parking.

PASCH Mr. Pasch commented that the time use would be different.

STERN Mr. Stern responded with the "official" answer in that he had not yet reviewed it, but the Ordinance does not allow for time sharing parking areas, so there will be a potential that they might have to return to the Zoning Hearing Board either for a variance from additional parking or a variance for more impervious surface to add additional parking.

PASCH Mr. Pasch observed that that would be with the other land development.

FULLERTON Mr. Fullerton commented that when the work is completed they would have added 98 to 99 more parking spaces total.

BISHOP Mr. Bishop commented that when an earlier plan had been presented back in 1994 it showed the social hall, which indicated that was under construction.

FULLERTON Mr. Fullerton explained that it was to be built, but the money was not available.

BISHOP Mr. Bishop stated that he had a concern about the way the plan was presented.

FULLERTON Mr. Fullerton commented that they appreciate that when school opens in the fall the police department shows up with their speed control. That builds a reputation and people watch what they do on Kingston.

MITRICK Chairman Mitrick asked Chief Eshbach if he had heard the comment.

ESHBACH Chief Eshbach thanked Mr. Fullerton for his comment.

MR. GURRERI MOVED TO APPROVE LD-00-12 ST. JOSEPH CHURCH PARKING LOT EXPANSION WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN**
- **CONDITIONED ON THE SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER**

MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. LD-00-09 – Hess Express – Action

STERN Mr. Stern discussed Hess Express at the corner of Market and Haines Road. They propose to redevelop the site with a convenience store. Zoning Hearing Board granted seven variances for the property. Approval was recommended. Attorney Steve Hovis, John Anderson and Andy Laughenbacher represented the plan. He asked whether the board had any questions.

PASCH Mr. Pasch voiced his only concern, which was a traffic situation. He asked what the engineers anticipate in terms of additional traffic problems. It had been stated that the majority of the traffic would be by-pass traffic.

STERN Mr. Stern responded that he did agree about the traffic. They are changing the entrance to a right-in only. They are providing 15 feet of additional right-of-way for future widening of the road. Mr. Stern indicated he did not expect that this would generate additional traffic.

LUCIANI Mr. Luciani indicated the site was cramped; however, they had provided the 15 feet of right-of-way to the Township.

ANDERSON Mr. Anderson explained the traffic flow in and out of the site. He felt that the design flow would not produce any congestion problems.

LUCIANI Mr. Luciani indicated that they had recommended elimination of the southern most right-of-way on Memory Lane.

ANDERSON Mr. Anderson indicated that the pump configuration had been changed in order to provide better traffic circulation.

PASCH Mr. Pasch asked where the tractor-trailers would park when making deliveries (like the Hess Christmas truck).

LAUGHENBACHER Mr. Laughenbacher stated that a dedicated loading zone area had been placed to comply with Township codes.

PASCH Mr. Pasch commented that the Township greatly appreciated the additional right-of-way, which had been granted.

MR. GURRERI MOVED TO APPROVE LD-00-09 HESS EXPRESS WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN;**
- **WAIVER FROM REQUIREMENT TO SHOW ALL EXISTING STREETS WITHIN 400 FEET OF THE PROPERTY;**
- **CONDITIONED ON THE COMPLETION OF ALL SIGNATURES, SEALS AND NOTARIZATIONS;**
- **CONDITIONED ON SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER;**
- **CONDITIONED UPON RECEIPT OF PENNDOT HIGHWAY OCCUPANCY PERMIT.**

MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

YOST Solicitor Yost stated that he would have no problem with acting upon the remaining items together. He suggested handling items E through I and K inasmuch as they were all being extended to 9/14/00. Item J should be handled separately because it had a different extension date of 9/18/00. He asked that reference be made in the Minutes, as follows:

E. LD-00-11 - Maple Donuts – Time Extension to 9/14/00
F. SD-99-09 – Hunter's Crossing – Time Extension to 9/14/00
G. LD-00-05 – Pleasant Valley Condos – Time Extension to 9/14/00
H. SD-00-07 – York Volkswagon – Time Extension to 9/14/00
I. LD-00-13 – York Volkswagon – Time Extension to 9/14/00
J. LD-00-10 – Sheetz – Time Extension to 9/18/00
K. SD-00-06 – Dallmeyer – Time Extension to 9/14/00

MITRICK Chairman Mitrick entertained a motion for items E through I and K.

MR. PASCH MOVED THE BOARD ACCEPT THE EXTENSIONS GRANTED E THROUGH I AND K AS PRESENTED IN THE MINUTES. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick entertained a motion for item J.

MR. PASCH MOVED TO ACCEPT THE EXTENSION OF TIME GRANTED BY SHEETS TO 9/28/00. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATIONS FROM SUPERVISORS:

Zoning Hearing Board Vacancy

MITRICK Chairman Mitrick stated that regretfully the Board needed to accept the letter of resignation from Mr. Albert Sykes from the Springettsbury Township Zoning Hearing Board. She asked Mr. Sabatini to send him a note of appreciation as he had served the Township for many years and had been a great asset. She requested Dori Bowders to immediately advertise the vacancy.

PASCH Mr. Pasch commented that Mr. Seitz indicated a willingness to continue to serve on the Board. He asked whether there was a requirement that he must live in the Township. He suggested allowing him to serve until a new member would be appointed.

SABATINI Mr. Sabatini responded that the MPC required that he be a resident or an elector of the Township. His term of office ends on the first Monday of January, 2003 which would indicate a 2-1/2 year term.

Co-Generation Plant Visit

GURRERI Mr. Gurreri reported that he spoke with Mr. Bob Strickler, a Solicitor for a Co-Generating plant. He had people complaining about what they are putting out, and he invited the Board to visit the plant and see what they do.

State Fire Commission Grant

GURRERI Mr. Gurreri reported that the State Fire Commission sent out a new $25 Million Grant Program for Volunteer Fire and Emergency Management. Deadline for filing was September 1, 2000.

SABATINI Mr. Sabatini indicated that both fire companies had already applied.

Local Government Advisory Committee

GURRERI Mr. Gurreri reported that the Local Government Advisory Committee Full Committee Meeting would be held on September 6 at 6:30 p.m. Both Mr. Gurreri and Mr. Pasch planned to attend.

York City Sewer Connections

PASCH Mr. Pasch stated he received a letter from York City Sewer Planning on the capacity available for new connections. He asked whether that would affect the Township in any way.

SABATINI Mr. Sabatini indicated he thought the matter was sent to Buchart-Horn.

PASCH Mr. Pasch asked Mr. Sabatini if he would check with Buchart-Horn as to whether it affected the Township.

Memory Lane Corridor

PASCH Mr. Pasch asked Mr. Luciani about a comment from York County Planning Commission regarding a Land Development. They stated they were not aware that along Memory Lane Corridor we were conducting a study. The County should be very much involved in what was being done.

LUCIANI Mr. Luciani responded that one of the recommended committee members is Felicia Dell. Mr. Luciani indicated he was waiting for a commitment from her to get involved.

SABATINI Mr. Sabatini indicated Felicia Dell had met with the Township when the Inter-Governmental Meeting was held in early July and was made aware that the Township was looking at reviewing the area and making improvements, not only in the intersection, but also pursuing other improvements to the Corridor.

STERN Mr. Stern commented that it had been mentioned in the 12-Year Transportation Plan. The County was involved in that study, as well as the Township.

Springettsbury Property Maintenance

MITRICK Chairman Mitrick stated that a petition had been received from a group of 15 residents regarding a property maintenance concern in Springettsbury Township.

Harley Deer Population

MITRICK Chairman Mitrick also commented that she received a call from a resident in the Pleasureville area who indicated she had spoken with the police several times about the deer population at Harley. The population has increased; therefore, the deer watchers had also started to cause traffic problems in that area. She requested greater patrol as cars are stopping on the roadway.

ESHBACH Chief Eshbach indicated he would check into it.

MITRICK Chairman Mitrick stated that the same resident indicated that there are trucks attempting to turn at Sherman and Paradise and cannot safely make that turn. She would like the Township to look into that.

Police Department Applause

MITRICK Chairman Mitrick stated that the Board of Supervisors received a letter of applause for the members of the Police Department for the successful conclusion of the Leonard Johnson trial.

ESHBACH Chief Eshbach indicated that the policemen involved had been given a copy of that letter.

Waste Disposal Contract

BISHOP Mr. Bishop asked about the status of the garbage contract. He asked whether time was running out toward having any options.

SABATINI Mr. Sabatini responded that a proposal had been received from York Waste Disposal for an extension. He had made a contact with an adjacent municipality highly interested in joining with Springettsbury; however, their contract expires in June, six months after Springettsbury's. The Board had directed him to pursue discussions with other municipalities about having a joint bid. Because of the municipality's contract expiration, it would require Springettsbury to do a six-month extension to get the contract dates synchronized. He questioned whether there was interest by the Board in pursuing a contract extension in order to do a joint bid to essentially double the size of the contract.

BISHOP Mr. Bishop stated that Springettsbury had been offered a one-year extension on the contract. He asked whether a six-month extension had been offered.

SABATINI Mr. Sabatini responded it was negotiable.

GURRERI Mr. Gurreri asked whether Manchester Township was considering a joint bid.

SABATINI Mr. Sabatini responded that they had extended their contract to December, 2001. He added that if there was interest by the Board to pursue a joint bid, he would proceed to do so. Otherwise, he would proceed with a contract and meet with the contractors and issue the bid in October and make an award in October.

PASCH Mr. Pasch stated that there was a possibility that there could be an advantage to the citizens in the community. He did not think that an extension to the middle of next year would provide adequate time to put

all the pieces together. He suggested working with the other municipalities to coordinate the contracts out to a year from now to work together. He added that cooperation would provide some benefit.

YOST Solicitor Yost asked whether the other municipality had a compatible system.

SABATINI Mr. Sabatini responded that it did have a compatible system.

MITRICK Chairman Mitrick added that it was not simply the dollar value; it was also the environmental value.

SABATINI Mr. Sabatini responded that the Township was mandated to use the incinerator for the next 15 years.

MITRICK Chairman Mitrick stated that it was interesting that the trash hauler to come forward with an offer of extension. She wondered what else was available.

YOST Solicitor Yost indicated that the last time they offered an extension it was on changed terms, not really a true extension. They wanted to extend the time, but on different terms.

SABATINI Mr. Sabatini responded that this was a true extension.

YOST Solicitor Yost stated that it would only be authorized if the terms would be identical.

SABATINI Mr. Sabatini added if the terms were better.

Consensus of the Board was to have Mr. Sabatini extend the contract to December 31, 2001.

GURRERI Mr. Gurreri mentioned the Appreciation Dinner to be held in October.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost indicated he would discuss several matters in the Executive Session. The aerial truck loan matter would be discussed later on the Agenda.

MITRICK Chairman Mitrick asked about an item on his report asking permission related to Yorktowne.

YOST Solicitor Yost requested authority to put Yorktowne on notice.

MR. PASCH MOVED TO AUTHORIZE SOLICITOR YOST TO PUT YORKTOWNE PAPER ON NOTICE REGARDING THE SITE PURCHASED BY THE TOWNSHIP FOR THE NEW SEWAGE PUMP STATION THAT THERE IS POSSIBILITY OF BEING INVOLVED IN MEDIATION AS A HAZARDOUS WASTE SITE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Livingston Case

PASCH Mr. Pasch asked Solicitor Yost for the status of the Livingston case. He questioned whether the dollar amount offered would make any difference.

YOST Solicitor Yost responded that he did not think that any dollar amount would make a difference.

PASCH Mr. Pasch stated that this matter would end up in court.

YOST Solicitor Yost commented that the only reason he was making one more additional try was that the Judge had asked him to do so.

Consensus of the Board indicated agreement with Solicitor Yost was to proceed with an additional offer to the Livingstons.

9. MANAGER'S REPORT:

Job Description – Operations Superintendent

SABATINI Mr. Sabatini reported that a draft job description for the Operations Superintendent had been provided to the Board for approval. He asked whether the Board was prepared to act.

MITRICK Chairman Mitrick stated that the matter should be placed on the next Agenda, in order to provide Mr. Schenck adequate time for comment.

Township Newsletter

SABATINI Mr. Sabatini reported that the newsletter was being prepared for mailing. (A draft had been provided to the Board for review.)

Park Renovation

SABATINI Mr. Sabatini reported that he would be meeting with the Department of Conservation and Natural Resources and Ann Yost regarding the grant application for the proposed park renovation. A meeting had been held with the Township and the contractor. One item being pursued was the question of where the athletic teams would be relocated. The Recreation Director had been pursuing resolution from the different sports organizations. Some renovations may be necessary for some of the other ball fields within the Township in order to accommodate activities.

MITRICK Chairman Mitrick commented that Central York High School should be included on the list.

Kreutz Creek – Stormwater Retention

SABATINI Mr. Sabatini reported that a series of meetings had been held between the County, Kinsley and the Township regarding the Kreutz Creek tributary. A submittal had been sent to the Department of Environmental Protection regarding a watershed grant application under the Growing Greener program for further exploration of a stormwater retention pond for flood control as well as recreational purposes. Response to that grant application would be expected in the fall.

SABATINI Mr. Sabatini indicated he wished to discuss personnel and real estate issues during the Executive Session.

MITRICK Chairman Mitrick stated that information had been provided by PSATS regarding Recycling Grants.

SABATINI Mr. Sabatini responded that the application for the Recycling Grant had been processed by Charlie Lauer and submitted by the Township.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Resolution 00-43 – Appointing Representative to the York County Earned Income Tax Bureau.

SABATINI Mr. Sabatini requested approval to appoint the Finance Director and Township Manager as the representative and alternate to the York County Earned Income Tax Bureau.

MR. PASCH MOVED TO APPROVE RESOLUTION 00-43 BE APPROVED AS SUBMITTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution 00-04 – Fixing the Petitioned Street Light Tax Assessment Rate for the Year 2000.

SABATINI Mr. Sabatini requested approval to fix the Petitioned Street Light Tax Assessment Rate for the Year 2000.

MR. GURRERI MOVED TO APPROVE RESOLUTION 00-04 FIXING STREET LIGHT TAX ASSESSMENT FOR THE YEAR 2000. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Christopher Vedder – Curative Amendment Request for Hotels & Motels (permission to forward to Planning Commission for review)

SABATINI Mr. Sabatini stated that Attorney Christopher Vedder had requested the Township to provide a Curative Amendment Request for Hotels and Motels. This item was submitted to the Board for review and comment.

YOST Solicitor Yost indicated that this item would not be considered a true Curative Amendment. He stated that what was being requested would correct a conflict in one of the Ordinances, which Solicitor Yost indicated should be corrected. He stated that Mr. Stern was in the process of drafting the language to fix the Ordinance. Solicitor Yost recommended it be sent to the Planning Commission for review. He explained that the standards are not the same for motels and hotels in the Commercial and Commercial Highway Districts.

BISHOP Mr. Bishop asked whether the action should be referred to the Planning Commission at this point or whether the Board should authorize a draft of the appropriate language, which would then be referred to the Planning Commission.

YOST Solicitor Yost responded that the action taken should authorize Mr. Stern to provide a draft and submit that draft to the Planning Commission for review. The Amendment would be initiated by the Board of Supervisors.

MR. BISHOP MOVED THAT STAFF BE AUTHORIZED TO DRAFT THE AMENDMENT TO THE ZONING ORDINANCE WITH RESPECT TO HOTELS IN COMMERCIAL AND COMMERCIAL HIGHWAY DISTRICTS AND TO SUBMIT THAT AMENDMENT TO THE YORK COUNTY AND SPRINGETTSBURY TOWNSHIP PLANNING COMMISSIONS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick requested Solicitor Yost to respond to Attorney Vedder to advise that action was being taken regarding the matter.

YOST Solicitor Yost indicated he would do so.

D. Ordinance 00-02 – Ordinance Mandating Consolidation of Springetts Fire Company and Commonwealth Fire Company

MITRICK Chairman Mitrick set some framework for discussion concerning Ordinance 00-02. She asked that the Board of Supervisors be provided an opportunity to ask questions of Solicitor Yost. Prior to any action being

taken, she indicated that time would be provided for comment from the floor.

GURRERI Mr. Gurreri asked Solicitor Yost whether the Ordinance which had been provided for the Board in their material included the current draft.

YOST Solicitor Yost indicated that it was. He commented that this particular draft had been provided for adoption at the June, 2000 meeting. Action on the Ordinance had been adjourned until this August 24th meeting following input from fire and interested persons.

Board of Governors

YOST He stated that the Board had discussed expanding the Board of Governors from five to seven. He did not believe any formal action had been taken to direct that proposal.

MITRICK Chairman Mitrick stated that the entire Ordinance motion failed, not the Board of Governors action.

YOST Solicitor Yost continued that discussion had taken place as to how those members would be chosen. It had been a suggestion to the Board of Supervisors that the Board of Governors be expanded to seven, two members of the Board of Supervisors, Fire Chief, and two members from the fire company, one representing the Career Firefighters and one representing the EMT's.

New Section 7.02

YOST Solicitor Yost continued that an additional proposals had been made which would provide a new Section 7.02 which would define the annual operating budget review that would be undertaken by the Board of Governors. The Chief would prepare a budget; it would be required to be reviewed by the Board of Governors, at which time the volunteer fire company representative would have an opportunity to put their input into the budget. If the Board of Governors accepted their proposal input from the volunteer fire company representatives, then it would be incorporated into the budget before submitted to the Township. If the Board of Governors does not accept a proposal, then it would be submitted in the form prepared by the Chief, but he would be required to advise that the Fire Company was requesting this, in addition to what the actual budget proposal stated. It's really just an effort to get the Board of Governors more involved in the budget process and in so doing get the volunteer company more involved in the budget process. There's no magic in the language that has been proposed, but it would produce that result.

Section 5.02

YOST Solicitor Yost had proposed some language for Section 5.02 of the proposed By-laws which would permit the sharing of the hall rental payments (revenues) between the volunteer fire company and the general budget in such proportion as the Fire Chief and the volunteer fire company agreed. If there was no agreement it would be split 50-50 putting those revenues into categories, half of which would be "public" and half of which would be "private" revenues so that the volunteer fire company would have at least half of the revenues from the hall rentals for its discretionary spending.

YOST Solicitor Yost indicated those were the only changes that he had heard discussed and put into writing since June.

Effective Date

YOST Solicitor Yost added that one additional change would be necessary and that was to make an effective date that the Ordinance is passed. Solicitor Yost recommended an effective date of September 1.

MITRICK Chairman Mitrick provided a question from Mr. Schenck in his absence. She asked whether there was any language that should accompany public and private funds in the by-laws as far as access was concerned.

YOST Solicitor Yost responded that it was his concept that the private funds are solely discretionary with the Volunteer Fire Company, and they can spend them for whatever they please within the context of state law.

MITRICK Chairman Mitrick stated that answered Mr. Schenck's question.

PASCH Mr. Pasch asked whether Solicitor Yost felt that the way it was written indicated that was self-explanatory.

YOST Solicitor Yost responded that it was.

MITRICK Chairman Mitrick stated that Solicitor Yost had provided the Board with the information on the suggested changes.

YOST Solicitor Yost indicated they were changes that he had heard discussed or he had proposed.

MITRICK Chairman Mitrick commented on the first change, consideration in the number and the membership of Board of Governors. At a previous meeting when Mr. Gurreri had placed that in a motion, it was moved from

five to seven, the two additional members would be fire company members.

YOST Solicitor Yost responded he could not recall how it had been placed into motion, but at this time it was written as two volunteers in a five-man Board.

MITRICK Chairman Mitrick commented that one of the two could have been a career employee.

BISHOP Mr. Bishop stated that they represented the fire company and four representatives from the fire company with a restriction that only one could be paid.

GURRERI Mr. Gurreri commented that the current draft of the Ordinance does not state that.

YOST Solicitor Yost responded that the Ordinance now just provides for two from the Volunteer Fire Company, only one of whom could be a career employee. There had been comment within the motion to expand it to seven, but he was unsure as to where the additional members came from. He assumed from the Volunteer Fire Co.

BISHOP Mr. Bishop agreed.

MITRICK Chairman Mitrick agreed.

PASCH Mr. Pasch stated that he did not think it had been stated in the Minutes, but that it was to expand it to seven. He did not recall any description as to where it was to come from.

BISHOP Mr. Bishop stated that he did not believe the motion described the makeup of the Board of Governors, but it had been mentioned within the context of the discussions.

5.02 – Segregation of Revenue

MITRICK Chairman Mitrick asked whether the segregation of revenue was a matter that Solicitor Yost supported.

YOST Solicitor Yost responded that he absolutely supported it.

BISHOP Mr. Bishop stated that was part of the by-laws, which is not something that the Board was really dealing with.

YOST Solicitor Yost responded that the Board would be ordaining those by-laws with the Ordinance.

SABATINI Mr. Sabatini added that whatever is decided, it must be consistent, not exact, but consistent with the intent.

MITRICK Chairman Mitrick asked Solicitor Yost whether Section 7.02 – Review by the Board of Governors was something that he would recommend.

YOST Solicitor Yost responded that it very definitely was something he would recommend.

BISHOP Mr. Bishop stated for clarification, that this was a new section 7.02. The current 7.02 and 7.03 would increase in number.

YOST Solicitor Yost indicated that was correct. There would be a new Section 7.02 in the Ordinance and what was 7.02 becomes 7.03 and what was 7.03 becomes 7.04.

PASCH Mr. Pasch commented that increasing the number to seven gives more participation to the volunteer companies. He was in agreement with that. Mr. Pasch added that there had been much discussion as to the authority of the Board of Governors with regard to the budget process. The budget must be reviewed with the Board of Governors. If the Board of Governors does not accept it, that issue must be taken up with the Board of Supervisors. The Chief would still present his budget, but the entire matter comes back before the Board of Supervisors.

GURRERI Mr. Gurreri indicated he thought the idea was to give the Chief power, just like is done in business. Somebody has to be in charge, and the way it is now, nobody is in charge. This action would put the Chief in charge with a chain of command. If the Board of Governors brought it to the Board of Supervisors, it would undermine the Chief's authority.

MITRICK Chairman Mitrick stated she disagreed because it still left the authority with the Chief. It just requests that he have the input from the Board of Governors before he presents the budget.

GURRERI Mr. Gurreri thought that it would undermine the Chief if it has to come before the Board of Supervisors.

BISHOP Mr. Bishop reminded Mr. Gurreri that the Chief had to come before the Board of Supervisors prior to this action. Every department head has to bring their budget to the Board of Supervisors.

PASCH Mr. Pasch added that this allows the people that are sitting on the Board of Governors to be heard by the Board of Supervisors. He added that each department head would still have to justify the expenses. As far as the Chief having authority for operating the protective fire services within Springettsbury Township and where the safety of the citizens is concerned, that was very definitely spelled out in the Ordinance. Mr. Pasch added that he thought the permission to share the hall rental funds was important as it is important that they still have a source of income.

SABATINI Mr. Sabatini commented that the concept of sharing hall rental funds came from statements by representatives of the fire associations with regard to incentive for them to do fund raising. Attorney Yost's belief was that this would be the furthest that we can legally justify to go in terms of moving revenues generated by the fire company to a solely private purpose.

GURRERI Mr. Gurreri stated that the Board had worked on this for 2-1/2 years. He added that it was time to approve the Ordinance and put somebody in charge. Mr. Gurreri indicated he was ready to vote.

MITRICK Chairman Mitrick opened the discussion to the floor. She asked that names and addresses be provided for the record.

WOLFBERG Attorney Doug Wolfberg for Springetts Fire Company addressed the Board. Attorney Wolfberg advised he was from the law firm of Paige, Wolfberg and Worth of Mechanicsburg. He provided a commentary with regard to his opinion concerning the proposed Ordinance. Some of his comments follow:

- The Ordinance was a case of legal fiction and was egregious.
- His firm focuses on public safety law throughout the Commonwealth and handles many of these cases on an annual basis.
- The draft documents does not indicate where the volunteers would be guaranteed income, input or any oversight for control or participation.
- He commented regarding the lack of control or command and disagreed inasmuch as he had reviewed the department and there was a chain of command and a structure in place with a Chief in accordance with standards of any qualified volunteer fire department.
- He stated that the departments in this Township had attempted to work together adding that a Joint Operating Agreement had been proposed but found unfavorable by the Township for two main reasons: the Township couldn't get its hand on the revenues, and the Township couldn't control the majority of the votes. He added that what the Township had been unable to do by volunteer agreement it now seeks to do by illegal fiat.

- He stated that the Ordinance was illegal, which he declared was not just his opinion.
- The Ordinance would essentially abolish the tradition and history of volunteer fire service in this township as it's currently known and crush volunteerism.
- He stated that there are numerous legal flaws with the Ordinance being proposed and rammed through without the department even having had an opportunity to see these changes that are now being proposed publicly for the first time.
- He provided his interpretation of the legal infirmities within the Ordinance:
  - Two volunteer non-profit corporations cannot be forced to merge or consolidate by a decree of a Township or a Municipality.
  - The Township Code does permit regulation of fire companies by townships. He agreed with that and had no dispute that a degree of reasonable regulation is permitted by the Township. However, he added that the Township rights to regulate the fire company start when the fire bell rings, and ends at the fire house door. The law is clear on that point.
  - The assets of the volunteer fire company are assets of a private, non-profit corporation. They are not assets of this township.
- The courts have been very firm in drawing the lines and allowing the townships to commandeer the assets of non-profit volunteer fire companies.

WOLFBERG Attorney Wolfberg stated that Springetts Fire Company and he was present to respectfully inform the Township of the consequences of taking a vote to approve this Ordinance. He added that it was not their purpose to make a threat, but when the vote is taken the Board should vote from the perspective of having all the possible information at its disposal. He followed with further information for consideration.

- Springetts Fire Company was prepared to bring suit to have the Ordinance declared void in the County Court of Common Pleas with the possibility of personal actions against the elected officials in this jurisdiction.

- An e-mail message had been received from the Attorney General, and he read a brief paragraph of that message. 'It has been brought to my attention by a complainant that the Township Supervisors of Springettsbury Township plan to consolidate the two voluntary fire companies in the Township. This consolidation would create the same type of problems that we think are developing in Robert Fulton Township. According to the Township Solicitor due to the fact that the pool of voluntary fire fighters involved with the two departments is

declining, the township has to replace them with paid fire fighters. The Ordinance mandates the consolidation of the two fire companies, an action which took place only after the voluntary fire companies failed to voluntarily consolidate or enter into a Joint Operating Agreement. The consolidation claim was drafted to solve the problem of low membership. The plan was centralized to add uniformity to administration and operation of the Township fire services. Here, as in Robert Fulton Township, there is a concern as a result of the Ordinance. A forced consolidation of the two non-profit organizations by the Township would exceed the authority granted to the Township under the Township code.'

WOLFBERG Attorney Wolfberg indicated that the Attorney General would most likely join this law suit against the Township. They have already joined a similar lawsuit that his firm against the Fulton Township Supervisors in Lancaster County, which also attempted to enact an unlawful Ordinance. He stated that the Township will ultimately not prevail in succeeding in getting this Ordinance passed on the books. He concluded that as elected officials, the Board would vote whichever way each believed best, but that vote, if it is to adopt the Ordinance as it's been circulated and proposed would result in all likelihood in litigation; in all likelihood litigation that could be joined by the State of Pennsylvania against this Township; and in all likelihood that the Township will lose. He stated that the vote would come at great consequence and great expense to this Township, and this Township's taxpayers, and I think that will be a lose-lose situation for everybody.

SABATINI Mr. Sabatini asked Solicitor Yost whether Pennsylvania law required the Township to recognize a fire company in order for them to provide services.

YOST Solicitor Yost responded that it does.

SABATINI Mr. Sabatini asked Solicitor Yost whether it also gave authority to remove that recognition.

YOST Solicitor Yost responded that it does.

SABATINI Thank you.

WOLFBERG Attorney Wolfberg stated that Pennsylvania Law, as it's currently interpreted, does grant the right for a Township to designate or not recognize fire companies. He stated that even though the courts have interpreted the ability of the Township to de-recognize and de-credit fire departments from running in its Township, that does not give the

Township the right, or any municipality the right, to commandeer its assets.

ECKERT Mr. Eckert questioned Attorney Wolfberg about the status of Commonwealth.

WOLFBERG Attorney Wolfberg responded that he did not represent Commonwealth and, therefore, could not speak for them.

ECKERT Mr. Eckert asked about the officers. He asked whether Commonwealth was to be forgotten as part of the fire service of the Township.

WOLFBERG Again Attorney Wolfberg indicated that he did not represent Commonwealth and that the questions would need to be directed to their officers.

ECKERT Mr. Eckert stated that he was appalled over the fact that for 50 years there were two companies, but now Commonwealth was not recognized as part of the fire service to the taxpayers of the community.

WOLFBERG Attorney Wolfberg responded that these departments, especially Springetts, are really very willing to work with Commonwealth, and they have been to the table to discuss a voluntary execution of a Joint Operating Agreement that was not found satisfactory to the Township. This department would be more than willing to come to the table and voluntarily discuss ways that these departments can work together for the mutual good of this community. That's already been attempted, but because there was not the degree of control that the Township could exercise that was unacceptable to them. The result is the Ordinance that is here tonight. This company has come to the table. This company is willing to go to the table again; this company would be willing to voluntarily merge or consolidate, but not on the terms being dictated by this Township.

GURRERI Mr. Gurreri stated that Mr. Wolfberg had not been present during the entire program. He indicated that the fire companies had discussed the need for change. A committee of volunteers was set up, and they came up with a plan; they came up with an Ordinance, and then they voted against the it. Mr. Gurreri felt that all that had happened has been a stall tactic.

WOLFBERG Attorney Wolfberg stated that he had the history. He stated that the position of the company had been stated. The Ordinance will be passed at some risk to the Township. As for the history he indicated that would be passed to the fire personnel who had been present.

BISHOP Mr. Bishop commented that there was one element of that history that he could not allow to go unchallenged. He stated that Attorney Wolfberg commented twice that there had been a Joint Operating Agreement that this Township found unacceptable, and that was just plainly false. There was a very public meeting to vote on a Joint Operating Agreement that was prepared by all of the volunteers along with the participation of the Board of Supervisors or representatives of the Board of Supervisors and that Joint Operating Agreement was turned down by the volunteers, and there was no action by the Township on that Joint Operating Agreement. That Joint Operating Agreement was perfectly acceptable to Springettsbury Township and was turned down by the volunteers. The statements about a Joint Operating Agreement being presented to this Township by the two volunteer fire companies and being unacceptable to this Township is completely false.

MYERS Ken Myers of 3543 Heritage Drive spoke to clarify what Mr. Bishop had stated. What was voted down was the Joint Operating Agreement that came last October. He clarified that what the fire company was talking about was the other version of that that members of the Commonwealth, Springetts and Ambulance Club sat down and re-proposed to the Township earlier this year. That's the second agreement that was proposed to the Township which was found unacceptable.

BISHOP Mr. Bishop responded that it had never been agreed to by Commonwealth and Springetts.

MYERS Mr. Myers stated that it had been, but that Mr. Bishop had not been in the room at that time.

GURRERI Mr. Gurreri commented that something needs to be done, and it's evident that they want something done and the Township wants something done, and it's the Board's duty to do something. Mr. Gurreri stated again that he was ready to vote on this Ordinance.

PASCH Mr. Pasch asked Solicitor Yost whether he agreed with any of Attorney Wolfberg's thinking or not.

YOST Solicitor Yost responded that there are no appellate cases in the Commonwealth of Pennsylvania, and there are no lower court cases that he had seen in the Commonwealth of Pennsylvania that says a municipality can require two volunteer fire companies to consolidate. He stated that "Inferentially the Lacey-Park case says it's okay, but that was not the issue in the Lacey-Park case. What happened in the Lacey-Park case was that – the Board or the Fire Companies had a commission to develop a plan of consolidation. It was brought to the Board of

Supervisors. The Board of Supervisors, for reasons not explained in the decision, did not accept the plan of consolidation. They simply withdrew the recognition to the Lacey-Park Volunteer Fire Company, and in doing so, said we're transferring your assets over to XYZ Volunteer Fire Company, the other volunteer fire company, in the Township. What the court held was that the Township could withdraw the right of the Lacey-Park Volunteer Fire Company to operate in the Township, but that it could not compel the transfer of the assets from Lacey-Park to the other fire company. Some of the head notes read that the consolidation was approved, but if you read the decision carefully that was not the case, but the inference is pretty clear from that decision that a municipality has broad powers over the operation of volunteer fire companies and their officers. As you are well aware, there is no case specifically on point, and I've made you aware of that from the outset. I think it's a very broad authority when the second class township code says that the Board of Supervisors have the power to adopt rules and regulations for the government of volunteer fire companies and their officers. I think that is broad enough to support a mandatory consolidation. I fully anticipated that the issue is going to have to be litigated, and I think if this Ordinance is adopted we will probably get a decision on it at some point in time. This Ordinance does not commandeer the assets of the fire company. I disagree that the Attorney General has any standing to join in an action opposing the consolidation; I don't think the Attorney General has the authority to intervene in an action relating to the consolidation. A consolidation of two non-profit corporations does absolutely nothing to affect the trust imposed on the assets of the volunteer fire company. The non-profit corporation code itself makes that very clear, and there is a Supreme Court decision saying, yes, it does not. That the statute is clear itself that the Attorney General's interest for a merger or consolidation does not affect the status of the assets. In other words, everything that Springetts currently owns, and everything that Commonwealth currently owns, they would remained owned by a volunteer fire company, i.e., the consolidated or merged company. It does not change the character of those assets in the least bit, and if the character of those assets does not change, then the Attorney General has no standing to challenge the consolidation. The Attorney General's responsibility is to see that the assets of the volunteer fire company are not mis-used; that they are used for the purpose for which they've been acquired, which is a public purpose. This Ordinance does nothing to change the character of those assets. As a matter of fact, I think it enhances the character of those assets as being belonging to the public. They were created by the hard work of the volunteers; they've been created by the taxpayers of Springettsbury Township, and there is no way that they should ever be diverted from the public purpose for which they were created, and this Ordinance does not do that. I wrote to the Attorney General's office on August 9th explaining

our position on it. I have not had the courtesy of a reply, nor have I had the benefit of the e-mail received by Mr. Wolfberg."

PASCH Mr. Pasch stated Attorney Wolfberg was very careful to indicate that he was not threatening the members of the Board, but made it important to point out that we, as individual members could be sued. Mr. Pasch took the words as a threat. He indicated confidence in what Attorney Yost had said and if the disagreement had to go through the courts, then so be it. Mr. Pasch felt that the changes made were good ones in the right direction. He asked that, for the benefit of the residents of this community, while we are involved as we apparently are going to be, all of the volunteers and the volunteer companies, and we ourselves as a Township, do not do anything which jeopardizes the safety and welfare of the residents in this community. He did not think that the volunteers would do that. He hoped that whether it's friendly or not, this would be done in a civil manner.

WOLFBERG Attorney Wolfberg stated that the officers of this company have nothing but the public safety in mind, which is their whole basis for deciding to likely challenge this action. It's because of their dedication to public safety, and knowing these people I couldn't see them doing anything in contravention of that public safety that they've upheld for so many years.

PASCH Mr. Pasch commented that he was glad to hear Attorney Wolfberg reiterate that the department has a goal of public safety. I think these are very fine gentlemen. They've done a good job for this community, and we've reached the point where we just disagree, and so we have to resolve it, that's all.

WOLFBERG Attorney Wolfberg added the comment that the Township would eventually replace the department with a full complement of paid personnel.

SABATINI Mr. Sabatini responded that he had a problem with that statement. The commitment that this Board made very publicly and very clearly was that the number one goal out of this whole issue was to make sure that the Township had and continued to maintain a volunteer fire status. Because the number of volunteers have dropped so dramatically over the past two years, the Township and the volunteer fire companies are receiving substantially less fire relief funds, which to do certain things for the protection of the fire fighters.

WOLFBERG Attorney Wolfberg asked where he could be shown that in the proposed Ordinance.

MITRICK Chairman Mitrick stated that there were others in the room who wished to speak and added that if Attorney Wolfberg wished to remain in the room he would have to allow the others to speak.

WOLFBERG Attorney Wolfberg stated that he was addressing comments made by Mr. Sabatini.

MITRICK Chairman Mitrick stated that he would have time to respond, and recognized Mr. Dick Lake who wished to speak.

LAKE Dick Lake, 281 Silver Spur Drive, and Treasurer of Springetts Fire Company wanted to offer a reason why the Ordinance should not be passed the way it is. He stated that Springetts Fire Company had prepared a loan application from the state under $50,000 for the new aerial ladder truck. It's a 15-year loan, and was in the Board's hands right now for signature by the Secretary of the Board and notarization from the state. In addition to that Springetts Fire Company and Commonwealth both have applied for the $15,000 grant that the State has offered all the volunteer companies. In view of that Mr. Lake thought it would not be wise to dissolve Springetts and Commonwealth Fire Companies, and therefore, put the loan and the grant money in jeopardy.

YOST Solicitor Yost responded that the money that both companies have applied for also has a section entitled "Consolidation Incentive". It provided that PEMA loans would be reduced from 2% to 1% for fire companies that consolidate on all existing and any future loans.

LAKE Mr. Lake stated that he had not been aware of that. He asked whether that applied to the grants. The volunteer company would be allotted up to $15,000 in grants.

YOST Solicitor Yost responded that presumably they would receive them. He added that there was a section in the state statute that says if two fire companies have consolidated since some date last year they still get two grants. It does not affect those grants, and it does provide a very real benefit if there is a consolidation of the companies. The interest is reduced by 50%.

LAKE Mr. Lake asked what would happen to the $150,000 loan being applied for under Springetts Fire Company if the company is dissolved.

YOST Solicitor Yost stated that the company is not being dissolved.

LAKE That's what the Ordinance is written, Springetts is to be dissolved; Commonwealth is to be dissolved and they'd be one company.

YOST Solicitor Yost stated that the two companies would be consolidated; neither one dissolved.

LAKE Mr. Lake stated that was the way he read the Ordinance.

YOST Solicitor Yost responded that neither was being legally dissolved.

GURRERI Mr. Gurreri asked why the $580,000 ladder truck was needed.

LAKE Mr. Lake responded that it would provide better fire service protection for the residents of the Township.

GURRERI Mr. Gurreri stated that there was one ladder truck available and asked what the new one would do that that ladder truck would not.

FLOHR Dan Flohr, 3615 Cayuga Lane. Chairman of the Apparatus Committee for Springetts and Commonwealth Fire Company. The aerial truck we have right now is snorkel and is a device built in 1969. It no longer provides the service needed by the fire department. The truck had been refurbished in 1988. Normally an aerial piece of apparatus is replaced every 25 years. We, the Committee, through its investigations tried to pinpoint exactly what the needs of the Township would be, and the type of aerial we are purchasing, which is a 110 ft. ladder truck, which is also called a straight stick, will more safely and much more efficiently allow us to access roofs of residentials and also higher buildings that we need to get to.

GURRERI Mr. Gurreri asked how many buildings in the Township would call for the ladder truck.

FLOHR Mr. Flohr stated that every building in the township called for it. The existing ladder truck was not utilized because the design of the particular apparatus and the setbacks that have been allowed over the years from the street, fire personnel cannot get on residential roofs. He added that any time there was a need to ventilate a roof, portable ladders would be set up. A safety factor was involved, along with manpower. This particular apparatus is needed to assess residential roofs which would take care of that difficulty.

GURRERI Mr. Gurreri stated that he did not think the truck was needed because of the other four available in Spring Garden, Manchester and York Township as well as York City. He questioned the need to spend $580,000. They used to cost $200,000; now they're $580,000 when we have these trucks sitting around us. Mr. Gurreri asked whether the fire department should be looking at using their facilities, as well as our own.

FLOHR Mr. Flohr responded that we do use those for mutual aid. The first three minutes mean a lot. You need appropriate apparatus with good response time. Mr. Flohr commented additionally about the ISO organization, which does all the Township's insurance ratings. If the Township loses an aerial truck it will slide from a Class 4 rating to a Class 5 rating.

MITRICK Chairman Mitrick called attention back to the Agenda and indicated that the fire apparatus purchase would be addressed later. Chairman Mitrick recognized Tony Surtasky for comment.

SURTASKY Tony Surtasky, 2245 Mt. Zion Road commented that Mt. Wolf and Manchester fire companies are going together. He was not sure whether they were merging or consolidating. Mr. Surtasky asked if, once the Ordinance is passed, it could be changed later.

YOST Solicitor Yost responded that it could be amended. He added that it had been specifically stated that there would be "bugs" that would require amendments.

PASCH Mr. Pasch stated that it might take a long time to get it changed, if it takes as long as it has to get it passed.

WOLFE Doc Wolfe asked who instigated this.

GURRERI Mr. Gurreri responded that the volunteers tried to get something accomplished because they knew something needed to be done.

WOLFE Mr. Wolf stated that, in his opinion, it was not brought about by the two volunteer fire companies. It was more or less pushed at that time by the Supervisors. Mr. Wolf stated that he thought the bottom line was control of the money. We've lost so much control of the money in the interest alone. The money went directly back to the community.

GURRERI Mr. Gurreri responded that if the Board had wanted to do what he was saying, we would've just went in and did it – instead of meeting all that time and trying to help the volunteer fire companies. The fire companies were losing members and were trying to figure out a way to bring members in and keep them, and that's what the Board is trying to do. Something needs to be done, and it's the Board's job to do it.

WOLFE Mr. Wolfe stated he did not dispute the Board's responsibility, but he questioned this avenue.

GURRERI Mr. Gurreri commented to give it a try for a year and see what happened; it can always be changed.

MITRICK Chairman Mitrick called for any final comments. She recognized Attorney Wolfberg for his response to an earlier comment.

WOLFBERG Attorney Wolfberg indicated that the point had been addressed. He asked whether he could have a copy of the language distributed to the Supervisors as soon as possible.

MITRICK Chairman Mitrick responded that he could have a copy.

ECKERT Mr. Don Eckert asked how the funds would be handled, i.e., how the bills would be paid. He wondered whether there would be any conflict between the language of this Ordinance and the proposed by-laws to enable the fire service to have control of those funds

YOST Solicitor Yost responded that he did not think there was any conflict.

ECKERT Mr. Eckert asked about Solicitor Yost's suggested criteria of 50% but it's up to the discretion of the Fire Chief. Isn't that criteria for how he arbitrarily makes that decision.

YOST Solicitor Yost indicated that it would be in such proportion as the Fire Chief and the fire company would agree. If they could not agree it would be split equally.

ECKERT Mr. Eckert indicated that he was concerned about that if the Chief has discretion without any specific criteria. Mr. Eckert would prefer to have a criteria rather than just let it up to the Fire Chief on how they may agree or disagree with whomever they're going to argue with in the fire company.

MITRICK Chairman Mitrick stated that prior to acting on the Ordinance, she thought some attention should be given to the possible changes that were presented by Mr. Yost. For example, we need to clearly define the membership of the Board of Governors, whether it's five; whether it's seven, and if it's seven what the make up is.

PASCH Mr. Pasch suggested to determine whether there was a consensus to expand the Board of Governors to seven and then determine the makeup.

MITRICK Chairman Mitrick asked for a consensus of the Board to expand the Board of Governors to seven.

Consensus of the Board indicated to expand the Board of Governors to seven.

MITRICK Chairman Mitrick asked what the makeup would be for the seven-member Board.

PASCH Mr. Pasch stated that his question would be whether or not the request that was made by the representative was for the paid members of the fire department. .

BISHOP Mr. Bishop stated that it would be permissible for paid employees who are members of the fire company to be named to that. It's not required, but it would be permissible to have one from each company. So the question would be whether we expand that to two and decide. Mr. Bishop stated that he would not have a problem extending that to up to two, but would have a problem with mandating that one has to come from this group and another has to come from that group.

PASCH Mr. Pasch indicated that volunteers are the ones who are going to have to make that election, and there are paid firefighters that are also members of the volunteer fire companies, and if they are elected, that's fine.

BISHOP Mr. Bishop stated that would indicate making that four members from the fire company, and no more than two township employees.

PASCH Mr. Pasch added, two paid employees.

BISHOP Mr. Bishop agreed.

MITRICK Chairman Mitrick indicated there was a consensus on that. She brought up the matter of public and private funds.

BISHOP Mr. Bishop stated that was Appendix C. Section 5.02 needed to be incorporated into the by-laws.

MITRICK Chairman Mitrick agreed and added that it would answer some of the requests that the volunteers had posed to us over time.

BISHOP Mr. Bishop asked Solicitor Yost whether Section 5.02 – Segregation of Revenues was a new section.

YOST Solicitor Yost responded that it was not; the section – A and B was identical to what was previously presented; all we've done is add C.

BISHOP Mr. Bishop stated that it was an addition of subletter C under Section 5.02 in the by-laws.

YOST Solicitor Yost responded that it was with a change in A – instead of saying the public monies includes the rentals or charges for the use – it's an allocable portion of the rentals as public, and likewise in private revenues an allocable portion of the private revenues or of the rentals are going to be private, and then C says how they're split. C is completely new and the others are slightly modified.

MITRICK Chairman Mitrick asked for a consensus.

Consensus of the Board was agreement on 5.02.

MITRICK Chairman Mitrick asked for a consensus on 7.02 dealing with the Review by the Board of Governors.

Consensus of the Board was agreement on 7.02.

YOST Solicitor Yost requested the addition of an effective date.

MITRICK Chairman Mitrick stated that he had recommended September 1, 2000.

YOST Solicitor Yost agreed.

SABATINI Mr. Sabatini indicated a September 1 date would be satisfactory and places it within guidelines with the ability to start off the new year hopefully fully combined and moving ahead.

MITRICK Chairman Mitrick called for any final comments.

BISHOP Mr. Bishop stated that, with Mr. Gurreri's permission, he would make the motion.

GURRERI Mr. Gurreri indicated his permission.

MR. BISHOP MOVED FOR THE ADOPTION OF ORDINANCE 00-02 RE-ESTABLISHING A DEPARTMENT FOR FIRE AND RESCUE SERVICES IN SPRINGETTSBURY TOWNSHIP WITH THE FOLLOWING AMENDMENTS TO THE ORDINANCE AS DRAFTED:

- **SECTION 9.01 AS AMENDED TO REFLECT THE EFFECTIVE DATE OF SEPTEMBER 1, 2000;**
- **SECTION 3.02 AS AMENDED TO INSERT THE NAME OF SPRINGETTSBURY FIRE AND RESCUE SERVICE;**
- **NEW SECTION 7.02 IS INSERTED IN PLACE OF A CURRENT 7.02;**
- **NEW SECTION TITLED REVIEW BY BOARD OF GOVERNORS EXISTING 7.02 IS RE-NUMBERED AS 7.03;**

- **CURRENT 7.03 IS RE-NUMBERED AS 7.04.**
- **SECTION 4.03 IS AMENDED TO REFLECT THAT THE COMPOSITION OF THE BOARD SHALL BE SEVEN INDIVIDUALS AND FOUR OF THOSE INDIVIDUALS SHALL BE MEMBERS OF THE FIRE COMPANY AND NO MORE THAN TWO OF THE APPOINTED MEMBERS BY THE FIRE COMPANY WILL BE TOWNSHIP EMPLOYEES;**
- **APPENDIX C PROPOSED RECOMMENDED BY-LAWS SECTION 5.02 IS AMENDED AND NEW SUBSECTION C IS ADDED.**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

MR. BISHOP MOVED TO TABLE ACTION ON ALL OF THE MINUTES ON THE AGENDA UNTIL THE NEXT REGULAR BOARD OF SUPERVISORS MEETING. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

A. Appeal of Sewer Tapping Fee – Tim Pasch

Mr. Ken Pasch left the Board table at 11:10 p.m.

SABATINI Mr. Sabatini commented that last month Mr. Tim Pasch requested a waiver of an additional sewer tapping fee for a commercial property that he owns. This request had been reviewed by Mr. Stern, and while he agreed conceptually with Tim Pasch, there is no provisions under the act, and he is concerned that there are future implications about other businesses in potentially similarly situations. Based on the recommendations of Mr. Stern, Mr. Sabatini respectfully suggested that the Board not approve the request for waiver of the sewer tap in fee.

BISHOP Mr. Bishop stated that his question was that, if the Supervisors approved the recommendation to deny this request and admittedly there was some kind of a problem, what would it take to fix the root problem.

YOST Solicitor Yost indicated that the Ordinance assesses tap in fees per unit. If a structure is operating as a single unit, a single fee would be paid. If the unit is converted to two or three or four units, the unit rule would kick in.

GURRERI Mr. Gurreri asked how the other townships handle matters like this.

YOST Solicitor Yost stated that he did not know of any that do not use a unit rule.

SABATINI Mr. Sabatini indicated if someone had an old Victorian house and one EDU, subdivide it into four apartments and an additional three EDU's would have to be purchased.

YOST Solicitor Yost indicated it was clearly authorized in the statute and every Ordinance that he had seen used a unit as the basis.

PASCH Tim Pasch indicated he did not subdivide anything. A different company is using the location than before but he still owns it.

GURRERI Mr. Gurreri stated that if Tim Pasch got an EDU, he would still have to pay monthly fees on that EDU.

MITRICK Chairman Mitrick asked Ed Sowers when someone comes in, is it the applicant's responsibility to indicate how many tenants will be in their building.

SOWERS Mr. Sowers responded that in some cases we have past histories on a lot of the buildings and units in the Township where it has been established as one unit. Then someone comes in and turns it into two units, that constitutes the tap in. You have to pay for two EDU's.

GURRERI Mr. Gurreri commented on the actual usage of sewer capacity not being used.

SOWERS Mr. Sowers stated the rate was based on 350 gallons per EDU.

SABATINI Mr. Sabatini stated that it balanced since that's an average so that residential single family in the winter months will use more EDU's or more gallonage than the 350 net usage.

STERN Mr. Stern commented that during the peak of the moratorium where we had no EDU's to give out, there were a few businesses that wanted to change their occupants and no EDU's were available. As a result we denied them the occupancy permit for the attorney to move to the second floor. Wearing his Economic Development hat he had a problem with the Ordinance. He completely agreed with the billing part of it. They should be billed separately for what they use. He had no problem with that but it requires them to have an EDU for each and in the case of the insurance agent and the attorney their total flow was 150 gallons a day. We still required them to purchase two taps, which we didn't have and as such we turned them away.

BISHOP Mr. Bishop stated that, when Mr. Stern wears his Economic Development hat, is the problem that you didn't have the EDU's to give, or is it that we charged them. If you had EDU's to give would you still have that same problem charging the lawyer on the second floor.

STERN Mr. Stern stated he would have no problem with that.

BISHOP Mr. Bishop asked then whether the problem was with not having tap in fees.

STERN Mr. Stern stated that his problem was that the Ordinance was using sewer tapping fees to either allow or disallow a business to be in the township when sewer capacity wasn't really the issue. There was plenty of sewer capacity.

SOWERS Mr. Sowers stated that it could be an issue if that was a high-end user.

PASCH Tim Pasch commented that one of his concerns was the fee and, in addition, the billing. The issue that he had was that there were a lot more people using that capacity when he occupied the building using all three floors. Now the Bank of Hanover has typically a few people there every day, and then Logistics Consultants are on the second floor. There are sometimes three people there with a lower level powder room. If he rented that to himself as an accountant, he would have to pay another tap in for a powder room for another person. He stated that it seemed as though the Township was making a lot of money on usage when it was not really being used.

GURRERI Mr. Gurreri stated that Tim Pasch made a good point and it seemed unfair to him. However, that's the way the Ordinance was written. Mr. Gurreri stated that this matter seemed unfair and we need to review the Ordinance.

MR. GURRERI MOVED TO DENY THE APPEAL OF SEWER TAPPING REQUIREMENTS FOR TIM PASCH. MR. BISHOP WAS SECOND. MOTION CARRIED.

Mr. Ken Pasch returned to the board table at 11:20 p.m.

13. NEW BUSINESS:

A. Springetts Fire Company Loan Application and Letter of Intent – Aerial Truck Purchase

SABATINI Mr. Sabatini provided commentary regarding the Springetts Fire Company request that the Township co-sign a Pennsylvania Emergency Management Agency Volunteer Loan Assistance Program Loan Grant and Letter of Intent for the purchase of an American LaFrance aerial truck at a cost of $580,000. That's a gross figure; there are some prepayment advantages that would net to $566,000. The Loan Application is for $150,000 and would decrease from 2% to 1% under the consolidation. The Capital Budget had appropriated funding of $294,000 under the Fire Equipment Escrow fund. The loan application indicated that there is a request for $250,000 of that to be earmarked directly from the Township for the purchase of this vehicle. The necessary funds are available within the budget and within the bank account. The application will require the Township to complete the application under the Local Government Unit Debt Act (Act 52). Solicitor Yost indicated he has requested the forms be sent by the Department of Community Affairs. The Department will review it; it has to be approved by Resolution of the Township prior to the signature on the loan application.

YOST Solicitor Yost stated that a Resolution would have to be adopted prior to signing the application.

SABATINI Mr. Sabatini recommended that the Township's name should be included on the title as co-owner of the equipment. This recommendation was made because of the significant level of funding that the Township would provide directly for the purchase. Based upon the statements of the attorney representing Springetts and their Board of Directors, there is a question on the financial impact of this purchase and other implications. Mr. Satabini stated this was a matter that the Board needed to consider. . The Board needs to consider the threat of suit seriously and also recognize that this could complicate the issues in the short or long term. Mr. Sabatini asked that this matter be tabled until the next meeting to be able to complete the Act 52 requirement. An Executive Session was scheduled for September 10, which is a Sunday. If the paperwork is completed and I know that there are contractual deadlines, the Board can take an action at that date to approve it. That pushes it up several days prior to the next Board meeting. The Board may want to choose to take advantage of those extra days to get it signed and the Act 52 statement out and also the application.

YOST Solicitor Yost asked whether he had heard it said that the loan was for 15 years.

FLOHR Mr. Flohr responded that was correct.

SABATINI Mr. Sabatini added that it was 15 years, 2%, now reduced to 1%.

YOST Solicitor Yost stated that if it was 15 years Springettsbury Township could not participate, only five years on a small borrowing under the Unit Debt Act. The application was five years.

SABATINI Mr. Sabatini indicated this application was for a 15-year loan.

YOST Solicitor Yost stated that, in that case, an Ordinance would have to be adopted instead of a Resolution and do a full-blown debt statement filing with the approval of the Department of Community Development if this goes beyond five years.

FLOHR Mr. Flohr stated that, in the past, the only thing the Township ever did on the loan applications was notarize them. The fire companies had used the loans five or six times and there had been no actual Township involvement other than Mr. Lake, Treasurer, who brought it over and had the secretary notarize it. He asked why this would be different from those in the past.

SABATINI Mr. Sabatini responded that first is the statement here that co-signature of the political subdivision must be completed when the registered co-owner is a political subdivision. The DCD requires the municipality to complete the Local Government Debt Act.

FLOHR Mr. Flohr indicated that would be easy to take care of--don't co-own it. The money we used before for apparatus came from the allotments, which was tax money, the same as in the capital improvement.

SABATINI Mr. Sabatini stated that it says if the 20% of required funding is being provided by the local Government unit, an officer of that unit must co-sign this application. The local government unit partial funding may have to be approved by Department of Community and Economic Development. To approve that, that's the Act 52, and that becomes a trigger there. What Solicitor Yost indicated was that, if it's a 15-year loan, we have to go to a different criteria.

LAKE Mr. Lake commented that the loan is not with the Township though.

YOST Solicitor Yost stated that the Township was participating with a contribution of $250,000 for the cost of the vehicle.

FLOHR Mr. Flohr suggested giving the $250,000 allotment to Springetts Fire Company and they'll write the check, rather than the Township write the check.

BISHOP Mr. Bishop stated that would be considered at the next meeting.

FLOHR Mr. Flohr indicated he would be glad to come in and discuss it.

SABATINI Mr. Sabatini stated he had discussed with Mr. Lake the fact that he didn't feel comfortable signing off on the direct statement here that an Act 52 process is required. With Solicitor Yost's comment that it must go beyond that, I would hate to be putting the Township in that situation where our attorney says you must go through the process. Mr. Sabatini also stated that some of the rules had been changing and that some of the paperwork had changed as well. He did not see this being an issue of approval, just an issue of process and no different from any other.

YOST Solicitor Yost asked when does the Relief Association have the legal authority to donate $80,000 toward the acquisition of an aerial truck.

FLOHR Mr. Flohr responded that relief money generated State Act 205 can be used for paying for items that provide safeguards for firefighters. Allowable expenses include items as SEDAC, warning lights, hand lights, etc. There it's not a grant, it's not a donation. They are buying that equipment. They actually will have the ownership of certain equipment on that aerial truck.

YOST Solicitor Yost stated that the application says that they are making a donation of $80,000 toward the purchase of this vehicle.

FLOHR Mr. Flohr responded that the loan application is in error. That is just where some of the funding is coming from. It is not a donation sir.

PASCH Mr. Pasch commented that the funding was coming for specific equipment, not the truck itself, but the safety equipment.

LAKE Mr. Lake indicated he thought $294,000 had been approved some time ago. He did not understand why this was necessary.

SABATINI Mr. Sabatini responded that the $294,000 was a Township fund and not a fire company fund. It's a fund owned by the Township. The Board earlier this year passed a Resolution that said that any purchases above $10,000 must be approved by the Board of Supervisors whether or not it had been approved in prior capital budgets or as part of the general operating fund. This is consistent with that policy. Anything above $10,000 must be approved by the Board.

LAKE Mr. Lake asked what the Board would predict toward getting this approved.

SABATINI Mr. Sabatini stated that it was a process that was necessary to go through. If the Township submits it, he did not see any reason why the state would not approve it.

GURRERI Mr. Gurreri stated that as far as he's concerned he wouldn't approve it because he did not think they need it.

PASCH Mr. Pasch commented that, having had discussions in the past regarding requirements and the need for it, it is a necessary item. Mr. Flohr was very lucid about it. With this equipment from the street they can put that up there and get at the roof. They can't do that now. They've got to go with the setback requirements and the houses set backs so far. It is a safety factor, and this is something that needs to be examined for not only the resident in the house but it's a safety factor for saving the structure and the safety for the firefighters themselves. The question brought up was why we don't share it with others and why does every township need one. The answer to those questions remains in the critical response time. It's the most important time, but the point is very well taken.

GURRERI Mr. Gurreri asked Mr. Flohr how many times he had the occasion to use the aerial truck in the past five years.

FLOHR Mr. Flohr indicated he would come by to discuss it.

BISHOP Mr. Bishop asked how much this truck would have been used in the last five years if the fire company had the truck.

FLOHR Mr. Flohr responded that it would have been used quite a few times. An example was provided that they had gone to Harley Davidson earlier this week. We had to back our truck back into a very small area and still couldn't get access to the roof because of the way the apparatus works. We were at Springetts Manor Apartments about a month and a half ago. He had the truck set up almost on the sidewalk and could barely get on the roof of the structure. There was a fire at Suburban Park apartments a couple of years ago where we could not get access to the roof of that building because of how far it was set back because of the cars parked in front. After it burned through the roof, Victory Fire Co. came in with their apparatus, which is 105 ft. long, and they could access it with the aerial.

MITRICK Chairman Mitrick stated that there was one matter where no convincing was necessary and that is that the fire department is extremely important to the residents of the community. She stated that she did not personally feel that she needed to argue with Mr. Flohr as to what would be needed. Mr. Flohr is a professional in the fire department. If the paperwork and all the

logistics are worked out, she indicated her support. She asked whether there was any concern for proceeding with this.

YOST Solicitor Yost indicated that would be a policy decision. It was not necessarily a legal matter but certainly a policy matter.

BISHOP Mr. Bishop had previously discussed the purchase with Mr. Flohr and Chief Hickman and was convinced that it made a lot of sense to purchase the apparatus and indicated they had made a wise selection. Mr. Bishop stated he had three issues that had not been addressed so far. (1) Mr. Sabatini's recommendation that the Township name be on the title. (2) He questioned the wisdom of moving forward in light of threatened/not threatened legal action. (3) One thing that is a big question in his mind was the financial statement for the company. He indicated he had never been able to fully comprehend the legal relationship between the Ambulance Club and Springetts Fire Co. He questioned whether it would be proper accounting practice to reflect some of the assets of the Ambulance Club within Springetts Fire Co., which one is part of the other. He asked whether there was a difference or not.

YOST Solicitor Yost asked where these funds would be coming from.

BISHOP Mr. Bishop stated that these funds are fire company only. He wondered what the wisdom was if we have two relatively new ambulances and lots of funds available for Springetts Fire Co., why is that money not available.

YOST Solicitor Yost indicated that money is not available because it is dedicated through the Ambulance service. That would be diverting it from its purpose.

BISHOP Mr. Bishop stated for clarification, by virtue of how it was raised.

SABATINI Mr. Sabatini stated that, if the Board so directs, we will proceed with the development of the Ordinance and the Act 52 statement, and at the next available meeting of the Board it will be presented to the Board for a decision on how they choose to proceed.

BISHOP Mr. Bishop stated that this would be an Ordinance that has to be advertised with that whole timetable.

SABATINI Mr. Sabatini responded that was correct.

BISHOP Mr. Bishop asked whether that would cause any deadline problems.

FLOHR Mr. Flohr responded that they have 60 days from August 15th. He indicated he might be able to get an extension.

YOST Solicitor Yost indicated the Board should direct the Manager and the Solicitor to put together the necessary documents for the Department of Economic Development.

WOLFE Doc Wolfe commented that he agreed with what Mr. Pasch said that he hopes that the things going on between the Township and the Fire Co. do not affect the Emergency Services. This piece of fire equipment would affect the insurance rate and everybody else's if we don't get the piece.

PASCH Mr. Pasch asked him to explain about the insurance rate.

WOLFE Mr. Wolfe responded that was what Mr. Flohr had mentioned, the ISO going from a 5 rating to a 4.

PASCH Mr. Pasch stated that the Solicitor and the Township Manager were instructed to go ahead and do everything that's necessary to get it done. Mr. Pasch added that, as far as the matter of the Township being on the title, he was in agreement. The money that the Township was putting into the purchase did not come from the fire companies. It came from the residents of the Township, and they have a right to have their name on that title.

SABATINI Mr. Sabatini commented that his job also was to inform the Board of implications. Obviously the statements made earlier this evening have financial implications and other implications. This could have an impact. It would be pretty difficult to justify a blind leap into something when we have knowledge that there is a threat to proceed with litigation. This would remove $250,000 funds to purchase a vehicle that may be subject to litigation if assets have to be divided up.

SABATINI My job is to let the board know that these are potential impacts. The information will be put together for action by the Board at a very early opportunity.

WOLFE Mr. Wolfe stated that the equipment was needed for the protection of the citizens and the Township. If that piece of equipment saves one life it's paid 90 fold over.

MITRICK Chairman Mitrick added, not only one life of a resident, but also of our firefighters.

GURRERI Mr. Gurreri stated that sooner or later Doc we're going to have to start using each other's equipment. We can't afford to spend $580,000 for a truck.

ECKERT Mr. Eckert commented that it was a sorry situation that had taken place. The Township will now put its name on the title of equipment, which would be a first in this Township. He commented on the implications of the actions. Mr. Eckert stated that he did not think what he heard was a threat; he thought it was a promise that the Township would be sued. He added that he was sorry to see it happening.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 12 Midnight.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

SPRINGETTSBURY TOWNSHIP **SEPTEMBER 14, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 14, 2000 at 7:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Bill Schenck
Ken Pasch

ALSO IN ATTENDANCE:
Don Yost, Solicitor
Robert Sabatini, Interim Township Manager
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Mike Myers, Design Engineer
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Jack Hadge, Finance Director
Mike Hickman, Fire Chief
Andy Hinkle, MIS
Mark Hodgkinson, WWT Superintendent
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m. She welcomed all in attendance. She stated that an Executive Session had been held on Sunday, September 10th regarding personnel matters, and additionally at 6:45 p.m. this day regarding personnel.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

2. COMMUNICATION FROM CITIZENS:

PEARLMAN Mr. Mike Pearlman of 33 S. Kershaw Street appeared before the Board, along with some of his neighbors to address the traffic situation on South Kershaw Street. He thanked the Board for allowing them to come and speak. Kershaw Street is in a

residential neighborhood, and the traffic situation exists at the intersections of Kershaw and Market Streets and Eastern Boulevard. On Eastern Boulevard there is a stop sign at Kershaw, but at Kershaw Street and Eastern Boulevard there is no stop sign. People wanting to travel eastbound to avoid the traffic signal at the Market Street and Haines Road intersection frequently at a very high rate of speed traveling eastbound make a southbound turn onto Kershaw and continue across on Kershaw across Eastern Boulevard to reach Haines Road so they can avoid the Eastern Boulevard/Haines Road intersection also in an attempt to avoid traffic signals. They have created a raceway through our street. The neighbors sought traffic calming measures and an engineering study conducted in order to ascertain what could be done to make it safer for the children.

MITRICK Chairman Mitrick responded that the members of the Board had received numerous letters from Mr. Pearlman and the neighbors. She stated that she appreciated their concern, which brought it to the attention of the Board.

PASCH Mr. Pasch asked who engineered the letter-writing project.

PEARLMAN Mr. Pearlman stated that he had asked a few of his neighbors to write on behalf of the neighborhood.

PASCH Mr. Pasch stated that his reason for asking was to encourage Mr. Pearlman to volunteer for one of the volunteer boards.

GURRERI Mr. Gurreri commented that in the past he had used that route, and he had been aware of the traffic situation there for about two years.

MITRICK Chairman Mitrick stated that the local government was one step ahead of the letters. The Board had been interested in a concept called traffic calming. They had asked Mr. Luciani to look into that. She asked Mr. Luciani to respond.

LUCIANI Mr. Luciani stated that a meeting had been scheduled for Wednesday, September 27, at 4 p.m. with Transportation Resource Group (TRG) on another transportation issue. At 5 p.m. an overview of traffic calming devices was planned for discussion. In addition, TRG will be counting traffic on some adjoining streets. He will request counts on Kershaw Street to determine the volume of traffic cutting through. TRG had been involved in resolving matters over the Springettsbury Avenue portion of York City and had done an effective job in reducing cut through traffic.

SABATINI Mr. Sabatini commented that traffic calming results in targeting motorists who travel through the neighborhoods, but also affects the people who live in the neighborhood. He added that sometimes the people who live in the neighborhoods really dislike it.

MITRICK Chairman Mitrick added that the residents on the north side of Market Street between Memory Lane and North Hills had requested similar possibilities for their neighborhood due to similar problems. She stated that Police Chief Eshbach would be significant in discussion and conclusion as to what can be done.

SCHENCK Mr. Schenck stated that it had been proven to the Board that speed limits and normal efforts with signage don't really help. Physical devices and barriers seem to be what works.

MITRICK Chairman Mitrick stated that the Board was concerned with the redevelopment of the Caterpillar property, which would bring in increased traffic. They are also doing a traffic study from Mt. Rose Avenue to Route 30 on Haines Road.

PASCH Mr. Pasch commented that he had lived on Hunting Park Court for some time. When he was traveling that direction, he used that route as well and from personal experience he stated that was aware of the traffic situation.

MITRICK Chairman Mitrick asked Solicitor Yost to recognize a very significant community figure in attendance with the neighbors.

YOST Solicitor Yost recognized York County Judge Uhler.

UHLER Judge Uhler commented that he happened to live in the South Kershaw Street neighborhood and was not present to overrule or issue any injunctions.

MITRICK Chairman Mitrick encouraged those from the neighborhood to attend the September 27th meeting.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober provided an update on the East/West Interceptor expansion. The mapping was done, and he had provided an overall summary of the project. He reported that he had reviewed several

options with regard to the new sewer lines. One was putting the new lines in the same trench as the existing old interceptor, and the other was placing it in a new trench. Each scenario had advantages and disadvantages. Placing it in the same trench seemed to be the best option at a less expensive cost.

PASCH Mr. Pasch asked whether there was any real down side to using the existing trench.

SCHOBER Mr. Schober mentioned one area, which he had highlighted on the information he had provided to the Board. The existing sewer goes extremely close to some of the existing businesses. That particular section may have to be done after hours so as not to disrupt the business.

SCHENCK Mr. Schenck asked whether the right-of-ways are clean with that in mind.

SCHOBER Mr. Schober responded that an investigation is on going. Coordination would be done with the businesses.

PASCH Mr. Pasch indicated that using the same trench would probably be a lot faster than digging a new one.

SCHOBER Mr. Schober stated that they are in the process of finalizing all the details.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani reported on the site distance at Memory Lane and Industrial Highway and also the results obtained between Penn Dot and TRG regarding Plymouth Road. One of the requests that came from PennDot was to make the Plymouth Road driveway of the beer distributor a right in, right out, which would restrict movements. That places a monkey wrench in the plan. Other comments are on the report relating to concern expressed by the Police Chief about the driveway at Heritage Hills. One additional item was that Heritage Hills Golf Course had re-activated their plan for additional hotel rooms and conference centers.

GURRERI Mr. Gurreri asked whether the changes at the beer distributorship would only affect the Prospect Street access.

LUCIANI Mr. Luciani responded that Plymouth Road would remain the same; however, at the driveway entrance off Prospect Street,

instead of being able to turn left into the beer distributor, or turn left out of the beer distributor, motorists would not be able to do so. Mr. Luciani had not yet discussed this matter with the owner of the beer distributorship.

PASCH Mr. Pasch stated that there was a driveway on Plymouth Road, so it would not cut the distributorship off completely. Mr. Pasch did not understand how that could be controlled.

LUCIANI Mr. Luciani responded that a median would be placed there to eliminate incorrect turns. He stated he hated to delay this.

GURRERI Mr. Gurreri indicated it had been two years. With any further delay it won't be done this year.

LUCIANI Mr. Luciani indicated he would contact the beer distributor owner, send him a copy of the letter he had received, and get a written response if possible. If the owner indicated he did not want to do this, then Mr. Luciani would go back to PennDot.

GURRERI Mr. Gurreri asked whether the entrance on Plymouth Road would be changed.

LUCIANI Mr. Luciani indicated that the access on Plymouth Road was both in and out, full movements in both directions. Prospect Road access would be limited to right in, right out. Plan B would be to see if the Township Manager could get PennDot to change its opinion.

MITRICK Chairman Mitrick asked about a rumor that a Sheetz proposal was being planned for East Prospect Road. She remembered the configuration of the Township line and the property lines in that area. When Springettsbury Township approved the driveway off Carroll Road to go into the back of CVS, there was a strong concern by the Board about cut-through traffic through that neighborhood. She stated that Springettsbury Township needed to stay on top of that plan even though it's not in itself in Springettsbury because it certainly would have an impact if more traffic would be brought into that driveway and out onto Carroll Road.

LUCIANI Mr. Luciani clarified that the proposal was for Wawa. They had received a subdivision plan only meaning the Township would not get the opportunity to review that land development plan. The tract location fronts on Prospect Road; the building would be just

west of Argento's Pizza. The property line is coincident with the municipal boundary line. This plan was on the Planning Commission Agenda for its next meeting. One of the notes on the plan indicated that a modification would be made to the driveway at CVS. One of the ways that had been discussed to prevent cut through traffic was to make that two way behind the store. A traffic study would be conducted.

BISHOP Mr. Bishop stated that he recalled that that road from CVS coming onto Carroll required that that be a right only exit onto Carroll. That was never enforced. No sign was erected, and that should be done now.

MITRICK Chairman Mitrick observed that earlier a roomful of residents had complained about traffic and looking at traffic calming. This was an opportunity where it could be prevented.

LUCIANI Mr. Luciani stated that a traffic study was being done.

STERN Mr. Stern indicated that there was a sign erected.

BISHOP Mr. Bishop's recollection was that the plan had at least a sign noted, and he encouraged that to be accomplished.

MITRICK Chairman Mitrick asked Chief Eshbach if he was aware of the area under discussion.

ESHBACH Chief Eshbach responded that he knew exactly where she was talking about. He recommended any physical barrier that could be erected. The sign does not mean a thing to anyone who wants to go down Cortleigh Drive.

LUCIANI Mr. Luciani indicated he would stay on top of the situation.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers provided an update on the pumping station, which was set to pour the top slab. The parallel interceptor tunneling was getting started under the Norfolk Southern Railroad tracks. The bio-solids program has been placed temporarily on hold depending upon reclassification. They are awaiting word through Mr. Hodgkinson regarding that reclassification. Regarding the overview sewer replacement, the contractor had been on site and soil investigation was underway.

SCHENCK Mr. Schenck commented that he was glad to hear that they had taken the initiative to upgrade the sludge. It was pro-active and completely appropriate. He fully supported the effort.

HODGKINSON Mr. Hodgkinson reported that the sludge is the same; nothing is being done additionally. They wanted to assure the public that it is the safest.

SCHENCK Mr. Schenck indicated it made him feel better to know that. There are arguments on both sides of the issue.

HODGKINSON Mr. Hodgkinson stated that there are only a few areas to determine, and EPA would provide a final blessing, which may or may not determine whether Township sludge is Class A. Regardless of the EPA determination, it can still be stated that pathogen-wise, it meets Class A.

PASCH Mr. Pasch asked whether there was any ongoing testing to be done in addition to the current testing.

HODGKINSON Mr. Hodgkinson explained that the testing would be done once a month with minor cost increase. The testing far outweighs the minor costs.

MITRICK Chairman Mitrick commented, for the benefit of the members of the press, that Springettsbury Township was trying to get 100% Class A Sludge.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 9/14/00
B. 2000 John Deere Skid Loader - $31,949.24
C. Shannon Smith Electrical: New Building Progress Billing #10 - $115,890.50
D. Murphy & Dittenhafer: Progress Billing #22 - $1,784.55
E. East Coast Contracting: Progress Billing #8 - $137,039.09
F. Shannon Smith Electrical: Farmhouse Progress Billing #6 - $1,817.15

MR. GURRERI MOVED TO APPROVE ITEMS B THROUGH E. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. GURRERI MOVED TO APPROVE ITEM A. REGULAR PAYABLES LISTING OF 9/14/00. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. SCHENCK MOVED FOR THE APPROVAL OF PAYMENT OF PROGRESS BILLING #6, SHANNON SMITH ELECTRICAL, ITEM F. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI OPPOSED.

5. BIDS, PROPOSALS & QUOTES:

A. Manley-Regan Chemicals – Liquid Chlorine Contract - $0.227 per pound

SABATINI Mr. Sabatini stated that the Township was required to bid out chlorine on a regular basis. A low bid had been received from Manley-Regan at $0.227 per pound. He requested that the bid be approved as presented.

PASCH Mr. Pasch questioned the significant increase of 34%. He asked whether there would be any drop in the price if the Township negotiated for a longer or higher contract.

HODGKINSON Mr. Hodgkinson responded that he did not think there would be any significant difference. The main increase, as explained by the low bidder, was that the price included delivery. He explained that the Township spends somewhere in the neighborhood of $5,000 - $6,000 a year.

MR. GURRERI MOVED TO ACCEPT THE BID FOR LIQUID CHLORINE FROM MANLEY-REGAN CHEMICALS AT A COST OF $0.227 PER POUND AND DIRECT THE INTERIM MANAGER TO AWARD THE CONTRACT. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Network/Telecommunication System Phase III (Final Phase) Not to Exceed $19,500

SABATINI Mr. Sabatini commented on the final phase of the Network and Telecommunication System at a not-to-exceed price of $19,500. The purchase is for hardware and software for the telecom and computer network. This is purchased off the state contract. Staff recommended approval.

MR. SCHENCK MOVED TO APPROVE THE PURCHASES FOR NETWORK AND TELECOMMUNICATIONS SYSTEM IMPROVEMENTS – PHASE III AT A COST NOT-TO-EXCEED $19,500. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. SD-00-06 – Dallmeyer Lot 7

STERN Mr. Stern commented on SD-00-06, which was a plan for an area on Druck Valley Road. Mr. Frank Lentz represented the plan. There were several items to be addressed, such as stormwater, recreation and a shared driveway.

LENTZ Mr. Lentz stated that they had proposed a small stormwater detention pond to handle the water drainage.

LUCIANI Mr. Luciani commented that the elevation at Druck Valley is 570, and this particular case is almost 70 feet downhill from Druck Valley Road.

PASCH Mr. Pasch asked Mr. Luciani if he felt it was adequate.

LUCIANI Mr. Luciani responded that Pennsylvania had adopted BMP, i.e., Best Management Practices, which encourages developers to get the water back in the ground water table.

STERN Mr. Stern commented that a fee of $600 would be paid in lieu of recreation. There was also the creation of a maintenance agreement for a shared driveway.

LENTZ Mr. Lentz stated that the maintenance agreement had been submitted to the Township for review. They would be willing to modify the agreement if the Township Solicitor deemed it necessary.

YOST Solicitor Yost indicated he did not anticipate the agreement to be a problem.

MITRICK Chairman Mitrick asked whether there was any intention of adding more lots.

LENTZ Mr. Lentz stated that Mr. Dallmeyer could not really add any more lots.

MR. GURRERI MOVED TO APPROVE SUBDIVISION 00-06 – DALLMEYER LOT #7 WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN;**
- **MODIFICATION OF REQUIREMENTS TO INSTALL CURBS AND SIDEWALKS FOR A SIX-MONTH NOTE ON THE PLAN;**
- **WAIVER FROM REQUIRMENTS TO WIDEN DRUCK VALLEY ROAD;**

- **CONDITIONED UPON COMPLETION OF ALL SIGNATURES AND SEALS AND NOTARIZATIONS;**
- **CONDITIONED UPON RESOLVING THE SEEPAGE PIT VOLUME CALCULATIONS TO SATISFACTION OF TOWNSHIP ENGINEER;**
- **CONDITIONED UPON PAYMENT OF THE RECREATION FEES IN LIEU OF;**
- **CONDITIONED ON CREATION OF A MAINTENANCE AGREEMENT FOR THE JOINT DRIVEWAY.**

MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-00-11 – Maple Donuts

STERN Mr. Stern described the Maple Donuts plan encompassing two different parcels of land, one with the donut shop; the other part of land is on Industrial Drive. They are proposing to put a 60X60 freezer on the outside where there are parking spaces. That would be on the back of the building facing Industrial Drive. Planning Commission recommended the plan on August 17 with several waivers and conditions.

MORTORFF Mr. Laymon Mortorff represented the plan and stated that he had been in contact with Tim Debes, the engineer for the York Volkswagon plan. They coordinated the plantings, as well as a fence on the Volkswagon side to meet the screening requirements. To compliment what they have, Maple Donuts would provide ground covering and trees on a portion on the Maple Donuts side.

LUCIANI Mr. Luciani commented that he had met with Byron Trout, and the York VW plan had not yet been approved. In the event they pull that plan, we want to somehow have a note on the Maple Donut plan to add landscaping.

MORTORFF Mr. Mortorff indicated that Maple Donuts would put additional landscaping in, if the York Volkswagon plan failed.

PASCH Mr. Pasch asked again what type of plantings would be made.

MORTORFF Mr. Mortorff responded that, according to the planting schedule, there were three different kinds of shrubbery and forsythia, burning bush, and azaleas.

GURRERI Mr. Gurreri asked if they were going to be behind the fence.

MORTORFF Mr. Mortorff responded that a 60" split rail fence would be on the VW side with trees, and on the Maple Donuts side would be the ground cover.

STERN Mr. Stern added that, because there was an apartment building behind the area, a row of parking also was being planned.

LUCIANI Mr. Luciani stated that one of the things to avoid was any additional impervious areas. The parking changes were added to avoid any additional runoff. He added that a note on the plan would require bonding.

SCHENCK Mr. Schenck asked about the screening by York Volkswagon.

STERN Mr. Stern responded that there had been some differences of opinion in the Planning Commission and also staff about what should be done. For the most part the situation is simply adding a freezer, but everything else is already there. This would not cause problems for York Volkswagon. There was not an overwhelming interest in having this big buffer yard added, but it was something that the two businesses would discuss.

MITRICK Chairman Mitrick asked whether there was any way that part of the plantings that would be going into the buffer could be put on the front of the building. There is very little along Market Street.

STERN Mr. Stern provided an explanation that it would have to be done at some point. PennDot wanted to close off one of their entrances and widen the road.

MORTORFF Mr. Mortorff commented that when they had been before the Board with the previous expansion, immediately after that plan had been approved, before it was started, a Highway Occupancy Permit was required. The state wanted one of the entrances closed. The site is very narrow and restricts traffic circulation. They are hoping that at some point PennDot has to come through and fix the street themselves. Curbs are already there.

LUCIANI Mr. Luciani commented that there was no closure date on the plan regarding the planting of trees. He asked whether the Township should bond the trees and hold the bond.

SCHENCK Mr. Schenck indicated that a buffer is important, and it would be a way to make that happen.

PASCH Mr. Pasch stated that it was important to obey by the rules, but it was not important in terms of the appearance.

BISHOP Mr. Bishop stated it was difficult for him to get excited about a buffer yard between industrial property and commercial highway property.

STERN Mr. Stern indicated he was satisfied with the note regarding buffering.

SCHENCK Mr. Schenck stated that it was important that he understood that it was not a big deal because the buffer really doesn't serve any purpose.

PASCH Mr. Pasch stated that if the buffer is not important and it never happens the Burnsides are willing to put it in. We have a lot of need for landscaping in the new park.

MITRICK Chairman Mitrick stated that was a good point, inasmuch as other developers had shown a willingness to offer that difference to the Springettsbury Park property when it is redeveloped.

MORTORFF Mr. Mortorff indicated it could be made a part of the motion that depending on the plan of the buffer, it would be contingent upon any located on there or on another township property.

PASCH Mr. Pasch said it sounded good to him.

SCHENCK Mr. Schenck stated that the note on the plan should be changed to read, "or equivalent planting be placed in some other township location."

STERN Mr. Stern read the words to be included on the note, "Conditioned on buffer plantings per the plan or equivalent plantings be provided to the Township for a location to be determined by the Township."

MR. SCHENCK MOVED TO APPROVE LAND DEVELOPMENT 00-11 FOR MAPLE DONUTS WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN;**
- **CONDITIONED UPON THE COMPLETION OF ALL SIGNATURES, SEALS AND NOTARIZATIONS;**
- **CONDITIONED ON THE SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER; AND,**

- **CONDITIONED UPON THE CORRECTION TO NOTE AS INDICATED**
- **BY MR. STERN AND AGREED TO BY THEM.**

MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED. MOTION UNANIMOUSLY CARRIED.

C. LD-99-17 - Diehl Motor

STERN Mr. Stern presented LD99-17 for Diehl Motor Co., which encompasses the property in front of CNA Insurance at the intersection of Whiteford Road and Memory Lane and Pleasant Valley Road. This involves a 39,145 square foot service facility with parking, landscaping, and a stormwater pond.

DIEHL Mr. Diehl stated that the greatest need his business has is for service. They had run into a problem concerning a 5-foot buffer. Originally there was actually a 20 ft. buffer on both sides of this property line. The property line is also the water line. We ended up with a 5-foot planeing area. Mr. Diehl continued that there was a specific kind of tree requested; however, the arborists he discussed this with indicated that this was only a two-year tree. There was a suggestion to put trees in the planeing area and to buffer the building behind us. It was planned to put in 40 tall arborvitaes along the back of this building, which would give that a completely different look for the people behind us.

PETERS Mr. Peters elaborated on the plan. He alluded to the fact that there was somewhat of a physical hardship with the layout of this tract. The length is over four times the width, with frontage along Whiteford and Pleasant Valley Road. The service bay entryways are front entries, and to do that and give Mr. Diehl the width in the building to get cars back into the actual service areas, required a minimum width in the building. We're at that minimum now, and to allow some parking out front further limits the site. The way the buffer yard was designed met the requirements for a 25-foot buffer, which they have from the property line albeit 20 of those 25 feet are drainages. The plantings are only within the five-foot area, but provisions had been made for actually 36 more trees and 13 more shrubs in that area along this line than will be required in the ordinance.

GURRERI Mr. Gurreri asked Mr. Stern if he agreed with this plan.

STERN Mr. Stern agreed with most of the plan. He commented on the original plan, which had been more amenable to him. He added that he could live with the current proposal.

GURRERI Mr. Gurreri asked if the Planning Commission approved the plan.

STERN Mr. Stern stated that the Planning Commission approved the first plan, but Mr. Stern did not think that the matter of the trees had been discussed further with them.

MITRICK Chairman Mitrick asked whether Mr. Diehl had gone back to the adjoining property owner to determine whether they would approve other trees.

DIEHL Mr. Diehl responded that he had not due to the fact that the property owners were not being cooperative in other matters.

PASCH Mr. Pasch stated that 20 feet of creek bed was not his interpretation of a buffer yard and would not meet the Ordinance. He questioned whether this would create a problem with the other property owner because the Township was not requiring the buffer yard that's called for in the Ordinance.

STERN Mr. Stern responded that this became a legal zoning question. He stated that this was the most flexible part of the Ordinance, but it's still restrictive. You get to choose between anywhere from 25 to 50 feet of landscaping. They are meeting the 25-foot requirement, but it's not completely black and white because the Ordinance doesn't technically say that all the trees could not be placed in this 5 feet.

LUCIANI Mr. Luciani pointed out a section of the original landscape plan. He showed the swale and the property line in the center of the swale. The embankment was being built to convey a channel of water down through the property. A 20-foot drainage easement existed on each side. The intent was to put the required buffer plantings between the parking lot curb and trees along the edge of the easement.

SCHENCK Mr. Schenck stated that this particular property is one where a buffer yard would be essential, i.e., the view from one building to the backside of another building. The intent of the Ordinance was to screen that sort of view. He asked whether the plan would provide the essential screening.

DIEHL Mr. Diehl responded that he planned for 40 arborvitaes there, which should provide the necessary screen.

PETERS Mr. Peters commented where a good example of the arborvitaes is behind Discovery Zone shopping center. They would be spaced about the same. They do a nice job of screening that from the residences.

STERN Mr. Stern indicated that the Planning Commission thought that that would work and recommended these.

MITRICK Chairman Mitrick asked what size trees would be planted.

PETERS Mr. Peters responded that they would be six-foot trees.

MITRICK Chairman Mitrick asked whether the space for the trees would be elevated.

LUCIANI Mr. Luciani indicated there would be a slight rise, but an embankment was being built of about three to four feet the purpose of which was to contain the channel to keep it from spilling out.

PASCH Mr. Pasch stated that he would not want to see the Township involved between two parties in terms of debacles. He would like some kind of assurance that we're not going to be in the middle.

MITRICK Chairman Mitrick asked Solicitor Yost for his comment.

YOST Solicitor Yost stated that he was trying to avoid making any comment as his firm handles some matters for Mr. Diehl, and he wanted to avoid the appearance of possible conflict.

DIEHL Mr. Diehl asked for clarification of a buffer. If he owned the property with 20 feet of buffer on either side with an additional five feet in the planeing area, that was 45 feet of buffer.

PASCH Mr. Pasch responded that he did not disagree that was a buffer, but in terms of the way it's described in the ordinance, he did not think just because there was 40 feet of land between there that it complied with what the ordinance required.

STERN Mr. Stern interjected that it was not black and white.

PASCH Mr. Pasch asked whether Pleasant Valley Realty agreed with the landscaping plan being submitted to the Township.

DIEHL Mr. Diehl stated that they're not going to agree. He added that if Pleasant Valley Realty was so concerned about his piece of land, they should have purchased it. He stated that they had been fighting him since the beginning. He asked whether it was legal or not.

PASCH Mr. Pasch commented that all he wanted was some assurance of its legality so that the Township does not have a problem.

PETERS Mr. Peters stated that they were asking for a modification waiver from the ordinance because we believe we do have some physical characteristics and hardships with this lot. He asked whether the Board could make a judgment based on their request.

YOST Solicitor Yost stated that under the authority of the Ordinance and the Municipalities Planning Code the Township would have the right to vary the terms of the Subdivision and Land Development Ordinance. The basis for a variance is not nearly as well defined as it is if it were the Zoning Ordinance. Solicitor Yost stated that he would never recommend that they would ever vary the terms of the Ordinance unless there was some sort of a hardship connected with it.

BISHOP Mr. Bishop stated that from his point of view and the fact that there is a unique physical characteristic that would encourage him to waive some of the requirements of the Ordinance. Mr. Bishop was convinced that it would be difficult for Diehl Motor Co. to meet the letter of the ordinance because of the physical characteristics of what's there.

PETERS Mr. Peters stated that 36 more trees and 13 more shrubs are being planted in that area than are required.

MITRICK Chairman Mitrick commented on the use of the term 'hardship' with the development. She stated that the land was there and the swale was there, and a large building was being proposed for that property. She added that it was the size of the building that's causing the hardship.

DIEHL Mr. Diehl responded that he really didn't think it was a hardship. He again asked about the 20-foot buffer and asked whether it was or not a buffer. He stated that there was some validity here that he had a 25-foot buffer; that's the requirement. He could not see that there was a problem, whether it was called a swale or a water hole

in the pure intent of the buffer is to separate something. He stated that he believed it was separated and stated he was not asking to build out five or 10 more feet.

BISHOP Mr. Bishop stated that the objective of a buffer is not just to separate. His understanding of a buffer is to provide a visual barrier. The requirement indicates 20 feet of buffer yard.

STERN Mr. Stern stated that was where the Ordinance was black and white. Mr. Stern disagreed with Mr. Diehl; however, he stated he could understand what he was stating. The Township had drawings that state how many trees are required. The Ordinance does not state that all of the trees have to be equally spaced apart, but in that area. He added that the intent of the Ordinance was not to push them all into five feet. Mr. Diehl's defense is correct. The Ordinance does not state our intended approach.

MITRICK Chairman Mitrick asked whether there would be any willingness to leave an open area for plantings on the south east corner of the property..

DIEHL Mr. Diehl responded that the area was a very valuable piece of land. Plantings in there from now forever more wouldn't make sense. He indicated that may be needed for a showroom or an expansion, additional parking. He would not want plantings to be a permanent requirement.

PETERS Mr. Peters commented that Pleasant Valley Realty Corp. was concerned about the view of their building from the intersection. They wanted to concentrate the plantings from the Diehl building.

MITRICK Chairman Mitrick stated that there were many factors, and she could respect Mr. Diehl's approach to the buffer and the space in which they have to do plantings. She added that she was uncomfortable with the term hardship. She stated that she did not see any hardship and added that the building was too large for the property.

DIEHL Mr. Diehl indicated he was not asking for a hardship; someone else may have. Mr. Diehl stated that, if he moved the building five feet that would meet the full ordinance.

STERN Mr. Stern indicated it would have to move 20 feet.

DIEHL Mr. Diehl stated that they had already pulled the building in five feet more narrow than it should be for proper service for safety inside the building. He indicated he could pull it in another five feet.

GURRERI Mr. Gurreri stated that hiding the building was apparently what the insurance company wanted to see. Mr. Gurreri didn't see anything wrong with it. There was still a buffer zone, and the Planning Commission Okayed it. Mr. Stern half liked it. Mr. Gurreri stated he liked it and could see it was the best they could do.

STERN Mr. Stern commented that with the location and size of the building there was a noble effort to make this work.

GURRERI Mr. Gurreri stated that if the building would not be big enough, they could not use it. He added that Mr. Diehl had invested a lot of money in this improvement.

SCHENCK Mr. Schenck agreed and stated that they had done the best they could to screen.

PASCH Mr. Pasch commented that Mr. Diehl is apparently dealing with what he considered to be less than reasonable people.

DIEHL Mr. Diehl responded that he did not think his property was any of their business.

PASCH Mr. Pasch indicated they had not really been amenable or agreeable; they've been kind of a thorn in your side. Mr. Pasch stated that he would rather they continue to be a thorn in your side than a thorn in the Township's side. He asked Mr. Diehl if he would be agreeable to hold the Township harmless if there's any suit between Pleasant Valley Realty and Diehl Motor Co.

DIEHL Mr. Diehl responded that that was not his responsibility. He added that he was not asking for anything illegal. He was simply asking that he be given the benefit of the doubt.

PASCH Mr. Pasch responded that in an instance where he was involved, the benefit of the doubt would go to the Township.

DIEHL Mr. Diehl stated that, if that was the case, he wanted a legal interpretation of a setback. He added his personal feelings about the entire year and a half, including the fact that the Solicitor could not speak to the problem.

GURRERI Mr. Gurreri asked how Pleasant Valley Realty could sue the Township.

YOST Solicitor Yost stated that the only thing they could do, if the Board were to approve the plan, they would have a right to appeal the approval. They have standing, although they have not participated in the process.

STERN Mr. Stern indicated that had sent letters to the Township.

YOST Solicitor Yost added that it was probably on record and enough to give them grounds to appeal.

LUCIANI Mr. Luciani commented about stormwater. There was a request to place plantings in the stormwater channel. Mr. Luciani was reluctant to do so inasmuch as when storms occur if plantings are close to the channel they will fall in the channel and create a blockage.

KUCON Mr. Kucon stated that they were simply trying to do what the Township had asked them to do.

LUCIANI Mr. Luciani stated that with respect to the stormwater issue, he had stated he did not want the plantings there.

PASCH Mr. Pasch indicated it was an important item and added that the Township was shrinking what can be done.

GURRERI Mr. Gurreri asked whether the plantings are in the stormwater area as of the current plan.

LUCIANI Mr. Luciani responded that they were not. He added that they could be close to it but not in the channel.

PASCH Mr. Pasch asked about the berm being built in the back. He stated that it would be above the normal topography three feet.

LUCIANI Mr. Luciani confirmed that. He stated that in a100 year storm the height of the water is 30” on some days; that’s the maximum water height, and the beam would be a foot or foot and a half above that to keep it from spilling over.

PASCH Mr. Pasch asked whether enough study had been done on the stormwater drainage. He asked whether the channel was capable of handling the added water.

LUCIANI Mr. Luciani indicated that it should stay in the channel. The purpose of the enlarged channel would be to keep it going downstream and through the main channel instead of dispersing three different directions. It would be capable of handling a 100-year storm, in accordance with the Ordinance.

MITRICK Chairman Mitrick brought up the matter of the accuracy of the traffic study.

PETERS Mr. Peters assured her that the traffic studies are okay. The study was based on that intersection on Pleasant Valley being a through street, which would add more traffic to this intersection. The Planning Commission did make several comments on the traffic. They had added a cross walk at the intersection; added a Do Not Enter sign at the right in, right out. Diehl had agreed to do a signal optimization.

MITRICK Chairman Mitrick stated that she wanted Mr. Diehl to understand. She stated that Diehl had been a wonderful neighbor in the community. The Board had certain questions to ask, which was part of its responsibility to Springettsbury Township. She commented that the Board did not want this to reflect negatively on Mr. Diehl or his business. Chairman Mitrick asked that Mr. Diehl please accept the Board's apologies for anything that had come across as negative, as it had not been intended.

MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT 99-17 – DIEHL MOTOR COMPANY WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN;**
- **WAIVER FROM REQUIREMENT TO SHOW ALL EXISTING FEATURES WITHIN 400 FEET OF THE PROPERTY;**
- **CONDITIONED UPON SUBMISSION OF FINANCIAL SECURITY IN THE AMOUNT TO BE APPROVED BY THE TOWNSHIP ENGINEER;**
- **MODIFICATION OF SIDEWALK REQUIREMENTS FOR SECTIONS OF SIDEWALKS WEST OF THE PROPOSED WESTERN ENTRANCE;**
- **STANDARD SIX-MONTH NOTE ON THE PLAN;**
- **MODIFICATION FROM STREET SCAPE BUFFER;**
- **MODIFICATION FROM ZONING DISTRICT BUFFER YARD;**
- **CONDITIONED ON RESOLUTION OF STORMWATER MANAGEMENT COMMENT FROM JOHN LUCIANI'S LETTER**

DATED 3/16/00.

MR. BISHOP WAS SECOND.

MITRICK Chairman Mitrick asked Solicitor Yost whether any action needed to be taken regarding the March 9th approval related to the buffer yard, which was on the other property.

YOST Solicitor Yost responded that this action superceded any previous action.

MOTION CARRIED. MR. PASCH OPPOSED.

D. SD-99-09 – Hunters Crossing: Time Extension to 10/12/00
E. LD-00-10 – Sheetz: Time Extension to 10/26/00
F. LD-00-05 – Pleasant Valley Road Condos: Time Extension to 11/23/00
G. SD-00-07 – York Volkswagon: Time Extension to 1/1/01
H. LD-00-13 – York Volkswagon: Time Extension to 1/1/01

MR. BISHOP MOVED TO APPROVE TIME EXTENSION REQUESTS ON ITEMS D. THROUGH H. AS PRESENTED IN THE AGENDA. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

GURRERI Mr. Gurreri reported that the owners of Strictly Fitness wanted to express thanks to John Luciani for the help given him.

GURRERI Mr. Gurreri stated that the last Recreation was held at North Hills School with the Bob Clay Band was a first class festivity.

GURRERI Mr. Jim Russell , who lives on Mt. Zion Road, had a problem with water washing his property away. Mr. Sabatini and the staff are addressing that problem.

SABATINI Mr. Sabatini responded that fencing was placed around and re-directed the water. Mr. Tim Pasch planned to move some of the soil to re-direct it to the natural flow. Mr. Luciani and Mr. Stern responded.

GURRERI Mr. Gurreri reported that a ribbon cutting would be held at People's State Bank on Thursday, September 21 at 5 p.m.

GURRERI Mr. Gurreri reported that a meeting would be held of the York County Association of Townships of Second Class on Thursday,

November 2, 2000 at the York Fairgrounds in the White Rose Room.

BOWDERS Dori Bowders indicated she would make reservations for everyone.

GURRERI Mr. Gurreri reported that Harley Davidson would be hosting Governor Ridge at a dinner on Monday, September 18th at 6 p.m.

GURRERI Mr. Gurreri stated that he had received a notice regarding an IBM Lotus Government Knowledge Management Briefing to be held on Thursday, September 28th.

Sewer Tapping Fees

GURRERI Mr. Gurreri stated that he had checked with some other townships regarding the EDU's charges. He reported that no other township around us does that accept Dover. Their solicitor suggested that be changed. They do charge a fee of about $85.00/quarter, and if someone else moves in it's another $85.00. Some charge a partial portion. Mr. Gurreri encouraged the Board to review this as it seemed to be unfair to make someone purchase an EDU and have an EDU tied up that might be needed in the future.

YOST Solicitor Yost responded that it was really not the purchase of an EDU; it was the purchase of a tapping fee, i.e., the right to tap into the sewer. The purchaser pays the $1900 times the number of EDU's needed. Solicitor Yost indicated that the example was where we increased the usage by putting another unit in, and we were going to collect an additional tapping fee.

GURRERI Mr. Gurreri commented that the procedure in other places was to charge a fee, month by month.

YOST Solicitor Yost stated that all townships abide by Act 211, 203 Tapping Fees, which covered a cost recovery system. The fees are based on the unrecovered cost of the sewer system, so when you are going to use an additional unit you pay your proportionate share of the system that was built for that unit. The fees come down as the systems are paid off, and theoretically those fees will come down except under Act 203 they can also include future upgrades and repairs to the system.

GURRERI Mr. Gurreri commented that if a person has a building with a 350-gallon EDU, and one person uses more than two other people, one EDU would not be totally used. He asked why anyone would want to put another EDU there and not just to charge a fee.

YOST Solicitor Yost responded that no additional fee was being charged. If there is an additional unit of use, an additional unit goes into that building; in other words it was a building occupied by a single business.

GURRERI Mr. Gurreri stated that someone may have had 20 people in a building and somebody else rents it that only had five people.

YOST Solicitor Yost agreed that there was no logic that indicated why anyone should they have to buy or pay an additional tapping fee.

GURRERI Mr. Gurreri indicated that they should pay a fee but only a monthly fee. To be required to buy a tapping fee was where he had a problem.

YOST Solicitor Yost indicated he understood, but he added that every municipality does the same on a per unit basis and defines a unit because Act 203 came in about 1990. Solicitor Yost stated that he helped developed the Ordinance that is universally adopted in York County. Every municipality has a sewer system, and to his knowledge had such a tapping fee ordinance, all charging the fees on a per unit of use.

PASCH Mr. Pasch indicated he understood the point that Mr. Gurreri was making in that when an additional tapping fee is charged, would that use up another EDU from the 537 Plan.

GURRERI Mr. Gurreri stated that what he understood from the other townships was that they don't place EDU's on the property; they just charge a fee. They apparently are not handling this the way they are supposed to. He indicated he had checked all four municipalities, and they all stated they just charge a quarterly fee. Mr. Gurreri indicated he thought York City did the same.

YOST Solicitor Yost added that would not guarantee additional 350 gallons of capacity.

GURRERI Mr. Gurreri continued that someone would be paying for that and not getting it, which seemed unfair.

YOST Solicitor Yost stated that what someone would be paying was for the rights to tap into an additional unit of use into the sewer system.

PASCH Mr. Pasch stated that it was done on a unit basis, and it would be very difficult to have accountability for what is a full unit, and what's not a full unit. Mr. Pasch indicated he would like some way of being assured that if the additional tapping fee is being charged, that it does not use up our capacity.

GURRERI Mr. Gurreri pointed out that was what was stated during the last action on the matter. Mr. Stern had indicated that they couldn't put somebody in the building because they didn't have the EDU's to do it, so it was taken into consideration.

HODGKINSON Mr. Hodgkinson indicated that he would determine a response from Ed Sowers.

SCHENCK Mr. Schenck stated that at one time there had been an assumption that when a tap was paid that would guarantee capacity. That was changed six or seven years ago. Today when a tap is purchased it has nothing to do with capacity.

SABATINI Mr. Sabatini stated that when a building is subdivided into different groups of tenants there is the assumption that they're going to use the same amount of capacity. That may be correct in 50% of the cases, but in many other cases separate businesses may use more. One thing that some municipalities have done is monitor sewage use and if more than the 350 on average for two quarters is used then they're tagged for a separate EDU. If they buy the EDU and it's available and your situation is a little different that tends to be fairly staff intensive, but then you have to apply it consistently. If you have a new building going up and say they only need 40 EDU's you have to monitor that because there's many times they'll use 60 without anticipating it.

GURRERI Mr. Gurreri stated that he would like a review of the matter.

MITRICK Chairman Mitrick asked whether the Board would be interested in opening the subject up for discussion.

Consensus of the Board was to review the matter of EDU's and tapping fees in the spring of 2001.

<u>Emergency Services Commission</u>

BISHOP Mr. Bishop asked about the next regularly scheduled meeting of the Emergency Services Commission, which would be next Thursday, September 21st. Consensus was that there was no need

to hold that meeting based on the effective date of the Ordinance September 1st date and the 60-day limit to repeal.

Community Map

MITRICK Chairman Mitrick asked about the status of the community map. She had received a call from a business owner who had paid a significant amount of money to be advertised on the map. She asked when it would be produced.

SABATINI Mr. Sabatini explained that the language in the map was still in process. He had attempted to have someone else do that, which had not been successful. He stated that he had been learning about activities in Springettsbury Township by developing it himself. He indicated he was about two weeks behind on it.

MITRICK Chairman Mitrick asked for a possible completion date.

SABATINI Mr. Sabatini indicated he had hoped to send it to the community map people by the end of next week. He indicated he would follow up with the business owners himself.

GURRERI Mr. Gurreri asked how long this project had been in process.

STERN Mr. Stern indicated that it had been about a year.

MITRICK Chairman Mitrick requested Mr. Sabatini to telephone the business owner and discuss the delay.

Budget Meeting Dates

MITRICK Chairman Mitrick brought forward the matter of Budget meeting dates. New dates were necessary due to conflicting schedules.

SABATINI Mr. Sabatini indicated that the Board would be required to authorize the budget advertisement.

Consensus of the Board was to re-establish Budget work sessions for
November 30th at 7 p.m.
December 5th at 7 p.m.
December 7th at 7 p.m.

MITRICK Chairman Mitrick asked Mr. Sabatini to properly advertise.

MITRICK Chairman Mitrick stated she had received a lengthy letter from Phyllis Miller on Edgewood Road regarding several concerns in

her immediate neighborhood. She turned that letter over to Mr. Stern for action.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost stated that he had nothing to add to his written report. As of the moment he has not been advised of any lawsuits.

Memory Lane – Railroad Tracks/Signage

MITRICK Chairman Mitrick asked Mr. Stern to inform the Board about the difficult tracks on Memory Lane. She had observed a brown pole going up and Mr. Stern advised that billboards can go in the railroad right of way.

STERN Mr. Stern confirmed that fact, if the railroad agreed.

MITRICK Chairman Mitrick asked what the Ordinance states.

STERN Mr. Stern responded that the Ordinance allowed for signs and billboards in an industrial zone by special exception. They had received a special exception from the Zoning Hearing Board for it for a 247 square foot sign. The only thing that's not correct is the setback. Mr. Stern indicated he had put a stake to signify the setback line, and the billboard was to go behind that line. The person who actually erected the pole placed it 14 feet too close to the beam. It is being moved back within the next week or two.

PASCH Mr. Pasch asked whether there are any sign restrictions in an industrial zone as to the distance between them

STERN Mr. Stern responded that there are distance requirements between them: 500 feet on highways and 250 feet on non-restricted highways.

9. MANAGER'S REPORT:

Wastewater Treatment Plant Applause

SABATINI Mr. Sabatini reported that he had provided his written report to the Board. He brought forward a report that the Wastewater Treatment Plant had been nominated for an award for their pre-treatment work. They lost to an extremely large municipality but were very competitive. He gave recognition to Mark Hodgkinson and his staff.

SABATINI Mr. Sabatini reported that the Police Department received a check for approximately $2500 from the American Legion in Pleasureville for equipment and other purchases related to putting a bicycle officer on the street.

SABATINI Mr. Sabatini stated he would be attending the ICMA conference in Cincinnati, the City Manager's Conference during the week of September 18th and hoped to obtain new information for the township.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Resolution 00-45 – Additional Street Lights – 3500 Block of Eastern Boulevard

SABATINI Mr. Sabatini commented regarding Item A, a standard Resolution to add street lights. This would include three new lights located at Boulevard Commons Townhouses along the 3500 block of Eastern Boulevard.

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 00-45 FOR ADDITIONAL STREET LIGHTS ALONG EASTERN BOULEVARD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution 00-46 – Appointment of Fire Police Officers

SABATINI Mr. Sabatini asked the Board to pass Resolution 00-46 Appointing the Fire Police Officers, who had been appointed previously. Mr. Sabatini asked to have this accomplished by Resolution.

MR. GURRERI MOVED TO APPROVE RESOLUTION 00-46 APPOINTING FIRE POLICE OFFICERS. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Work Session (Camp Security) – July 6, 2000

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS WORK SESSION (CAMP SECURITY) – JULY 6, 2000. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO A FAMILY INVOLVEMENT.

B. Board of Supervisors/Planning Commission Work Session – July 6, 2000

MR. SCHENCK MOVED TO APPROVE THE BOARD OF SUPERVISORS/PLANNING COMMISSION WORK SESSION – JULY 6, 2000 AS AMENDED. MR. GURRERI WAS SECOND. MOTION CARRIED.

MITRICK Chairman Mitrick requested Mr. Sabatini to alert Mr. Stern to many significant items indicated related to possible development. Mr. Stern should stay on top of what had been verbally agreed.

C. Board of Supervisors Public Hearing – July 10, 2000

MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING - SPRINGETTSBURY TOWNSHIP FIRE ORDINANCE JULY 10, 2000. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT IN ATTENDANCE.

D. Board of Supervisors Regular Meeting – July 27, 2000

MR. SCHENCK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING JULY 27, 2000 AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Board of Supervisors Regular Meeting – August 24, 2000

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF SUPERVISORS AUGUST 24, 2000 AS AMENDED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT IN ATTENDANCE.

12. OLD BUSINESS:

A. Superintendent of Operations and Technical Services Job Description

SABATINI Mr. Sabatini commented that Item A was for a revised job description for the Superintendent of Operations and Technical Services. This item had been reviewed by Mr. Schenck and Mr. Hodgkinson. This would improve the ability to determine who would run the operations in the absence of a full-time director. Mr. Sabatini requested approval.

MITRICK Chairman Mitrick asked whether the position would still exist, if and when a full-time director would be in place.

SABATINI Mr. Sabatini indicated that was correct.

MITRICK Chairman Mitrick then clarified that the person would then operate under the under the director.

SABATINI Mr. Sabatini indicated that was correct

MR. GURRERI MOVED TO APPROVE THE SUPERINTENDENT OF OPERATIONS AND TECHNICAL SERVICE JOB DESCRIPTION AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick commented that she was glad this had been accomplished and thanked both Mr. Sabatini and Mr. Schenck.

B. Discussion on Purchase of Aerial Truck

SABATINI Mr. Sabatini commented that Item B. encouraged continued discussion regarding the aerial truck. The staff had completed the Act 52 review. Sufficient debt capacity was available to cover the $200,000. He asked what the intention of the Board of Supervisors was on this issue. He asked whether the Township should proceed with co-signing the grant application and submitting, preparing and passing an Ordinance, or whether it should be held until the November 1st deadline to stop the combination of the two organizations. He asked whether the Board chooses to say no to it and to wait until any possibility of court or activity is completed. Mr. Sabatini indicated there was a need for the piece of equipment.

BISHOP Mr. Bishop stated that one issue brought up was the suggestion that the Township may want to actually be on the title for the piece of equipment. He asked what the status was of that issue, and whether there had been any response from Springetts. He asked whether there had been any discussion on that.

SABATINI Mr. Sabatini responded that there didn't seem to be any great problem with that as far as Mr. Flohr was concerned; however, no formal Fire Company response had come to date. There had been no response from the Fire Company on any issue other than the issue of the change in the By-laws for Springetts.

PASCH Mr. Pasch agreed with Mr. Sabatini that the equipment was necessary. Response time is critical. Mr. Pasch questioned whether the $200,000 should be put toward the equipment if the Township was going to be involved in litigation. He urged caution

about agreeing to this without the Township and its citizens being protected in some way as to that $200,000.

MITRICK Chairman Mitrick was in agreement with Mr. Pasch. She was convinced that the apparatus was needed. She expressed concern about the present status of the relationship between the Township and Springetts Fire Company and would feel better if we knew about the title and the name on the piece of equipment. She asked Mr. Yost for his advice.

YOST Solicitor Yost responded that it would be appropriate that the Township's name be on the title. The equipment should be jointly owned. He added that there are a number of municipalities where all of the equipment, for example, West Manchester, is titled in the name of the municipality. The two fire companies that service West Manchester Township agreed to that. At least as a start the Township ought to be a joint owner of it; the primary source of funds to purchase it are tax dollars.

BISHOP Mr. Bishop asked Solicitor Yost whether there was any risk to the Township contributing the $200,000 in the current environment where there is a threat of litigation in which we could be entangled.

YOST Solicitor Yost responded he did not think there was any real risk. The real risk as he viewed it was what appeared to be the current position of the Attorney General's office. If, for any reason, Springetts Fire Company were to fail in its purpose of providing fire protection for Springettsbury Township, the Attorney General's office would take the position that the assets of the Springetts Fire Company be distributed to other volunteer fire companies in the area. Solicitor Yost added that this could very possibly be fire companies outside of Springettsbury Township, presumably who would agree to furnish service to Springettsbury Township. He stated in a meeting with them he made an effort to convince them, and is continuing in that effort that in that situation, should it occur, they should consider the municipality as the proper recipient of the equipment because the municipality has the capacity to act as a trustee. It acts in a capacity to hold property in public trust; in fact, all the property of the Township is held in public trust, and that the municipality whose taxpayers paid for the equipment are a more appropriate recipient than some volunteer Fire Company sitting in another township. There is no guarantee, and obviously the Attorney General likes volunteer fire companies. That was not denied. It's a political decision.

BISHOP Mr. Bishop asked whether he understood that their position would be to favor another volunteer fire company outside of Springettsbury Township over another volunteer fire company inside the township.

YOST Solicitor Yost responded that would be a very tough call but for the fact that we have another one, that's exactly what they would do. I can't believe that they would not favor that fire company. He added that there are no assurances and no guarantees.

HICKMAN Chief Hickman asked whether the Board had been given a time line as far as the construction of the apparatus.

PASCH Mr. Pasch stated that one of the keys was being timely in terms of getting the funding from the state, which was the reason for the extension.

HICKMAN Chief Hickman stated that he understood that and was supportive of the Township's name being on the title. He added that it would take 13 months to construct the apparatus.

SABATINI Mr. Sabatini indicated that 13 months was just a warm up time for litigation.

PASCH Mr. Pasch commented that the residents of the Township through their tax dollars had paid for a large portion of the equipment currently owned. He added that was a substantial amount. He added that it was important as a Board to protect the residents of the Township. If the equipment is being purchased with tax dollars, we need some assurance that the equipment would stay, if there is a possibility it could be moved to some other township, then it would be even more important to be a joint owner on the title.

BISHOP Mr. Bishop stated that as an interesting question for Solicitor Yost. He asked whether the Township's name being on the title would change anything if the scenario arose that Springetts no longer existed.

YOST Solicitor Yost responded that it would because ownership follows title, and the Township would be a co-owner of the equipment, and they could not discharge our interest in that equipment.

PASCH Mr. Pasch stated that Chief Hickman's point that there was a 13-month construction period indicated that the Board should not

delay the purchase. It would be important to be able to create the joint ownership, and he added that he would be in favor of moving ahead so that the grant possibilities are not lost.

YOST Solicitor Yost stated that was necessary, in order to keep on a time track. He stated that with Board approval he would work with Mr. Sabatini toward completion of the Act 52 requirements, drafting and adopting the Ordinance and getting the debt statement that had been prepared in process sent to the Department of Community Affairs for approval.

MR. PASCH MOVED TO PROCEED WITH SOLICITOR YOST'S RECOMMENDED COURSE OF ACTION THAT THE TOWNSHIP APPEAR AS A CO-OWNER ON THE NEW PIECE OF FIRE EQUIPMENT APPARATUS. HE MOVED THAT THIS ACTION BE ADOPTED THAT, BECAUSE OF THE TOWNSHIP'S PARTICIPATION IN THE LOAN, IT BE CONDITIONED ON THE TITLE BEING PLACED IN JOINT NAMES. MR. BISHOP WAS SECOND.

GURRERI Mr. Gurreri stated that at the last meeting he had been against buying a fire truck for $580,000 when there are four sitting around. He had spoken with Chief Hickman, who assured him, and indicated he would advise him how the truck would be used.

HICKMAN Chief Hickman stated that the concept of how fire service is performed here would be changed. The new apparatus will take the place of five other pieces of equipment. This carries water, has a pump, ladder and carries substantial amounts of other equipment. It will eliminate the need for the reserve pumper and a rescue truck, which would be a cost saving to the Township and the Fire Company. This will allow us to operate with fewer people, particularly apparatus drivers. The ladder truck will be the first responding piece of apparatus on every building structure and business. The only item it would not be dispatched for would be automobile accidents. It will allow us to function better with the reduced manpower.

GURRERI Mr. Gurreri indicated he was re-assured; however, he added that we can't keep spending $580,000 for a truck. He encouraged the Chief to look at joining up with other townships. Hellam doesn't have such equipment, and they could probably use Springettsbury's.

HICKMAN Chief Hickman reported that he had been working with the Spring Garden Fire Chief and the Manchester Chief toward striking mutual aid agreements, sharing of resources, primarily manpower.

All three are having the same problems with recruitment and retention and volunteers. He reported that they are looking at sharing resources – not so much on specialized equipment such as rescues and ladder trucks, which will be down the road, but the manpower primarily.

PASCH Mr. Pasch commented that one of the most important things that had been mentioned was that even if this equipment is only out there once, it could mean the life of a firefighter, and that's so important. It's extremely important that we recognize that.

MOTION UNANIMOUSLY CARRIED.

SABATINI Mr. Sabatini stated he would advise Dan Flohr of the Board's action and work on adopting the Ordinance.

13. NEW BUSINESS:

SABATINI Mr. Sabatini provided a report regarding the best utilization of space in the new building. Mr. Stern, Dori Bowders and Betty Speicher had reviewed the situation. Mr. Sabatini provided an in-depth report on the changes. Several items of importance were noted:

Recreation – Over the past summer, a trailer had been placed at the park for the park directors. Comments from Mr. Bainbridge and everyone else was that this was the best thing that they've ever done. It put the park directors out where the people are working where the entertainment is during the concerts, where the kids are, etc. They thought it was fantastic and want to do it again next year. Mr. Bainbridge asked whether this could be part of the budget because it had worked out so perfectly.

Finance Department – Eight to ten full-time employees would be placed together. They propose to move the finance people to the recreation office, and place the department head in the office where Mr. Bainbridge was going to be.

Tax Collector's Office – The Tax Collector indicated she does not want to move into that office. Move Mr. Bainbridge to that office along with 2 part time employees. We did talk to Mr. Bainbridge today. He thought it was a marvelous idea. Additionally, when the new park is completed, it would be very accessible and he would be able to keep an eye on what's going on up in that area.

Moving Recreation out of that area and moving Finance over also creates some opportunities in Administration.

Human Resources - The idea of putting Human Resources literally in a very close cluster of office area is somewhat counter-productive. One of the importances of Human Resources is to talk to employees and counsel them, give them ideas on what they need to do in areas such as health insurance and making it accessible fairly close off of the main lobby works very well. In my experience if you have an accessible HR office it's going to be used, and hopefully will solve many employee problems before they become much bigger.

Record Retention Area and Conference Room – The record storage capability presently is downstairs where records are subject to dampness and uncontrolled access. This covers the permanent records of the township such as Minute books, Resolutions, Ordinances. A need exists for a fire resistant room for record keeping, which would simply mean extra dry wall and a heavier duty door added. The proposal would be to place an area near the Manager's office and enlarge one office in the corner so that there is the ability to have a conference room.

Cost - Without doing extensive amounts of remodeling it, would require us knocking out a wall in two offices, not a load bearing wall and creating an office area, along with protected area around files. That could be done over the next couple of months. Putting a doorway into a closet area would also be relatively inexpensive and fit our needs completely. It puts department heads with their people wherever possible as well as putting people out where they are providing their services. This meets our needs.

SABATINI Mr. Sabatini asked the Board for a decision, as he had been told that the furniture was being moved the next day.

GURRERI Mr. Gurreri commented that we are outgrowing the building before we move in. He stated it was good that the smaller building was not approved.

SABATINI Mr. Sabatini indicated that it was not fully planned for the best use of that. Certain things were built for part-time employees. We didn't build in the same needs for full-time employees. He added this would be a much more efficient use of the facility.

GURRERI Mr. Gurreri asked who was in the farmhouse.

SABATINI Mr. Sabatini indicated that the farmhouse is a community facility. No personnel have been moved there.

MITRICK Chairman Mitrick stated that she spent over an hour with them today. She had walked through all of the details of the plan, and it made sense. Since the time that the floor plan was laid, given offices, the staff has grown. Mr. Bainbridge had the opportunity to have his offices in the park in the trailers that he has found were more convenient to him than where he was previously and probably where he would be in this building. With the redevelopment of the park, there are possibilities there as well.

SABATINI Mr. Sabatini added that the park would be closed for the next two years. The people who will use the building will be scattered

GURRERI Mr. Gurreri agreed with the plan indicated that the staff has to work there and they know what's best.

SCHENCK Mr. Schenck stated that the idea of having the finance department in that big area makes sense. He did not have any big problem with any of it. He questioned whether the furnishings are the same as had been purchased for the new building.

STERN Mr. Stern responded that was correct.

MITRICK Chairman Mitrick asked whether the furniture would fit.

SABATINI Mr. Sabatini responded the furniture would fit.

SCHENCK Mr. Schenck stated that the old furniture should not be placed in the new building.

MITRICK Chairman Mitrick stated that Mr. Sabatini was requesting approval to go ahead with the staff's plan.

Consensus of the Board was approval of the plans with advice to the Interim Manager to proceed with the staff's plan.

MITRICK Chairman Mitrick commented that Mr. Sabatini had expressed his appreciation to the staff for all their help. Chairman Mitrick stated that she had personally been working very closely with Mr. Stern, Ms. Bowders, and Ms. Speicher during the last several months. She commended them again because of the effort and resilience they have. She noted the staff's spirit remains high through all of

the construction and they're doing a fabulous job. On behalf of the full Board she expressed their thanks.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10:50 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

SPRINGETTSBURY TOWNSHIP **SEPTEMBER 14, 2000**
WORK SESSION – CAMP SECURITY **APPROVED**

The Board of Supervisors of Springettsbury Township and the Planning Commission held a Work Session on Thursday, September 14, 2000 at 6 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Bill Schenck
Ken Pasch

ALSO IN ATTENDANCE:
Don Yost, Solicitor
Robert Sabatini, Interim Township Manager
Andrew Stern, Economic Development Director
John Luciani, Civil Engineer
Alan Maciejewski, Chairman, Planning Commission
Randy Meyerhoff, Member, Planning Commission
Larry Stets, Member, Planning Commission
Larry Gibbs, Member, Planning Commission
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 6 p.m. She stated that the purpose of the meeting was for conceptual presentation of the proposed Hunters Crossing development. She stated the Board would not be making decisions and added that the Board had not seen the proposal prior to the meeting.

MITRICK Chairman Mitrick announced that the meeting would be concluded by 6:45 p.m. due to the fact that an Executive Session was scheduled at that time.

MITRICK Chairman Mitrick announced that Mr. Ken Pasch, a member of the Board of Supervisors, would be sitting off from the Board table during this meeting inasmuch as the business for discussion related to a family member.

2. HUNTERS CROSSING DISCUSSION:

STERN Mr. Stern commented that about two months ago the Township had hired a planning firm, Grafton Associates from West Chester, Pennsylvania, to help guide Mr. Tim Pasch's plan to preserve some open space in the Hunters Crossing development. A preliminary

plan had been drafted, which was followed up with a more recent draft for discussion during this meeting. The basic idea of the plan was to preserve as much open space as possible, including the area identified by Mr. Pasch's archeologist as historically significant for the Camp Security site. Mr. Stern stated that, as a result of the current draft, it required the lots to be more narrow and smaller. Following are a few issues to be reviewed, which are not in accordance with Township Ordinance:

- Sidewalks - The goal is not to have traditional sidewalks but to have something environmentally friendly and out of the ordinary such as walkways through the rears of the properties in a common open space area.

- Curbing – Non-traditional curbing to be handled by putting in a substitute to eliminate impervious surface and concrete.

- Open space – The matter of who would maintain the open space needed to be determined.

- Camp Security - Mr. Stern posed the question as to whether the Board wanted to be involved or not.

- Recreation - The Ordinance contains specific requirements for recreation. Some of the recreation requirements are not conducive with the target market.

- Ordinance Issues – The Board would need to determine how to handle the Ordinance issues. The Zoning Ordinance could be amended to require variances and waivers. Amending this Ordinance would not be done simply to make this plan work, but would be done to make any open space plan workable.

PASCH Mr. Tim Pasch stated that he and Mr. Stern found themselves "on the same page." Mr. Pasch's list included the same items as Mr. Stern presented. In addition he was concerned about the setbacks, which he proposed with 10' sides / 30' front and back. He also commented about driveway slopes, panhandle lots, a barn attached units concept, slopes, passive recreation, reduction in lot width at setbacks. Some realignment and reduction in size of the lots would be necessary. Mr. Pasch pointed out three of the panhandle lots proposed on the plan. He commented that the design would

include larger lots with a barn type of construction, three single units together but attached in an Old World open country setting. Slopes are a matter of concern, and Mr. Pasch and Mr. Luciani are working on that issue. The slope would be approximately 10%.

STERN Mr. Stern explained the plan. He pointed out the area identified by Milner Associates during the Army COE excavation. He also pointed out the 15 to 25% slopes identified on the plan in green. Wetlands were identified as blue areas. He pointed out several areas on the plan where open space and tree lines would be available.

PASCH Mr. Pasch's biggest concern was the width of the lot. Most of the homes he builds are wider than the ones proposed. The benchmark used was 112 to 114 to try to accommodate as many larger homes as possible.

STETS Mr. Stets asked Mr. Pasch to explain the 112 to 114 concept.

PASCH Mr. Pasch responded that the number basically referred to the width of the house.

GURRERI Mr. Gurreri asked how many acres were involved and how many acres would be saved for open space.

PASCH Mr. Pasch responded that the acreage encompassed 46 acres with 11 acres saved for open space.

STETS Mr. Stets asked whether standard road sizes were being considered.

PASCH Mr. Pasch responded that was correct and added that Kingston Road would be as wide as it is now (32'). Kingston Road had been brought up by some of the neighbors who had a concern that it might become a thoroughfare to Locust Grove Road. This matter was one to be considered further. He stated that one of the slopes might need to be adjusted and commented on the need to meet the requirements for liquid fuel tax.

LUCIANI Mr. Luciani stated that the liquid fuels tax had a minimum dimension, which he thought was 250.

PASCH Mr. Pasch stated that was another money issue for the future.

MACIEJEWSKI Mr. Maciejewski asked about the historic area in the center of the development. He voiced concern regarding parking, if there were a project where a re-creation or demonstration as to what had been there at one time would be desired, which would then become a type of tourist attraction.

PASCH Mr. Pasch responded that the matter was one of his concerns. He stated that he was not sure how to disclose that in the covenants and restrictions. Physically he could designate one area in a portion of the camp where parking could be handled. He added that unless an area would be locked up and secured, there would be unwelcome vandals.

STETS Mr. Stets commented that an individual would really have to be a history buff to actually investigate the area. There would not be that much structure there as an attraction.

MACIEJEWSKI Mr. Maciejewski stated that if preservation of the land was the main force, it would be considered simply a maintained area protecting that, which is in the ground and forevermore there.

PASCH Mr. Pasch suggested that on the upper part, some of the areas could be maintained with grass, but he would not want to take out the woods. He stated that the state wanted to take out the trees and open up the area.

MACIEJEWSKI Mr. Maciejewski indicated there had been different discussions about what we could be done in that area. As a minimum an informational sign could be placed in the area.

PASCH Mr. Pasch stated that the preservation of the site was important to him, as his concern was for the people who would live there as his consumers. He would not want the state to begin digging in the area 20 years from now. He questioned how he could present that.

GIBBS Mr. Gibbs stated that a portion of property would be protected as open space. He asked whether that would really be protected as a historically significant property and whether it would be marked to show that it is historically significant property. He asked how it would be protected.

STERN Mr. Stern indicated that was one of the questions being addressed.

PASCH Mr. Pasch responded that signage was probably the easiest way to handle that issue.

SABATINI Mr. Sabatini commented that what might take place with regard to that area may depend upon private organizations, which may work cooperatively and financially toward the project.

BISHOP Mr. Bishop stated that the Township has a responsibility to determine the answer to that question before forcing the developer to jump through all the hoops. Mr. Bishop stated that the developer would be unable to market his properties effectively without that information.

PASCH Mr. Pasch added that he would have all of these questions answered and written in a covenant prior to selling any properties.

SABATINI Mr. Sabatini indicated that some of the response would come through before any deeds would be signed.

PASCH Mr. Pasch returned to Mr. Bishop's comment. He stated that he was at a point in the development of this land where he needed some decisions as to how to proceed.

BISHOP Mr. Bishop asked whether preservation was the only goal. He added that if the area would simply be preserved the way it is and would remain, there should be a way to make that secure.

PASCH Mr. Pasch was in agreement.

BISHOP Mr. Bishop commented that he was not sure that the people who want to preserve it know exactly what they want.

GIBBS Mr. Gibbs asked who would own the open area.

PASCH Mr. Pasch responded that was one of his open space questions. He stated that typically when he builds homes of this type, the homeowner's association owns and controls it. What shows on the plan, whether it would be swing sets or whatever, that would be all that could ever be in that place. For the open space he stated that there could possibly be three owners, one the association, two each person, and three the county.

GIBBS Mr. Gibbs indicated it seemed as though it should be owned by the public somehow, such as in a public trust.

YOST Solicitor Yost stated he would approach that as long as the guidelines would be known.

PASCH Mr. Pasch indicated he had spoken with Jack Shorb, who is the Solicitor for Farm and Natural Lands Trusts. Attorney Shorb advised Mr. Pasch that they work in arenas such as this and that there was one local area that they could appeal to for opinions, as they handle matters of this nature all the time.

GIBBS Mr. Gibbs asked Mr. Pasch if there were any plans in place to protect and preserve articles of historical significance during the construction phase.

PASCH Mr. Pasch indicated that the only area they would touch would be right along one of the central streets.

MITRICK Chairman Mitrick stated that the basic key to moving forward is coordination and finding out from Farm and Natural Lands Trusts if they have any true interest. Determination was also necessary from Brenda Barret's office. She said Mr. Pasch had been very gracious to try and do the best for both sides of the table.

PASCH Mr. Pasch indicated he was frustrated in that the state had not responded to him at all. He understood that bureaucratic items take time. However, his clock is ticking and no response had come.

STERN Mr. Stern stated that, whether there was a Camp Security or not, he still would encourage Mr. Pasch to do an open space design. Let the historic people come up with the answers to some of the Camp Security questions. Mr. Stern stated that there were several questions for Board response. He asked whether the Board was interested in being flexible in the other issues, where the Ordinance would traditionally require sidewalks, curbing, passive recreation instead of active recreation. Mr. Stern stated that the planning sketch was not a subdivision plan; however, before moving forward and spending a lot of money in turning this into a valid subdivision plan, Mr. Pasch needed a decision as to whether the Board was interested in moving forward.

SCHENCK Mr. Schenck indicated he did not have any serious difficulty with any of the specific issues related to Ordinances as far as being flexible. The problem was a familiar one in that flexibility had not been built into the rules imposed.

BISHOP Mr. Bishop stated that if the project could be placed into the open space zone, that might solve some of the problem.

SCHENCK Mr. Schenck responded that the process takes time. He stated he believed it was the right thing to do, but again, it would take time.

BISHOP Mr. Bishop agreed with Mr. Schenck 100%. He had not heard anything on the details that troubled him a lot. There might be something that would trouble him as more details would be revealed, but it seemed reasonable so far.

PASCH Mr. Pasch's biggest concern was he didn't think that setbacks would be an issue, the driveway slopes, the reduction in lots or those things. The biggest items for him economically were the curbs and sidewalks.

BISHOP Mr. Bishop stated that, if it could be done for this zone and not have it affect other areas, it would be a possible response.

STERN Mr. Stern interjected that there are areas now within the Township, which do not have curbs and sidewalks.

SCHENCK Mr. Schenck stated that there would be some provision made for that.

MEYERHOFF Mr. Meyerhoff had a concern about garages being on the street side versus the side.

PASCH Mr. Pasch responded that York was not ready for cluster development. Open space is what he would prefer to do. York is not ready for the garage in the front and the front facing the back.

STETS Mr. Stets stated that in Reston, Virginia they have a whole series of inter-connected neighborhoods all done by little blacktop walkways that go behind the houses at the edge of the lot and are used for jogging and biking.

MITRICK Chairman Mitrick stated that conceptually she supported his plan, which was something that the Township had hoped for years ago. It seemed that Mr. Pasch was putting a lot of effort into working with open space. In this particular situation where he was proposing the development, there was a winner on both sides because there is open space and residential development, but an additional attempt to preserve the historic value of a good part of that land. She stated that conceptually Mr. Pasch would have her support and added that it would be wonderful for Springettsbury Township to finally have an open space development.

PASCH Mr. Pasch stated that he and Mr. Stern had discussed that now, if we are at that point, we can have Mr. Grafton and the engineers put something together.

MITRICK Chairman Mitrick stated that in the time remaining, she would entertain questions from the public in attendance.

PASCH Mr. Pasch explained the drawing on the table to the public. He particularly discussed the planning for Kingston Road. He also pointed out the wetlands area, as well as the open spaces.

CANTELL Mr. Richard Cantell of 3650 Kingston Road asked whether Kingston Road would be the only entrance and exit.

PASCH Mr. Pasch responded that it was not and added that there would be an additional entrance on the side of the development going into Windsor Township.

CANTELL Mr. Cantell asked whether that would be developed at the same time.

PASCH Mr. Pasch responded that the development would be done in phases.

CANTELL Mr. Cantell asked whether the Kingston Road entrance would be where everybody comes in and goes out.

PASCH Mr. Pasch responded that he would begin the development at that place.

RAU Clair Rau, 3617 Cimarron Road, asked what the timetable would be for the other exit.

PASCH Mr. Pasch's response was three years.

CANTELL Mr. Cantell asked whether the wooded area would be torn down.

PASCH Mr. Pasch responded that there was never any plan to take the wooded area down. They were going to put the park there, but that may not happen if they can do passive recreation.

CANTELL Mr. Cantell asked about the creek.

PASCH Mr. Pasch pointed that out. He explained that property owners whose properties butt against the development would be given an opportunity to purchase property near the stream.

CANTELL Mrs. Richard Cantell, 3650 Kingston Road asked what kind of bridge was needed on Kingston if there were water retention considerations, etc.

PASCH Mr. Pasch responded that they had originally gone to the Army Corps of Engineers because they wanted to put a culvert in instead of a bridge. He added that whatever would be built would have the appearance of a bridge.

DIETRICH Ms. Dietrich of 3615 Brook Edge asked about how many lots along Brook Edge would be available and what the sizes would be.

PASCH Mr. Pasch responded that would depend on what could be incorporated, but each person would probably get another ½ acre. The property lines would be matched.

DIETRICH Ms. Dietrich stated that the property owner would then cut the grass and maintain it. If the properties are not sold, would that be maintained by the Township.

PASCH Mr. Pasch responded that would depend how the project proceeds.

DIETRICH Ms. Dietrich stated that the trees along the creek should stay and then those parcels will be available to the adjoining homeowners.

MITRICK Chairman Mitrick thanked the people for their interest. She stated to keep in mind this was just a sketch plan, and when it comes up on any one of the agendas, Planning Commission, Board of Supervisors, Mr. Stern would notify them.

3. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 6:45 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

SPRINGETTSBURY TOWNSHIP **SEPTEMBER 28, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 28, 2000 at 7:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Bill Schenck
Ken Pasch

ALSO IN ATTENDANCE: Don Yost, Solicitor
Robert Sabatini, Interim Township Manager
John Luciani, Civil Engineer, First Capital Engineering
Mike Schober, Environmental Engineer, B-H, Inc.
Al Fontanilla, Design Engineer, R.K. & K.
Dave Eshbach, Police Chief
Jack Hadge, Finance Director
Mike Hickman, Fire Chief
Mark Hodgkinson, WWT Superintendent
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the general meeting of the Board of Supervisors to order at 7:30 p.m. She stated that an Executive Session would be held following the general meeting regarding legal and personnel matters.

A. Pledge of Allegiance

GURRERI Mr. Gurreri asked for a moment of silence in memory of York County Commissioner Bob Minnich and his family. Mr. Gurreri then led the Pledge of Allegiance.

MITRICK Chairman Mitrick presented information with regard to the office of Township Manager of Springettsbury Township. She provided an overview of the Board's search for a new Township Manager, having received the resignation of the former Manager, Paul Amic. Because of the education, background and personal qualifications, the Board selected Robert J. Sabatini, Jr. as the Township Manager. She introduced Resolution 00-46.

SCHENCK Mr. Schenck read Resolution 00-46.

MR. PASCH MOVED THAT RESOLUTION 00-46 BE ADOPTED HEREBY APPOINTING MR. ROBERT J. SABATINI, JR. AS TOWNSHIP MANAGER OF SPRINGETTSBURY TOWNSHIP EFFECTIVE OCTOBER 26, 2000 AT AN ANNUAL SALARY OF $80,000 TO SERVE AT THE WILL OF THE BOARD OF SUPERVISORS AND CONDITIONED UPON THE PARTIES NEGOTIATION OF AN ACCEPTABLE EMPLOYMENT AGREEMENT RELATED TO FRINGE AND OTHER BENEFITS. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SABATINI Mr. Sabatini thanked the Board for the opportunity to serve not only the Board, but also the citizens and businesses of the community. He looked forward to the challenges and opportunity to work with everyone. He thanked the Board for its confidence. Mr. Sabatini added that presently he was an employee of Public Planning and Management Group to which he had on-going commitments to other communities in York County. He desired to provide them with sufficient lead-time for replacement, thus the delay in his actual appointment.

2. COMMUNICATION FROM CITIZENS:

Final Costs – Farmhouse and Municipal Building

SURTASKY Mr. Tony Surtasky of 2245 Mt. Zion Road brought forward the matter of costs for the farmhouse. He recalled a figure of $500 for final payment on the farmhouse. He asked what the original bid was for the farmhouse, and what the final payment was.

SABATINI Mr. Sabatini indicated Mr. Stern would provide that information for him.

SURTASKY Mr. Surtasky asked about the cost of the new building. He wanted to know what the original cost was and what the cost would be when it was finally done. In addition, he asked whether there was room for expansion in the building.

SABATINI Mr. Sabatini stated that there was the capability for expansion in the new building.

Tax Collector and District Justice Offices in New Municipal Building

SURTASKY Mr. Surtasky asked whether there had been any thought to having the Tax Collector and the District Justice move in there, and if not, why.

SABATINI Mr. Sabatini stated that there had been an office built for the Tax Collector. He stated that presently there was no real interest to occupy that office at this time. The District Justice facility would require significantly more security services than a traditional municipal building or office building. The cost that the county is willing to pay for lease space would not cover the normal cost associated with building security systems necessary.

BISHOP Mr. Bishop asked Mr. Surtasky what he viewed as the real benefit for having the Tax Collector housed in the Township Offices.

SURTASKY Mr. Surtasky stated he wanted to dictate to the Tax Collector that the seat of government would be where the office would be. He asked whether it was something to look at. He felt it would be a savings to the Township.

BISHOP Mr. Bishop stated that the Tax Collector also collected taxes for the county and for the school district and not just Springettsbury Township. He added that when the matter was previously reviewed at the beginning of the year, her rate was extremely competitive.

GURRERI Mr. Gurreri indicated that he had discussed this matter with other Townships, and when candidates ran for office everyone that ran came to the municipal facility and requested a place in it.

BISHOP Mr. Bishop added that a place for the tax collector had been built into the building.

Rocky Ridge Park – Road Signs

SURTASKY Mr. Surtasky indicated that, even though signs for Rocky Ridge Park had been previously approved, none had been erected.

STERN Mr. Stern stated that the signs had been approved by Springettsbury Township; permits were issued by Springettsbury Township, but he could not respond as to why the county had not erected the signs.

MITRICK Chairman Mitrick asked Mr. Stern to follow up on Mr. Surtasky's question.

Sewer Authority

SURTASKY Mr. Surtasky stated that sewage is hauled from Rocky Ridge for treatment. He asked whether the cost was the same to the municipality as far as bringing sewage in. He asked what the cost was for the county for the use of the truck, the use of the labor besides the cost of the treatment.

HODGKINSON Mr. Hodgkinson responded that the Wastewater Treatment Plant charges the county $123.60 per load taken out, $53.00 is towards the treatment, and $71.00 is for the use of the truck and manpower.

SURTASKY Mr. Surtasky thanked Mr. Hodgkinson for his response.

Farmhouse

GURRERI Mr. Gurreri stated that the architect indicated it would cost $60,000 to refurbish the farmhouse, a building considered to be in excellent shape. The costs ran over $125,000 and it was still not completed.

EYC Football – Township Park

DEARDORF Mr. Erin Deardorf, 1325 Canterbury Lane, appeared in behalf of EYC football. He stated that there were 130 children in the program. They had become aware of the field being shut down for two years, and they needed to know whether the field would be replaced. He brought up a possible 99-year lease with the Township regarding the Caterpillar property. They had not been able to find a document and asked for help from the township.

SABATINI Mr. Sabatini indicated the fields would be out of commission for two years. Once the fields were usable, the intent would be to have the ability to be able to maintain the same level of service as was currently in place. Mr. Sabatini indicated they would be happy to review the matter with Mr. Deardorf.

DEARDORF Mr. Deardorf asked when that review could take place.

SABATINI Mr. Sabatini responded that it could be done during the following week.

MITRICK Chairman Mitrick asked Mr. Deardorf to specifically call the Township and request Mr. Stern. She stated they realize that closing the park would be an inconvenience to many people.

DEARDORF Mr. Deardorf indicated that they understood the need to close the park but that they were simply interested in whether they would have a home to come back to when the park was finished.

SCHENCK Mr. Schenck stated that the intent with the plan was to accommodate everything that is there today.

PASCH Mr. Pasch questioned whether there was a playing field over by the Caterpillar plant itself.

SURTASKY Mr. Surtasky indicated that some time ago football had been played in the front on the east side of Memory Lane, but that area is now a parking lot. He indicated he had been employed at Caterpillar and knew where they had played ball. He was unaware of any lease.

DEARDORF Mr. Deardorf indicated that this really had nothing to do with playing ball on Caterpillar land but rather with the present park.

Park Bathrooms

MEHRING Lynn Mehring of 1433 Memory Lane asked who maintained the bathrooms in the park.

MITRICK Chairman Mitrick responded that the Public Works Department maintained the bathrooms.

MEHRING Ms. Mehring indicated that the bathrooms had not been cleaned all summer. She emphasized that they had not been vandalized but they are just filthy. Since football was starting, the clubwomen cleaned them. She asked what the new bathrooms would look like if this was the condition of the old bathrooms.

GURRERI Mr. Gurreri indicated they would look really nice and would be easy to clean. The old ones are hard to clean and don't clean very well.

SABATINI Mr. Sabatini emphasized that this would not happen again. He assured her that, if she did notice bad conditions to please call him and he would take care of it.

PASCH Mr. Pasch agreed with Ms. Mehring. There was no excuse for poorly maintained restrooms.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported that the reimbursement application was nearly completed for the 537 Plan. He expected to provide that during the following week and hoped to receive the 50% reimbursement. They are working on all the design programs and planning to get them all bid by late October as planned and have the projects under way early next spring. He had addressed some questions on the Pleasant Valley Condominiums concerning the Planning Module request. Since the improvements done there had been successful, it had been recommended that the Board should proceed.

MITRICK Chairman Mitrick asked about the work done on the force main in the Meadowlands. She asked whether the core group, which gathered together for discussion, had been notified that this has been done.

SCHOBER Mr. Schober responded that he was not aware whether they had been notified.

STERN Mr. Stern responded that the County people had been advised.

B. Civil Engineer – First Capital Engineering

Plymouth Road

LUCIANI Mr. Luciani reported that he had a number of updates. He commented first with regard to Plymouth Road/Mt. Rose Avenue roadway improvements. The plan was to try to obtain a turn lane to prevent cars from cutting through the beer distributor's parking lot. Application had been made to Penn Dot. The curb radius was being enlarged. The alignment would be tied into the Heritage Hills improvements. The beer distributor's deliveries are made with large tractor-trailers, and as a result the opening had been enlarged on Plymouth Road to accommodate the tractor-trailers.

MITRICK Chairman Mitrick asked whether the new design would reduce parking.

LUCIANI Mr. Luciani indicated it would.

GURRERI Mr. Gurreri commented that this work would not be done during 2000.

LUCIANI Mr. Luciani continued with his report. Because of the fact that the parking lot along the Creative Playground had not been completed neither had the landscaping been completed. Landscape plans

were being compiled and prepared for bid and will follow. He asked for verification about the flagpoles out in front of the building.

STERN Mr. Stern indicated they were under contract to be removed along with walkways.

GURRERI Mr. Gurreri asked whether the flags would be visible from the street.

LUCIANI Mr. Luciani responded that the flags would be in front of the building.

Spruce Trees

LUCIANI Mr. Luciani asked about the four large spruce trees in front of the building. The landscape plan provided previously indicated those trees were to be removed. The plan he presented (during tonight's meeting) indicated they could stay. There was no difference in cost. He suggested that they be checked for disease, sprayed and limbed up 20 feet to see underneath them.

GURRERI Mr. Gurreri stated they could not stay as there had been a motion to remove the four spruce trees.

MITRICK Chairman Mitrick indicated that Mr. Gurreri was correct that there had been a motion, but afterwards there had been reconsideration of the motion. She understood that two possibilities were being reviewed. Four of the trees could not stay, but there had been a possibility of salvaging two of them. Ehrlich indicated that two of the four trees were healthy.

LUCIANI Mr. Luciani indicated that four are okay but they should be sprayed.

GURRERI Mr. Gurreri stated they could be presented to the City at Christmas time, four years in a row. He asked how the matter could be reconsidered when a motion had been made and carried to remove the trees.

LUCIANI Mr. Luciani stated he understood and wanted clarification as to how to proceed.

SCHENCK Mr. Schenck indicated that it had been understood that one of the trees had to go because of the improvements to the intersection. If there were four there now, there would be at the most three.

MITRICK Chairman Mitrick indicated there had been reconsideration to saving a few trees.

BISHOP Mr. Bishop stated that the portion he recalled was that a motion was made and voted upon. Discussion had then taken place, but he did not recall any action. It would be difficult for others to figure what action to take.

GURRERI Mr. Gurreri stated that the matter had been discussed numerous times. A vote had been taken and four of the Board voted the trees should come down. He was still in favor of the trees coming down.

MITRICK Chairman Mitrick asked the Board whether they wished to reconsider the matter.

STERN Mr. Stern stated that the tree closest to the intersection would be affected by the work done on the right turn lane in the intersection. The roots would be damaged. The second tree to the left, closest to the farmhouse was diseased and would not survive more than five years. That left two healthy trees not in the way.

SCHENCK Mr. Schenck agreed with Messrs. Gurreri and Bishop in that a motion had been made and he had voted to cut them all down. There had been open discussion later, which left a question.

LUCIANI Mr. Luciani indicated that two green ash trees would be added.

SCHENCK Mr. Schenck questioned whether the landscape plan would be changed if two were removed and two stayed.

LUCIANI Mr. Luciani responded that his only concern was there was a significant amount of dense plantings on the ground with an extensive root system. If the trees came down later, the plantings would be disrupted.

GURRERI Mr. Gurreri reminded the Board that all four voted to take them down. He was in favor of taking the trees down. Mr. Gurreri felt this was being done to appease one member of the Board, and he added that was how “we got the farmhouse.”

PASCH Mr. Pasch commented that when the Board voted on it there had been repercussion from people in the Township who felt that the trees looked good, and they couldn’t understand taking them down.

He added that if two trees could be saved and limbed up 20 feet for reasonable landscaping he had no objection.

MITRICK Chairman Mitrick asked Solicitor Yost for his recommendation as to how to handle the motion.

YOST Solicitor Yost stated it really was not a reconsideration. It would be a new motion.

MR. SCHENCK MOVED THAT THE BOARD ACCEPT THE LANDSCAPING SKETCH WITH THE REVISION THAT TWO OF THE EXISTING SPRUCE TREES REMAIN WITH THE LIMBS REMOVED UP TO A HEIGHT OF 20 FEET FROM THE GROUND. THIS MOTION SUPERCEDES THE PREVIOUS MOTION MADE REGARDING THE TREES. MR. PASCH WAS SECOND.

BISHOP Mr. Bishop asked for clarification that this covered the plan presented by Mr. Luciani and whether the spruce trees were shown on that plan.

LUCIANI Mr. Luciani indicated that the plan on the table included the spruce trees.

SCHENCK Mr. Schenck clarified that his intent with his motion was that the tree closest to the turning lane would go and then the tree that Ehrlich determined to be diseased would be removed.

MOTION CARRIED. MR. GURRERI VOTED NO.

MITRICK Chairman Mitrick stated that each Board member had a responsibility to voice what they feel is best and added that at times it was in conflict with colleagues.

Traffic Study – Memory Lane Railroad Track Repair

LUCIANI Mr. Luciani reported on the Memory Lane railroad track project. He provided the Board with information and a sample pack of the material approved by Norfolk Southern. Mr. Sabatini had corresponded with the PUC. It might be completed yet this year. The price had been determined. The Township would pay for maintenance protection of traffic, and it would be an improved crossing.

MITRICK Chairman Mitrick indicated she had received several calls about that crossing. She asked whether caution signs could be placed to alert drivers of the crossing.

BISHOP Mr. Bishop indicated that any one who routinely drives that road would be completely aware of the condition of the track.

LUCIANI Mr. Luciani indicated that there had been complaints to Norfolk Southern as well. There still was a possibility that they could complete the work this year. He stated he could do some follow up to get the project moving.

MITRICK Chairman Mitrick asked that he do so.

PASCH Mr. Pasch commented with regard to the traffic detour and asked what that detour would include.

LUCIANI Mr. Luciani responded that the road would be closed for ten working days. The detour, signs which would be paid for by the Township, would be set up south of Sheetz and north of Edgecomb Metals. The obvious detour would be North Hills Road, etc.

PASCH Mr. Pasch added that it would have to be done at some point in time, but he wanted to be sure that if it could not be done within the next month, delaying into November would dig into the Christmas traffic. He urged that it be completed during the month of October/early November or it be delayed until spring.

LUCIANI Mr. Luciani stated he would attempt to get a schedule as to the start date.

PASCH Mr. Pasch added that an announcement should be made to the public that it would be closed for specific days.

Haines Road – Memory Lane Corridor Study

LUCIANI Mr. Luciani reported that a work session had been held related to several issues, one of which was the Haines Road-Memory Lane Corridor Study. During that discussion an Origination/Destination survey was planned. A cost estimate was submitted, which had not been included in the original scope, but is still beneath the overall budget established for that area. Mr. Luciani stated that Tom Austin was present for discussion.

Traffic Calming – Fayfield

LUCIANI Mr. Luciani reported on the traffic calming focus in the Fayfield area. Results were that Rockburn Street showed very narrow roads. The 85th percentile was 24 miles an hour speed, but there are complaints from people on other streets in that vicinity. The people on Kershaw Street had complained because there was no

stop sign and motorists use the street as a through street. An evaluation was being made regarding some of the traffic going on in the neighborhood. A more regional approach was planned toward traffic calming. Mr. Austin had provided a scope, which had been presented to Mr. Sabatini for a regional study.

BISHOP Mr. Bishop stated that some months ago it had been requested to look at the intersection where Eastern Boulevard meets Market Street from a traffic safety point of view particularly right turns and left turns from Eastern Boulevard onto Market Street. He asked whether any of this study would address that safety concern.

AUSTIN Tom Austin responded to Mr. Bishop's question that that particular intersection was part of the discussion focused on Eastern Boulevard. He pointed out an exhibit highlighting the areas for focus, Rockburn, Eastern Boulevard, South Kershaw, etc. Part of the traffic calming philosophy would be to employ physical measures such as reducing street width to make it safer. He added that Eastern Boulevard extending to Route 24 is on the Pennsylvania Statewide Bicycle Group. There are only a few Statewide Bicycle Group areas.

PASCH Mr. Pasch asked whether that would open the avenue for some state funds to do this.

LUCIANI Mr. Luciani responded that he thought it would.

MITRICK Chairman Mitrick stated that during the work session both Mr. Austin and Mr. Luciani had provide examples of some creative and attractive traffic calming plans that they could implement. She added that they had discussed the significance of what the larger Traffic Improvement Plan would impact on that immediate residential neighborhood.

PASCH Mr. Pasch stated that what some of the studies are showing on Memory Lane should be brought out. Some of the things that the Township is involved in right now in terms of the failures along Memory Lane, excluding the Caterpillar re-development, are important. He urged that every aspect be recognized as something that must be done. He asked Mr. Austin to show the chart indicating the failures.

AUSTIN Mr. Austin provided a chart showing the various failing intersections, including Mt. Rose Avenue, Camp Betty Washington Road, Haines Road. And Eastern Boulevard at Haines Road.

There were several areas mentioned including Big K, Haines Acres Shopping Center, Raleigh Drive intersection, 7th Avenue intersection, Cambridge leading back to the Junior High, and East Market Street. Mr. Austin also commented that a portion of Memory Lane is failing from a traffic flow standpoint. The average speed was so low that it was unacceptable because of the congestion. He pointed out that these results exclude Caterpillar re-development. One other area reviewed was crash data evaluated over the past five years. Eastern Boulevard past Route 30 up to Whiteford Road exceeds the statewide average accident rate. This information would be useful toward development and being placed on the appropriate roadway programs as it would help to establish the need for improvements.

LUCIANI Mr. Luciani reported that during the first four years of the 12-year program the County is looking at a westbound exit ramp off of Route 30. That would be evaluated, and Mr. Luciani encouraged the Board that as developments come, Mr. Austin be advised in order to include changes in the study.

GURRERI Mr. Gurreri commented that Penn Dot preferred not to put traffic lights in because it slows traffic down.

AUSTIN Mr. Austin indicated that if the goal is safety, then a signal is the answer. He added that the volume of traffic currently on Haines Road is 20,000 cars a day.

PASCH Mr. Pasch asked how much would be involved to including different factors into the model. Because Mr. Stern would have no way of determining the type of development coming into Caterpillar, if there could be three or four different segments creating different traffic patterns, it would be helpful.

AUSTIN Mr. Austin responded that it could be done. He stated that they typically look at a high growth scenario, medium growth and low growth, which would provide different options.

PASCH Mr. Pasch stated he would be in favor of that, and as development occurs, it could be determined as to where it would fit.

MITRICK Chairman Mitrick indicated that the Board was glad to see that the project was moving ahead.

C. Design Engineer – Rummel, Klepper & Kahl

FONTANILLA Mr. Al Fontanilla reported for R.K. & K. He stated that Mike Myers was out of town and had requested him to report to the Board. He highlighted several items. The construction of the 24" force main across the Codorus Creek was continuing. The contractor ran into some rock and had done some minor blasting. The port-a-dam that was erected had some minor damage from the heavy rains and flooding but he stated that it had been repaired and the operations are running again. Regarding the pump station, construction of the sub structure is continuing. The contractor is preparing to pour the top slab next week. Regarding the parallel interceptor Springfield Contractors continue to work with the soil stabilization across the railroad tracks. Lastly regarding the utility water system, the pumps are scheduled to be delivered next week and installation will take place.

PASCH Mr. Pasch asked about the backfill mentioned in their written report.

YOST Solicitor Yost stated he was shocked to discover that there was backfill on site that they can use.

FONTANILLA Mr. Fontanilla responded that there was a stockpile on site of approximately 2500 cubic yards, which actually would be enough to bring up to the interceptor.

PASCH Mr. Pasch commented that he wanted to be sure that Solicitor Yost was aware of that. He felt it was contrary to everything the contractor had been saying that the Township was forcing them to do, and now they're saying they're going to use the backfill.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 9/28/00
B. Williams Service Co. – Payment #4 – New Municipal Building - $42,494
C. Allan A. Myers, Inc. – Pay Estimate #5 – Diversion Pumping Station - $121,832.14

MR. GURRERI MOVED FOR PAYMENT OF ACCOUNTS PAYABLE A THROUGH C. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & QUOTES:

There were no items for action.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. Sewer Planning Module A3-67957-309-3 – York Pleasant Valley Condominiums

STERN Mr. Stern provided information with regard to York Pleasant Valley Condominiums requesting an additional three (3) EDU's. They already had a Sewer Planning Module for the remaining sewer capacity necessary in the original Shelly Condominium plan, and three more to add to the sewer portion, which was already approved for this project. The plans had not been approved.

SCHOBER Mr. Schober stated that they are comfortable with the additional flow.

MR. SCHENCK MOVED TO APPROVE THE SEWER PLANNING MODULE FOR YORK PLEASANT VALLEY CONDOMINIUMS FOR 1,050 GPD FLOW. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

BISHOP Mr. Bishop asked for an update on the CVS and Carroll Road discussion. He asked whether there actually was a no-left turn designation on the plan.

STERN Mr. Stern responded that Mr. Bishop was correct that there was a no left turn. He stated that he had spoken with Elizabeth, the Zoning Officer for York Township, who advised that the traffic would be changed with the WaWa plan. They are planning an attempt to make it more difficult than simply erecting signs.

LUCIANI Mr. Luciani indicated that he thought behind CVS was a one-way street.

STERN Mr. Stern stated that Mr. Luciani was correct but that would be changed as well.

GURRERI Mr. Gurreri reported that Representative Bruce Smith gave him a Pennsylvania flag and a U. S. flag, which had flown over the state Capital. He presented it to Mr. Sabatini for the Township.

GURRERI Mr. Gurreri attended the People's State Bank Grand Opening September 21 at 5 p.m. He welcomed the bank to the Township.

GURRERI Mr. Gurreri stated he had met Governor Tom Ridge on September 18th, along with other Supervisors.

GURRERI Mr. Gurreri reported he had attended an Emergency Management Agency meeting on Saturday, September 23rd at Springettsbury Fire Hall. This was the first time they invited elected officials, and he learned a lot.

GURRERI Mr. Gurreri commented that the Employee Appreciation Dinner would be held October 27th at the Day's Inn Conference Center, Route 30 & 83. He suggested that the Chairman perhaps should be the Master of Ceremonies.

MITRICK Chairman Mitrick stated that a meeting would be held to plan the agenda.

GURRERI Mr. Gurreri responded that the meeting would be held October 12th at 8 a.m. in the Township Offices.

PASCH Mr. Pasch read through the memorandums regarding the Springettsbury Township Park from YS&M. There was some question as to where a school building had been taken down and the fill that may have been placed in that location. There was a request for test pits for the site, and Mr. Pasch questioned why that would be necessary.

SABATINI Mr. Sabatini's understanding was that there was a question whether there was construction debris backfilled in that area or not. The suggestion was to have one of the Public Works crews with a backhoe do a couple of test pits, which would provide more accurate information.

PASCH Mr. Pasch wondered what would be going into that area that would make any difference.

SABATINI Mr. Sabatini responded that he thought they were going to be removing or lowering the playing fields in that area.

PASCH Mr. Pasch was satisfied and understood. He further asked about safety items mentioned in a memorandum on the Parks Tour. The items mentioned should be placed in a preventive maintenance schedule. He added that there should be no areas in question where a child's safety is at risk.

SABATINI Mr. Sabatini stated that he would be implementing a program to establish maintenance with the Public Works crews.

PASCH Mr. Pasch commented about the steady decrease of usage in the neighborhood parks. He suggested that an overall review be made to examine the effectiveness. Some of the decrease during the 2000 season was due to the difficulty of securing help.

MITRICK Chairman Mitrick stated that she had received a call from Robert Greiss on Meridian, who asked that the Township look into the condition of Haines Road between Eastern Boulevard and Market Street, especially on the West side of the road. Comment was made on the fact that, even though new development was planned in that area, at the present time the properties present an unkempt appearance. Mr. Griess also indicated that along the median strip going down Market Street there is trash build up both east and westbound and he wondered who's responsibility it would be to clean that part of the roadway. Chairman Mitrick requested Mr. Stern to look into that.

MITRICK Chairman Mitrick commented on the "Oh Deer" article in the newspaper regarding resident's concern about the deer population at Harley Davidson and the traffic congestion. She had numerous calls from deer lovers who said that they felt the Township should leave the deer alone because they had not witnessed any traffic congestion in that area.

GURRERI Mr. Gurreri reported that he had a call from someone on Haines Road complaining about a pool with a dead animal in it. Township personnel went out to take care of the situation.

8. SOLICITOR'S REPORT:

<u>Springetts Fire Co. Lawsuit</u>

YOST Solicitor Yost reported that the Township had, in fact, been sued by Springetts Fire Company. Apparently the Complaint had not been distributed as yet. He stated that each Supervisor had been named as a defendant in the suit. Solicitor Yost indicated that Attorney Wolfberg had written a letter to him, to which he responded on September 26th. The important thing was that he and Solicitor Yost had an agreement in advance of the suit being filed where he would accept service of the suit on behalf of the Township. He did not agree to accept service on behalf of the individual supervisors, and he had notified Attorney Wolfberg. He took the opportunity to also point out to Attorney Wolfberg that

there was no need to name the Supervisors individually inasmuch as rules of civil procedure no longer require that the Supervisors be named as parties to an action. There were no allegations made against the Supervisors in the action other than they had the temerity to adopt the Ordinance. Solicitor Yost stated that Attorney Wolfberg should have been aware that a governing body acts in its legislative capacity, and the Supervisors have absolute immunity from suit. Solicitor Yost stated that he fully anticipated that the Supervisors would individually be removed. However, Solicitor Yost advised Attorney Wolfberg that he would not be representing the Supervisors individually and that he would advise the Supervisors of that. In addition, in Solicitor Yosts opinion, each Supervisor would individually have a right of action against the Fire Company and their attorney for having been named in a suit where it was unnecessary. Solicitor Yost felt it had been done in bad faith in an intimidation effort and if the Supervisors chose, they would have the right to seek their own counsel to pursue that action.

PASCH Mr. Pasch commented that as he viewed the matter it was probably a necessity to seek private counsel.

YOST Solicitor Yost stated that he could not represent the Supervisors individually. They have the right to do that, and he recommended that they do so. He added that there was absolutely no reason for the Supervisors to be named individually in that action, and Attorney Wolfberg had practiced long enough to know that. Solicitor Yost indicated he would discuss this further in an Executive Session as to proceeding in the action.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini reported that the Township had notified its insurer in writing of the action filed against by Springetts Fire Co. No. 1 against the Township and the Board of Supervisors individually. The Township will hear from them regarding what coverage would be provided under the existing policies.

SABATINI Mr. Sabatini indicated that the Township had submitted to Attorney Yost information on Act 52 relating to debt capacity on the issue of co-signing the loan agreement with Springetts Fire Co. No. 1. Solicitor Yost would be sending that to the Department of Community and Economic Development and the loan agreement must be approved by the state prior to advertising and enacting that Ordinance. He stated that there was sufficient debt capacity.

SABATINI Mr. Sabatini indicated he had provided information regarding Minimum Municipal Obligations for the Fire and Non-Uniform Pension Plans. Traditionally the Township had held that for the defined benefit plan of the Police Department. He felt that an MMO should be required for all of the funds so that there would be a realistic idea of the contribution to be made on behalf of the employees in the two pension funds. He indicated he would request Board action under New Business.

SABATINI Mr. Sabatini commended Jack Hadge in the Finance Department because invoices were being paid on a two-week or less turnaround time, a significant improvement.

SABATINI Mr. Sabatini commented on an article from the York Daily Record entitled, "Sludge with Bio-Solids Carries Tuberculosis." Mr. Sabatini commented on the accusations by Sandy Smith, which he determined were outrageous and pure fantasy. He stated that a response would be forthcoming.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

There was no business for action.

11. ACTION ON MINUTES:

A. Board of Supervisors Work Session (Camp Security) – September 14, 2000

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS WORK SESSION CAMP SECURITY SEPTEMBER 14, 2000 AS AMENDED. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED DUE TO FAMILY MEMBER INVOLVEMENT.

B. Board of Supervisors Regular Meeting – September 14, 2000

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING SEPTEMBER 14, 2000 AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

There was no Old Business for action.

13. NEW BUSINESS:

SABATINI Mr. Sabatini provided background information regarding the Minimum Municipal Obligation for the Police Pension Fund. The MMO is the amount of funds included overall that the Township would be expected to contribute to the Police Pension Fund. The Township complete the preliminary report by September 30. The MMO figure would be used to calculate municipal funding. He added that this would be total funding. It includes both the state funds and the municipal funds that may or may not have to be contributed. The MMO for the Police Pension Fund is $52,306. He recommended approval by the Board as presented.

MR. PASCH MOVED TO APPROVE THE PRELIMINARY 2001 POLICE PENSION FUND MINIMUM MUNICIPAL OBLIGATION AS PRESENTED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop reported to the Board that Mr. Sabatini, Mr. Hadge and Mr. Bishop have had two meetings with the advisors of the Police Pension Fund, Mellon Bank. He, personally, was unimpressed with Mellon's performance. Mr. Bishop urged Mr. Sabatini to begin the process of soliciting alternate proposals from advisors in order to determine the options to be able to make a reasoned decision in the next few months about what should be done.

SABATINI Mr. Sabatini responded that he was looking forward to replacing Mellon. It was his opinion that the Township could do better.

SCHENCK Mr. Schenck indicated he had been surprised by the performance.

BISHOP Mr. Bishop stated that the meetings held were amazingly non-productive.

SABATINI Mr. Sabatini provided background information regarding the Minimum Municipal Obligation for the Firefighters and for all other employees. Both of these plans are defined contribution plans through the ICMARC Pension Program. He stated he would like to have this on record. The expected Township contributions are listed which would be made on behalf of its employees. These are matching contributions in kind because the employees of both plans also contribute to the pension funds. These are preliminary estimates, and the figure was $305,000. He asked for a motion approving the Preliminary MMO for the Fire and Non-Uniform Pension Plan.

PASCH Mr. Pasch asked whether the $305,000 was based on an actuarial study.

SABATINI Mr. Sabatini responded that the funds involve a 2% employee contribution and the Township matches it with 8%. Each amount for the year 2001 had been weighed and applied to the formula. This plan involved a straight match rather than a needs analysis, where the Police Department had a defined benefit plan with actuarial requirements.

BISHOP Mr. Bishop stated he was not clear as to why Board action had been requested.

SABATINI Mr. Sabatini responded that approval of a preliminary MMO is required under State Law by September 30. It was Mr. Sabatini's belief that under state law an MMO need to be approved by the governing body of the board.

BISHOP Mr. Bishop commented that this would have to be done whether it was a defined benefit or not.

SABATINI Mr. Sabatini confirmed that was correct, according to Mr. Zimmerman, the Township's Actuary.

PASCH Mr. Pasch commented that this action would not do any more than what the budget and contribution does. It would simply set it up in a formality.

SABATINI Mr. Sabatini confirmed that was correct and added that he would prefer to have this in writing, rather than have the state auditors come in and give us a written fine.

MR. PASCH MOVED TO APPROVE THE PRELIMINARY 2001 FIREFIGHTERS AND NON-UNIFORMED PERSONNEL MINIMUM MUNICIPAL OBLIGATION AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:20 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

SPRINGETTSBURY TOWNSHIP **OCTOBER 12, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 12, 2000 at 7:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE:
Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Bill Schenck
Ken Pasch

ALSO IN ATTENDANCE:
Don Yost, Solicitor
Robert Sabatini, Interim Township Manager
John Luciani, Civil Engineer, First Capital Engineering
Mike Schober, Environmental Engineer, B-H, Inc.
Mike Myers, Design Engineer, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Jack Hadge, Finance Director
Mike Hickman, Fire Chief
Mark Hodgkinson, WWT Superintendent
Betty J. Speicher, Director of Human Resources
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:35 p.m. Chairman Mitrick announced that there would be an Executive Session immediately following the general meeting regarding legal matters.

A. Pledge of Allegiance

SCHENCK Mr. Schenck led the Pledge of Allegiance.

MITRICK Chairman Mitrick stated that the Board would adjourn for a few moments for an Executive Session regarding legal matters.

2. COMMUNICATION FROM CITIZENS:

Traffic Study Concerns

FERRARA Mr. Paul Ferrara, 110 North Keesey Street spoke with regard to the Township doing a study on traffic concerns within the Keesey/Rockburn Streets area. He stated that Keesey Street has a definite speeding traffic

problem with cut through traffic to Industrial Highway from Market Street. He mentioned a courier service on the corner of Keesey and Market, which uses the streets for cut throughs. Wallace Street was another especially after 4 p.m. and additionally the Concord Road through the Yorklyn area where many young children live. He commented on the area of Stoneybrook Elementary School where parking is permitted on both sides of the street. Only one car can get through. Children will dart between the cars into the roadways. He stated that Eastern Boulevard traffic speeds west to Market Street and create traffic hazards turning west. He suggested a sign indicating No Left Turn between 3:30 and 5:30 p.m. At Magistrate Kessler's office at the light, a sign or a light should be posted to indicate how far front an automobile must be to trip the light.

MITRICK Chairman Mitrick advised Mr. Ferrara that the Township was very much aware of the issues north of Market Street in the North Keesey Street area and at the western end of Eastern Boulevard. She stated that the proper persons were present to hear his concern, i.e., Mr. Andrew Stern and Police Chief Eshbach. She advised that later on the agenda two items for traffic studies would deal specifically with the areas discussed. Chairman Mitrick called on Engineer John Luciani for comment.

LUCIANI Mr. Luciani responded to Mr. Ferrara's statements and commented on the light at Pleasant Acres Road and Market. This traffic light had been submitted to PennDot because of the dangerous situation in existence for left turns. PennDot was currently in the process of redesigning the intersection.

3. ENGINEERING REPORTS:

East/West Interceptor

SCHOBER Mr. Schober reported a few items for update to environmental engineering matters. With regard to the East/West Interceptor, information will be provided at the next Board meeting to request permission to bid. They are in the process of reviewing applications. One was received for the railway and the stream crossing. Highway Occupancy Permits are required. Additionally, they are planning to meet with the business owners to advise the status. The contractor will be placed under control during the work to make sure that the businesses are not disrupted. He added that they might be working at night.

North Hills Road

PASCH Mr. Pasch asked whether the North Hills Road work would be significant and/or long term. He added that it was an extremely busy street.

SCHOBER Mr. Schober responded that it would be short term. They are expecting a quick turnaround and perhaps working at night, perhaps two or three nights, as well.

PASCH Mr. Pasch was assured there would not be a significant impact. He urged Mr. Schober to take a close look at the traffic, including truck traffic.

Solids Handling Improvements

SCHOBER Mr. Schober reported on the solids handling improvements. Preliminary drawings were reviewed with staff and they are currently working on an up to date cost estimate. They expected some additional costs over budgeted figures. Bids for the East/West Interceptor and Raleigh Drive are expected within the next month. GIS training is scheduled for October 31 and November 1 for getting up to speed on the system.

B. Civil Engineer – First Capital Engineering

North Hills Bible Church Drainage Pond

LUCIANI Mr. Luciani reported that he had received a letter from North Hills Bible Church Chairman of the Board, Vernon Sheilds. This letter indicated that the church pond, continuously filled with water, had been drained and the project was completed.

MITRICK Chairman Mitrick asked Mr. Luciani to notify the neighbors.

LUCIANI Mr. Luciani provided a letter that he had written to the neighbors.

Cortleigh Drive

LUCIANI Mr. Luciani discussed Cortleigh Drive and the attempt made to determine the condition of the pipe. He and Mr. Lauer had priced a video inspection to assess the line.

Memory Lane Railroad Crossing

LUCIANI Mr. Luciani reported that the Memory Lane rail crossing project was progressing. Mr. Sabatini had received a letter from Norfolk Southern, and discussions were ongoing with PennDot. Norfolk Southern wanted to lay a certain kind of cheaper material. The cost of the material may be below what is formally bid. He hoped to fax a bid to Norfolk Southern for the material in order to keep the project moving toward completion within the next few months. He needed to contact three suppliers to determine which supplier could deliver the material within 10 days. Otherwise a formal bid procedure would be necessary of over $10,000 to advertise it, select a bidder, have the Board approve it, etc.

PASCH Mr. Pasch asked why, if Norfolk Southern was not paying for the material they want to use the less expensive material.

LUCIANI Mr. Luciani stated that the labor would be more costly. Norfolk Southern apparently is experiencing some financial problems, and no overtime was being authorized.

PASCH Mr. Pasch asked whether consideration should be given to the Township providing the extra labor and put in the better material.

LUCIANI Mr. Luciani stated he would discuss the project with the material suppliers for their comparison. He stated he would investigate and added that he and Tom Austin (TRG) had discussed the possible future lane width of Memory Lane. In his discussions with PennDot they indicated that a potential ultimate width might be 74 feet. The crossing would not be placed for that 74 feet at this time; however, the section needed to be a one-piece portion of track. Mr. Luciani added that he would continue to investigate the difference in quality material.

MITRICK Chairman Mitrick asked about the work being done in the next couple of months. She pointed out Mr. Pasch's previous comment with regard to the holiday traffic and the fact that the road would be closed for 10 days.

LUCIANI Mr. Luciani indicated he understood the concerns. He will attempt to obtain a definite schedule from start to finish based on when the material comes in. He will do a Comparison on materials and then put it in the next engineering report.

Plymouth Road

GURRERI Mr. Gurreri asked about the status on Plymouth Road. He asked whether Mr. Luciani had received any answer from PennDot.

LUCIANI Mr. Luciani responded that the permit had been sent back in to PennDot, but that it had not been returned to date.

SCHENCK Mr. Schenck asked Mr. Luciani if he would inquire about the Old Orchard Road project. He had received many local questions about Old Orchard Road and whether they intended to pave the road. They had done some shoulder work with tar and chipping.

LUCIANI Mr. Luciani indicated he would inquire.

LUCIANI Mr. Luciani brought forward the landscaping plan for the Municipal Building project. He wanted to be sure of the Board's knowledge of the signage. A sign was specified as shown on the site plan. This sign would

be to the north side or the left side of the building. It's a brick faced area, two foot eight inches high (2' 8") and thirty-two feet long (32'). He explained that there were some grades to consider. He indicated that the stone cap, brick and all materials are on site including the letters which are 6" high cast metal letters, optimist style, brushed aluminum finish with 2" trim stud mountings.

STERN Mr. Stern indicated that the sign would be placed where there are existing flagpoles.

SCHENCK Mr. Schenck asked what effect the sign would have on the landscaping plan.

LUCIANI Mr. Luciani responded that it was included in the landscaping plan.

MITRICK Chairman Mitrick asked whether the sign would be placed north enough so that revision to the intersection would be accommodated.

LUCIANI Mr. Luciani assured her that it would not impact it at all.

LUCIANI Mr. Luciani indicated that discussion had been held regarding cropping the two trees pretty high (20'). He stated that was extreme, and he had met with the contractor in the field, who advised to wait until the signs and the landscaping was completed and then crop them to an appropriate height.

MITRICK Chairman Mitrick asked Mr. Stern whether he was happy with the sign.

STERN Mr. Stern responded he had no problem with it. He added that the letters on this sign match the letters that were intended to be placed on the stone. He asked the contractors not to use the letters until a decision would be made on the rest of the letters.

MITRICK Chairman Mitrick asked whether there was any reason for the letters to match.

PASCH Mr. Pasch asked whether this was part of the contract.

LUCIANI Mr. Luciani assured him that it was and that there was no extra cost.

PASCH Mr. Pasch stated he had no problem with it.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers reported an update on the pump station. The last remaining bit of concrete was poured this date for the top slab. The masonry contractor will be on site Monday (10/16/00) for the super structure. The force main should be completed early next week. The connection had been made with the City's head works. These projects are all moving along. The contract end date is November 16th. Mr. Myers advised that the contractor would not meet that date, but they are projecting they will make mid-December. Mr. Myers did not see that as feasible and indicated he would have some recommendations by the next meeting as far as their contract end date. There are liquidated damages in the contract. R.K. & K.'s recommendation would be that the Township assess the work and everyone provide an opinion. The parallel interceptor, Springfield's contract, had requested a time extension. Mr. Myers met with Mr. Sabatini and discussed options. At some point he would request a quick Executive Session during the next meeting for presentation of those options. He has a workable solution which he will provide.

PASCH Mr. Pasch asked whether all of the delays and the changes would affect the grant from the Federal government.

MYERS Mr. Myers indicated it would have no affect. They were processing all paperwork. They are aware of the initial change order for $70,000. That was approved and was still part of the grant.

MITRICK Chairman Mitrick asked when the Township would hear word on the grant.

MYERS Mr. Myers indicated he had seen an article in the newspaper a few weeks that it had been approved.

YOST Solicitor Yost stated he had heard via the City Sewer Authority that they had <u>not</u> received any grant.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 10/12/00.
B. Five Star International – 2000 International 2674 Tri-Axle Dump Truck per Bid Opening March 14, 2000 - $94,532.06
C. Murphy & Dittenhafer – Progress Billing - $4,673.68
D. Murphy & Dittenhafer – Progress Billing - $3,289.69
E. East Coast Contracting – Progress Billing #9 – New Municipal Building - $93,578.82
F. Frey Lutz Plumbing – Progress Billing #8 – New Municipal Building - $12,874.50

G. Rummel, Klepper & Kahl, LLP – Progress Billing #22 – Diversion Pumping System and Parallel Interceptor - $19,579.38

MR. GURRERI MOVED FOR APPROVAL OF ACCOUNTS PAYABLE A THROUGH G. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS AND QUOTES:

A. Haines Road/Memory Lane Corridor – Optional Origination-Destination Study - $10,000

SABATINI Mr. Sabatini stated that item A covered the origination/destination traffic study for Haines Road/Memory Lane Corridor. Based upon previous discussions with TRG, Mr. Luciani and the working group, this study would pinpoint what will be needed, as far as traffic signals, widening, etc. Approval was recommended for the proposed cost, which would be a not-to-exceed $10,000.

PASCH Mr. Pasch indicated his only problem was that the study would not include any development of the Caterpillar property. Once the Caterpillar property would be developed, the study would be significantly different, especially if it would be commercial. He asked whether any item would be included to anticipate that.

SABATINI Mr. Sabatini responded that the matter of the Caterpillar property was the problem with the entire concept of the Haines Road/Memory Lane Corridor study. From the proposals reviewed along with Mr. Luciani's presentation, a number of intersections and segments of the road are already beyond capacity or functionally obsolete. He urged the Board to proceed with the study to include the highest industrial use.

PASCH Mr. Pasch indicated he would not want to delay this study. He asked that the study include a segment to determine the current status but add the best guess regarding the Caterpillar property.

LUCIANI Mr. Luciani commented that there must be a happy medium but because of Flex Zoning there are a wide array of uses that could go into that property. He stated that the goal is to pick a reasonable traffic volume to assume for that area.

MITRICK Chairman Mitrick asked Mr. Luciani about people's traffic patterns. She commented with regard to other ways for travel, such as Route 83.

STERN Mr. Stern responded that this related to Route 30. The O/D study will select a corner and actually hand out yellow post cards to everyone driving by. The cards will ask basic questions such as where the motorists are coming from; where are they going and request the card be mailed back. By doing that you will determine travel actually taking place on the Route 30 interchange and prove it. When TRG puts together a plan to take to PennDot asking for improvements, there must be justification. One additional benefit is that motorists become aware that something is being done.

MR. GURRERI MOVED FOR APPROVAL OF THE PROPOSAL OF THE ORIGINATION/DESTINATION STUDY BY TRG WITH A COST NOT TO EXCEED $10,000. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Rockburn Street and Vicinity Traffic Calming Study - $10,700

SABATINI Mr. Sabatini discussed item B for the Traffic Calming Study on Rockburn Street and vicinity. A meeting had been held regarding traffic calming in that, as well as Keesey Street, neighborhood. This study would work through a couple options that the Township could employ to slow down or divert or otherwise improve the traffic situation through the areas. Meetings would be held with the neighbors to discuss and which combination of physical barriers and signage would work best. TRG will provide a study with a not-to-exceed cost of $10,700 to address this issue. They will be providing some examples including addresses of places in the York area where some of the traffic calming is ongoing in order to evaluate it on our own.

PASCH Mr. Pasch asked how much of the information that comes out of this would be generic that would be applicable to other areas.

SABATINI Mr. Sabatini responded that the entire concept was relatively new to the York area. He added that it would provide an idea of how effective some of the concepts will be; also the approaches necessary to make the concepts work. It also will provide experience in dealing with traffic issues.

PASCH Mr. Pasch indicated he was assured that the information would be re-usable and transferable to other areas.

SABATINI Mr. Sabatini added that the method of traffic calming in this area would provide a good community example because of the nature of the roads and streets.

MITRICK Chairman Mitrick asked whether the study would include the western end of Eastern Boulevard.

LUCIANI Mr. Luciani responded that Mr. Austin would be looking at that area. This will be a regional approach for traffic calming in that general vicinity.

BISHOP Mr. Bishop stated that the proposal the Board received references an exhibit, which he did not think had been attached. He recalled that in previous discussions that fact had been included.

LUCIANI Mr. Luciani indicated that they would look at that.

SABATINI Mr. Sabatini added that it was not the intent to provide traffic calming in one area and force it into another neighborhood.

BISHOP Mr. Bishop indicated he did not have a concern with the proposal. He questioned how the Board got to the point of having the proposal for action. He stated that a resident had approached the Board about traffic problems at Concord Road; others had discussed Kingston Road problems and other similar kinds of problems. He asked how the decision had come to address the problems within this particular area but not at other areas. He had some concern whether it would be done piece meal on purpose. He asked whether there would be more economics in doing a larger project addressing some different areas.

GURRERI Mr. Gurreri commented that property owners had come from those areas and approached the Board about their traffic problems.

SABATINI Mr. Sabatini stated that his opinion is that there had been a lot of discussion with the engineers and in staff meetings about the use of traffic calming in situations such as the one being addressed. It is an older development with straight lined streets with connectors and industrial and commercial properties adjacent to the area. He felt this would be a good test area.

BISHOP Mr. Bishop indicated the Board should be careful to address the worst problems.

GURRERI Mr. Gurreri commented that concerns about Kingston Road had certainly been brought to the Board's attention.

SABATINI Mr. Sabatini stated that this matter related more toward traffic calming rather than building new roadways. Traffic calming approaches are fairly low cost.

MITRICK Chairman Mitrick commented that the Board previously had responded to the Kingston Road concerns. The police had patrolled the area; the left turn signal onto Eastern Boulevard was altered for better timing. Speed is still an issue there.

BISHOP Mr. Bishop commented that Kingston Road would be a perfect place for traffic calming in his opinion. He asked whether there would be any conceivable economy to doing more than just the Rockburn area in a study like this.

LUCIANI Mr. Luciani responded that one of the critical things in traffic calming is whatever decision is made to implement some specific measure, you must have at least 75% of the residents supporting that feature. The Rockburn/Keesey Street older neighborhoods have some good applications for traffic calming.

SABATINI Mr. Sabatini commented on future work of this nature. He proposed to plan and make sure the financial resources are available. His desire would be to deal with these issues in a coherent long-term manner and an amount would be put aside yearly for traffic calming and designate specific areas to be worked on within that budget year.

MR. GURRERI MOVED TO APPROVE THE ROCKBURN AND VICINITY TRAFFIC CALMING STUDY PROPOSAL BY TRG AT A COST NOT TO EXCEED $10,700. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. Sewer Planning Module A3-67971-455-3/2

SABATINI Mr. Sabatini discussed item A, which had been recommended by Mr. Sowers for approval for Woodland Heights in York Township. Their estimated flow of approximately 10,150 gallons. This was a 31-lot residential subdivision development.

MR. SCHENCK MOVED TO APPROVAL PLANNING MODULE FOR WOODLAND HEIGHTS DEVELOPMENT IN YORK TOWNSHIP, 10,150 GALLONS PER DAY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Marino's Pizza – 3595 East Market Street – Request to Waive Land Development for a Walk-In Refrigerator Expansion

STERN Mr. Stern commented that item B was a request from Marino's Pizza for a walk-in refrigerator from 8 X 20 to 16 X20 to expand their storage capability on East Market Street. The size of the expansion would require a Land Development, and Marino's asked for a waiver from Land Development process. Mr. Stern recommended approval.

MITRICK Chairman Mitrick asked about the walkway coming to the front.

STERN Mr. Stern responded that there was a sidewalk there currently, and when the refrigerator would be installed they would need to add a corner for a walk around.

MARINO Mr. Dominic Marino explained the area for walking. He commented on the need for the freezer with moving food, frozen as well as sauces, etc. properly in the restaurant.

PASCH Mr. Pasch commented that this covered a total addition of 160 square feet. If this were an auxiliary building they could go to 800 square feet without a Land Development. He pointed out that this is a lot of work for Mr. Stern and the staff and Mr. Marino. This covered 160 square feet; it could go to 800 square feet and not have to do anything, just get a permit.

MR. GURRERI MOVED TO APPROVE MARINO PIZZA'S REQUEST TO WAIVER LAND DEVELOPMENT FOR A WALK IN REFRIGERATION EXPANSION. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. LD-00-15 – Balance Capital – North Sherman Street (former Fleming Site) – Action

D. SD-00-08 – Balance Capital – North Sherman Street (former Fleming Site) – Action

STERN Item C. is the Subdivision and item D. is the result for Balance Capital. This is the former Fleming Site on Route 30 at Sherman Street. The request is for a storage area, a fenced in paved area with a drive through dock area and the rest is warehouses. The previous plan by Fleming was abandoned.

ROHRBAUGH Jill Rohrbaugh of the Architectural Workshop located in Hanover, Pennsylvania represented the plan. She advised that the previous investment company was Balance Capital, which was the name on all of the prints. They were to acquire the property from Fleming on behalf of leasing it to another company called Quality Stores. Quality Stores are the distributors for farm tractors. Balance Capital will not be owning that;

Fleming will continue to hold ownership but nothing else will change except the names on the prints. Ms. Rohrbaugh indicated that all the conditions had been met. She provided photographs of the intersection showing the development. More landscaping would be provided to shield the resident's view.

SCHENCK Mr. Schenck asked about the outside storage. Where it is now in the parking lot is very visible.

ROHRBAUGH Ms. Rohrbaugh responded that what is in the parking lot is temporary only while this is being facilitated.

SCHENCK Mr. Schenck asked whether that was allowable in the Ordinance.

STERN Mr. Stern responded that it was due to the fact that it is temporary.

SCHENCK Mr. Schenck asked for a definition of temporary.

STERN Mr. Stern stated that the Township had not yet issued an Occupancy Certificate. Mr. Stern indicated that there might be loopholes in the Ordinance, but it's their required parking and not identified as a storage area.

ROHRBAUGH Ms. Rohrbaugh commented that this facility would be used differently than the live loading. This would be bringing in a tractor-trailer, dropping it, picking up another trailer and moving it. Traffic studies had been done in support of the activity.

STERN Mr. Stern indicated that the Subdivision was the same as the Board had approved for Fleming. It was a reverse Subdivision and has several parcels of land included. Some of the parcels still are identified as belonging to the Industrial Development Authority since they were part of the financing. As recommended to Fleming and again to Balance Capital, that needs to be rectified and attached to all the properties with one deed. He added that a Preliminary Plan may be done.

MITRICK Chairman Mitrick directed that the Subdivision be handled first.

SCHENCK Mr. Schenck commented that the ownership had changed, and that would be an issue as far as some of the title blocks on the plans would have to be changed.

ROHRBAUGH Ms. Rohrbaugh indicated that the 12 most recent copies that had been submitted have the correct names; actually two separate plans, one separated out as Land Development; one for Subdivision. This change

had taken place between meetings with the Planning Commission and now.

STERN Mr. Stern stated that all the proper changes would be made prior to the Board signing any Mylar.

MITRICK Chairman Mitrick asked about the property rights of Industrial Development Corporation.

STERN Mr. Stern responded that Industrial Development Authority had been the co-signer of mortgage funding for the original development. Their name was put on the deed, and there was a time period in which it was to be paid off. At that time they would be taken off the deed, but in most cases companies never took YCIDC's name off the deed. Contractually the name was removed when they satisfied the loan.

YOST Solicitor Yost added that there is a procedure they need to go through to terminate the Industrial Development project. He stated that it frequently is not accomplished until someone wants to sell the property.

MITRICK Chairman Mitrick asked whether the Board could proceed with the Subdivision action.

YOST Solicitor Yost indicated yes and added that Fleming was the equitable owner of the entire site regardless of how the deeds may be titled.

SCHENCK Mr. Schenck stated that there were two waivers from the Planning Commission.

STERN Mr. Stern responded that there was a Waiver from Preliminary Plan and that the Condition on the Environmental Impact Statement had already been provided.

MR. SCHENCK MOVED FOR THE APPROVAL OF SUBDIVISION 00-08 FOR THE FLEMING BUILDING WITH THE WAIVER FROM THE SUBMISSION OF A PRELIMINARY PLAN. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

STERN Mr. Stern commented that the Land Development 00-15 covered the same plan with several waivers requested. He provided a synopses of the waivers requested. With regard to the request for a waiver from Submission of a Complete Traffic Study, Mr. Stern commented that the number of trucks would be significantly reduced from the former Fleming operation.

SCHENCK Mr. Schenck commented that there was discussion about radioing ahead to request times to come in. He questioned where the trucks would sit if they had to wait two hours before they could come in. He would not want the trucks sitting on Sherman Street. That had been a problem before.

STERN Mr. Stern stated that he was more interested in the number of trucks, which was 1/4 to 1/3 of what had been in the past. There should be enough room for them to come in.

SCHENCK Mr. Schenck stated that the residents on the other side of the street have had to endure a lot, not just from that property, but also from the so-called improvements that PennDot did to the road.

LUCIANI Mr. Luciani commented that there was a fee in lieu of providing on-site storm water detention.

YOST Solicitor Yost stated that the waiver from the last plan was accompanied by a releasing indemnity agreement.

ROHRBAUGH Ms. Rohrbaugh indicated that had been included on the cover sheet of the project with the exact same wording.

MITRICK Chairman Mitrick asked whether Quality Stores was not leasing the whole site, just the dry warehouse space.

STERN Mr. Stern responded that was correct.

MITRICK Chairman Mitrick stated that in that case there would be a potential for another user.

ROHRBAUGH Ms. Rohrbaugh indicated that there is potential for a long-term tenant for frozen food storage, which had not yet been identified. She added that Labor and Industry had approved three different tenants for those spaces.

MITRICK Chairman Mitrick noted that the area in which the storage would be placed was presently shown as green space.

ROHRBAUGH Ms. Rohrbaugh responded that a portion of the area is green area. The area is actually paved driveway, along with new paved area.

MITRICK Chairman Mitrick asked whether there was any storm water concern.

LUCIANI Mr. Luciani stated that there were no concerns. Everything flows to a low point.

MITRICK Chairman Mitrick asked Mr. Luciani how he felt about a potential tenant coming in for the freezer space. She asked whether he thought it would cause more traffic.

STERN Mr. Stern responded that it was a small portion of the site, and it would probably not cause a lot of traffic. He added that there wasn't much that could be done about that.

MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT 00-15 WITH THE FOLLOWING WAIVERS:

- **WAIVER FROM SUBMISSION OF A PRELIMINARY PLAN.**
- **WAIVER TO PROVIDE ON-SITE STORM WATER DETENTION IMPROVEMENTS.**
- **WAIVER FROM SUBMISSION OF A COMPLETE TRAFFIC STUDY.**
- **MODIFICATION FROM BUFFER ZONE REQUIREMENTS.**
- **WAIVER FROM REQUIREMENT TO SHOW ALL EXISTING STREETS WITHIN 400 FEET OF THE PROPERTY.**
- **CONDITIONED ON SUBMISSION OF FINANCIAL SECURITY IN AN AMOUNT TO BE DETERMINED BY THE TOWNSHIP ENGINEER.**

MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Hunters Crossing – Extension of Time until December 25, 2000.

STERN Mr. Stern stated that this item covered an extension requested by Tim Pasch. It had not been placed on the agenda.

MR. BISHOP MOVED TO ACCEPT THE GRANT OF AN EXTENSION OF TIME IN HUNTERS CROSSING UNTIL DECEMBER 25, 2000. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. KEN PASCH ABSTAINED DUE TO FAMILY MEMBER INVOLVEMENT.

F. Harley Davidson – Project

STERN Mr. Stern commented that item F. pertained to Harley Davidson's request to add modular units. Two months ago the Board had approved several modular units, which they have now determined not to be enough.

SMITH Mr. Talbet Smith represented Harley Davidson. He provided additional information regarding their discovery of the need for temporary additional office space as well as a fitness center. They had been requested to maintain that. They had originally planned to send their people out to Gold's Gym. They also have some training facilities used by Penn State and others in the community. They are planning a large refurbishment of their Building 2, which may involve the union office, and those people would be temporarily located in the office modules. They requested

additional space in the event more was necessary. This work will be completed within two years and the modulars then would be removed.

STERN Mr. Stern commented that each had four units in them with a double in addition. They have three more plus two more for the Visitor's Bureau.

MITRICK Chairman Mitrick asked whether there was any reason to make those additional two visible on the plan.

STERN Mr. Stern did not have a concern with them. He indicated he had been trying to meet monthly with Harley's Engineering staff to keep abreast of developments.

SABATINI Mr. Sabatini commented that there was a notation required that prior to placement it must be approved by the Township; an amended notation onto the recorded plan would have to be filed at the County Court House.

STERN Mr. Stern indicated all that is happening is an amendment to the last plan to add these units and re-sign them.

SCHENCK Mr. Schenck asked specifically what was being requested.

SMITH Mr. Smith stated he would like permission to add these sixteen additional trailers to what had already been requested.

STERN Mr. Stern stated the date would be effective until August, 2001.

SMITH Mr. Smith indicated that 12 of the units would expire in 2002; the other four would be expired by 2001.

STERN Mr. Stern stated he would like to amend the Land Development Plan, previously approved, to add the 16 units per the letter of October 5, 2000. At the next meeting a new Mylar would be provided to straighten all this out with correct dates clearly marked. The reason they were asking for approval was in order to order the units to get them in process.

MITRICK Chairman Mitrick asked whether Mr. Luciani had any comments.

LUCIANI Mr. Luciani indicated Harley had done some storm water management for their master plan, so he didn't think this would be a problem.

PASCH Mr. Pasch asked whether the placement would be in such a way that the fire equipment could get to them.

HICKMAN Chief Hickman reviewed the drawing.

SMITH Mr. Smith provided an explanation of the drawing for Chief Hickman.

HICKMAN Chief Hickman asked for a final copy of the plan for his review.

MITRICK Chairman Mitrick asked what kind of trees would be planted for screening.

SMITH Mr. Smith responded that he did not know.

MITRICK Chairman Mitrick asked whether there were trees there for the existing modulars.

SMITH Mr. Smith responded that there were existing trees. He added that there was a hill between Route 30, the Armory and the Storage Fill. He added that it was fairly difficult to see from the road.

MITRICK Chairman Mitrick asked whether pine trees would be planted.

SMITH Mr. Smith indicated willingness to do so.

MITRICK Chairman Mitrick commented that in 2002 the modulars would be removed, and there would be a chance that the trees would then come down.

SMITH Mr. Smith stated that was correct.

MITRICK Chairman Mitrick asked whether Harley would agree to then donate those trees and transferring them to the park.

SMITH Mr. Smith indicated he didn't know much about moving trees.

PASCH Mr. Pasch stated there was such low visibility of those units from the road that he would see no reason to even have to plant trees.

MITRICK Chairman Mitrick indicated that other developers who, rather than planting trees on their property, had donated trees to the Springettsbury Park when the park was ready for the plantings.

GURRERI Mr. Gurreri said that Harley didn't have to do so.

MITRICK Chairman Mitrick stated it would be a nice gesture.

SMITH Mr. Smith indicated it sounded like something they could do. He would have to check with his supervisor.

SCHENCK Mr. Schenck asked again procedurally what was requested.

SABATINI Mr. Sabatini commented that it was an amendment of a re-submission of the previously approved Land Development.

STERN Mr. Stern stated it was an amendment of a previously approved Land Development Plan to add sixteen temporary modulars trailers per the letter from Talbet Smith at Harley Davidson dated October 5, 2000 and the attached drawing dated October 5, 2000.

MR. SCHENCK MOVED FOR AN AMENDMENT OF THE PREVIOUSLY APPROVED HARLEY DAVIDSON LAND DEVELOPMENT PLAN TO ADD SIXTEEN TEMPORARY MODULAR TRAILERS PER LETTER FROM TALBET SMITH, HARLEY DAVIDSON, DATED OCTOBER 5, 2000 AND THE ATTACHED DRAWING DATED OCTOBER 5, 2000. THIS AMENDMENT IS TO INCLUDE ANY SCREENING TREES PLANTED ON THE HARLEY DAVIDSON PROPERTY IN TEMPORARY LOCATIONS TO BE TRANSPLANTED TO THE SPRINGETTSBURY PARK AT THE PROPER PLANTING TIME. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

GURRERI Mr. Gurreri asked what the difference would be to accepting money or trees. He asked whether that would be considered the same thing.

BISHOP Mr. Bishop responded that it was not the same thing.

7. COMMUNICATION FROM SUPERVISORS:

Financial Statements

PASCH Mr. Pasch reported that he had spoken with Jack Hadge about the current financial statements, some of the existing problems and the direction that Mr. Hadge was going toward correction. Mr. Hadge had determined that on a number of items spending was over budget, but on a number of others, spending was under budget. Mr. Pasch recommended that it doesn't make sense at this point in our year to go back and try to correct the entire financial year. He would like to see something to show the totals still within the budget by department. He would like to show corrected totals for the new budget information, which would have the correct codes and next year would have a reasonable accounting by account code to review with some sense.

HADGE Mr. Hadge commented that the revenue figures are far within the totals. He stated that he had reminded Supervisor Pasch that the auditors coming in February or March may reprimand the Township in some way for loss

of fiscal control. His explanation would be that he is mainly concerned with the bottom line as he had discussions with Police Chief Eschbach and the Public Works Director. Those individual line item accounts had flexibility as long as they are within budget.

PASCH Mr. Pasch commented that the auditors may come in and cite it in their audit report, as they should, but he did not see any problem with it. It doesn't make a lot of sense and would be very expensive to try to go back and correct it now.

HADGE Mr. Hadge indicated it had been his practice always for the General Fund to be making money, especially on interest earnings, and yet there had been a practice here of the other funds picking up interest earnings and on that revenue report he could not transfer some money from the Solid Waste Refuse Fund and from the Insurance Fund because of the investments of all the way out to March, 2001. They're going to make a killing at the expense of the General Fund. He will still meet the $244,000 interest earnings in the General Fund this year.

SABATINI Mr. Sabatini stated that our cash management practice hasn't been lined up as Mr. Hadge had very fully discovered. When we need to pay the bills out of those other funds, the money is wrapped up in long-term investments making great interest rates. It then becomes necessary to float it out of the General Fund where we had to take shorter term CD's in order to have the cash flow which has lower interest rates.

HADGE Mr. Hadge indicated that a lot of the consolidation would be a simplification.

PASCH Mr. Pasch indicated that he was satisfied. He stated that Mr. Hadge was doing an excellent job simplifying and correcting things. The simplification is amazing that had taken place in the short time he had been at the Township.

SABATINI Mr. Sabatini stated that with Mr. Hadge's help they are moving back to where it should be.

GURRERI Mr. Gurreri reported that Charlie Flaharty's wife passed away. Charlie was a former member of the Park and Rec Board. Mr. Gurreri asked everyone to think of him and his family.

Appreciation Dinner

GURRERI Mr. Gurreri reminded everyone of the Appreciation Dinner on October 27th at the Days Inn Conference Center. Informal attire with 6 o'clock social hour and 7 p.m. dinner.

Ribbon Cutting

GURRERI Mr. Gurreri reported that on October 26th at 4 p.m. there would be a ribbon cutting at Unique Celebrations, 3755 East Market Street, Stoneybrook Shopette, Lucinda Smeltzer is the Owner.

Civic Center – 1966 Plans

GURRERI Mr. Gurreri reported that Mrs. Zarfoss who lives on Woodridge Road gave him plans that they had from December, 1966 for a Civic Center Building which had an auditorium, basketball court, swimming pool, tennis courts with bleachers. He provided that to Mr. Stern.

Martin Library Contribution

MITRICK Chairman Mitrick reported that she had received a letter from Bill Schell of Martin Memorial Library requesting an increase in our contribution. Previous contribution was $31,000; he's requesting $32,000. Springettsbury Township membership had increased by 150 cardholders.

SABATINI Mr. Sabatini indicated that any funding requests had been passed along to Mr. Hadge.

Trash Pickup

MITRICK Chairman Mitrick had provided to Mr. Sabatini a few calls that had come in with concerns over the trash pickup in the township. He indicated that he would call the trash hauler for discussion.

SCHENCK Mr. Schenck stated that they didn't pick up recycling on Friday.

SABATINI Mr. Sabatini indicated that he would be meeting with Mr. Claghorn next week. He may choose to sit on the extended agreement.

MITRICK Chairman Mitrick stated that one of the common excuses that the trash hauler gives the Township is that was a new driver. When that excuse is repeated it becomes no longer acceptable. One of the residents had called the hauler before she called the Township. That was the excuse they gave her as well.

GURRERI Mr. Gurreri stated that they had picked his up on Thursday.

PASCH Mr. Pasch stated that he put his trash out and it got picked up Columbus Day holiday. Some of the neighbors' didn't and their trash wont get picked up until the following week. There should be something precise in terms of letting people know what holidays are going to be observed.

SABATINI Mr. Sabatini indicated that one of the things to be done over the next few months is revamping of the newsletter. He always used the newsletter as a reference, especially for the dates for garbage pickup, etc. He would like to enclose a calendar of events type of segment in the newsletter to address items of that nature.

BISHOP Mr. Bishop indicated that would be an application, which would be wonderful to put on the web site.

SABATINI Mr. Sabatini stated that he had never looked up garbage pickup on the web, but newsletter content realistically should be shown and expanded upon on the web.

Market Street/Mt. Zion Road Crosswalk

MITRICK Chairman Mitrick had received a call from a woman on North Kershaw requesting some crosswalk markers along Market Street, particularly Market and Mt. Zion Road. There are no crosswalks in that area.

BISHOP Mr. Bishop stated that at Market and Mt. Zion people are not permitted to walk across that intersection. There are no crosswalks there, and it may even be posted.

PASCH Mr. Pasch asked what could be done for people who have to walk and have no choice.

LUCIANI Mr. Luciani responded that he didn't know the answer to that and added that occasionally they put in a refuge island. PennDot requires Penn buttons on all new intersections if cross walks are permitted. Mr. Luciani indicated he would take a look at it.

MITRICK Chairman Mitrick added that she had mentioned along Market and the Kershaw area that there are no crosswalks except at the traffic signals.

Zoning Hearing Board Vacancy

MITRICK Chairman Mitrick asked whether there had been any responses for the vacancy on the Zoning Hearing Board.

BOWDERS Dori Bowders indicated she had not seen any responses.

MITRICK Chairman Mitrick asked whether it should be re-advertised.

SABATINI Mr. Sabatini responded that the best effort would be to individually speak with people who might have an interest as well as the capabilities.

GURRERI Mr. Gurreri stated he knew of two people who might be interested, and he will discuss it with them.

Fence Ordinance

MITRICK Chairman Mitrick received calls from residents along North Hills between Market and Industrial Highway related to the fence in the front yard. She questioned whether the ordinance was written correctly. There is a four-foot solid fence closing in the front of a particular property along that highway. The neighbors are outraged about it. Two neighbors called to say they had trouble getting out of their driveways. Mr. Stern had investigated. One neighbor had a valid excuse; the other has adequate site distance. The fence is fine in accordance with the ordinance.

GURRERI Mr. Gurreri asked Chief Eshbach about an area near Ames. He indicated that there is a left-hand turn lane, along with a sign that indicates left-hand turn, but there's no marking on the street. A lot of people go in the left-hand lane and then go straight. He asked whether it would be a problem to put an arrow on the left-hand lane.

ESHBACH Chief Eshbach asked him if he was talking about the parking lot exiting Ames on to Eastern Boulevard.

GURRERI Mr. Gurreri indicated it was right next to Ames heading south towards Harris Savings and Loan.

ESHBACH Chief Eshbach indicated that if that exit were on private property it would not be something that the Township could enforce.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost reported three supplements to his written report. The first one covered Spring Garden Township's adoption of an ordinance authorizing the condemnation and acquisition of what is known as the old United Dye Piece Works property that borders 83 and Memorial Hospital and the Water Co. property. They are going to acquire this for the consolidation of a number of public facilities on that site. The total tract is 54 acres, 4 acres of it is in Springettsbury Township a very narrow strip between 83 and the creek, the creek being the dividing line between the two townships. Spring Garden would be paying for that whether they get it or not, so they may as well have it. Since Spring Garden cannot condemn property in another township they are asking us to condemn it for them at their cost. Solicitor Yost stated he had no problem with it. The key paragraph of the Resolution they are asking Springettsbury Township to adopt is "This Resolution is subject to the condition that the activity and property acquisition authorized hereby be at no cost to

Springettsbury Township and the Spring Garden Township shall indemnify and hold harmless Springettsbury Township from all costs, expenditures, liabilities and claims for damages or compensation arising out of the exercise of such acquisition and eminent domain activity." It's not going to cost Springettsbury Township anything and is simply a matter of cooperation with a sister township.

MITRICK Chairman Mitrick asked Solicitor Yost if he supported this action.

YOST Solicitor Yost indicated he could see no problem with it. He added that he had a conflict of interest in that his partner, Mr. Bupp, drafted it, and he's the Solicitor of Spring Garden Township.

BISHOP Mr. Bishop asked what exactly was being done.

YOST Solicitor Yost stated that, in the name of Springettsbury Township, a condemnation action would be filed for the strip between the creek and the highway for their use and benefit.

BISHOP Mr. Bishop asked whether this would be done subsequent to Spring Garden condemning the rest of it.

YOST Solicitor Yost responded that it would be done contemporaneously. When Spring Garden filed their declaration of taking, they would be filing one on our behalf at the same time.

BISHOP Mr. Bishop expressed some concern that Springettsbury should not be out in front doing so before Spring Garden.

YOST Solicitor Yost stated that Spring Garden had already adopted an Ordinance authorizing the condemnation of the entire tract. He added that he had advised them that Springettsbury's main interceptor comes down through there along in and under the creek. They would be acquiring this property subject to our right of way. The title search did not indicate our right of way, but that will be protected.

MR. SCHENCK MOVED TO ADOPT RESOLUTION 00-48 AUTHORIZING THE COOPERATION BETWEEN SPRINGETTSBURY TOWNSHIP AND SPRING GARDEN TOWNSHIP IN THE ACQUISITION OF CERTAIN PROPERTY. MR. BISHOP WAS SECOND.

BISHOP Mr. Bishop asked Solicitor Yost to clear up his recollection of this matter. His recollection was that one of the reasons they were condemning is because they attempted to negotiate with the owner and were unsuccessful

in either identifying exactly who the owner was or that the owner perhaps didn't have the capacity to negotiate.

YOST Solicitor Yost responded that the owner had been identified; they have negotiated, and they have been unsuccessful. The problem is the cost of clean up. There is some ground fill area needing to be cleaned up.

BISHOP Mr. Bishop commented that it appeared that the primary justification for condemning the property was that Spring Garden Township was unsuccessful in negotiating a price that is to their liking.

YOST Solicitor Yost indicated that was correct.

BISHOP Mr. Bishop stated that to him was a little different from the scenario that had been presented the last time the matter had been discussed. His attitude significantly changed toward this Resolution. He stated that he was unclear as to what justification government has for using the Power of Condemnation in that situation.

YOST Solicitor Yost indicated they were acquiring the site for public purpose.

BISHOP Mr. Bishop stated that even though he seconded the motion, his intention would be to vote against it.

PASCH Mr. Pasch asked Mr. Bishop to restate why he would vote against it.

BISHOP Mr. Bishop responded that it had appeared to him what we have here is a governmental body that is attempting to purchase a piece of property and has been unsuccessful negotiating with the rightful owner of that piece of property to get a price to the municipality's liking. Therefore, they are going to use their ultimate power of condemnation since they have been unsuccessful in negotiating a price that they like. Mr. Bishop stated he though that was an unreasonable act.

YOST Solicitor Yost stated that that was the case with every piece of condemnation.

BISHOP Mr. Bishop stated that this is not the only piece of property. Government does that with a piece of property along a road where it has no alternative. We do that with a piece of property along a sewer line where the sewer line is already there, and there is no alternative. Mr. Bishop indicated he did not believe that Springettsbury Township had done that just because a piece of property was found that we liked and couldn't negotiate the price with the owner. While there is a public purpose to Spring Garden's purchasing this piece of property, Mr. Bishop did not believe that there

was a compelling public purpose that they have to have this piece of property. He did not see that being a legitimate use of government's power.

PASCH Mr. Pasch stated that he did not have enough information and would probably vote no for that reason.

MITRICK Chairman Mitrick asked whether this was something that once they go through the process and an agreement is reached through the courts or whatever for the value of the land, then they can come to Springettsbury and this can come after that.

YOST Solicitor Yost responded that their concern was that they would like to do it all at one time. They would like to move this strip into condemnation in a single action.

PASCH Mr. Pasch stated that it would reduce the legal expense dramatically.

MITRICK Chairman Mitrick asked whether Springettsbury would need to go through the condemnation process; she asked why the township couldn't just give them the land.

YOST Solicitor Yost responded that Springettsbury does not own the land to give.

MITRICK Chairman Mitrick understood that it was the owner's piece of property, which sits in our township.

BISHOP Mr. Bishop pointed out that if the owner truly wanted to sell it, I think the owner would figure out a way to negotiate with the township to come up with an agreed upon price.

PASCH Mr. Pasch indicated he had not been involved in their negotiations.

YOST Solicitor Yost indicated he had not been either, but they sent their Solicitor to Long Island to negotiate.

BISHOP Mr. Bishop clarified that he has no opposition to cooperating with Spring Garden Township. He did not believe that he had enough information to proceed.

PASCH Mr. Pasch asked why this action had to be at this meeting. He could understand inter-municipal cooperation.

YOST Solicitor Yost indicated there was no reason why it had to be done at this meeting.

PASCH Mr. Pasch added that he would like more information. He was not ready to vote.

YOST Solicitor Yost stated that it would behoove Spring Garden Township to send a representative to the next Springettsbury Township meeting to explain it.

MITRICK Chairman Mitrick asked Solicitor Yost for direction on the motion on the floor.

YOST Solicitor Yost indicated that Mr. Schenck could withdraw his motion and Mr. Bishop could withdraw his second of the motion.

BISHOP Mr. Bishop indicated a vote could be taken. It would not preclude them from bringing the Resolution to the table again.

SCHENCK Mr. Schenck indicated that Mr. Bishop had raised a very appropriate question. It wouldn't hurt to obtain the full picture. He was not opposed one way or another.

YOST Solicitor Yost indicated that the title search did not reveal Springettsbury Township's sewer right of way. He would like an opportunity to get to the bottom of that issue.

MR. SCHENCK WITHDREW HIS MOTION. MR. BISHOP WITHDREW HIS SECOND.

Consensus of the Board was to request further communication from Spring Garden Township for additional information regarding exactly what was being done.

YOST Solicitor Yost indicated he would request that information.

YOST Solicitor Yost reported that he had provided a packet of documents required for the Unit Debt Act, the Act 52 proceeding with reference to Springetts Fire Company's new aerial ladder truck. An Ordinance was included which must be adopted. He requested the Board's authorization to advertise it for adoption at the next regular meeting.

SCHENCK Mr. Schenck asked whether an actual Ordinance needed to be adopted.

YOST Solicitor Yost responded that it was just the summary, just a notice. Under the Unit Debt Act, you have to advertise the Ordinance at least

three days in advance of the meeting and within 15 days after you've adopted it. Two advertisements under the Unit Debt Act. He saw no reason to have a special meeting for that. He would suggest that it be done at the next meeting on October 26th.

SCHENCK Mr. Schenck asked whether the Township is borrowing the money or the fire company is borrowing the money.

YOST Solicitor Yost advised that the State Fire Marshall had reported that no one had made an application for this loan yet, even though they know about it. Presumably the obligors on the loan are going to be Springettsbury Township and Springetts Fire Co., but it's an obligor where we're liable for the amount of the loan, which is going to be $150,000, which is $25,000 above the small debt limit where you can do the short proceeding without the ordinance. It's a 15-year amortization. One of the problems is a logistic problem. Solicitor Yost stated that he had met with Mr. Hadge and Mr. Sabatini about it earlier due to the fact that we're required to set up a sinking fund deposit adequate to fund the debt service.

PASCH Mr. Pasch commented that it doesn't make sense that a township with excellent financial history should have to set up a sinking fund and meet all that's required for an amount of $150,000.

BISHOP Mr. Bishop commented about the cost of administering a loan like this one and comparing it to the interest differential.

YOST Solicitor Yost added that the annual debt service would be $11,500 with a 15-year amortization made in about 108 payments to the loan.

SCHENCK Mr. Schenck stated that he agreed with what was being done; he was just unsure how it could be accomplished. He asked whether the interest rate would change when the consolidation was complete.

YOST Solicitor Yost stated that actually under the new statute if they consolidated the two fire companies the loan interest would drop to 1%.

Consensus of the Board was to authorize to advertise notice that the Ordinance would be adopted at the next meeting.

YOST Solicitor Yost reported that at 4:30 p.m. (10/12/00) he received a fax with an Ordering Opinion issued by Judge Cassimatis granting Springetts Fire Company its preliminary injunction. This was not unexpected because the Township would have had to establish that the fire company would suffer no immediate an irreparable harm. Judge Cassimatis took the position that nothing was scheduled to happen until November 1, and stated that if the

Township was serious about the Ordinance, he said well we might as well enter the preliminary injunction which maintains the status quo. Solicitor Yost emphasized that the Township was serious about the Ordinance. The issues would then be litigated upon the merits and will proceed. As a result of this injunction, all this does is say that that the Township cannot do anything to implement the Ordinance on November 1 when the 60-day period expires. In effect it just maintains what is now the status quo. It does not decide the issue; it does not decide the case on its merits, and the litigation will proceed. Next step will probably be undertaking discovery; there's a lot of documents that we have to see, and we will be looking for some discovery and potentially a motion for summary judgment.

MITRICK Chairman Mitrick asked Solicitor Yost whether this response had come as any surprise to him.

YOST Solicitor Yost responded that it did not come as a surprise, which he had indicated in his written report. It was anticipated.

MITRICK Chairman Mitrick asked Solicitor Yost, when he was at the hearing last week, whether the fire company indicated that service to the township would continue as it has been.

YOST Solicitor Yost responded that yes, a commitment had been made by Mr. Myers, as a witness on the witness stand, that the service would continue. Solicitor Yost's recollection was that even the Judge asked him a question or two about that because the Judge was concerned that there would be no interruption of service. All present believed that a commitment was made that there will be no interruption of service to the township. Solicitor Yost added that the Township would be prepared to move immediately if anything did happen.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini reported on a news article showing Dan Flohr carrying a very large dog out of a structure fire at Camelot Arms apartments. Dan and his partner, Rich Mellon, as well as Officer Sciangula were able to help get two people out, along with a dog and a cat with minor injuries to the cat. They did a great job. The tenants did not have batteries in their smoke detectors. Unfortunately this happened during Fire Protection Week, and he emphasized the importance of checking batteries twice a year. Chief Hickman and his people have been out on the road doing presentations and urging changing the batteries when you move your clock backward or forward, or at the first of the year and fourth of July.

SABATINI Mr. Sabatini reported that correspondence had been received from PennDot indicating they had put up a number of bicycle route signs throughout the Township. PennDot has requested the Township to approve a Resolution dealing with the signs. He will provide that at a future meeting.

SABATINI Mr. Sabatini indicated he and Solicitor Yost are still working their way through the Camelot Way discussion provoked a few months ago by Attorney Katharman. This involved a road that goes out to the Township's area used for storage of fill material and other product.

SABATINI Mr. Sabatini indicated that budget matters are proceeding. Mr. Hadge had been diligently meeting with the department heads. An in-ward focus will take place next year toward getting alignments internally prepared for the heavy-duty projects toward the end of next year and into the following years. The budget will reflect the priorities approved by the Board.

SABATINI Mr. Sabatini stated that the township had not yet received the grant yet. The article had appeared on October 2 regarding the announcement by the Senators stated that the $1 Million had been approved by the Senate Appropriations Committee. There was still a split between the two and this request still would have to go through the Conference Committee. Mr. Sabatini felt comfortable that it is a good project and it will do well.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Ordinance 00-08 – Amendment to Zoning Ordinance Related to Hotels and Motels (permission to advertise and set hearing)

SABATINI Mr. Sabatini commented regarding item A, which was a request from Mr. Stern. The Township Board of Supervisors had approved an amendment to the Zoning Ordinance related to hotels and motels. The Planning Commission and the County had reviewed the changes and was ready to move ahead with the adoption. He requested that the Board authorize advertisement of the Zoning Amendment for adoption at the first meeting in November 9. A public hearing was scheduled for November 9 at 7:00 p.m. just prior to the Regular Board of Supervisors meeting.

MITRICK Chairman Mitrick asked how much time this might take.

STERN Mr. Stern indicated it would take about five minutes.

MR. SCHENCK MOVED TO AUTHORIZE STAFF TO ADVERTISE A PUBLIC HEARING FOR NOVEMBER 9TH AT 7 P.M. AND TO ADVERTISE THE

PROPOSED ORDINANCE 00-08. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution 00-47 – Resolution Approving Ad-Hoc Police Pension Plan COLA

SABATINI Mr. Sabatini commented on Resolution 00-47 which the Board would need to adopt in order to grant the Ad-Hoc Pension Cost-Of-Living increases for the police retirees. There are three for a total cost of approximately $2,200 per year. It had been approved by the actuary.

PASCH Mr. Pasch commented that he did not think it had ever not been granted.

MR. GURRERI MOVED TO APPROVE RESOLUTION 00-47 GRANTING AN AD-HOC COST OF LIVING ALLOWANCE FOR SPECIFIC POLICE OFFICER RETIREES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Regular Meeting – September 28, 2000

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING SEPTEMBER 28, 200 AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

MITRICK Chairman Mitrick asked for the Board's thinking regarding a Road Tour.

SABATINI Mr. Sabatini indicated that Mr. Lauer had no concerns.

Consensus was to place the Road Tour in abeyance until spring.

13. NEW BUSINESS:

There was no New Business for action.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10:25 p.m.

Respectfully submitted,

Lori O. Mitrick
Secretary

LOM/ja

SPRINGETTSBURY TOWNSHIP **OCTOBER 26, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 26, 2000 at 7:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Bill Schenck

MEMBERS NOT IN ATTENDANCE: Ken Pasch

ALSO IN ATTENDANCE: Don Yost, Solicitor
Robert Sabatini, Township Manager
John Luciani, Civil Engineer, First Capital Engineering
Mike Schober, Environmental Engineer, Buchart Horn
Mike Myers, Design Engineer, R.K. & K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Jack Hadge, Finance Director
Mark Hodgkinson, WWT Superintendent
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:35 p.m.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

MITRICK Chairman Mitrick stated that the Board held an Executive Session prior to the general meeting regarding several legal matters.

MITRICK Chairman Mitrick stated that Supervisor Ken Pasch would not be in attendance.

MITRICK Chairman Mitrick officially announced that this day, October 26, 2000 was Robert Sabatini's first day as full-time Manager of Springettsbury Township. She called for a motion to appoint Mr. Sabatini as Secretary-Treasurer.

MR. GURRERI MOVED TO APPROVE MR. ROBERT SABATINI AS SECRETARY-TREASURER. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

YOST Solicitor Yost reminded Mr. Sabatini that he would have to secure a bond.

SABATINI Mr. Sabatini indicated he would do so.

2. COMMUNICATIONS FROM CITIZENS:

SABATINI Mr. Sabatini indicated that representatives from Spring Garden Township were in attendance to discuss a proposed Resolution, mentioned further down in the Agenda. Mr. Sabatini requested that the Board take the opportunity to deal with that matter at this time on the agenda.

HUNT Mr. Austin Hunt, Commissioner from Spring Garden Township and Solicitor Bupp for Spring Garden Township spoke for the Resolution. Mr. Hunt stated that several months ago they had mentioned to Springettsbury Township officials that they would be seeking to take a parcel of land in their Township by eminent domain. A Resolution had been proposed to allow Springettsbury to join Spring Garden Township in taking that tract because a small portion of that tract (4 acres of 57 acres) was located in Springettsbury Township. Mr. Hunt commented that he understood the Board's reasoning during the previous meeting not to move forward due to a lack of information. Mr. Hunt solicited questions from the Board. He stated that taking something by eminent domain is a very powerful tool afforded to a municipality, and they do not take it lightly. The property had been on the market since 1980. They had actively sought the property since 1997. They had been unable to negotiate with the landowner, a corporation based in Long Island, New York, which had been unwilling to meet with Spring Garden officials until they began to move forward with eminent domain, offering just compensation. Appraisals had set the value for the property, which was the sum of their offer. Mr. Hunt encouraged Springettsbury Township's support.

MITRICK Chairman Mitrick asked whether a representative had gone to Long Island in this pursuit.

HUNT Mr. Hunt responded that was correct and added that there had been numerous telephone conferences and Solicitor Bupp had visited with the counsel for the owner.

BISHOP Mr. Bishop asked what they meant when they indicated they had been unable to negotiate.

HUNT Mr. Hunt responded that at least half dozen appointments had been made for the owners to come to York for discussion, all of which had been cancelled at the 11th hour. The owners had been unwilling to talk.

BUPP Solicitor Bupp reported that the landowner had made a counter offer as of today's date (10/26/00). He offered his help as a resource in the matter. He stated that Spring Garden Township had tried to set a price, and the landowner had never responded to any of the offers. Many appointments had been set through their real estate agent, none of which happened. One month ago, the board sent Solicitor Bupp to Long Island City to meet with counsel for the owner, and the matter was discussed. Last year, May 99, Spring Garden Township adopted an Ordinance, provided a copy in advance, which stated the property would be condemned unless the Township could acquire this through negotiations within 30 days. Nothing happened. Spring Garden Township had paid for substantial environmental studies, as well as an appraisal. Four acres of this property are located in a flood zone in Springettsbury Township on the east side of Mill Creek. The only value for that piece would be for recreational purposes. The Commonwealth of Pennsylvania had requested the owner to remediate the property due to environmental issues. Costs and liability are under consideration. Counsel for the owner understands that the Township would proceed with condemnation. The only concern at this time would be the cost. The reason they appeared before the Springettsbury Board was that Spring Garden Township could not condemn property in another township. He requested the Springettsbury Board to participate in the condemnation of the 4-acre sliver of land.

SCHENCK Mr. Schenck indicated that he questioned the use for the property, i.e. the compelling need for condemnation. He asked for an explanation.

BUPP Solicitor Bupp responded that the land would be utilized for public purposes completely. What had been proposed in the newspaper was what the Township intended to do with the facility.

HUNT Mr. Hunt stated that Spring Garden Township was nearly fully developed, and this particular property was the last available for open-space recreation and a Township complex. Because the area had become a dumping ground, he felt it was appropriate for the Township to move forward to force something to be done. The property had been vacant and abandoned since 1972. He stated that this was a perfect property for passive recreation space. The current owner does not realize that the majority of the property is located in a flood plane.

BISHOP Mr. Bishop asked whether the owners had a right to be stupid. He questioned how the point is reached where you believe that the owner's

right to the property is less important than Spring Garden's desire to take it from them.

HUNT Mr. Hunt responded that they were acting in what he felt was an appropriate manner for the good of the Township. They were improving the overall quality of life in the Township. He added that they had allowed the market forces plenty of opportunity to develop the piece of property.

BUPP Solicitor Bupp stated that the Township needed to acquire the property and is ultimately going to be required to pay to the owner the fair market value of the property. Appraisals had been exchanged, and a Board of View would decide what the fair market value would be.

BISHOP Mr. Bishop asked what the owners did to lose their right not to sell it.

BUPP Solicitor Bupp responded that the owner does have a right to own it until a municipality or someone with power of eminent domain indicate they want it and will pay what it's worth. The owner had been offered the appraised value less the cost of remediation.

BARRON Mr. Joe Barron, Spring Garden Township Manager, commented that Memorial Hospital sits in a pocket where Victory Fire Company operates within the Township. There is no access to that from Mt. Rose Avenue or Prospect Street. A few years ago Spring Garden had taken a piece of property at the end of Green Hill Road next to the cemetery. The intent was to run that through and connect that back to Wheaton Street and the Victory Fire Company. This would provide emergency access to the fire trucks, people going to the hospital by ambulance coming from that side a way to go through. Public safety is an issue. He stated that it appeared to be a win-win situation.

GURRERI Mr. Gurreri stated that Mr. Barron made a good point. Twenty-five years was a long time to try to sell a property. It appeared to be a dumping ground. Mr. Gurreri was in favor of putting an access road in as he would get to work a lot faster.

HUNT Mr. Hunt responded to Mr. Bishop's question of taking property by eminent domain. A Township can't shop countywide for additional property. The current owner knows that the Township is the only potential buyer for the property; however, they are unwilling to negotiate in good faith. The Township is utilizing the powers available to facilitate the negotiation. The structure of the law is that they are required to pay a fair market value for that property based on the outcome of a Board of

View, which is fiscally responsible to the citizens and fair to the current owners.

MITRICK Chairman Mitrick asked Mr. Hunt if he stated that's where he wanted to put Spring Garden's municipal complex.

HUNT Mr. Hunt responded that was the current theory to have a full municipal complex there with active recreation space, ball fields and passive recreation and a nature area.

MITRICK Chairman Mitrick asked whether he felt that bringing all of their facilities together would provide for better functioning.

HUNT Mr. Hunt indicated that was correct.

MITRICK Chairman Mitrick asked whether there was any other available land in Spring Garden Township.

HUNT Mr. Hunt responded that the shape of Spring Garden Township indicated that there is no other centrally located large tract of land available. They felt this was the best spot for what was planned.

BARRON Mr. Barron stated that they had looked at other land, such as Teledyne McKay when it was vacant. There were many environmental concerns there, but they had been willing to go in and clean it up for the good of the community and safety of the residents. They were unable to make a deal with Teledyne. Teledyne turned around and gave it to York College.

HUNT Mr. Hunt stated that they had done their homework and felt that their offer was fair to all parties.

MITRICK Chairman Mitrick asked what the status was of their Resolution.

BUPP Solicitor Bupp responded that their Ordinance had been adopted in May of 1999. They are ready to file the Declaration of Taking.

MITRICK Chairman Mitrick asked Solicitor Yost why Springettsbury would handle this by Resolution and Spring Garden had handled it by Ordinance.

YOST Solicitor Yost responded that this would be a Resolution authorizing Springettsbury to join with Spring Garden Township in the condemnation.

SCHENCK Mr. Schenck asked whether Springettsbury would need to follow with an Ordinance.

YOST Solicitor Yost stated that a Resolution would suffice, all at no cost to Springettsbury Township.

MITRICK Chairman Mitrick called attention to Item 10 C calling for Resolution 00-51 related to the matter.

HUNT Mr. Hunt stated that this was a public transaction, and they wanted everyone to be comfortable with it.

MITRICK Chairman Mitrick stated that she was sure they realized that condemnation was a big issue.

HUNT Mr. Hunt indicated it was a very powerful, legal tool and they did not take that lightly.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 00-51 AUTHORIZING ACQUISITION OF COMMERCIAL INDUSTRIES CORP. PROPERTY IN SPRINGETTSBURY TOWNSHIP ON BEHALF OF SPRING GARDEN TOWNSHIP. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick asked for other comments from citizens.

Route 30 and Sherman Street – Land Parcel

FREY Mrs. Margaret Frey of 619 Arsenal Road voiced several concerns. The first concerned a parcel of land adjacent to the parking lot of the Rutter's store at the corner of Route 30 and Sherman Street. She asked whether Springettsbury Township owned that piece of property. She stated that over the past year and a half she had discussed this property with Charlie Webb of the Department of Transportation in an effort to get something done about the stones and rocks used in this unimproved area. She advised that Rutter's used that land for parking and their trucks. Periodically the stones had been swept off Mack Alley. She also spoke with a Mr. Somerville who advised that the Department of Transportation no longer owned the property and that it was given to Springettsbury Township.

SCHENCK Mr. Schenck responded that it was his recollection that the property was owned by Springettsbury. He added that there had been communications from the property owner who leases to Rutter's. Springettsbury wanted to give that property owner the piece of land.

GURRERI Mr. Gurreri stated that Joe Argento came to the Board in an attempt to work something out. Mr. Gurreri understand that Mr. Argento had been working with Penn Dot, but then the property was given to Springettsbury.

YOST Solicitor Yost asked whether any evidence had been received that Springettsbury has an interest in the land.

SABATINI Mr. Sabatini stated that he had not seen a deed.

LAUER Mr. Lauer commented that about a month ago Penn Dot had dropped a set of prints off free of charge.

MITRICK Chairman Mitrick asked Mr. Lauer if the township could sell it to Mr. Argento.

LAUER Mr. Lauer responded that would be the Board's decision.

SCHENCK Mr. Schenck suggested that a contact be made with the previous owner and discuss the issue with Solicitor Yost.

MITRICK Chairman Mitrick asked Mr. Sabatini to check into this matter and follow up with Mrs. Frey.

Buckmeyer Pools Trailer

FREY Mrs. Frey stated that another area of concern was Buckmeyer's pools. They set a trailer on cement blocks, five feet off of Mack Alley. Tractor trailers come into Rutter's and make a turn, and the stop sign had been knocked down many times since it was put up.

STERN Mr. Stern indicated that Buckmeyer had a permit for renovation work, and the trailer was probably a construction trailer.

Industrial Highway – No Parking

FREY Mrs. Frey stated that in the past she had been able to get no parking signs on Industrial Highway because of the situation with Edgecomb Steel trucks parking there and creating a bad situation. She advised that on Fridays the no parking signs are not heeded, and she requested more police patrols.

ESHBACH Chief Eshbach asked if they are parked in the no parking zone.

FREY Mrs. Frey responded that the trucks are constantly parked in the no parking zone. She had been advised that the fine was so minimal that fines would not deter them from continuing to park there.

MITRICK Chairman Mitrick asked Chief Eshbach to check on that.

FREY Mrs. Frey asked who sets the fee for the fines.

ESHBACH Chief Eshbach indicated the Township sets the fee.

FREY Mrs. Frey indicated that if the fine is $10.00, she believed it should be raised to $110.00; an increase in the fine may deter the parking.

MITRICK Chairman Mitrick stated that they should be removed from the zone if they are parking in a no parking zone.

ESHBACH Chief Eshbach stated that their option is to ticket them regardless of what the fine is.

3. ENGINEERING REPORTS:

A. Environmental Engineer - Buchart Horn, Inc.

Act 537 Plan

SCHOBER Mr. Schober presented several updates. He did not have the application ready for signature on the 537 Plan. He stated that he needed to provide copies of all the invoices for that project, as well as cancelled checks for those invoices.

East/West Interceptor

SCHOBER Mr. Schober reported that the East/West Interceptor project was moving ahead. All the permit applications had been submitted, and they are optimistic they can move ahead next month. He indicated they would need a railroad permit from Norfolk Southern for right-of-way under their track. He expected a smooth project. An informational meeting had been set up with the business owners in the area of the project. That meeting had been scheduled for Wednesday, November 1, however, it conflicted with the GIS meeting.

Solids Handling Project

SCHOBER Mr. Schober reported that the solids handling project was well into the final design. Some pilot tests would be coming in from some of the equipment manufacturers next week to determine whether they can qualify for the specifications. Some staff will be coming in for GIS training next week.

SCHENCK Mr. Schenck asked whether Mr. Schober had had any communication with the one particular property where the interceptor would be at the front door.

SCHOBER Mr. Schober stated that they had not yet spoken with them.

SABATINI Mr. Sabatini stated that they would be looking at evening work.

MITRICK Chairman Mitrick stated she was in one of the stores in the strip mall on Industrial Highway. A representative from Buchart-Horn came in, introduced himself, and asked for the Manager. He gave the Manager a letter, explained to him about the work that needed to be done and the meeting that was going to be held. The man asked a few questions. When he left Mrs. Mitrick had commented to him that he was a wonderful representative for Springettsbury Township. She felt that the Manager understood what he needed to know.

B. Civil Engineer – First Capital Engineering

Norfolk Southern Railroad Crossing

LUCIANI Mr. Luciani reported that the Norfolk rail crossing looked promising and would be discussed later on the agenda. Bids were solicited and three came in beneath the $10.000 threshold. Materials were being ordered and should be on site by Wednesday, November 1, to begin work November 6th with a three to five day scope. Additionally, Penn Dot had prepared a traffic plan with a price for protection of traffic. He and Mr. Sabatini discussed this, and it would not include a flashing board, which would add $125.00 per day.

SABATINI Mr. Sabatini stated that the flashing board should be placed at least a week before the work started.

LUCIANI Mr. Luciani met with Messrs. Stern, Sabatini, and Police Chief Eshbach to coordinate the project. It appeared that it would start November 6 and be completed by the following Friday, November 10th.

Orchard Hills

LUCIANI Mr. Luciani stated that he had provided information regarding Orchard Hills development as follow up to Mr. Schenck's inquiry at the last meeting. The purpose was simply to keep the Board abreast of the permitting. A full copy of the comments from Penn Dot was provided. He discussed the work done with Charlie Webb at Penn Dot, who indicated that was all that was to be done this year. He stated that it was in need of an overlay.

Cortleigh Drive

LUCIANI Mr. Luciani provided a Cortleigh Drive update. The storm sewer pipe had been video taped. He and Mr. Lauer plan to review the video in detail. Mr. Luciani indicated that some of the pipe had revealed a need for restoration as opposed to complete replacement.

Plymouth Road

LUCIANI Mr. Luciani stated that the permit had been submitted, but he had not heard anything about Plymouth Road.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers reported construction updates. The force main was reported to be nearly across the creek and should be completed in a day or so. The pump station should be back filled no later than November 1. They are nearly five feet from the surface and are removing the concrete forming of the top slab, and as soon as that is completed all the other trades will go down in the dry well to install the electrical and ventilation, etc. Masonry work should be done by the third week in November.

SCHENCK Mr. Schenck asked whether all the major components were on site.

MYERS Mr. Myers responded that the equipment and pumps are either stored on site or in a contractor's off site area. Contract completion date as scheduled is November 16th. He and Solicitor Yost need to examine liquidated damages.

MYERS Mr. Myers reported on the interceptor contract where they are finishing up the soil stabilization and starting the tunneling, which should be completed by the end of next month. The 66" pre-stressed pipe will be delivered next week along with the large manholes to be installed. Springfield had requested a contract extension of 90 days, which decision should be made by the Board at this meeting.

MYERS Mr. Myers reported on the utility water system. The project is substantially complete. The pumps had been installed, tested and are operating. There is some interior painting that needed to be completed. Some pipe installation needed to be installed, but other than those minor items the project is complete.

MYERS Mr. Myers stated about 350 to 400 feet of pipe had been installed and two of the manholes were set on the overview sewer project. That project is proceeding.

MITRICK Chairman Mitrick stated that the large equipment being worked with down into the project was amazing to see.

MYERS Mr. Myers stated that R. K. & K. is spending a great deal of time with the contractor. Mr. Amic had hired them for part-time inspection, and the time had been spent. The contractor had been cooperative.

MR. SCHENCK MOVED TO GRANT CONTRACT EXTENSION OF TIME TO SPRINGFIELD CONTRACTORS FOR THE PARALLEL INTERCEPTOR PROJECT, A 90 DAY EXTENSION OF THE ORIGINAL OCTOBER 11TH DEADLINE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 10/26/00.
B. Springfield Contractors, Inc. – Parallel Interceptor – Pay Estimate #1 - $135,911.70.
C. Allan A. Myers, Inc. – Diversion Pumping System – Pay Estimate #6 - $370,575.96.
D. Murphy & Dittenhafer – Progress Billing - $1,303.65
E. Shannon A. Smith Electrical – Progress Billing #11 – New Municipal Building - $19,499.70.

MR. SCHENCK MOVED TO APPROVE ITEMS A. THROUGH E. AS PRESENTED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & QUOTES:

A. Plasterer Equipment Co., Inc. – Rubber Tire Loader Bid Proposal – $71,890

SABATINI Mr. Sabatini stated that information had been provided to the Board with regard to the rubber tire loader bid. This had been part of the 2000 capital improvement budget and had been advertised. The low bid received was from Plasterer Equipment Co., Inc. (formerly Worley Equipment Co.) for a John Deere Loader in the amount of $71,890 with a trade in built in. The way the bid specifications were structured was to keep the cost of the equipment within the allocation set by the state under the Highway Aid fund. This is a lease-purchase arrangement for the equipment. He requested the Board's acceptance of the bid as presented.

SCHENCK Mr. Schenck asked what the original budget estimate had been.

SABATINI Mr. Sabatini responded that it was $80,000 to $85,000.

LAUER Mr. Lauer responded that it was a $100,000 loader, and the annual payment would be $25,807.

SCHENCK Mr. Schenck asked Mr. Lauer what the original budgeted estimate had been.

LAUER Mr. Lauer responded that it was a little over $100,000.

SCHENCK Mr. Schenck asked whether the interest rate is competitive when a lease is in the process.

LAUER Mr. Lauer indicated that the interest rate is provided by the equipment company itself.

SABATINI Mr. Sabatini stated that the winning bid is determined by the total cost, not just the individual annualized cost.

BISHOP Mr. Bishop asked how a determination was made whether to lease or purchase this equipment.

LAUER Mr. Lauer indicated that 20% of the liquid fuels money is allowable for equipment. In one year's time there would be enough money to buy it outright and stay within the liquid fuels 20% allocation.

SABATINI Mr. Sabatini added that this had been structured in the capital budget.

BISHOP Mr. Bishop stated a concern, which had been expressed in the past, when the capital situation is such that the cost of the Township's capital is virtually zero, whether it really made sense to pay interest to someone on a lease.

SCHENCK Mr. Schenck agreed with Mr. Bishop. The interest rate apparently is determined by the bidder. He asked whether the bids could be structured in such a way that the Township could dictate what interest rate it would be willing to pay. Secondly, he suggested that the Township finance it internally, and still meet the obligations to the state, which would be a substantial amount.

BISHOP Mr. Bishop commented that he agreed and especially if that money was sitting there and the Township really doesn't need the credit.

HADGE Mr. Hadge indicated that he and Mr. Lauer had discussed some of the issues being mentioned. A different fiscal policy will be forthcoming on future acquisitions.

SCHENCK Mr. Schenck stated that the general policy was great. The idea of spreading it out so liquid fuels could be utilized was appropriate. The equipment market is competitive, and he was in favor of beating the interest if possible.

MR. BISHOP MOVED TO AUTHORIZE AWARDING THE BID FOR THE RUBBER TIRE LOADER TO PLASTERER EQUIPMENT CO., INC. IN THE AMOUNT OF $71,890 WITH THE TRADE IN. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Keystone Ford Truck Sales, Inc. – 39,000 GVW Dump Truck Bid Proposal - $67,031

SABATINI Mr. Sabatini indicated that item B. was included in the capital improvements budget for a replacement vehicle. It had been advertised and bid packets had been sent out; however, only one bid had been received in the amount of $67,031 without a trade in. A budget of $80,000 had been approved. Mr. Sabatini recommended award of the bid.

GURRERI Mr. Gurreri asked how Mr. Lauer received the bid without a trade in.

LAUER Mr. Lauer responded that he got a better deal without the trade in, and intended to sell the trade in and that amount would be placed on the new equipment.

MR. GURRERI MOVED TO ACCEPT THE BID OF KEYSTONE FORD TRUCK SALES, INC. TO PURCHASE A 39,000 GVW DUMP TRUCK IN THE AMOUNT OF $67,031. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISION AND LAND DEVELOPMENTS:

A. LD-00-10 – Sheetz – Time Extension to 12/31/00

STERN Mr. Stern stated that this item provided a time extension for LD-00-10 for Sheetz until December 31, 2000.

MR. BISHOP MOVED TO ACCEPT THE GRANT OF A TIME EXTENSION FOR LAND DEVELOPMENT 00-10 FROM SHEETZ UNTIL 12/31/00. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-97-19 – Two Ton Burger King – Time Extension to 1/1/01
C. SD-98-06 – Two Ton Burger King – Time Extension to 1/1/01

MR. BISHOP MOVED TO ACCEPT THE TIME EXTENSION FOR TWO TON BURGER KING FOR LAND DEVELOPMENT 97-19 UNTIL 1/1/01 AND TO ACCEPT THE GRANT OF TIME EXTENSION FOR SUBDIVISION 98-06 FOR TWO TON BURGER KING UNTIL 1/1/01. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

York Waste Haulers

SCHENCK Mr. Schenck indicated he was still receiving complaints about the service from York Waste Disposal. The Township was generous to them by extending their contract. Mr. Schenck felt that the waste haulers needed to be "jacked up."

SCHENCK Mr. Schenck commented on a letter he had received from Charlie Burnside and encouraged some internal discussions in that regard.

SCHENCK Mr. Schenck commented on an additional letter, which he indicated had some items, which needed to be addressed.

BISHOP Mr. Bishop agreed that there are some serious issues with the Rec Department that needed to be discussed.

SABATINI Mr. Sabatini stated that the Board had received a copy of his memo, which would start that process.

BISHOP Mr. Bishop asked Mr. Stern whether he could provide some input for the next meeting. Mr. Bishop also solicited Mr. Sabatini's input as well.

STERN Mr. Stern indicated he supported the request.

BISHOP Mr. Bishop asked what it would take to move forward.

STERN Mr. Stern indicated a "go ahead sign" from the Board would be sufficient for him to move forward.

Police Pension Committee

BISHOP Mr. Bishop reported to the Board some progress concerning his role in the Police Pension Committee. Messrs. Sabatini, Hadge and Bishop had begun the process of writing a request for proposal for investment advisers with the hope that an RFP could be generated before the end of the year. A preliminary cut would be made, followed by a meeting with the full Police Pension Board to review three or so proposals.

Fire Co. Lawsuit – Individual Board Member Attorney

BISHOP Mr. Bishop reported that Mr. Pasch, at the request of the Board, contacted Attorney Reese Griffith of the firm Barley, Snyder, Senft and Cohen about the possibility of representing the Board members individually in the fire company action. Mr. Griffith had since spoken with Solicitor Yost and received the background information. Mr. Bishop indicated that the Board

members needed to move forward with that process and determine that an attorney must be engaged.

SCHENCK Mr. Schenck stated that a separation would need to be determined between what actions the Township needed to be involved with as far as representing the Township, and the Board in its official capacity. He commented that what Mr. Bishop was discussing was the Board member's individual rights or individual injuries caused by this lawsuit. Mr. Schenck indicated they could utilize the Township offices to help facilitate if this would be our own private action.

BISHOP Mr. Bishop responded that, if there is an action, the Board needed that advice as to whether there would be a cause of action, and whether the Board members should pursue it.

MITRICK Chairman Mitrick asked Solicitor Yost about the fact that Attorney Wolfberg indicated that he intended to take the Supervisors' names out of the lawsuit. She asked whether that had been done.

YOST Solicitor Yost responded that he had been hearing that for a month; however, he had yet to see the action.

MR. BISHOP MOVED THAT THE BOARD AUTHORIZE THE TOWNSHIP MANAGER TO ENGAGE THE FIRM OF BARLEY, SNYDER, SENFT & COHEN TO REPRESENT THE INDIVIDUAL RIGHTS OF THE FIVE BOARD OF SUPERVISOR MEMBERS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

GURRERI Mr. Gurreri mentioned a nice picture appeared in the Daily Record of Solicitor Don Yost.

Farmhouse Issue

GURRERI Mr. Gurreri reported that he stopped at the new building and indicated it really looked nice. On his way through he peeked into the farmhouse. As he looked in through the back door, he could see right through the front door. He stated that there had been an article in the newspaper that stated, "Springettsbury Board Feels Snookered." Mr. Gurreri indicated that had been his comment, and he would take full responsibility for it. It said, "An architect snookered us." I didn't quite say it that way. What he said was, "The contractor admitted in a meeting that they did keep the price low, because they were told that the farmhouse would not be fixed if they didn't do that. Mr. Gurreri felt they "snookered" the Board on purpose, and he thought that was a terrible thing to do to the Board, and something should be done about it.

MITRICK Chairman Mitrick responded to Mr. Gurreri's comments. She indicated that Mr. Gurreri had raised the accusation previously, and staff had explained what they felt occurred with that statement. The Board had been made aware of it previously, and it had been addressed. She indicated that Mr. Gurreri may not yet be satisfied with that answer, but a clear answer had come from the staff.

GURRERI Mr. Gurreri responded, you mean that they snookered us and admitted it or that we ought to do something about it.

MITRICK Chairman Mitrick stated no, the fact that someone said that they should come in low, and to her satisfaction that had been explained.

MITRICK Chairman Mitrick reported that she had two thank you's to members of the staff. One was to Greg Henry, who did a tremendous amount of legwork to get a pressure reducing valve in order to move forward with the new building.

MITRICK Chairman Mitrick also wanted the Board to be aware that Mr. Stern had done a tremendous amount of legwork to find some very unusual lights that were needed. He had been able to secure 65 of them. The two situations pointed out that the staff was doing a tremendous job in an attempt to make the move happen.

Zoning Hearing Board Vacancy

MITRICK Chairman Mitrick stated that action needed to be taken regarding the Zoning Hearing Board vacancy. At the last regular meeting it had been indicated that someone knew someone who might be interested.

GURRERI Mr. Gurreri stated that he knew three, two of whom do not have the time to devote to it, but the third man, Paul Athey, indicated he would send a letter.

MITRICK Chairman Mitrick encouraged each Board member to individually try to move ahead with this matter. She noticed in the Zoning Hearing Board Minutes that at the last meeting they only had three members in attendance.

Farmhouse Issue

GURRERI Mr. Gurreri asked Chairman Mitrick for a further explanation about the farmhouse. He stated that the man said they were told to lower the price and the Board was snookered, and Mr. Gurreri did not feel he received the explanation.

MITRICK Chairman Mitrick stated that the matter could be addressed later.

Township Newsletter

MITRICK Chairman Mitrick brought up the matter of the Township Newsletter. She indicated that the schedule was pretty heavy considering the move. She asked whether there was any reason she felt it should be delayed.

BOWDERS Dori Bowders indicated she would like to delay it, but that would be a Board decision. She added that they could certainly get one out if the Board so directed.

MITRICK Chairman Mitrick stated that she felt staff had a tremendous amount of work to do and that the Newsletter would take a tremendous amount of work.

BISHOP Mr. Bishop was concerned that if this newsletter were pushed back, it would disrupt the schedule which is time critical.

SABATINI Mr. Sabatini stated that would depend on how far back it would be bumped. It may only be a matter of two weeks.

BOWDERS Dori Bowders indicated that Mr. Bainbridge has registrations coming up and would need to keep to the schedule.

MITRICK Chairman Mitrick asked Ms. Bowders if she had received any articles from directors.

BOWDERS Ms. Bowders responded that the next day (October 27th) was the deadline and that she had received three so far.

MITRICK Chairman Mitrick suggested the newsletter be downsized due to the staff's heavy workload at this time.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost reported that he had prepared an Ordinance, which would address problems with Springetts Fire Company. Solicitor Yost indicated that a number of items would be addressed within the Ordinance shown as follows:

(1) It would revoke and terminate Springetts Fire Company's status as an officially recognized fire company of Springettsbury Township.

(2) It would revoke and terminate Springetts Fire Company's right to fight fires, render emergency response services, and fund raising

within the geographical area of Springettsbury Township.

(3) It would declare all of the assets and property of Springettsbury Fire Company to be held in public trust for the use of the Township and its inhabitants. It would authorize the administrative staff of the Township to do what was necessary to secure those assets for the Township and its inhabitants. Included in the packet is supplementary material that advises how that would take place.

(4) Commonwealth Fire Company would be nominated as the only volunteer fire company officially recognized in Springettsbury Township. That is required for the reason that your August 24, 2000 Consolidation Ordinance stated that the consolidated company would be the only recognized company in Springettsbury Township and repeal any ordinances inconsistent therewith. Therefore, the ordinance that appointed Commonwealth as a authorized recognized Fire Company was repealed so it would be necessary to re-establish that status for Commonwealth.

Solicitor Yost indicated he was not requesting immediate action. He asked the Board to review the document for further discussion.

MITRICK Chairman Mitrick requested Mr. Sabatini to list the item on the next agenda.

SABATINI Mr. Sabatini indicated he would do so.

BISHOP Mr. Bishop reiterated for clarification that this Ordinance would be considered at the next meeting and at that time a determination would be made whether or not to advertise it for adoption.

YOST Solicitor Yost responded that was correct. He added that he had included in the Board's packet several court cases that authorized this type of action on behalf of a municipality.

9. MANAGER'S REPORT:

<u>York Waste Disposal</u>

SABATINI Mr. Sabatini reported that he had spoken with York Waste Disposal several times this week and strongly emphasized the fact that the contract extension agreement had not yet been signed. It was suggested that they needed to address the complaint issues, and that Springettsbury was concerned of the rising level of negligent service not only with Springettsbury, but also with other municipalities. He was assured that the

problem would be solved. Mr. Sabatini indicated the matter would be followed on a weekly basis.

SCHENCK Mr. Schenck questioned Mr. Sabatini as to whether anything specific was mentioned that may have given him a comfort level that something really would change.

SABATINI Mr. Sabatini responded that several things had been discussed. One was that they had some driver route problems, which they indicated had happened three weeks ago. They knew exactly what the problem was in that the driver read the route schedule wrong and missed a full day. Mr. Sabatini stated that he advised York Waste that it was absolutely key that they communicate with the Township on those issues.

BISHOP Mr. Bishop asked what kinds of problems have Mr. Schenck had heard.

SCHENCK Mr. Schenck responded that multiple complaints had been voiced, such as not picking up, or picking up trash and not picking up recycling, a day late, coming at 6:00 a.m. or 8:00 p.m.

SABATINI Mr. Sabatini indicated he would have a log sheet out for the ladies in the reception area to track these things and for follow up on a daily basis.

GURRERI Mr. Gurreri indicated he had not had a problem with his trash personally. When they came to his home the guys were running. He suspected they are doing several routes.

WWT Grant

SABATINI Mr. Sabatini announced that the Township had been notified of the receipt of a $1 Million grant for the Wastewater facility as part of the appropriations process this year. The appropriations bill was signed on Friday morning. On behalf of the Board Mr. Sabatini extended thanks to Congressman Goodling, Senator Santorum and Specter, as well as the rest of the Pennsylvania contingent.

Memory Lane Railroad Crossing

SABATINI Mr. Sabatini stated, in addition to Mr. Luciani's report, that work would begin on November 6th on the Memory Lane railroad crossing. Memory Lane will be shut down completely for approximately 7 days. All of the property owners on the corner had been advised of this activity. In addition, communication will be made with Traffax, news media, emergency services, etc. Mr. Sabatini complimented Mr. Luciani for getting the information together quickly.

North Hills Road Railroad Crossing

SABATINI Mr. Sabatini added that upon completion of the Memory Lane crossing the crews would probably proceed right down to North Hills Road and replace that crossing the same way with the upper end materials. Norfolk Southern would be doing the work. The Township would provide the materials and the signage. A flashing sign would be placed on Route 30 to advise the public so that they could plan their detours. Mr. Sabatini planned to meet with the businesses and with North Hills schools. He complimented Mr. Luciani again, and Norfolk Southern, Penn Dot and the rest of the staff here such as Charlie Lauer, Police Chief Eshbach, and Andrew Stern for pulling this together very quickly.

MITRICK Chairman Mitrick stated that she was sure, in Mr. Pasch's absence, he would like to extend his thanks because it was being done before the holiday rush.

SABATINI Mr. Sabatini stated that bids were being offered for surplus vehicles, and as a matter of information, (for Mr. Bishop's benefit) it would be referenced on the website so that people could download the bid forms rather than automatically having to call and ask for them. Mr. Sabatini indicated that the Township was not yet at the point where bids could be done over the internet, but small baby steps were being taken.

SCHENCK Mr. Schenck commented that he had tried to locate the website on four of the most popular search engines but was unable to find it.

BISHOP Mr. Bishop stated that the website must be registered, and he didn't think anyone had done that.

SABATINI Mr. Sabatini added that the Township site would be tied in with the Commonwealth site because there is a hot link there, and also with PSATS. He mentioned that, in addition, all of our correspondence and other communications would be referencing the website.

Haines Road/Memory Lane Traffic Study

SABATINI Mr. Sabatini stated that a meeting would be held next month with the Springettsbury Business Association to discuss the issues and accomplishments hoped for with the Haines Road/Memory Lane study. The OD Study began this day, October 26th, a foggy day with cars only going 6 miles an hour through our area. Results should be obtained within a few weeks.

Firemen's Relief Check

SABATINI Mr. Sabatini reported that the Firemen's Relief Check had been received, which provided money for emergency equipment for fire fighters. Last

year's check amounted to $79,448.00. This year's check, specifically because of the decline in volunteers, amounted to $59,684.00. The Township was aware that there would be a financial impact, and the hammer had dropped on the state level regarding that. That means there are less resources for the volunteers for their protective equipment specifically due to the loss of volunteers, not because of growth of paid staff, not by any other thing, other than the loss of volunteers. Mr. Sabatini stated that he had been advised of that fact by the Office of Auditor General.

SABATINI Mr. Sabatini reported that a meeting would be held with Mr. Schober and with the Industrial Highway business group regarding the interceptor to get them into sync with what we are doing and to make sure that we work around their business needs and to be able to set the structure of the contract that way.

SABATINI Mr. Sabatini asked for the Board's consideration with regard to the Springettsbury Township Community Park Project. He stated that the experience with the municipal building had not been what one would call the most comfortable. He requested that the Board authorize the staff to contract out with an independent contractor to run the project and that the contract documents reflect that that individual shall be the duly designated representative of the Township and all the contractors shall coordinate with him. This Clerk of the Works is going to be very important for us because this is a very large project. The estimated cost is $2.5 Million and would have a significant impact on our community more so in the long run than the Municipal Building because the park would be heavily used. Mr. Sabatini proposed some discussion on the matter in the near future to provide for a Clerk of the Works and amendments to the contract.

GURRERI Mr. Gurreri asked whether Mr. Sabatini had heard any complaints about the traffic study.

SABATINI Mr. Sabatini responded that he could not recall any phone calls that received at the office. He thought, because everyone was driving seven miles an hour anyhow due to the fog, it was not a problem. The study was done in the evening as well.

10. ORDINANCES, RESOLUTIONS, AND AGREEMENTS:

A. Ordinance 00-09 – Increasing the indebtedness of Springettsbury Township for the Purpose of Assisting Springetts Fire Company in Acquiring PEMA Loan

SABATINI Mr. Sabatini commented regarding Item A, Ordinance 00-09, increasing the indebtedness of the Township for the purposes of assisting Springetts Fire Company in acquiring a PEMA loan. This Ordinance is necessary under the Act 52 requirements for the Township to co-sign this document on behalf on Springetts Fire Company to borrow the $150,000.00. A packet had been presented to the Board earlier with a response to a series of questions that I had posed to the Fire Company representatives. In Mr. Sabatini's opinion, at least on paper, the Fire Company had adequately addressed those issues in terms of financial responsibility, how they would intend to pay for it, and their financial resources. They are willing to have the Township as the co-owner of the piece of equipment with our name on the Sales Agreement. The only question that really stands out, which legal counsel and the Board would have to decide, would be the potential impact of the draft ordinance and the current activities once again of the Board of Supervisors and how it would affect ownership of a $570,000 piece of equipment and a $250,000 investment of the Township.

MITRICK Chairman Mitrick asked Solicitor Yost for his advice.

YOST Solicitor Yost responded that the Ordinance had been advertised for adoption at this meeting. He stated he had no problem with adopting it or refusing to adopt it. It is a policy decision on the Board's part and does not affect the litigation. Neither would it substantially affect the draft Ordinance presented earlier. It is a needed piece of equipment.

GURRERI Mr. Gurreri asked whether the equipment had been ordered.

SABATINI Mr. Sabatini responded that it had not been ordered. The Fire Co. has until November 30th to sign the contracts.

YOST Solicitor Yost stated that there was still one deficiency. When he sends the packet of information to the ordinance, the bid statement, and the form of the note, etc. into DECD for approval of the incurring of the debt, a commitment letter from PEMA must be included. Solicitor Yost indicated he had not yet seen a commitment letter from PEMA stating that they have committed this loan to Springetts Fire Company in the Township.

SABATINI Mr. Sabatini responded to that issue and stated that he had spoken with Dan Flohr about that. They did not necessarily want to commit to signing the contract. Mr. Sabatini indicated that would be solved very quickly once the Township committed to the Ordinance. He indicated he could probably can have the documentation within 48 hours.

BISHOP Mr. Bishop stated that he personally thought it very important to continue the process moving forward as anticipated. The Board is convinced that

this is a necessary piece of equipment and no matter what happens, it is important to provide the fire protection that this Township needs and deserves.

SCHENCK Mr. Schenck agreed with Mr. Bishop. He did not have any conflict with the two issues. It had been determined that it is needed for public safety just as viable fire companies are needed for public safety. Mr. Schenck stated that he was comfortable with moving ahead with getting the piece of equipment and with the Township's participation. The township residents essentially had already contributed up $250,000.00 towards it.

SABATINI Mr. Sabatini added that in addition the Township would be paying a portion of the annual payment which will be used to pay off the annual debt service on this equipment. Essentially the taxpayers of the community will be paying for it.

MR. BISHOP MOVED TO APPROVE ORDINANCE 00-09 INCREASING THE INDEBTEDNESS OF SPRINGETTSBURY TOWNSHIP FOR THE PURPOSE OF ASSISTING SPRINGETTS FIRE COMPANY IN ACQUIRING A PEMA LOAN. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution 00-40 – Authorizing Community Conservation Partnerships Grant Application

SABATINI Mr. Sabatini commented that Item B. for Resolution 00-40 essentially certified that the Township Manager would be authorized to sign documents relating to the Growing Greener Grant. The Township had contracted with ISM to do the park design work. As part of the Growing Greener Grant Program, the Township will submit a recreation grant in November for $150,000. Also provided had been a copy of some of the design information, as to what the Township would have in the park. Mr. Sabatini asked for approval of the Resolution.

MR. GURRERI MOVED TO APPROVE RESOLUTION 00-49 AUTHORIZING SUBMISSION OF COMMUNITY CONSERVATION PARTNERSHIPS GRANT APPLICATION OF THE SPRINGETTSBURY COMMUNITY PARK PROJECT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Resolution 00-51 – Authorizing Acquisition of Commercial Industries Corp. Property.

This action had been taken earlier on the agenda.

11. ACTION ON MINUTES:

A. Board of Supervisors Regular Meeting – October 12, 2000

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE OCTOBER 12, 2000 BOARD OF SUPERVISORS MEETING AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS:

MITRICK Chairman Mitrick informed the Board that Mr. Sabatini had submitted to her upon request an adjusted fee schedule that had been originally contracted with him and with Public Planning and Management for 2 ½ days a week, and he has submitted his additional hours. Mr. Sabatini and Mr. Hadge will submit a formal report for the next meeting.

13. NEW BUSINESS:

There was no New Business for discussion.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:20 p.m.

Respectfully submitted,

Robert Sabatini
Secretary

RS/ja

SPRINGETTSBURY TOWNSHIP **NOVEMBER 9, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, November 9, 2000 at Commonwealth Fire Company, 2045 North Sherman Street, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Nick Gurreri
Don Bishop
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Bill Schenck

ALSO IN ATTENDANCE: Don Yost, Solicitor
Robert Sabatini, Township Manager
John Luciani, Civil Engineer, First Capital Engineering
Mike Schober, Environmental Engineer, Buchart Horn
Mike Myers, Design Engineer, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Police Chief
Jack Hadge, Finance Director
Mark Hodgkinson, WWT Director
Betty J. Speicher, Director of Human Services
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:40 p.m. She welcomed the attendees to the meeting and stated that the Board had held an Executive Session on October 30, 2000 regarding legal matters, an additional Executive Session prior to this meeting at 6:30 p.m. regarding legal matters, and again at 7:10 p.m. regarding legal matters. An Executive Session was called immediately following the Regular Meeting of the Board.

A. Pledge of Allegiance

GURRERI Mr. Gurreri led the Pledge of Allegiance.

MITRICK Chairman Mitrick advised that Bill Schenck would not attend.

2. COMMUNICATION FROM CITIZENS:

ISO Explanation

SURTASKY Mr. Tony Surtasky of 2245 Mt. Zion Road asked Mr. Sabatini for an explanation regarding ISO.

SABATINI Mr. Sabatini responded to Mr. Surtasky that ISO (Insurance Services Office), is a rating insurance company agency providing property insurance coverage services throughout the country. He further explained that ISO makes determinations on property insurance ratings based upon levels of equipment, fire service, water supply capabilities, location of fire hydrants, ordinances of the municipality including building codes, property maintenance codes, the types of equipment that are provided, and the types of structures within the municipality. A formula is utilized that awards points for the municipality and sets a rating based upon a myriad of factors.

SURTASKY Mr. Surtasky indicated an understanding of the recommendations and ratings. He then asked how much money would be spent for the study on Memory Lane.

Memory Lane/Haines Road Corridor Study

SABATINI Mr. Sabatini responded that the estimated cost was $100,000 for the Memory Lane/Haines Road Corridor Study, which included information relating to an on-off ramp on Route 30 westbound as well as Exit 7.

SURTASKY Mr. Surtasky asked whether any progress had been made on the road in back of Caterpillar across the railroad tracks to the Bon Ton road.

SABATINI Mr. Sabatini asked Mr. Stern for a response.

STERN Mr. Stern stated that PennDot had been doing the design work; however, their results had been delayed. At this point PennDot would be approving the Township to do a large part of the engineering. TRG (Transportation Resource Group), had been asked to begin that process.

MITRICK Chairman Mitrick interjected that Mr. Luciani would be reporting on that project during his report to the Board.

Rocky Ridge Signage

SURTASKY Mr. Surtasky indicated that the sign at the park still had not been erected. He intended to call the County park officials for a determination.

Springettsbury School

SURTASKY Mr. Surtasky commented about the old Springettsbury School, which the Township had purchased. He asked for the facts of the original cost of the building, how much interest had been paid on it, how much money was still left to pay on it, what it would cost to tear it down, and when would it be paid off.

PASCH Mr. Pasch stated that the action had been taken long before any of the current Board members took office.

SABATINI Mr. Sabatini indicated he would get back to Mr. Surtasky with the information.

Springetts Fire Company

FOLTZ Mr. Don Foltz of 3601 Ridgewood Road spoke about the problems surrounding Springetts Fire Company. He stated that the fire company had been in operation for many years. He would like to see that the fire company stays where it is, especially the ambulance club. He stated he had never seen anything in the papers or anywhere as to just exactly what the problem was between the fire company and the Township. He would like to know why the two couldn't get together and have an amicable settlement. The newspapers could have the breakdown of what the problems are.

MITRICK Chairman Mitrick asked Solicitor Yost to respond due to the litigation.

YOST Solicitor Yost responded that some items would be addressed later in the agenda, which might provide a comfort level. He stated that the fire company would remain available at all times.

MITRICK Chairman Mitrick added that the ambulance service would be available as well.

BISHOP Mr. Bishop stated that he did not believe that there had ever been any attempt from anyone on the Board to indicate that the fire station should not be there. He added that there was no desire to get rid of the station or to move new equipment or get rid of volunteers. Personally Mr. Bishop did not believe that would be one of the outcomes.

WALTERS Mr. Bill Walters, 3310 Eden Ridge Road, had been a Township Supervisor for 16 years and commented of various differences with

the fire companies. Mr. Walters stated he had been a citizen of Springettsbury Township for 37 years was appalled to read the story in the newspaper. An editorial suggested that the Springettsbury Township and Springetts Fire Company leaders were acting like school children. He encouraged the Board to get beyond that point. He suggested leaving the attorneys at home, picking two people from the fire company and the township (not supervisors) and a wise arbitrator to get this resolved. The citizens of Springettsbury Township do not need this type of publicity. He asked whether action would be taken on Ordinance 00-10.

MITRICK Chairman Mitrick indicated that Ordinance 00-10 appeared on the Agenda.

BISHOP Mr. Bishop commented that the objectives of this Board have been clear in the process. He stated he would personally endure whatever bad press it would take to get to the right solution. He stated he didn't really care what the newspapers said, but added that he would not recommend that the Board give up on the principles and steadfast activities that had been taken to get to the desired end just because of some bad press. He stated that serious problems exist, which need to be solved, and the Board intends to solve them. No editorial would stop Mr. Bishop from encouraging the Board to do that.

WALTERS Mr. Walters encouraged the Board to do what was right for Springettsbury Township.

BISHOP Mr. Bishop indicated that was exactly what was intended.

GLADFELTER Mr. Bill Gladfelter, 305 Pinehurst Road echoed the comments of Messrs. Foltz and Walters. He suggested that the Board take one member from Springetts, one from Commonwealth and one from the Board, along with eight to ten people from north of Route 30, same amount south of 30 and let them sit down and find a way to run the fire companies. The citizens will find it.

ASTOR Mr. Bob Astor, 2950 Chesapeake Road, indicated that the members of Springetts Fire Company continue to work on a proposal that may be acceptable to the Township. He stated that they had run into a catch 22 with membership of the Commonwealth Fire Company. The letter they had prepared in February, 2000 prohibits them from interacting with Springetts Fire Company on any type of proposal. He asked whether the Board could give them assurances that it would be okay for them

to work with Springetts on a proposal without fear of a lawsuit. The Township had commented to Springetts that if the two come to a proposal that is acceptable, then that proposal could be reviewed. Commonwealth's comment to Springetts was if Springetts provided something to the Board and it was acceptable then Commonwealth would jump on board. If the Board could give its blessings to Commonwealth working with Springetts on a proposal, it would be acceptable.

MITRICK Chairman Mitrick asked for comment from Solicitor Yost.

YOST Solicitor Yost indicated it would be a policy decision for the Board. Legally he did not have a problem with it. He added that Commonwealth was not party to any of the litigation.

MITRICK Chairman Mitrick made a personal comment that she had very strong desire to resolve this in a most professional and efficient way. If it meant that the two companies would sit down at the table, that would be up to each company. She indicated openness to a very reasonable solution as soon as possible.

ASTOR Mr. Astor asked whether it was okay with the Supervisors that Commonwealth worked with Springetts on a proposal.

MITRICK Chairman Mitrick stated that she would not authorize them to do anything; she was not in that position.

ASTOR Mr. Astor stated that his understand was that the Board would not consider a proposal from just one company.

BISHOP Mr. Bishop responded that there had never been anything said to indicate that.

MITRICK Chairman Mitrick indicated that the Board desired to find something that would work.

ASTOR Mr. Astor responded that they would like that to come as a joint effort from the fire companies. Members of Commonwealth are concerned that they might be thrown into a lawsuit by the Township if they cooperate or work with Springetts on any kind of agreement.

BISHOP Mr. Bishop stated that he would be more than happy to discuss that with Commonwealth at their convenience, but added that it was not a matter for discussion with Mr. Astor. Mr. Bishop added that

the Board had never told Commonwealth what to do at any step along the way.

GURRERI Mr. Gurreri added that the Township had not sued anyone.

ASTOR Mr. Astor asked whether it would be a safe assumption that the Board would encourage them to work together to bring a proposal.

PASCH Mr. Pasch commented that one thing to be examined would be that the members of Commonwealth and members of Springetts were on the Emergency Services Commission for three years. The Board never said not to be on that Commission. We've not given Commonwealth any indication one way or another.

ASTOR Mr. Astor indicated that Mr. Sabatini had had considerable conversations back and forth with the President of Commonwealth Fire Company,

SABATINI Mr. Sabatini responded that he wouldn't say it had been considerable and stated that he had held several short discussions that were the total of his extensive discussions.

ASTOR Mr. Astor stated that since the Board could not sanction any type of cooperation between the companies, he asked whether Mr. Sabatini would recommend that perhaps each company could sit down and work together.

SABATINI Mr. Sabatini stated that it sounded like a side door approach to what he had just asked the Board. He stated that he represented the Board, which provided him with policy direction. He stated that he did not think that the Board had ever stated that Commonwealth should not talk to Springetts. The direction of the Board would be the direction he would take.

ASTOR Mr. Astor indicated that it was Springetts' intent to work together with the Township and the members of Commonwealth to come to a sound resolution.

BISHOP Mr. Bishop stated that it would have been a whole lot easier to do that sitting down and talking before Springetts Fire Company initiated a lawsuit. Unfortunately, that could not be done, nor had it been able to be done over the last six years when they could talk together but could not come to an agreement.

WALTERS Mr. Walters interjected that they were hashing out old things which would get them right back where they started from. He urged Springetts to please get together with Commonwealth and make some kind of settlement.

BISHOP Mr. Bishop stated that the Board had made many decisions, but their decision had moved the process in the direction toward resolving the problem.

GURRERI Mr. Gurreri responded to Mr. Gladfelter that the Board had met with the fire companies for over two years. There had been many meetings, as well as open meetings for the public, but few people attended. It had been a working project for over two years. The Board spent a lot of time working toward a solution.

GLADFELTER Mr. Gladfelter commented that the Board and the Fire Companies had not come to a solution and had been working on it for three or more years. He suggested that they should let the citizens do it.

ECKERT Mr. Don Eckert, 611 Merion Road asked whether, in the midst of litigation, it would be possible to have the necessary kind of dialog between people with a facilitator to resolve the differences.

FOLTZ Mr. Foltz stated that there are very few people who really understand what the problem is between the Board and the two fire companies.

MITRICK Chairman Mitrick stated that the Board was somewhat limited due to the litigation.

MITRICK Chairman Mitrick responded to Mr. Astor with a comment. She stated that the Board realized that Commonwealth Fire Company is very significant in this solution process. If Commonwealth Fire Co. wishes to meet with the Board and discuss the letter that they previously sent or any other aspect of it, the Board would be more than willing to hear from the members of Commonwealth Fire Company.

3. ENGINEERING REPORTS:

East/West Interceptor

SCHOBER Mr. Schober reported three additional comments to his written report. Regarding the East/West Interceptor, a meeting had been held with the business owners in the corridor to advise them of the work and listen to their concerns relating to their businesses. He

indicated that the meeting went very well, and the end result was that the work would be done in front of those businesses at night. The permits for that project are coming in. The last item would be the rights of way from the railroad. Advertisement will be done, which may push the railroad and then the project will proceed.

Solids Handling

SCHOBER Mr. Schober reported that with regard to the solids handling improvements, the design was proceeding well. He provided an updated cost estimate to Mr. Sabatini on that project for budgeting purposes. The raw pump drive project had been designed and was ready for advertisement. Board approval would be necessary followed by a meeting with staff to discuss legal dates, bid dates, etc.

MITRICK Chairman Mitrick asked about a reimbursement for 537 and what that might be.

SCHOBER Mr. Schober indicated it would be half the total cost.

B. Civil Engineer – First Capital Engineering

Memory Lane - Railroad Crossing

LUCIANI Mr. Luciani reported several updates, the first of which was Memory Lane. He had spoken with the contractor and the target completion was Friday (11/10).

PASCH Mr. Pasch questioned members of the Board whether they had noticed any difficulty during the closing of Memory Lane.

BISHOP Mr. Bishop indicated he had noticed the traffic problems.

PASCH Mr. Pasch stated that there had been extreme difficulty. It was important to push forward on the Memory Lane Corridor. This project had provided a very good indication that the Memory Lane traffic study was extremely important to the Township, almost immediately.

LUCIANI Mr. Luciani stated that with regard to North Hills Road and an improved crossing, he had discussed the matter with the Track Superintendent from Norfolk Southern. He indicated that they have a tight labor force and can't get people to do the work due to other prioritized projects. He did not believe that they would get to this in the next two or three weeks and the crossing at North Hills Road may have to be put off until spring.

SABATINI Mr. Sabatini added that he had received a notice that they are projecting to do that in the second quarter.

PASCH Mr. Pasch asked whether it could be set up now for a specific date in the spring.

SABATINI Mr. Sabatini indicated they would attempt to do so, but that the railroad moves whenever they have an extra day/week or two. He will attempt to secure a written date for spring of next year.

MITRICK Chairman Mitrick asked Mr. Luciani if he had Norfolk Southern's commitment to do a shared project in the spring in writing.

LUCIANI Mr. Luciani indicated that was correct, and it would be documented.

Industrial Highway

LUCIANI Mr. Luciani reported that November 2 he met with Mike Lopano and Kay Lightcamp from PennDot along with TRG. They walked the project area at the connection of Mt. Zion behind Sam's Club back to Memory Lane. The project was included in the 12-year program of PennDot prioritized projects. A budget amount had been set up for $550,000 for construction. This is programmed for January, 2002. In the interim, the Caterpillar right of way had provided access from the rear of the Lowe's to the Bon Ton Road. Mr. Stern is working on a slight missing segment. Before the project officially becomes a PennDot project, any right of way that would be obtained could be worked with the developers by the Township. Mr. Luciani encouraged the Township to handle everything possible before it becomes a PennDot project, as there would be Federal regulations, right of ways would need an appraisal and a series of additional hurdles to go through.

PASCH Mr. Pasch asked whether any of those hurdles would be deal breakers.

LUCIANI Mr. Luciani responded that he did not think so and that they were looking to make that a smooth transition. There is additionally an environmental issue to address.

PASCH Mr. Pasch commented that Mr. Luciani and Mr. Stern are both working on the known problems.

LUCIANI Mr. Luciani responded that the last hurdle would be crossing the railroad tracks. This would have to be a signalized crossing.

PASCH Mr. Pasch stated that this would be an expensive proposition for very little activity on that railroad crossing.

MITRICK Chairman Mitrick commented that when they took the bridge out on Market Street, the public indicated that trains do go by their places of business a couple of times a day.

BISHOP Mr. Bishop added that the trains are not long.

Cortleigh Drive

LUCIANI Mr. Luciani reported that he and Mr. Lauer would be sitting down to review the video and pick out segments needing replacements immediately on Cortleigh Drive.

Plymouth Road

GURRERI Mr. Gurreri asked about Plymouth Road.

LUCIANI Mr. Luciani stated that storm water comments had been received asking for how much storm water would be created for the parking lot, which answer was provided.

C. Design Engineer – Rummel, Klepper & Kahl

Pump Station

MYERS Mr. Myers provided construction updates. The pump/station was visible. Painting was done on the inside, and lights are being installed. The 64" interceptor connections had been made in the pump station.

PASCH Mr. Pasch asked whether there had been any evidence of lead deposits.

MYERS Mr. Myers responded that two sample results had come back clean. The Force Main project is 70% complete. Excavation was underway under the Route 30 overpass and working back to the pump station.

Parallel Interceptor

MYERS Mr. Myers reported on the Parallel Interceptor contracted by Springfield was at the point where they actually started laying the 66" interceptor. Two manholes had been set.

MYERS Mr. Myers stated that four lateral connections were needed to complete the overview project. One more manhole was scheduled to be set, restoration work done and the project should be completed by November 18th.

MITRICK Chairman Mitrick commented that they are working at night.

MYERS Mr. Myers responded that the crew is from upstate Pennsylvania, and they are trying to complete a lot of work in a short period of time.

PASCH Mr. Pasch asked about a request from AAM of October 26 for additional Saturday work. He asked whether that created overtime.

MYERS Mr. Myers indicated that the Township was not being charged overtime.

PASCH Mr. Pasch asked about continuing to provide full-time resident inspection services under assignment #1 and #2 and whether that was required by the contractor or on a time basis.

MYERS Mr. Myers responded that it covered R. K. & K's man.

PASCH Mr. Pasch asked whether that was within the contract with R. K. & K.

MYERS Mr. Myers responded that their contract went through August, which had been extended to November. The parallel interceptor contract was to continue through October and continue through early January. There will be some time and funds will be kept back from the contractor.

PASCH Mr. Pasch asked about the Bio-Solids Education Program as to whether there is a timetable. He commented that there had been some delays.

HODGKINSON Mr. Hodgkinson stated that they are attempting to get a Class B reclassified as Class A and until that testing could be done in the spring, the project had been delayed so that wording would not have to be changed.

PASCH Mr. Pasch asked whether there was a timetable as to Class A.

HODGKINSON Mr. Hodgkinson responded that the results should be in by February. At that time a meeting would be set up with DEP and

EPA to present the case, which he hoped would be in February or March.

PASCH Mr. Pasch indicated that the time should be about June, 2001.

MYERS Mr. Myers reported that he and Solicitor Yost met to discuss liquidated damages as discussed at the last meeting. An agreement was reached that an assessment should be made when appropriate. Their contract expiration date is November 16, and they will probably be given a few extra days to compensate for some inefficiencies.

PASCH Mr. Pasch asked Solicitor Yost whether a Resolution or Motion would be necessary to assess the contractor.

YOST Solicitor Yost responded that no Resolution or Motion was required; this was already in the contract. Mr. Myers needed the Board's direction.

Consensus of the Board was that Mr. Myers should proceed with action toward the Contractor.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 11/09/00.
B. East Coast Contracting, Inc. – Progress Billing #10 – New Municipal Building - $70,852.92
C. Frey Lutz – Payment #9 – New Municipal Building - $8,916.36
D. Philips Brothers Electrical Contractors, Inc. – Pay Estimate #6 – Diversion Pumping System - $10,803.60
E. Johnston Construction Company – Pay Estimate #1 – Utility Water System Improvements - $69,467.76

MR. GURRERI MOVED TO APPROVE ITEMS A THROUGH E AS PRESENTED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & QUOTES:

A. Coyne Textile Services – Three-Year Uniform Contract for Public Works and Wastewater Treatment - $34,429.20.

SABATINI Mr. Sabatini presented information from Coyne Textile Services – Three Year Uniform Contract for Public Works and Wastewater Treatment - $34,429.20. He commented that the Township

traditionally bids out a three-year contract for Public Works and Wastewater Treatment uniforms. The new bid came in at $34,429.20. Three bids had been received. There had been a technical defect in terms of the carry over, which had been corrected, and the bottom number came in at the low bid. Mr. Sabatini recommended that the Board waive the technical defect and then award the contract to Coyne Textile Services as the low bid.

PASCH Mr. Pasch stated that it seemed that the contract should be awarded to them, but he asked whether the term had been corrected.

YOST Solicitor Yost stated that there was a provision where a request can be made that it be done.

PASCH Mr. Pasch asked Mr. Sabatini whether Coyne had requested that it be done.

SABATINI Mr. Sabatini indicated that they had.

MR. GURRERI MOVED TO WAIVE THE TECHNICAL DEFECT OF THE BID BY COYNE TEXTILE SERVICES, AND AWARD THE CONTRACT FOR UNIFORMS TO COYNE TEXTILE SERVICES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

MITRICK Chairman Mitrick stated that Item C had been added to the Agenda.

A. LD-00-05 – York Pleasant Valley Condos – Time Extension to 2/28/01

STERN Mr. Stern explained that Item A covered a Time Extension from York Pleasant Valley Condos until 2/28/01.

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM PLEASANT VALLEY CONDOS LAND DEVELOPMENT 00-05 TO FEBRUARY 28, 2001. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. SD-00-09 – WaWa – Time Extension to 3/31/01

STERN Mr. Stern explained that Item B. covered a Time Extension from WaWa to 3/31/01. He added that this WaWa was actually in York Township.

MR. BISHOP MOVED TO ACCEPT THE EXTENSION OF TIME FOR THE WAWA SUBDIVISION 00-09 TO MARCH 31, 2001. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick stated that Mr. Bishop had asked whether there was anything the Board should know. Chairman Mitrick requested that Mr. Stern continue to remind them of information they should be aware of regarding the traffic pattern.

STERN Mr. Stern assured her that the matter was continuously before them.

C. LD-00-16 – York County Archives

STERN Mr. Stern commented that Item C covered York County Archives on Pleasant Valley Road. He apologized for not having this item on the Agenda. Mr. Joshua George of C. S. Davidson represented the plan. He explained some of the particulars about the plan. Of special importance was the fact that this plan was the first to come forward, which would be affected by the Regional Storm water Basin. The Township is currently working with the County and other consultants regarding the Regional Storm water Plan. Staff discussed a method by which the requirement to do a Storm water Management Plan could be delayed for five years. Following the five years, they must go back and put in a storm water management facility per the Ordinance. If the Township notified them that the basin would not materialize, immediately within six months they would have to provide a storm water management facility. Even though they were asking for a waiver, they still proposed putting in a storm water underground pit for the sole reason that it is under pavement, and if they would have to go back and add it, they'd have to tear it apart and re-do it.

PASCH Mr. Pasch asked about the Zoning Ordinance requirement.

STERN Mr. Stern responded that he was satisfied with it. He added that there was an additional issue, which was a turning lane for trucks, which had been resolved through signage.

GEORGE Mr. George commented that the deliveries to this facility consist of 99.5% panel trucks on a one time per day basis. Once a year they do get a tractor-trailer in, and they had designed the access to accommodate tractor-trailers.

LUCIANI Mr. Luciani stated that they had met the requirements. They had kept the driveway to 12 ft.

GEORGE Mr. George stated that the same people utilize the driveways on a week-to-week basis. He added that this would be a low-use facility.

MITRICK Chairman Mitrick asked for Mr. Luciani's opinion regarding the storm water.

LUCIANI Mr. Luciani stated that there had been a number of meetings in the field. He recognized that the County and the Township are attempting to work together. The Ordinance required that any impervious area greater than 150 square feet required storm water management. However, there are some special conditions with the regional pond. His concern was that there are more developments to come. Also there would be a question of liability with additional developers wanting to use the regional pond. In the years to come there may be a problem with additional impervious surface.

PASCH Mr. Pasch commented that if it would be determined that the Regional Storm water system would not be built, then something would have to be done. The Township would have a right to force it to be done within six months.

LUCIANI Mr. Luciani indicated that, if that were the position the Board would take, there should be some detail as to what would be done. A storm water pit had been designed for one side, but nothing to accommodate the other.

PASCH Mr. Pasch indicated that it would have to be at the approval of the Township Engineer.

GEORGE Mr. George responded that was correct and also that it would have to be in compliance with current Township codes. If the Township codes change between now and that five-year period or any time in between there as determined by the Township if we design that now and the codes change, we have to go back and redesign it anyway.

BISHOP Mr. Bishop stated he had a concern that if the Township decided that this needed to be done five years down the road, if no one in the County thought it was an important issue there would be no leverage.

YOST Solicitor Yost stated that the only leverage would be the commitment made on the front page of the plan, which created an obligation.

PASCH Mr. Pasch stated that it could result in some legal costs.

YOST Solicitor Yost stated that would be true only if the Township had to bring an action to enforce it. He added that the Township has that factor with every plan.

MITRICK Chairman Mitrick asked whether looking ahead five years was reasonable and fair to the Township.

YOST Solicitor Yost responded he thought it was fair to the Township. He added that planning for five-year periods seemed to be the standard rule.

LUCIANI Mr. Luciani indicated that the fee would have to be waived if the storm water requirement were waived as part of the Ordinance.

GEORGE Mr. George stated that it was his understanding that that was a fee "in lieu of storm water management." It would not require a waiver of the Ordinance; it was actually a part of the Ordinance.

PASCH Mr. Pasch re-stated that the storm water management was covered.

GEORGE Mr. George responded that was correct.

YOST Solicitor Yost indicated that they are not waiving storm water management; they are deferring storm water management.

LUCIANI Mr. Luciani referred to the next project, which was the expansion of the York County Prison. Mr. Luciani voiced a concern in that the Prison project would be a much larger project with more impervious area. He indicated that a precedence would be set by approving this project because it was a smaller project.

GEORGE Mr. George stated that they were aware that this might be a potential problem in the future. However, he added that it was important to point out that each plan the Board sees was its own separate plan, and it has to be approved and meet the ordinances. Mr. George stated that they would do whatever was needed satisfy staff and meet Board approval.

MITRICK Chairman Mitrick stated that the plan had satisfied the staff. She indicated concern that when the County comes back with their prison plan, that they would not want the same consideration that had been requested with this plan. She wanted to make clear that the joint effort on the regional pond progress needed to continue. Five years out seemed like a tremendous amount of time when we know the additional water will be added to a problem area already. She encouraged the parties involved in the project to continue to meet at the table and keep moving.

MR. BISHOP MOVED TO APPROVE LAND DEVELOPMENT 00-16 FOR YORK COUNTY ARCHIVES, PLEASANT VALLEY ROAD, WITH THE FOLLOWING WAIVERS AND CONDITIONS:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN**
- **WAIVER FROM REQUIREMENT TO SUBMIT SEWER AND WATER FEASIBILITY STUDY;**
- **MODIFICATION FROM CURB AND SIDEWALK REQUIREMENT AS PER THE SIX-MONTH NOTE ON THE PLAN;**
- **MODIFICATION FROM STORMWATER REQUIREMENTS AS PER THE NOTE ON THE PLAN;**
- **CONDITIONED ON COMPLETION OF ALL SIGNATURES, SEALS AND NOTARIZATIONS AND**
- **WAIVER OF SUBMISSION OF FINANCIAL SECURITY.**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

PASCH Mr. Pasch suggested that Mr. Sabatini write a letter to the County advising that the Board had approved this storm water management delay on the retention plan, but that any other plan which comes before the Board would be reviewed very cautiously. The activity toward the common retention pond must be kept moving.

SABATINI Mr. Sabatini stated that a grant application had been submitted to the state under the Growing Greener program for water quality and issues. November is the month in which recipients would be advised of the preliminary funding of $100,000. Mr. Sabatini stated that would have a significant impact on the storm water plan, which has the potential of being up to a million dollar project. Mr. Sabatini responded that he would send a letter at the direction of the Board.

7. COMMUNICATION FROM SUPERVISORS:

GURRERI Mr. Gurreri reported that he had attended a Basic Course in Planning Commissions by Pennsylvania Municipal Planning Education Institute. Larry Stets and Randy Meyerhoff of the Township's Planning Commission also attended. He indicated it was very informative, and he learned a lot.

MITRICK Chairman Mitrick reported that a letter had been received from the owner of Maple Donuts. She asked Mr. Sabatini to review the letter, make some decisions regarding the letter, and advise the Board.

SABATINI Mr. Sabatini asked Mr. Stern whether a meeting had been scheduled with Mr. Burnside.

STERN Mr. Stern responded that he had spoken with Mr. Burnside and added that he would pursue the matter.

MITRICK Chairman Mitrick asked Mr. Sabatini whether he had sent an appreciation note to the appropriate people regarding the Million Dollar Grant for the Regional Service Project.

SABATINI Mr. Sabatini indicated that the language of the bill had not been received. He reported that a letter was expected from Chris Rosetto regarding the grant in more specific detail, which Mr. Sabatini expected within about 4 weeks.

MITRICK Chairman Mitrick asked about the status of the small piece of property on North Sherman Street near Rutters.

SABATINI Mr. Sabatini responded that he and Mr. Lauer had discussed the property. Mr. Lauer reported to Mr. Sabatini that he had just received information from PennDot regarding the property. Mr. Sabatini had a meeting with Mr. Argento earlier during the week, who expressed interest in obtaining the property. Mr. Sabatini stated that he would follow up with Mr. Argento.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost reported that he wished to discuss the two litigation matters during the Executive Session.

<u>Aerial Ladder Truck Loan</u>

YOST Solicitor Yost requested the Board's direction regarding the PEMA loan for the aerial ladder truck. The Unit Debt Act work had been done toward qualifying the Township for that loan. He was ready

to send the paperwork to DCED; however, there was a requirement that PEMA would provide a commitment. He had not received that, which was to be part of the loan package to be sent to the Department of Community Affairs.

SABATINI Mr. Sabatini stated that some of that had been put on hold regarding the fire truck. The paperwork had been completed; a discussion had been held about some possible alternative financing of the apparatus. He requested that this matter be discussed in Executive Session.

PASCH Mr. Pasch asked whether there was a time deadline.

SABATINI Mr. Sabatini responded that the only deadline was November 30 from American LaFrance over the acceptance of the bid. He further stated that there was a high probability that Springetts would receive approval from PEMA for the loan. He indicated that the Township could hand over the check any time during this month.

BISHOP Mr. Bishop stated that the Board needed to be clear that it had never wavered from the position that the piece of apparatus was an appropriate purchase. The financing appeared to be the only unsettled issue. Mr. Bishop hoped that if there was a November 30 deadline with the manufacturer to get on their schedule, that whatever is necessary to do to meet that schedule would be done.

MITRICK Chairman Mitrick agreed that the position of the Board should be made known; however, she stated that she preferred that the other matters be held for the Executive Session.

9. MANAGER'S REPORT:

Memory Lane RR Track Project Completion

SABATINI Mr. Sabatini reported that the Memory Lane project would be completed by 8 a.m. November 10, 2000. He congratulated all those involved.

Signal Timing Cooperation

SABATINI Mr. Sabatini advised that a number of municipalities would be meeting within the next few weeks regarding signal-timing issues on the Route 30 signals. He indicated several townships would participate, i.e., West Manchester Township, York City, Spring Garden, Manchester, and Springettsbury. This would deal with timing and taking the authority to deal with the timing issues. A

stretch of less than one mile has four different municipalities involved. Each municipality would be receiving recommendations as a result of this meeting.

MITRICK Chairman Mitrick asked whether the County would have input as well.

SABATINI Mr. Sabatini responded that the County was involved but not truly a part of it. The County would operate in a coordinating capacity.

AAM Contractors - Retainage

SABATINI Mr. Sabatini reported that a request had been received from AAM contractors regarding a reduction of the retainage amount from 10% to 5% per the contract. There was a trigger for percentage of work completed. At that point the contractor may request a reduction. This is a policy decision of the Board based upon a number of factors including the fact that the project is several weeks/months behind. Mr. Sabatini asked for the Board's consideration or hold on this matter. R. K. & K. recommended approval.

PASCH Mr. Pasch stated that, even though the project is behind time wise, the contractor had reached the point in the contract which indicated that it could be requested.

BISHOP Mr. Bishop stated that it was his understanding that R. K. & K. had recommended that it be stalled some; that it would be reasonable not to reduce the retainage.

SABATINI Mr. Sabatini stated that as far as AAM's construction progress, R. K. & K. had no objections.

BISHOP Mr. Bishop stated that he was in favor of having the policy in place to make the project happen as quickly as possible. He asked when the Township would be required to release the retainage.

SABATINI Mr. Sabatini responded that traditionally the retainage could be held for the full length of the contract. AIA language allows that this be done at any time.

YOST Solicitor Yost recommended that the contract be checked, and if it were automatic, then it should be done.

SABATINI Mr. Sabatini asked what should be done if it were discretionary.

YOST Solicitor Yost responded that if it was discretionary and in anticipation of the other claims, the Township might want to hold it. If it were mandatory, compliance would be automatic.

MITRICK Chairman Mitrick asked Mr. Sabatini to report back to the Board as to what had been done.

Urban Engineers

SABATINI Mr. Sabatini had received and provided to the Board a letter from Urban Engineers, the engineers responsible for doing the design work and overseeing the project of improving Route 30 from North Hills Road to Kreutz Creek Road interchange in Hellam Township. Information was provided as to the work schedule, most of which would be done at night into the New Year for approximately six months.

MITRICK Chairman Mitrick commented that Urban Engineers would like to be advised of projects being done in the spring.

SABATINI Mr. Sabatini indicated he had worked closely with the group in the past and he would keep abreast of the matter.

Codified Ordinance Draft

SABATINI Mr. Sabatini reported that the Codified Ordinance Draft would be distributed to the Board. He requested the Board review this in detail and come back with a written response. Failing that it would be done on a staff level with Solicitor Yost and the appropriate parties to address the issues pointed out and provide a list of recommendations.

State Grant - Landscaping

SABATINI Mr. Sabatini discussed a state grant for landscaping. Mr. Stern spoke with Bartlett of the CRA funds. They had verbally approved a waiver to allow the Township to use the funds on the project on a Change Order basis because the original project had been bid out. They approved the change order.

SABATINI Mr. Sabatini indicated he would like to discuss personnel and litigation in the Executive Session.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Resolution 00-52 – Authorizing Submittal of FY2000 Grant Application to Environmental Protection Agency.

SABATINI Mr. Sabatini reported that Resolution 00-52 would change names of the authorized signatories for the Wastewater Grant removing Lori Mitrick as Secretary-Treasurer, and inserting Robert Sabatini's name in as Secretary-Treasurer; maintaining Don Bishop's name on the list. This simply allows them to sign submittal forms.

MR. GURRERI MOVED TO APPROVE RESOLUTION 00-52 AS PRESENTED. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Ordinance 00-08 – Amending Article 19 Supplemental Regulations of the Zoning Ordinance – Hotels and Motels

SABATINI Mr. Sabatini explained that Ordinance 00-08 would amend the zoning ordinance dealing with hotels and motels. A Public Hearing had been held earlier during this evening (11/9/00) prior to the Regular Board Meeting with no public comment.

MR. GURRERI MOVED TO APPROVE ORDINANCE 00-08, AN ORDINANCE AMENDING THE ZONING ORDINANCE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Ordinance 00-10 – Revoking the Status of Springetts Fire Company

SABATINI Mr. Sabatini stated that Ordinance 00-10, a draft of which had been distributed by Solicitor Yost at an October 28th Board of Supervisors meeting, would revoke the Status of Springetts Fire Company. The Board chose not to take an action at that time and directed that it be placed on the Agenda for this meeting for discussion and possible action. The action taken would authorize the advertisement of the Ordinance to revoke the status at a future date.

PASCH Mr. Pasch commented that there had been a lot of citizen comment during this meeting about the Board. He stated that it was important that everyone recognize that the Emergency Services Commission worked on this project for three years with members of both of the fire companies to try to get a resolution. The resolutions were not forthcoming for whatever reason. He continued that there had been plenty of opportunity throughout the past three years for the public to be involved. He suggested that there should be more investigation on the part of the public before they blame either the Board or the fire company. Mr. Pasch continued that the Board would like an amicable resolution, which would not go into the courts. He stated that the Township Board of

Supervisors did not initiate the legal action. That had been initiated by Springetts Fire Co. There was no legal right to name the individual members of the Board of Supervisors in the suit, and the attorney for Springetts had recognized that fact with the Township's attorney; however, there have been delays in removing the Supervisor's names. As a result the Board members had no choice but to defend ourselves individually. The Ordinance on the Agenda would simply permit advertisement. It had been reviewed, and the Board decided it should be delayed as long as possible. We have an understanding that the attorneys will meet on Monday and that there will be a meeting at Springetts as well. Mr. Pasch stated that advertisement of the Ordinance should still proceed, but it would be advertised for review at the December 14th meeting, which provides almost 40 days in which to work. If the parties can agree, the attorneys to start with, and obtain some kind of resolution for everybody to table or back off on any potential legal action then we can start talking in a reasonable conscientious way toward some resolution. The Board believes there is a possibility and if we see that action is happening, and progress is being made, then that action at the December 14th meeting can be postponed again. The Board feels that there is enough indication from various sources that it has an opportunity to come to a resolution, which would be a win-win situation, which is what we want. The important thing is that the Board of Supervisors is looking for a situation in the best interests of the residents of the Township. The advertisement of the Ordinance should continue, but at the same time, other action should be taken including the meeting on Monday between the attorneys to get the attorneys backing off in order to start coming up with a resolution that is beneficial to everybody.

MITRICK Chairman Mitrick agreed with Mr. Pasch's comments in that the Board was making every effort possible to do what's best for Springettsbury Township. She stated that the greatest success would be cooperation with the very important people that are needed including the volunteers and paid personnel. She was hopeful that the communications provided in the last few days would continue to progress in order to keep the matter out of court and fulfill the Board's obligation to provide the best service possible for Springettsbury Township.

MR. BISHOP MOVED TO DIRECT THE TOWNSHIP MANAGER TO ADVERTISE ORDINANCE 00-10 REVOKING THE STATUS OF SPRINGETTS FIRE COMPANY WITH THE UNDERSTANDING THAT THIS ACTION IS REQUIRED IN ORDER FOR THE BOARD OF SUPERVISORS TO ENACT

THAT ORDINANCE AT OUR NEXT MEETING ON DECEMBER 14, IF WE DECIDE TO DO THAT, BUT UNDERSTANDING ALSO THAT WE ARE NOT REQUIRED TO ADOPT THAT ORDINANCE AT THAT TIME. MR. BISHOP FURTHER MOVED TO DIRECT THE TOWNSHIP SOLICITOR AND THE TOWNSHIP MANAGER TO ENGAGE IN WHATEVER NEGOTIATIONS THEY DEEM APPROPRIATE TO SETTLE THESE MATTERS IN OTHER WAYS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MITRICK Chairman Mitrick responded to a request for public comment.

WALTERS Bill Walters stated that he thought the Supervisors were adding fuel to the fire and that it could be tabled for another night. He stated that he sat on the Board for 16 years and knew what the Supervisors were going through.

PASCH Mr. Pasch commented that he recognized the press had been very open, and he was assured that they would say that both parties indicated a willingness to try to work toward resolution. They are fair in what they do. It's up to the individuals to read the paper the way they want to read it.

GLADFELTER Mr. Gladfelter stated he could see no reason to vote on this Ordinance if the parties are getting close. He suggested having another vote to rescind that vote. He voiced a number of additional comments and suggestions.

BISHOP Mr. Bishop responded that the Board of Supervisors was making the decisions and was committed to doing whatever they can to solve the problem. Nothing that had been done moves the action toward closing down the fire station on Market Street. That was not their objective, and it was his personal opinion that there was virtually no chance that that would ever happen. The motive is to provide the best possible fire service in Springettsbury Township. That involves having Commonwealth and the fire hall on Market Street always available, along with staff to protect the people of Springettsbury Township.

ECKERT Don Eckert asked whether he could receive an answer to a question. With the present litigation and a scheduled meeting with the two attorneys on Monday, he didn't think that was the answer to getting the problem resolved. That might be necessary to move forward under legal aspects and under litigation, but as long as there's a lawsuit there could be no discussion. Drop the lawsuit and we'll talk. He questioned with the litigation whether there would be a possibility of talk with some kind of task force or a

facilitator who could address the issues. Mr. Eckert stated that he had been involved for many years with the fire services and was familiar with all sides of the issues. There are only a few things in the document that are not acceptable to the fire service. He feared that the attorneys would not address the fire service issues. He questioned whether the people involved could sit down and discuss those issues.

PASCH Mr. Pasch indicated that the attorneys are meeting in order to get both sides to back off on the legal issues in order to have the opportunities for discussion with the people involved. There must be a win/win situation.

YOST Solicitor Yost added that there is already a court hearing scheduled between now and the time they next meet. That should be continued indefinitely as long as the parties are talking.

GLADFELTER Mr. Gladfelter stated that there had been talking and discussion for three years. He asked whether progress would be made.

PASCH Mr. Pasch responded that he hoped progress would be made. There could not be negotiation and litigation at the same time.

BISHOP Mr. Bishop stated that there had been some progress over the last few days and that there are reasonable expectations for continued progress.

MITRICK Chairman Mitrick commented that there are so many emotions involved in the issues that emotions need to be cleared out. She encouraged everyone to look at what the primary objective was, the best fire service for the residents and businesses in Springettsbury Township. She stated that the Board understood that when people come to the table they will bring reasonable issues. This Board has a responsibility to the residents and business in Springettsbury Township. By advertising the Ordinance the people involved very clearly will know that no action would have to be taken on that Ordinance but that progress was being made. We have to keep the process moving. She added that to make personal accusations was inappropriate.

WALTERS Mr. Walters interjected that it was obvious that you're hurt and feel that you have to protect yourselves.

PASCH Mr. Pasch stated he wasn't hurt, but he just has to protect himself. The Board had done nothing except to hire an attorney to say protect us from this.

BISHOP Mr. Bishop stated that the Ordinance discussed had nothing to do with the fact that the Supervisors had been named personally in the Springetts lawsuit. We would be doing the exact same thing whether we were named in that lawsuit or not. It is really a peripheral issue--the fact that we were named in this lawsuit. The course of action that the Board is taking is one that the Board had determined would be necessary to solve the big issues, not some sort of personal response from the Board that we're personally mad at being sued. This is what we think we need to do to solve the root problem of volunteer fire service in Springettsbury Township.

SURTASKY Mr. Surtasky asked what would happen if the Ordinance were passed, to the item in the courts.

YOST Solicitor Yost responded it would make that action moot. It would be null and void.

FOLTZ Mr. Foltz stated he'd like to form an opinion on the matter, but asked who he could speak with to find out what was going on.

MITRICK Chairman Mitrick asked Solicitor Yost to respond.

YOST Solicitor Yost responded that Mr. Foltz doesn't want to hear it from us nor from them. He wants to hear from someone who has no stake in the matter.

MYERS Mr. Ken Myers suggested Mr. Foltz call him.

BISHOP Mr. Bishop stated that he could call him anytime.

MITRICK Chairman Mitrick stated that in closing the matter there were as many opinions as there were people in the room, but it was very important that the discussion be closed knowing the progress that had been made. Mr. Pasch indicated that in the last few days some progress had been made to bring the parties to the table. The Board had expressed an interest in sitting at the table and will follow through on that interest just as quickly as possible with very sincere hope that we can get this resolved outside of the courts.

11. ACTION ON THE MINUTES:

A. Board of Supervisors Regular Meeting – October 28, 2000

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS MEETING ON OCTOBER 26, 2000 AS WRITTEN. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. PASCH ABSTAINED AS HE WAS NOT IN ATTENDANCE.

12. OLD BUSINESS:

There was no Old Business for discussion.

13. NEW BUSINESS:

PP&MG/Sabatini – Additional Hours

MITRICK Chairman Mitrick stated that she had requested Mr. Sabatini submit to the Board the payment due for additional hours above and beyond the initial agreement with PP&MG. Along with Mr. Hadge they had submitted to the Township a $5500 bill.

SABATINI Mr. Sabatini stated that what had been requested was that he submit an invoice and tier it based upon the hours worked as submitted to PP&MG. It was based upon a three-tier rate for additional hours from 25 to 30 hours is an additional $250.00; 30 to 35 hours - $500.00; 35 hours+ - $750.00. This was consistent with normal rate of reimbursement. We made the transition from 20 – 24 hours to approximately 30 hours and 40 hours and above sometime in May.

PASCH Mr. Pasch stated that he was a little confused with it and his only question was why it had not been done just on an hourly rate.

SABATINI Mr. Sabatini responded that the anticipation was that originally it was just a fee of $1000 a week for up to 25 hours. The original proposal was not an hourly rate to the Board because of the unique relationship here of his being your employee as well as PP&MG's.

GURRERI Mr. Gurreri stated that it should have been explained to the Board.

SABATINI Mr. Sabatini indicated that they had the discussion toward the beginning when the transition was made going beyond the 25 hours. He had been advised that when they got to a point where he had some information together he should provide it to the Board. The document under discussion was a wrap up of the project. Two

additional invoices were presently in the system covering the last two weeks of employment of PP&MG, as well as the Township itself.

PASCH Mr. Pasch asked Mr. Hadge whether this was a reasonable approach.

HADGE Mr. Hadge responded that he had not been involved in establishing the relationship. In addition he was not aware of the conditions at that particular time in terms of additional hours.

PASCH Mr. Pasch was more concerned of a practical accounting approach.

HADGE Mr. Hadge responded that, as Chief Financial Officer, he would not advise his manager or his board to negotiate that type of arrangement.

SABATINI Mr. Sabatini stated that it was a tiered arrangement.

MITRICK Chairman Mitrick commented that she did not think that it had been in the contract.

SABATINI Mr. Sabatini stated that there was no provision in the contract for anything above 25 hours. That's where we had gone beyond the contract situation where the contract specifically was for 25 hours a week, the company would be compensated $1,000 a week translated to be $40.00 an hour. Mr. Sabatini, the contracted employee of PP&MG, had been paid directly by the Township at a rate of $35.00 an hour. That was to address issues relating to second-class township code which Solicitor Yost had provided to the Board and to PP&MG. It was just set as a tiered rate up to 25 hours a week by PP&MG for the 'lease' of his services. The agreement had never addressed anything over and above 25 hours. When the Board realized fairly quickly how many more hours could be provided to the Township, it generally added up to a day, to a day and a half a week. It had not been agreed how that additional time was to be compensated. His compensation as directed from the Township was taken care of by a flat hourly basis. PP&MG was tiered with essentially a flat rate, which had been set up as several tiers. He indicated he would be happy to review the matter with PP&MG to determine whether it could be handled by a straight dollar value for all the hours worked in excess of 25 hours.

BISHOP Mr. Bishop asked what more PP&MG did to earn that money.

SABATINI Mr. Sabatini responded that the Township had the opportunity to work with him for approximately 10 to 15 hours more a week.

PASCH Mr. Pasch commented that he did not have a problem with this, but thought that the consulting company was providing the services of an employee to the Township and the Township would be paying for so many hours. The consulting company would be entitled to its share of that, and also would be entitled to a share of whatever would be additional. The only thing he questioned was that it had not been done in advance.

YOST Solicitor Yost stated that he had been under the impression that the agreement was that the Township would engage Mr. Sabatini as the Manager of the Township; the Township would be paying $35.00 an hour for each hour spent and pay PP&MG $1000 a week for supporting services.

SABATINI Mr. Sabatini added that it was up to 25 hours. That was the turning point.

PASCH Mr. Pasch stated that if Mr. Sabatini was working for the Township, he would not be available to work for someone else to get their share. Mr. Pasch did not have a problem with the concept, but he had a problem in that it was so long in coming and there was no agreement in what was involved there as to how to handle it. He had no problem with saying that he thought that the firm itself, if they supply a man for more time than we agreed to, would be entitled to something.

SABATINI Mr. Sabatini asked whether he could suggest an alternate scenario to be provided to the Board, which would be based upon a flat $40.00 per hour fee.

PASCH Mr. Pasch stated he had not examined the numbers. A straight $40.00 an hour may come out to be more.

SABATINI Mr. Sabatini indicated he would get back to the Board on the matter.

MITRICK Chairman Mitrick requested that he put the item on the Agenda for the next meeting.

BISHOP Mr. Bishop requested a complete package of information for discussion. He would like to see a copy of the original agreement, along with Mr. Sabatini's breakdown of the numbers.

PASCH Mr. Pasch added that there had been times when Mr. Sabatini's services had been very necessary. The Township was in a tough time with a lot of things that had to be done. We were imposing on the firm to have them give us more time rather than spending it at Dillsburg or wherever. He stated he would like to see more information additionally.

SABATINI Mr. Sabatini indicated he would provide more information to the Board.

14. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10 p.m.

Respectfully submitted,

Robert Sabatini
Secretary

RS/ja

SPRINGETTSBURY TOWNSHIP **NOVEMBER 9, 2000**
PUBLIC HEARING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing at 6:00 p.m. at Commonwealth Fire Company, 2045 North Sherman Street, York, Pennsylvania. The purpose of the Public Hearing was for discussion regarding Zoning Ordinance 00-08, Section 1919 and 1935, both of which address Hotels and Motels.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Ken Pasch

MEMBERS NOT IN ATTENDANCE: Bill Schenck

ALSO IN ATTENDANCE: Don Yost, Solicitor
Robert Sabatini, Township Manager
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the Public Hearing to order at 6 p.m. She stated that the purpose was for discussion of Ordinance 00-08 – Amending Article 19 Supplemental Regulations of the Zoning Ordinance relating to Hotels and Motels. She stated that no action would be taken regarding the Ordinance during the Public Hearing.

STERN Mr. Stern presented information regarding the Ordinance. He explained that there are two sections in the Zoning Ordinance, Sections 1919 and 1935, both of which address Hotels and Motels. Section 1919 was in the original Zoning Ordinance, and 1935 had been added during the mid-1990's. During the time that 1935 was added, Section 1919 had not been included resulting in a conflict. Section 1935 allows some additional accessory uses or incidental uses such as restaurants, coffee shops, gifts shops, and recreational areas. This Ordinance suggests removing Section 1919 and having all sections of the Ordinance that referred to Section 1919 now refer to Section 1935. This Ordinance had been reviewed and recommended by York County Planning Commission.

GURRERI Mr. Gurreri asked whether the Ordinance would address a convention center.

STERN Mr. Stern indicated it did not do so. Section 1919 included convention centers in with the category. Section 1935 does not include that term but the term was not specifically defined.

PASCH Mr. Pasch asked what the essential change included.

STERN Mr. Stern responded that 1935 added some additional detail. He added that essentially the language was being changed to conform both Ordinances.

PASCH Mr. Pasch asked Solicitor Yost if he thought there would be any problem with doing so.

YOST Solicitor Yost responded that there would be no problem and added that the two Ordinances were inconsistent and needed to be synchronized.

2. PUBLIC COMMENT:

MITRICK Chairman Mitrick asked for any comments from the public. Hearing none she stated that the Ordinance would be placed on the Agenda for action during the Regular Meeting of the Board of Supervisors to be held at 7:30 p.m. this date (11/9/00).

3. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 7:05 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary-Treasurer

RS/ja

SPRINGETTSBURY TOWNSHIP **NOVEMBER 30, 2000**
BUDGET WORK SESSION #1 **APPROVED**

The Board of Supervisors of Springettsbury Township held a Budget Workshop on Thursday, November 30, 2000 at the Township Offices at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: L. Mitrick, Chairman
Ken Pasch
Nick Gurreri
Bill Schenck
Don Bishop

ALSO IN ATTENDANCE: Bob Sabatini, Township Manager
Jack Hadge, Financial Director
Andrew Stern, Economic Development Director
Charlie Lauer, Public Works Director
Michael Hickman, Fire Chief
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7 p.m. She stated that the Board of Supervisors held an Executive Session at 7 a.m. on Tuesday, November 21 regarding legal matters. She announced there would be an Executive Session following the November 30th Budget Work Session regarding legal matters.

MITRICK Chairman Mitrick stated that she had discussed a special meeting with Donald Yost for the Pleasant Valley Road Condominiums at 6 p.m. on the 14th so that the plan could be presented to the residents. Solicitor Yost had advised that Mr. Kinsley had requested that they not be placed on the agenda but that it be held off as he had some things to investigate. Since the Board had decided to have that special meeting, she asked the Board whether they wished to cancel the meeting.

SCHENCK Mr. Schenck asked whether they were going to ask for approval.

MITRICK Chairman Mitrick responded that a request had been made to be placed on an agenda in January, 2001.

PASCH Mr. Pasch asked whether there would be any time deadlines to meet.

STERN Mr. Stern responded that the timing was by February 28, 2001.

MITRICK Chairman Mitrick asked that the neighbors be notified and that the cancellation be advertised as well.

Consensus of the Board was not to hold the meeting.

2. GENERAL BUDGET COMMENTS:

SABATINI Mr. Sabatini provided an overview of the Year 2000 stating that it had been a transitional year, as well as a year of change with the biggest change taking place within the Finance Department. The focus of the financial and budget process had been to make things more simple. In preparation for budget discussions Messrs. Sabatini and Hadge had chosen to do some catch up work. The Park Project, along with several Wastewater projects, continue to move forward and will go out for bid late this year or early next year. Over the course of the year 2001 a focus upon the internal operations will be made to finalize some outstanding issues, as well as moving ahead with some of Mr. Sabatini's "quality of life" issues such as traffic studies, traffic calming, the park project which would make Springettsbury Township an ideal community in which to live and work. Meetings have been held with department heads in advance of these budget discussions. Changes had taken place as late as this morning (of this date, 11/30/00) with Fire Department issues which have an impact on the budget. These matters will be discussed during an Executive Session. Mr. Sabatini stated that Mr. Hadge had been instrumental in putting the budget together. Mr. Sabatini indicated he had provided the general direction of where the Township needed to be in terms of both budget growth and priorities. Mr. Hadge and his team had put the numbers together. Mr. Sabatini thanked Mr. Hadge for his efforts.

MITRICK Chairman Mitrick added that having the opportunity to come in and meet with Mr. Hadge individually regarding the budget had been very advantageous.

HADGE Mr. Hadge thanked the Board for taking the time and especially the directors who had been more than cooperative in terms of the budget process. He highlighted several budgetary items for discussion which would include Community and Economic Development, Public Works and the Fire Department.

Mr. Hadge commented that the local newspaper of the Township today had an item advertising the adoption of the budget and tax levy on December 21, 2000 at Noon. He stated that tonight the effort would be to provide the Board and the residents of the Township the total picture of the financial operations of the Township. Therefore, the total budget amounts to $17,871,000. Of that amount $7,150,000 is for the General Fund, $6,294,500 for the Utility fund and a series of other funds

amounting to $4,426,500. The general fund represents 40%, Wastewater Utility 35%, and other funds $25% for a total of 100% of the $17,871,000. He advised there would be no tax increase for 2001. Taxes are held stable at .610 mills. Four tenths of the levy is held for General Fund, 1/10 for Fire and 1/10 for Capital Construction.

HADGE Mr. Hadge stated that an effort had been made to show revenues and expenditures clearly. The revenue sheets show some items such as the Fire Relief Aid placed in the General Fund totaling $59,000 and then shown in the Fire Department as an expenditure to the Fire Relief Association. In addition, clearly shown is $346,000 of the fund balance to be used. This had not been previously shown as part of the revenue structure.

He mentioned he had provided a breakdown of each of the categories of expenditures such as Public Safety, Public Works. He had made Community and Economic Development Department more focused in terms of its existence. Prior in this budget it had been part of Public Safety. Because of the progress of Springettsbury Township in terms of commerce and its industrial base, it should be more clearly shown as a Community and Economic Development Department category rather than an item under Public Safety. Public Safety includes fire, police and emergency medical services.

In the Public Works area the Township buildings were moved from General Government to Public Works. Playgrounds and Parks maintenance have been moved from Recreation to Public Works because the director, Charlie Lauer, is responsible for those program activities and it belongs in the public facilities area. The Community and Cultural Services area include the Library, the Recreation Department as well as Civil and Military Celebrations. An additional category is listed as Fixed and Sundy charges (page 6), Mr. Hadge noted that those items are shown clearly. Previously there had been a $110,000 contingency in the current year budget, which had not been shown very clearly.

Mr. Hadge highlighted a variety of Supplementary Budget Information, terms such as Employee Benefits. Chairman Mitrick had requested such information, as well as the total wage and salary package. This has been provided totaling $5,100,875 and representing 70% of the budget.

Mr. Hadge reported that the budget for 2001 actually was a decrease. In comparison with the 2000 budget at $7,900,000 this budget represents a total of $7,100,000. The Township has been financing $1,300,000 of the new building out of the General Fund budget. Removing the building construction costs costs, a 5% increase remains over the 2000 budget. A

contingency exists of $100,000 more than in 2000. The operation of the new Administration Building in terms of utility costs, maintenance, etc. have been included as increases in the new the new budget.

HADGE Mr. Hadge then asked Mr. Stern to highlight some of his budget items for 2001. He commented that the Community and Economic Development department budget provides for a decrease.

3. COMMUNITY AND ECONOMIC DEVELOPMENT:

STERN Mr. Stern thanked Mr. Hadge for his help in presenting his department budget. In addition to the employee benefits area, there are other decreases. The major area of his budget is in salaries, which includes Andrew Stern, Tori Lutz, Ron Simmons and Greg hENRY. Mr. Sowers' expenses come from the Wastewater fund. Mr. Stern added that no special projects are forthcoming in this budget. His focus will be toward Intermunicipal Planning. Mr. Stern's opinion was that the economy would be starting to slow down, which would increase the permits and construction projects. The construction industry is hurting due to lack of skilled labor. Additionally the sewer moratorium was expected to be lifted soon.

PASCH Mr. Pasch asked whether the increase, which Mr. Stern anticipated, could be handled with his budget.

STERN Mr. Stern felt that, as far as the expenses were concerned, it would be sufficient.

HADGE Mr. Hadge commented that in an earlier discussion with Mr. Pasch regarding engineering fees and land development, Mr. Hadge had advised that he had taken a very conservative, cautious approach.

PASCH Mr. Pasch stated that the three-year average was low because the sewer capacity had not been available. He thought the figure might be a little bit light in revenue from engineering fees, subdivision fees, land development, etc.

STERN Mr. Stern indicated that expenses for engineering were twice that; however, the Township would be reimbursed only for specific items. Invoices for reimbursements are sent out only upon the approval of a plan. He added there were smaller projects this year.

PASCH Mr. Pasch stated that he felt the projected revenue was still too low.

STERN Mr. Stern indicated that he would probably agree except that his numbers for the current year were higher than the actual revenue numbers and he wanted to also be more conservative.

BISHOP Mr. Bishop asked Mr. Pasch what his assumption would be as to when the sewer capacity would be available.

PASCH Mr. Pasch responded that he felt it would take place in February.

SABATINI Mr. Sabatini stated that they would have to watch the staffing situation. If a surge of development would begin, the current staffing may not be adequate to handle it. If the numbers justify it, there may be a need for a Building Codes person off shift, not 8 to 5 p.m. Due to the fact that there are many more restaurants in the township, there may be a need for a Health Inspector.

GURRERI Mr. Gurreri asked whether the Comprehensive Plan would be started in 2001.

STERN Mr. Stern responded that the actual process would probably not begin in 2001. A decision would be made as to how to implement it.

SABATINI Mr. Sabatini stated that from the point where a decision would be made to go ahead with a Comprehensive Plan until an award was made would be generally a year. A decision would have to be made as to what accomplishments were needed to be made.

SCHENCK Mr. Schenck stated that the new laws must be consistent with surrounding municipalities.

SABATINI Mr. Sabatini indicated that the cost of $200,000 for a Comprehensive Plan was not uncommon.

PASCH Mr. Pasch stated that he recalled a quote of $100,000 eight or nine years ago.

STERN Mr. Stern commented that each township should agree which area of use would be desired, such as no more industrial development or only residential development. This would be a much larger scale process.

PASCH Mr. Pasch stated that with those possibilities it would behoove the Board members to take a policy look at all kinds of possibilities. As the Board of Supervisors, it should be examined as to the direction and effort.

SABATINI Mr. Sabatini interjected that the matter still has to be sorted out by the lawyers and planners and policy people as to how this would actually work. A lot of money had been earmarked this year for training, which included the Board as well. Information on some of the seminars provided by the state association on specific topics will be brought to the Board's attention. It is a dramatic change from the approach taken in the past. Having the Board understand from the trainers and the state people is as important or more important than us learning it. This is more your document than ours.

SCHENCK Mr. Schenck indicated agreement.

GURRERI Mr. Gurreri stated that when the Comprehensive Plan had been done before he wondered how many people in the community were involved.

SCHENCK Mr. Schenck stated that he was not a member of the Board at that time, but he had attended many of the public meetings.

PASCH Mr. Pasch stated that he had been a member of the Planning Commission and there had been a lot of people involved.

SCHENCK Mr. Schenck asked for clarification with regard to the procedure. He wondered whether Mr. Stern would be going over any details for his department.

HADGE Mr. Hadge responded there was not that much detail to review unless there were questions or comments. In the current year two trucks had been purchased, but there is no capital equipment for Community and Economic Development in 2001. Mr. Hadge stated that Mr. Stern had fine-tuned the budget early in the process. There is $4,000 to $5,000 available for Training and Development, and there are no staff changes budgeted.

SCHENCK Mr. Schenck stated that it was a matter of curiosity for him to see how the revenue flows in and out. He asked roughly between Building Permits, Inspection Fees, Engineering Fees, how much was being paid for the department.

SABATINI Mr. Sabatini responded the figure, which included Subdivision Fees, Engineering, Variances, Zoning Amendments, Land Development Fees, Building and Plumbing Permits and others amounted to about $255,000 in revenues. A conservative approach had been taken on these market issues.

SCHENCK Mr. Schenck stated that there were approximately $188,000 in expenses.

STERN Mr. Stern commented that the expenses had been lowered significantly.

PASCH Mr. Pasch asked where the Engineering expenses for First Capital were shown.

HADGE Mr. Hadge responded that Engineering Fees are from the General Government section amount entitled, Engineering..

PASCH Mr. Pasch commented that engineering services are primarily with Community and Economic Development.

STERN Mr. Stern added that the amount received in revenues is about the same as the expenses. The rest are General Government.

SCHENCK Mr. Schenck added that Mr. Lauer received some of it for Public Works.

SABATINI Mr. Sabatini commented that as the budget process is developed, there would be a better breakout of professional services, legal services, such as Solicitor Yost costs, which are not solely associated with actions of the Board of Supervisors. Some times it's litigation costs, some are in response to land development issues or fire department, EMS issues.

SCHENCK Right, well in talking about engineering issues, for example, the $70,000 you're showing here is that essentially our Civil Engineer.

HADGE Mr. Hadge indicated the budget briefing on December 5th would reveal more on general government issues.

SCHENCK Mr. Schenck commented that with a $70,000 figure, the reimbursement is roughly $43,000 which is covering one half the expenses.

MITRICK Chairman Mitrick asked about whether the Code Consultant comes out of Community and Economic Development budget.

SABATINI Mr. Sabatini responded that it was shown under Current Year, and the rest was covered under Contingent Costs.

MITRICK Chairman Mitrick asked whether he anticipated any problems.

SABATINI Mr. Sabatini stated that they expect a $5,000 expenditure to be completed by the end of the year. The remaining amount is on a continued basis, which would come under Legal Expenses which is essentially professional witness fees/costs.

4. PUBLIC WORKS:

HADGE Mr. Hadge introduced the Public Works Department Budget. Mr. Lauer highlighted some changes made, two of which had previously been discussed in terms of how the Township buildings were moved from General Government to Public Works. That in itself was a $160,000 increase to Public Works Department. Playgrounds and Parks Maintenance was in the recreation area and was moved over to Public Works and that was another $115,000. Mr. Hadge stated that the new building operation costs as $50,000 plus utilities, a cause for some concern. The number of evening meetings held, the security lights are on all night, the increase in utility costs are an added concern.

SABATINI Mr. Sabatini commented that a utilities audit was being done to show costs and where there could be cost cutting.

SCHENCK Mr. Schenck asked for an explanation for pulling in all of the buildings under Public Works.

HADGE Mr. Hadge responded that this change is based upon the maintenance of the buildings, as Mr. Lauer's responsibilities; however, that fact was not to encourage him to be called for everything. One item that had been discussed previously was the cleaning and the recommendation was to contract for a cleaning service for the new building, the Police Department, the farm house and the Public Works building.

SCHENCK Mr. Schenck asked whether he did that due to a lack of capacity to take on the new building.

LAUER Mr. Lauer responded that a part-time Custodian would not be able to do all of the buildings on an eight-hour shift. He felt the best way to handle that would be to keep the part-time Custodian for some of the buildings and contract the rest.

SCHENCK Mr. Schenck asked whether he considered that to be the most economical way.

LAUER Mr. Lauer responded that he will be going out for prices for the year and then be able to see the economics of it.

SABATINI Mr. Sabatini added that would be somewhat influenced by the Collective Bargaining package as well.

HADGE Mr. Hadge mentioned to Mr. Schenck the budget includes a $25,000 estimate under "Contract Services" which Mr. Hadge believed was a reasonable estimate.

SCHENCK Mr. Schenck asked about the estimated earning revenues for recycling

HADGE Mr. Hadge responded that the Township received $110,000 this year. It was for 1997-1998. That revenue was recorded against 1999's budget. I only estimate $50,000 this year based upon two years.

SABATINI Mr. Sabatini stated that the matter of obtaining future recycling funds would be addressed. He reported that the state was turning its attention from residential towards commercial where most municipalities have not done a very good job of gathering information. Mr. Sabatini stated that a Grants Officer in two instances in other municipalities had focused on recycling on the commercial side and within three years had paid for two to three times their salary on that specific line item with a very minimal amount of work after the first year or so and then they were able to focus on other revenue producing projects. There is a lot of money to be made by addressing recycling. Mr. Sabatini stated that with the Township business, commercial, food services and retail base he believed there could be revenue of at least $150,000 or better within two years.

MITRICK Chairman Mitrick asked who might take the lead on that.

SABATINI Mr. Sabatini responded that he would review the possibility of having a grants officer for 2001 as part of a contingency discussion for a new position. He had researched the matter and found that the person earns anywhere from two to three times their salary within two years and within five years with the right person, it could be anywhere from ten to fifteen times their salary. That recycling money does go into the general fund. It is not earmarked funds from the state. The Township may choose to do what it desires with it.

PASCH Mr. Pasch stated that, if those statistics are available, this should be built into the plan and be set forth as part of the budget.

HADGE Mr. Hadge commented that he had estimated $50,000, which is a low conservative dollar amount. State operating grants are low at $10,000. Federal grants are low at $2,000. Mr. Hadge stated that he had no formal document indicating that the Township had sought any specified amount for grants. He added that has taken a very cautious approach.

PASCH Mr. Pasch added that from a policy standpoint the Township had not really put any serious effort into getting grant money. Mr. Pasch was highly in favor of pursuing the matter. He added that the budget should reflect, not only what Mr. Hadge received in terms of factual grants that are out there,

but also in terms of reflecting Township policy toward what is to be accomplished.

SCHENCK Mr. Schenck indicated agreement. However, we do not have any directions to get specific about that. He asked whether this would be something to be done in the future or within this next budget year. He stated that he did not think any work had been done to identify potential grants.

SABATINI Mr. Sabatini stated that the Township had received the Park Grant. He mentioned several other grant applications, such as the Storm Water Study Grant of $100,000 for the county property, a grant application for a Management Information System for Police Departments in the county for $80,000, the requested legislative funds to Senator Armstrong, and Representative Platts before the end of the year is up for a variety of projects. Some of them are public safety oriented and some would be toward traffic signal improvements. Overall he stated that the Township had grant applications locally of over $300,000 to $400,000. Mr. Sabatini continued that many of the grants are discretionary. There also would be revenue, but there would be an expenditure side as well. Most grants tend to be on a project basis, such as construction of a new park, replacement of specific traffic signals and not necessarily for general operational projects. He would approach this in the form of an off-budget, non-operational fund showing the money coming in and going out.

PASCH Mr. Pasch emphasized that it could be done, but he indicated there had to be a goal or target for accomplishment. He was in favor of examining the information with a grants-type individual and make it happen. This would provide getting things done in the Township at no cost to the citizens, which is a big item.

GURRERI Mr. Gurreri asked how difficult it would be to find someone for doing grants.

SABATINI Mr. Sabatini responded that there would be people who work in college, development officers who come out of the business system, stay-at-home people who are moving back into work on a part-time basis. He would look for people who have communication backgrounds, public information officers with communication skills. He added that the website must be more than just a website. It must link and keep up to date. He also would utilize the newsletter.

MITRICK Chairman Mitrick asked about the Superintendent vacancy in Mr. Lauer's department.

SABATINI Mr. Sabatini responded that he had discussed the vacancy with Betty Speicher. An advertisement will be in the newspaper on Sunday.

SCHENCK Mr. Schenck raised the question of dumping on the compost pile and whether they charge the Township.

LAUER Mr. Lauer responded that it cost $1.50 per cubic yard. Last year the bill was approximately $15,000 just to dump there.

SCHENCK Mr. Schenck added that they grind it up and put the compost in rows and provide it free. Mr. Schenck added that the facility out there is very convenient. If people take tree trimmings out there and drop them off, it's a nice facility.

LAUER Mr. Lauer indicated they don't mind chips and brush, but they can't handle logs.

SCHENCK Mr. Schenck stated that it's free and convenient. He recommended that someone talk to them to see whether they were interested in expanding the service in conjunction with the Township.

LAUER Mr. Lauer stated that the Township contract for leaf composting with them runs out in 2001.

GURRERI Mr. Gurreri indicated that the City does not charge for compost.

PASCH Mr. Pasch stated that he didn't think that was something the Township should get involved in.

SCHENCK Mr. Schenck stated he didn't want to get in the business, but when you've got somebody in the Township in the business, maybe some discussion would indicate a more expanded service.

PASCH Mr. Pasch stated that, with Mr. Lauer being given the responsibility for this budget, there are items within that budget, which are beyond his control. Mr. Pasch urged a safeguard so that department heads are aware.

SABATINI The budget system allows them to do sub-accounts.

HADGE Mr. Hadge indicated that was not a financial difficulty but a management issue that the Manager would address with the department head.

PASCH Mr. Pasch indicated agreement, but added that it was important that Mr. Sabatini recognized that he must be doing that.

5. FIRE DEPARTMENT:

HADGE Mr. Hadge then introduced Fire Chief Hickman for the Fire Department budget discussions. He referred to information under Public Safety for the discussion purposes indicating a total budget of $1,706,000. He had made two exceptions within the overall budget for police and fire. He had shown the employee benefits within the budgets of those two departments. A breakdown was provided in the Supplemental pages.

SABATINI Mr. Sabatini commented that, once the budget process was concluded, he would approach a department-by-department budget showing the revenue side covering the self-funding programs, as well as the expenditures.

HICKMAN Fire Chief Hickman provided background information regarding the equipment he requested, which covered breathing apparatus, and portable hand fire extinguishers for the vehicles.

PASCH Mr. Pasch questioned the need for additional packs.

HICKMAN Chief Hickman responded that the packs are on the equipment and the packs currently in service go to the volunteer fire department and not necessarily for Chief Hickman. They are purchased through the Relief Association and must remain under the auspices of the volunteers. The requested air packs would be mounted in his vehicle and with him wherever he goes. They would be purchased by the Township for the Township vehicles.

MITRICK Chairman Mitrick stated that his request covered having packs in his vehicle. She asked what happened when he would not be on call.

HICKMAN Chief Hickman responded that when he is not on call, the second pack would be placed with whatever officer would be deemed appropriate, such as an Assistant Fire Chief.

HICKMAN Chief Hickman commented that the other equipment to be purchased included tools, axe, prey bar and appropriate mounting equipment along with a portable fire extinguisher for the vehicles.

Consensus indicated agreement with the purchases requested.

HADGE Mr. Hadge stated that the other item was $16,000 shown in the Fire Department budget, which is an actual transfer from the Fire Department General Fund budget to the Capital Equipment Fire Reserve Fund as a specific expenditure item. In the past it was just placed in the budget and transferred out. The amount was actually $15,660, and Mr. Hadge

rounded it to $16,000. This amount goes to the Fire Equipment Reserve for equipment purchases, such as the $250,000 deposit on the new aerial ladder truck, which is all part of the long-range equipment reserve fund.

SABATINI Mr. Sabatini commented on the shift officer, EAA, for an administrative project support for fire and EMS services. He commented that an internship position provided a significant amount of latitude and freed the Chief up to do more Board-directed or Manager-directed items. That would be a good use of resources to have an administrative position there. The search for such an administrative officer would not be a firefighter but a civilian position in the mid $20,000 salary range with recognition for some maturing on that position. This position had not been listed in the budget, but was a contingent consideration.

HICKMAN Chief Hickman commented on Hazardous Material items, which had been reimbursed item-for-item by the Hazardous Materials team during an incident.

SABATINI Mr. Sabatini commented that the Township does not have the legislative underpinnings to bill for response to automobile fires and specific incidences. He added that remarkably, for three quarters of the items billed, as long as it's reasonable, the insurance companies have paid the bill.

SCHENCK Mr. Schenck stated that the Township should look into some way, either by Ordinance or other ways, to have the ability to bill for such incidents and have the teeth for enforcement.

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Consensus was agreement to review the matter.

SCHENCK Mr. Schenck asked whether there was any allotment shown for the fire company.

HADGE Mr. Hadge responded that Springetts did not voluntarily submit anything for budgetary purposes, but Commonwealth did.

SABATINI Mr. Sabatini added that what had been proposed was to have a line item consistent with previous discussions.

SCHENCK Mr. Schenck re-stated that there would be one line item and one lump sum for the fire company.

HADGE Mr. Hadge indicated that was correct and that it would be determined by the Board of Supervisors as appropriate.

BISHOP Mr. Bishop asked where that line item would be.

HADGE Mr. Hadge responded that it would be under Fire Reserve, and it would come under Other Funds.

SCHENCK Mr. Schenck stated that the $1.7 Million for the Fire Department would not, therefore, include the approximate $250,000 that is included in the Fire Reserve Fund.

SABATINI Mr. Sabatini indicated that his approach to budgeting was that the budget guide becomes a policy or roadmap guide for the next year or two.

HADGE Mr. Hadge added that in regard to the summary sheet where all the funds and totals are shown, that page provides a clear picture of how many dollars being spent throughout the Township.

MITRICK Chairman Mitrick asked when the shift person would be implemented.

SABATINI Mr. Sabatini had a proposal for shift officers, which he had been sitting on his desk because of negotiations. His preference would be to have those people assigned as shift officers in the First Quarter of 2001.

SCHENCK Mr. Schenck commented that he appreciated Mr. Hadge's narrative. A budget review reveals that the Fire Department budget covers approximately $2 Million, and the Police Department covers $2.1 Million.

SABATINI Mr. Sabatini stated that people focus on Police Department costs because they see police officers. In reality fire costs, whether paid or volunteer, are huge.

SCHENCK Mr. Schenck stated that fact is a message that the Township has an obligation to communicate.

HADGE Mr. Hadge stated that the budget page becomes a public document.

SCHENCK Mr. Schenck stated that the community must understand where the money is coming from.

SABATINI Mr. Sabatini added that these figures alone reveal how vital volunteers are. If the Township went to an all-paid department, it would easily add another $1 Million. He concluded that would not be a situation for recommendation.

6. CONCLUDING REMARKS:

SABATINI Mr. Sabatini commented that he could not emphasize enough the complete reversal that we've had with the Finance Department. He stated that Year 2001 would show an acceleration. He applauded the efforts of Mr. Hadge, who is assembling a very good team for the work ahead.

HADGE Mr. Hadge stated that he met with the Township auditors to discuss some financial issues. They are far more cognizant of what will be taking place, and had endorsed Mr. Hadge's direction. They were very enthusiastic over and endorse the efforts of the Finance Department.

GURRERI Mr. Gurreri asked how many had been here.

HADGE Mr. Hadge responded that Scott Hursh, partner in the firm, as well as the project person.

SABATINI Mr. Sabatini added that the Waste Water User Group was far more comfortable with the operational and capitol issues.

HADGE Mr. Hadge recapped the matter of the major increases shown:

- Fire Department - $75,000,
- New Building - $80,000,
- Additional Insurances for inadequate coverages + 10% projected increase.

SABATINI Mr. Sabatini commented that one item being reviewed would be Utilities and how some of the costs could be cut. Health Insurance coverage is an additional item for review. At this time the Township is fully self-insured and aggressively is exploring health insurance options. Mr. Sabatini did not know at this time if the costs could be cut by more than 5 or 10% but was certain to be able to reduce future increases much more so than the current package situation where there is no buying leverage, especially on the prescription side. Mr. Sabatini added that Recreation costs would be examined in order to become more lucrative in terms of costs there for residents and non-residents. The Delinquent Account collection process will be reviewed, particularly for sewer bills, and Mr. Sabatini stated he would take an aggressive position on collection of those accounts, particularly those for business accounts.

MITRICK Chairman Mitrick asked for any other budgetary items for discussion.

HADGE Mr. Hadge stated that the budget would be made available to the public for inspection, and on December 21, 2000, the Board is scheduled to adopt the Budget and Tax Levy.

MR. PASCH MOVED TO AUTHORIZE THE ADVERTISEMENT OF THE YEAR 2001 BUDGET. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 9:45 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **DECEMBER 5, 2000**
BUDGET WORK SESSION #2 **APPROVED**

The Board of Supervisors of Springettsbury Township held the second of three Budget Work Session on Tuesday, December 5, 2000 at the Township offices at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Bill Schenck
Don Bishop
Nick Gurreri
Ken Pasch

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Jack Hadge, Finance Director
Bruce Bainbridge, Recreation Director
Dave Eshbach, Police Chief
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 8:30 p.m. She stated that the Board had held an Executive Session at 7 p.m. regarding legal matters.

2. OTHER BUSINESS:

SABATINI Mr. Sabatini advised the Board that several applications had been received for the Zoning Hearing Board. He did not request action but asked the Board members to review the applications.

Consensus was established that the applicants would be interviewed at 7 p.m. prior to the January 11th Board Meeting.

MITRICK Chairman Mitrick requested that Mr. Sabatini contact both applicants and advise them of the interview.

SABATINI Mr. Sabatini added that any appointment must be made by Resolution.

3. RECREATION DEPARTMENT:

HADGE Mr. Hadge stated that Bruce Bainbridge, Recreation Department Director, would now provide some highlights and interests regarding the focus for 2001 and the overall Recreation Department Budget.

BAINBRIDGE Mr. Bainbridge reported that the revenue had been very good during 2000. He reported on several particular areas where there had been good results. The Hearts of Gold class is an exercise class for individuals 55

years old and older. This class has been held at a church on top of Mt. Zion Hill where there is no charge for the facilities. The class is presented four times each year and during each season produces about $1,000. A second area for good revenues has been in the discount tickets for amusement parks, ski lifts, etc. Even though it's a short season (summer), revenue of about $600 comes in through the discount tickets. Hershey Park tickets are $30.00 vs. the discount price of $14.50. Another area of revenue was the concerts. Trips have been taken to Penn State and to Philadelphia for the Gaither concerts and the Recreation Department has received close to $1,000. The Broadway Plays produce good revenue of about $400. Mr. Bainbridge then added that tickets for "The Lion King" are only being provided to the persons on the waiting list this year.

PASCH Mr. Pasch asked whether the waiting list included residents only.

BAINBRIDGE Mr. Bainbridge responded that the list was for Township residents first. Mr. Bainbridge advised that a Recreation Christmas Concert would be held on December 6, 2000. One of the highlights of the Budget 2001 would be to update Hawks Park with some playground structures as had been done with all of the other parks. Other parks had been updated with the exception of Hawks Park since it had initially been put in there 20 to 25 years ago. One additional item is the grading at two of the fields at Penn Oaks. He added that it was hoped that the Army Corps of Engineers would be able to help, but nothing had materialized.

MITRICK Chairman Mitrick asked about the parking situation if that park would be graded.

BAINBRIDGE Mr. Bainbridge stated there is no parking available at that location.

SABATINI Mr. Sabatini commented that the Recreation Plan would need to be projected out to 2002. He stated that programs should be tied together with facilities. He indicated that a Comprehensive Plan would enable the Township to tie facilities in with programming.

BAINBRIDGE Mr. Bainbridge stated that he was concerned about activities such as concerts and athletic tournaments for the summer of 2001. He asked whether the Recreation Department could have the use of trailers again, as it had been very advantageous to the department.

SCHENCK Mr. Schenck asked Mr. Bainbridge whether the Rec Board had contemplated the activities. He asked whether the Rec Board was looking for direction from the Supervisors.

BAINBRIDGE Mr. Bainbridge responded that he was looking for direction from the Board. He had discussed the matter with Mr. Sabatini and had planned in

the next week or so to start looking around very carefully in the community where the concerts could be held. The times for the concerts had been moved from 9:00 p.m. to 7:30 p.m. in order to eliminate the need for lights.

SABATINI Mr. Sabatini stated that he had directed Mr. Bainbridge to take the responsibility for finding a location where the activities could be held. He added that the athletic groups had secured different locations for the next two years. He stated there was one exception - that of the Little League field, as that would be part of a national tournament this year. As far as the work to be done, the contractors have a drop-dead date and that area had been scheduled last. The work would not begin until June, 2001 at the very earliest. The contract goes out April 19, 2001, bid opening on May 19, 2001, 30 days from then would be June 19, 2001 with mobilization July 1, 2001.

PASCH Mr. Pasch questioned whether Mr. Bainbridge's main concern was having a location for the concerts.

BAINBRIDGE Mr. Bainbridge indicated that was correct.

SCHENCK Mr. Schenck stated that he felt that Mr. Bainbridge and the Park and Rec Board should be challenged to come up with a short list of sites and meet with those people. Mr. Schenck felt that Mr. Bainbridge had a better knowledge of what facilities would be needed, parking, electricity and so forth.

PASCH Mr. Pasch added that Mr. Bainbridge would have a much better knowledge of what's available. Mr. Pasch commented that if there were questions, such as having to pay a certain amount of money, or anything over and above normal procedure, the Supervisors could answer those kinds of questions.

GURRERI Mr. Gurreri suggested the use of Bradley Academy, particularly because of its close proximity.

BAINBRDIGE Mr. Bainbridge indicated he was considering Bradley Academy.

SABATINI Mr. Sabatini stated that ticket prices would be examined over the next year, because recreation programs operate at a loss overall. Decisions will be made on costs, especially for non-residents. The costs must be priced competitively to benefit residents.

BISHOP Mr. Bishop stated agreement and recommended that a review be made as to how items, which are scarce, are distributed in an equitable way. If

everyone lines up at 9 a.m. on the first day of ticket sales, those persons who are working at that time are unable to avail themselves of the tickets.

SABATINI Mr. Sabatini stated that they would be looking at Internet registration. The hours are going to be changed as well, as part of an improvement in customer service.

SCHENCK Mr. Schenck asked Mr. Bainbridge for his thoughts with regard to the availability of park directors for the summer of 2001.

BAINBRIDGE Mr. Bainbridge stated that he had an indication of interest from the park directors who worked during the summer of 2000. He commented that he would have a better idea the beginning of March, 2001.

SABATINI Mr. Sabatini stated that they would be contacting those individuals who were park directors two or three years ago. He also indicated they would try to get to them earlier before Hershey Park opens. He indicated they might have a Job Fair at Bradley Academy.

SCHENCK Mr. Schenck indicated that the individuals he talked with thoroughly loved the job experience. He added that the number of work hours limits their income. They work five hours a day from 9 a.m. to 12 Noon or 6 p.m. to 8 p.m. Monday through Friday. That schedule wouldn't permit them to take a job at the mall to supplement their income. He suggested possibly having a day crew or night crew.

PASCH Mr. Pasch added that he noticed that Sheets was hiring for $7.25 an hour for sales people who probably work 30 to 40 hours a week. Mr. Pasch agreed with Mr. Schenck's comment on the restrictive hours.

SABATINI Mr. Sabatini stated there is a tremendously tight labor market. They plan an aggressive effort covering all areas.

MITRICK Chairman Mitrick stated there had been discussion about calling Millersville University and some of the surrounding schools. She indicated there might be some internships for college students.

BAINBRIDGE Mr. Bainbridge stated that they had been sending information to colleges for the last few years but had received little response. He added that most of the employees had come because of a recommendation from a friend.

SCHENCK Mr. Schenck indicated that the summer employees should be hired for a full-time wage, i.e., an 8-hour day.

BAINBRIDGE Mr. Bainbridge stated that the office hours are open from 8 a.m. to 8 p.m.

MITRICK Chairman Mitrick asked about the status of the park property behind Commonwealth.

SABATINI Commonwealth has asked us if we would like to essentially take over their meeting hall area in the form of a long-term lease to the Township. They do not want to do banquets anymore. They have an interest in making some more permanent arrangements with their park property.

BISHOP Mr. Bishop asked whether this included the land and the building.

SABATINI Mr. Sabatini responded that was correct.

BISHOP Mr. Bishop did not think that was something to which the Board should respond.

SABATINI Mr. Sabatini indicated agreement.

MITRICK Chairman Mitrick asked who was responsible for its maintenance.

SABATINI Mr. Sabatini responded that in the summer months the township does some of the maintenance. However, in the non-summer months they do some of the maintenance.

SCHENCK Mr. Schenck asked Mr. Hadge if there were any other budget highlights.

HADGE Mr. Hadge indicated that Mr. Bainbridge had presented the major points, including the $10,000 for Hawks Park equipment.

BISHOP Mr. Bishop asked whether that equipment was included the General Fund Operating Budget for 2001.

HADGE Mr. Hadge indicated that was correct.

PASCH Mr. Pasch stated that the equipment is 20 to 25 years old and must have some kind of maintenance and safety problems.

SABATINI Mr. Sabatini stated that it does not meet the Consumer Products Safety Commission Guidelines.

MITRICK Chairman Mitrick stated that the equipment was one request, but where are the dollars budgeted for Penn Oaks grading.

HADGE Mr. Hadge indicated that the Penn Oaks grading project is in the Capital Improvements Budget

The Recreation Department Budget review was then concluded.

4. POLICE DEPARTMENT:

HADGE Mr. Hadge stated that Police Chief Eshbach would now provide some opening remarks.

ESHBACH Chief Eshbach commented on the status of new personnel. He reported that seven officers had been replaced, which brings the staff to a full complement of 28 officers. Chief Eshbach indicated that the construction deadline for the Police Department building was the 7th of December, 2000. The former Supervisors' meeting room is being converted into a temporary squad room until the renovation was completed. Prisoners will be housed at the York County Prison in a temporary holding area. It is not expected to be much more than two weeks, but the Prison Warden took it before the Prison Board and they approved it. Chief Eshbach indicated that the department equipment requests remain consistent. Two replacement vehicles are requested. Because of the new personnel there had been a great deal of academy, field and supervisory training. In addition, some of the officers had been sent for specialized training. In 1999 and 2000 we have been in the rebuilding process. Our revenues are down due to numerous new police officers being in the Police Academy, field training and training officers. The officers that are the most productive are usually the officers who do the training. When they are out training another person it restricts their time. That has effected the citation revenues somewhat. The Cops Fast grant moneys have expired. The grants were three-year grants and were staggered over about three years. The last grant that was being drawn on expired in calendar year 2000, so we requested additional funding through Cops Fast. At the end of the year, I received notification that the Cops Fast Program was going to try to use up some money that had been appropriated and hadn't been spent yet. They had an overwhelming number of requests for it, and Springettsbury did not receive any new grants. Chief Eshbach indicated that the programs provided to the school districts had been a great success, and those programs would continue regardless of whether or not the Cops Fast money is available. Chief Eshbach stated that there were no new personnel requests in this budget. However, Chief Eshbach indicated that the number of calls for service and for crime had been up by about 20% at the end of the third quarter.

PASCH Mr. Pasch asked what the base period covered.

ESHBACH Chief Eshbach responded that they look at it over a five-year period.

MITRICK Chairman Mitrick asked about the false alarm calls and asked about the penalty charges.

ESHBACH Chief Eshbach responded that the first two false alarms are free. Letters are sent with copies of the Ordinance and an explanation of the penalties. The third false alarm is $25.00, the fourth one would be $50.00, the fifth, sixth, seventh, eighth, ninth, tenth, and eleventh and however many more would be $100.00 each time. That time period runs for one year. The year runs from July 1, through June 30. In other words, if you had eleven false alarms in this year, July 1 you start with zero again you do not go to number 12 or 13. It starts over again.

MITRICK Chairman Mitrick stated Chief Eshbach had answered her questions. She then asked whether the fee should be raised in view of certain businesses, which consistently have false alarms.

ESHBACH Chief Eshbach responded that he could review the matter. He added there are state laws in effect where a citation could be written. He stated that they had never had to arrest anyone for this.

PASCH Mr. Pasch indicated that it was an important point, inasmuch as the penalty doesn't bother them, and they're not going to fix their system.

ESHBACH Chief Eshbach agreed and added that the penalty on a state fine could go to $300.00.

BISHOP Mr. Bishop asked whether there was any limit to what the fine amount might be.

ESHBACH Chief Eshbach did not think there was a limit. He added that the Township would set the fines by resolution.

SABATINI Mr. Sabatini stated that the matter is part of the crime code now. It had been changed a year to two years ago and could be a summary offense.

BISHOP Mr. Bishop asked what the advantage of that would be other than just raising the fee.

SABATINI Mr. Sabatini responded that there would be a cost associated with the response. When you write someone a citation, it matters.

MITRICK Chairman Mitrick stated that this matter was one that should be reviewed. Having reviewed the reports, the false alarms did not just focus on one business. She asked that a recommendation be made. She stated that, as Chief Eshbach had reported, at the same time the departmental responsibilities in the community were increasing, the officers are called out to a significant number of false alarms.

PASCH Mr. Pasch asked about the use of automobiles and the number of officers assigned to a particular vehicle. If that automobile goes down for serious repairs and takes a considerable amount of time, what would that mean to the four officers without transportation.

ESHBACH Chief Eshbach responded there is one unmarked vehicle, and occasionally police officers use his personal car. The repairs are usually completed by the end of the day when the car can then be put into operation by the second or third shift.

SCHENCK Mr. Schenck asked what was covered under the new line item for service contracts listed under Supplemental Information.

HADGE Mr. Hadge responded that would cover the computer and the related equipment and the copier.

ESHBACH Chief Eshbach further added that this line item covers what had previously been shown as capital improvements, such as the copier lease, the computer hardware, software lease, the computer server lease.

SCHENCK Mr. Schenck asked whether the tailoring bills covered new uniforms or cleaning.

ESHBACH Chief Eshbach responded that it covered new and altered items, particularly if a person would lose or gain weight.

SCHENCK Mr. Schenck asked how much the Township's obligation would be.

ESHBACH Chief Eshbach responded that tailoring fees are about $400 per officer times 28 officers amounting to slightly over $11,000. There is another $600 per officer that are non-uniform so that equals $2,400. In total you have about $13,800 of that amount of money, which is contractual. Another $4,000 of it is for bulletproof vest replacement. The remainder of that is just normal replacement of uniforms for the officers, purchase of uniform pieces for school crossing guards if they need something.

PASCH Mr. Pasch asked whether grants are available for the purchase of body armor.

ESHBACH Chief Eshbach responded yes and stated that payment from grants had been received last year for 50% of what had been spent. He stated that this money was received through the Bureau of Justice Assistance. Application had been made for this year, and that payment is pending. Chief Eshbach stated that he had been advised when the first payment had been made that there were only two entities in York County that had even applied for the money.

HADGE Mr. Hadge stated that the Township was anxiously awaiting this grant money, and the Township would like to end the year with these grant funds in the Township bank account.

MITRICK Chairman Mitrick asked about the furnishings for the department. She referred to the Change Order provided by Mr. Stern earlier and indicated it was her understanding that would come under the Capital Budget.

HADGE Mr. Hadge responded that was part of the Capital Budget and not part of the Police Department's operating budget.

MITRICK Chairman Mitrick stated that she thought it was great that Chief Eshbach had the seven new officers on board.

ESHBACH Chief Eshbach stated that four of the new people will complete their probation the first or second week of January and then the fifth gentleman will complete his in May, 2001. Ogden Dickerson and Rebecca March are off probation now. Chief Eshbach was complimentary of Ms. March.

ESHBACH Chief Eshbach also stated there would be an Agenda item during the January 11th meeting in recognition of four separate groups, which donated money to the department. They are Target, Rutters, The Sertoma Club, and American Legion Post 799. We have plaques for them in appreciation for what they did for us. These were unsolicited donations.

PASCH Mr. Pasch encouraged Chief Eshbach to have representatives of each company to be there during the January 11th meeting.

ESHBACH Chief Eshbach responded that they would very much want them to be present. An article also had been written in the Township newsletter.

5. CLOSING COMMENTS:

HADGE Mr. Hadge stated that he had provided additional information regarding the Paving and Construction program and that Mr. Lauer had listed the various streets. He also referred to some of the detail regarding the Management Information Services program for 2001. He stated that during the next Budget Work Session, the Wastewater Utility Fund and the Capital Improvement Program would be reviewed. Several other funds also would be reviewed, such as the Petitioned Street Light and the Library Fund.

BISHOP Mr. Bishop stated that he had some concern about the computer capital expenditures. He commented that over $100,000 had been spent. He would like to have a clearer picture as to what else might be purchased.

SABATINI Mr. Sabatini responded that as far as he could tell there was no Records Management System in place.

SCHENCK Mr. Schenck commented that $15,000 would not purchase much.

SABATINI Mr. Sabatini added that he had figured about $50,000, but he indicated he did not intend to tackle it until the end of the fiscal year.

BISHOP Mr. Bishop voiced further concern over several other items, such as portables and servers. He would like more information as to the reason those items would be needed.

SCHENCK Mr. Schenck asked what the Township was getting out of its network and whether or not there was a working e-mail system.

SABATINI Mr. Sabatini responded that a working e-mail system was in place. Using Outlook he could be contacted both internally and externally. Mr. Sabatini indicated he would be addressing a number of issues with regard to the networking system. He would like to establish databases; determine how money and time could be saved utilizing the network. Mr. Sabatini stated that Microsoft was looking at the Township as a beta site for improvements as part of their push to become a service provider specifically targeted towards the municipal government market. That would not be at our cost or at any cost to us.

PASCH Mr. Pasch asked what the benefits would be.

SABATINI Mr. Sabatini responded that it may help the Township not to re-invent the wheel every time. He provided several examples where a duplication of effort is evident. He added that document imaging is an area where the Township must get into in order to put a Records Management System in place.

GURRERI Mr. Gurreri suggested that the vault be utilized.

SABATINI Mr. Sabatini responded that the vault could not even begin to cover the records that are required to be maintained, such as maintaining building permits for the life of the structure.

PASCH Mr. Pasch stated that he had no objection to what Mr. Sabatini was trying to do. However, he added that it could not be done overnight.

SABATINI Mr. Sabatini agreed, and added that it was his intention to target this project for the fourth quarter.

SCHENCK Mr. Schenck stated he did not know what could be done with $15,000.

SABATINI Mr. Sabatini responded that the figure was a fourth quarter start, but that he would estimate costs at $50,000.

HADGE Mr. Hadge interjected that in excess of $75,000 in capital equipment had been requested, but that he had reduced it down to $37,000.

SABATINI Mr. Sabatini stated that the Township had lots of great equipment and he wanted to be sure that it was utilized in the very best ways.

SCHENCK Mr. Schenck stated that he had no problem with spending the money as long as the equipment would be utilized.

BISHOP Mr. Bishop indicated that he would like everyone to take a deep breath before spending $37,000 more.

SABATINI Mr. Sabatini indicated agreement.

BISHOP Mr. Bishop added that the prices for everything would be dropping or changing dramatically within the next 65 days. For that reason he would prefer not to approve any more purchases at this time.

SCHENCK Mr. Schenck stated that he had suspected that what the Township may be doing is using Outlook as the e-mail provider and going out to the Internet to send an internal e-mail.

MITRICK Chairman Mitrick asked whether there was any line item for the property in the southeast corner and whether that had been pursued at all.

SABATINI Mr. Sabatini responded that he had not pursued the matter.

MITRICK Chairman Mitrick asked whether the owner had contacted Mr. Sabatini.

SABATINI Mr. Sabatini responded that they had not, but that they had mentioned it to Mr. Bainbridge. He added that he had not had a chance to pursue it.

MITRICK Chairman Mitrick stated that it had always been of interest to the Board. She added that the Township should follow up.

BISHOP Mr. Bishop added that it definitely should be pursued. He asked whether the Mt. Zion Road property should be pursued as well.

SABATINI Mr. Sabatini stated he would talk to all the different property owners.

MITRICK Chairman Mitrick asked if Mr.Sabatini had sent in the York Waste Contract extension.

SABATINI Mr. Sabatini responded that he had done so.

MITRICK Chairman Mitrick asked whether Mr. Sabatini could confirm where the Board meeting would be held on December 14th.

SABATINI Mr. Sabatini responded that he would be better able to confirm that in the next day or so. The only things that are not in place are the audio system, a few light switches, some carpeting and one or two pieces of paneling.

SCHENCK Mr. Schenck commented that the P.A. system probably should wait until everything else was done.

SABATINI Mr. Sabatini stated that it was ready for installation.

MITRICK Chairman Mitrick stated that the mikes had been received. They were supposed to come out of the table, but now because the table is deeper, they're not long enough. Because the table is so large, Mr. Stern was concerned about having them installed and was pursuing a solution.

SABATINI Mr. Sabatini indicated he would follow up and advise the Board.

MITRICK Chairman Mitrick stated that Mr. Gurreri would like the opportunity to discuss the Chair and Vice Chair positions for the Board prior to the meeting on January 2, 2001. She asked whether that could be done during this meeting or in Executive Session. She added there were not many meetings left for discussion before the January 2nd meeting.

BISHOP Mr. Bishop stated that when the Board meets for Budget Adoption at Noon on December 21st would be an excellent time for that discussion.

MITRICK Chairman Mitrick thanked Mr. Hadge for his work on the Budget.

6. **ADJOURNMENT:**

MITRICK Chairman Mitrick adjourned the meeting at 10:05 p.m.

Respectfully submitted,

Robert Sabatini
Secretary

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BOARD OF SUPERVISORS **DECEMBER 7, 2000**
BUDGET WORK SESSION #3 **APPROVED**

The Board of Supervisors of Springettsbury Township held the third of three Budget Work Sessions on Thursday, December 7, 2000 at the Township Offices at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN ATTENDANCE: L. Mitrick, Chairman
Ken Pasch
Nick Gurreri
Bill Schenck
Don Bishop

ALSO IN ATTENDANCE: Bob Sabatini, Township Manager
Jack Hadge, Financial Director
Jim Crooks, Wastewater Treatment Superintendent
Mark Hodgkinson, Wastewater Treatment Superintendent
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:05 p.m. She stated that this meeting was the third in a series of Budget Sessions for the Budget of 2001.

2. WASTEWATER TREATMENT PLANT:

HADGE Mr. Hadge stated that the discussion would begin this evening with the Wastewater Treatment Utility Fund, followed by the Other Funds. Messrs. Crooks and Hodgkinson of the Wastewater Treatment Department were present for the discussion.

Wastewater - Collections

CROOKS Mr. Crooks thanked the Board of Supervisors for providing the opportunity to present the Collections budget. He stated that Mr. Hodgkinson would present the Operations and Technical Services portion. Mr. Crooks began with an overview of the Collections portion of the Wastewater Treatment department. The Collection system is a department of seven employees charged with maintaining 130 miles of sanitary sewer, 13 flowmeter stations and nine pump stations. Routine work is cleaning pipe lines, sealing leaky pipes, maintaining pump stations, replacing faulty sewers and manholes, and responding to any sewer emergencies that might occur, as well as involvement in a major public relations function for the Township due to the number of people they meet

in varied circumstances. Locating and removing infiltration inflow had always been one of the highest priorities of the department.

CROOKS Mr. Crooks reported that two notable achievements had been obtained during the past year in the removal of about 20,000 gallons a day of ionide, sealing a major leak on the Millcreek interceptor, and also finish up the Harrowgate-Kingston Road project. In wet weather that removed approximately 200,000 gallons of flow per day from the sanitary sewer system an accomplishment of which they were very proud.

CROOKS Mr. Crooks reported that during 2001 a fairly large project was planned for the sewer that runs parallel to Sherman Street, and from Ridgewood Road down to Coffee Mill Lane. By television inspection, this sewer line was discovered to be in bad shape. He reported that the line is approximately 25 years old and goes through very wooded and rough terrain. The major renovation in lining manholes with "Permacast" was included in the budget. It was proposed to buy some equipment and material and train Township people to do this work in order to rehabilitate manholes and seal out water at the same time by structurally improving it for about $30.00 per vertical foot of manhole. When a contractor comes in to do it, the charge is $150.00 per vertical foot. Our average manhole could be repaired by our own personnel for about $300.00.

GURRERI Mr. Gurreri asked about the manhole covers, which had been discussed on previous occasions.

CROOKS Mr. Crooks responded that the item was again in the budget. The item he referenced was manhole inserts. The Township had been putting them in for quite a number of years and they prevent water from running into the lid.

CROOKS Mr. Crooks stated that a planned project currently under design for bid in January would be the replacement of the old East/West Interceptor, the last problematic sewer, which floods residential neighborhoods in very heavy rains. This corrective action should make a positive impact on that flooding situation.

PASCH Mr. Pasch asked whether work was already ongoing, and commented about disrupting the merchants.

CROOKS Mr. Crooks responded that work was on going and they had met with all the business owners. A few of them voiced concerns and

Buchart-Horn was able to put them at ease. They will continue to keep the business owners updated.

SABATINI Mr. Sabatini added that some of the work would be done overnight and quickly in order not to disrupt the merchants.

CROOKS Mr. Crooks stated that the businesses should not be greatly disrupted. Mr. Crooks stated that a chemical would be added to the East York pump station in order to minimize chemical damage to the concrete pipe.

SCHENCK Mr. Schenck stated that he understood that process was already being implemented.

CROOKS Mr. Crooks responded that what had been done was a temporary demo tank to record and trace the effects of higher and lower doses of the chemical.

CROOKS Mr. Crooks concluded his presentation by stating that the proposed budget for 2001 was realistic. The Collection Department would pursue its goals toward providing cost efficient, uninterrupted sewer service to the citizens of Springettsbury Township and at the same time protect the Township's investment in the sanitary sewer system.

PASCH Mr. Pasch asked how the revenues are billed and whether it was based on metered flow against the total flow.

CROOKS Mr. Crooks responded that every point of connection was metered, and what is measured goes into a formula.

HADGE Mr. Hadge added that Mr. Resch, the engineer, prepares an analysis based upon data provided, and then it is statistically calculated by percentages of the total flow through the plant.

PASCH Mr. Pasch commented on the reduction of Influx and Infiltration, which would reduce the total flow, making the percentages higher. This would be of great advantage to us at Springettsbury Township because then our share is less.

Wastewater - Operations and Technical Service

HODGKINSON Mr. Hodgkinson also thanked the Board for the opportunity to present his portion of the budget. He highlighted a few accomplishments that the department made in 2000.

- The Trucked Waste Program was first. In January, 2000 a new fee structure had been implemented which accomplished two of the goals. The annual revenue was increased by $130,000 without increasing the gallons accepted. We reduced the high strength waste, which is the most costly in sludge disposal.

- The second accomplishment was agricultural utilization of biosolids. By increasing that program the amount of composting was reduced, thereby cutting costs in half.

PASCH Mr. Pasch asked whether the charge was more for the compost and the return was greater.

HODGKINSON Mr. Hodgkinson responded that it was considerably more expensive for composting.

- Third was the nomination for the National Pre-treatment Award. This was the third year in a row that the plant had been nominated by EPA, which was considered an honor in itself.

- The plant won second place in the Plant Safety Award in the State of Pennsylvania. The award actually was Honorable Mention.

Mr. Hodgkinson continued that for the year 2001 they want to build off of these accomplishments.

HODGKINSON Mr. Hodgkinson reported several highlights in the plant operations and maintenance 2001 budget:

- First was a $20,000 reduction in chemical expenses due to a reduction in wood chips needed for the composting operations.

- Secondly there was a reduction of $11,000 in utilities, which was determined by a three-year monthly average in the electric bill, which is $33,500.00. GPU provided a better rate where different rates were paid throughout the year. The usage hasn't gone down, but the costs have been lowered.

- Along with annual maintenance repairs there are a few major pieces of equipment in the plant in need of repair. First there are three anoxic mixers that need rebuilt at $5,000 each, amounting to approximately $15,000. Second some of the surface aerators need replacement blades at the cost of $7,000 to $10,000. Third some of the sludge handling pumps need

rebuilt at a cost of approximately $10,000.

HODGKINSON Mr. Hodgkinson reported several matters of importance to Technical Services in 2001. Additional testing of the incoming sewage and outgoing treated water will be done due to the reevaluation of the local limits, a standard set by EPA.

PASCH Mr. Pasch asked whether samples are taken, and how it is determined that the wastewater is from some other municipality other than Springettsbury.

HODGKINSON Mr. Hodgkinson responded that Springettsbury processes the other municipalities as well. Springettsbury provided leadership by passing the first applicable Ordinance, and the other municipalities followed with the exact same ordinance just changing the municipality's name. Springettsbury was given the authority to sample industries in other municipalities. Mr. Hodgkinson reported a number of goals set for the Wastewater Department during 2001.

- The first item was the raw sewage pump drive, which he reported to be in desperate need of replacement. He added that the project had begun and Buchart-Horn had completed the design work. Advertisement was scheduled for the third week of December. This project should be completed by the end of July, 2001. He stated that the project would provide increased reliability and reduced energy costs.

- Of equal importance was the expansion of the agricultural utilization biosolids program including the addition of a new dump truck, thereby allowing a greater quantity of biosolids to be transported to the farms, reducing operator time and overtime. With the expansion of the agricultural utilization program, sludge disposal costs will be lowered.

SCHENCK Mr. Schenck asked how much weather influences or limits factors.

HODGKINSON Mr. Hodgkinson responded that weather is the biggest player. He added that the farmers are now more reluctant to do a second crop during the planting season, which enables continuation of the Ag program. In addition, the dump truck had been replaced, which reduced the amount of downtime with aging equipment.

PASCH Mr. Pasch commented that as new equipment is placed on line, a reduction would be made in the amount of solids by taking the moisture out.

HODGKINSON Mr. Hodgkinson confirmed that was correct. Mr. Hodgkinson continued with the goals for the department:

- The solids handling improvements was the third goal. This is expected to go out to bid during the latter part of 2001. This project should begin and continue for a few years.

- An additional goal was the continued implementation of the Plant Safety Program. The main reason would be to provide safety for the workers, but in addition, to receive the award goal of first place. Safety was and continues to be the primary goal of his department.

- The continual increase of truck waste revenue without increasing the amount of gallons used that are received.

- The Waste Water Treatment facility's main objective for 2001 is to continue serving the Springettsbury Township sewer users along with the other contributing municipalities.

- The Waste Water Department will strive to produce the highest quality effluent possible and continue being recognized as one of the most respected wastewater treatment facilities in the state of Pennsylvania.

HADGE Mr. Hadge thanked Mr. Hodgkinson for his presentation. He referenced the budget information that had been provided and directed the Board's attention to the Sewage Pump Drives which were ready for a bid opening.

HODGKINSON Mr. Hodgkinson stated that the bid would go out during the third week of December and the bid opening would be during the beginning of January, 2001.

HADGE Mr. Hadge then directed attention to the second item, the Solid Handling Improvement project. He explained that the project would be done in segments, as it was a major $3-1/2 million project. He added that they would be investigating some grant money.

SCHENCK Mr. Schenck asked about the $4-1/2 million digesters and aeration system project listed.

HODGKINSON Mr. Hodgkinson responded that the item covered the aeration system with the digesters. The system was reaching its expected useful life.

SCHENCK Mr. Schenck asked whether the tanks had to be replaced.

HODGKINSON Mr. Hodgkinson responded that the majority of the expenditure covered two additional digesters, which would further treat the liquid biosolids. Two additional tanks would be added for future capacity in replacing the air, which would be probably amount to $1.2 million dollars of that total project.

PASCH Mr. Pasch commented that the additional expenditures would not increase the capacity of the pump.

HODGKINSON Mr. Hodgkinson responded that they would not. When capital improvements in the plant itself are done, the communities would share in that as well**.** As the major improvements are planned during 2003 or 2004, the sharing communities would be advised.

HADGE Mr. Hadge commented that this is the first step to share this information with the Supervisors and then with the sharing municipalities.

PASCH Mr. Pasch commented that looking ahead, the Township would have to raise $3.5 Million by 2005. Approximately ½ would be Springettsbury's responsibility, and the rest is the responsibility of the other communities. He stated that the other communities would have to be responsible for at least $1.7 million or $1.8 million, and they will want to know what they are getting for their money. This will come through reduction of operating expenses, and there will be a need to sell the plan.

BISHOP Mr. Bishop asked what the mechanics would be to raise the capital.

HADGE Mr. Hadge responded that it would be by agreement. A portion of the costs would be shared based upon the treatment, transportation, and the handling charges.

BISHOP Mr. Bishop asked whether they would be assessed or whether the money would be borrowed as a group.

HADGE Mr. Hadge responded that if it were decided to go for a major capital expenditure, the municipalities would incur additional debt where Springettsbury would in turn charge them.

SABATINI Mr. Sabatini stated that 25 years was considered to be the end of useful life for a lot of the treatment works. Pumps last 25 years, buildings, piping and different processes or things related to the processes start to deteriorate fairly rapidly after about 20 years. The Township would have to make sure that fact was emphasized.

BISHOP Mr. Bishop asked several questions regarding the Solid Handling Improvements. He asked whether there was any real logic to spreading that out for so long a period of time, whether there are significant benefits to be received, whether there would be any benefit to doing it faster to get the operational benefits, and lastly whether five years was long enough to get it accomplished.

HODGKINSON Mr. Hodgkinson responded that two major considerations exist in Solids Handling Improvement. The most important is the de-watering. That process is handled in the centrifuges. Belt filter presses are used now, which are not as efficient as centrifuges. The second half of it is thickening, which happens before de-watering. That is the logical line down the middle so that we can split this project in half. Mr. Hodgkinson added that if the project were put off until the end of 2001 to put the first half out to bid, it would be delayed until 2003.

HADGE Mr. Hadge stated there are $193,000 worth of engineering charges that are anticipated, and he expected additional charges. He placed a figure in the budget of $500,000 for the first year.

BISHOP Mr. Bishop questioned whether that was all for engineering.

HADGE Mr. Hadge responded that it covered the engineering. He added that the $500,000 could be moved to 2002.

SCHENCK Mr. Schenck commented there would most likely be eight or nine months of lead-time. He added there was basically only one company that manufactures this item.

HODGKINSON Mr. Hodgkinson responded that actual lead-time is estimated to be seven months. He added there really is only one manufacturer in the United States. There are others outside of the U. S. Mr. Hodgkinson indicated that stretching out the project would not cost more money.

SCHENCK Mr. Schenck asked whether there was any advantage to doing the projects in parallel and whether it would be better, worse or no difference to go ahead with the thickening. He asked whether the thickening would help if the centrifuges were not in place.

HODGKINSON Mr. Hodgkinson responded that it would not affect it one way or another to have the de-watering done before or after. He stated that the de-watering was the most critical. He stated that the belt filter presses should be replaced first. If the project would be stretched out, he would prefer to have the thickening done after the de-watering.

PASCH Mr. Pasch asked whether the plant itself could handle the construction.

HODGKINSON Mr. Hodgkinson responded that it would be a major project.

HADGE Mr. Hadge added that, if for some reason a $1 million grant would be secured, the timing of the project could be re-addressed.

BISHOP Mr. Bishop commented that he would be concerned if the project was not being done because of money. If this is something that needs to be done and has a benefit, but we are waiting to do it because of the money, then do the project and work out the money.

SABATINI Mr. Sabatini stated that the borrowing costs would more than offset cost savings on the operational side.

BISHOP Mr. Bishop stated that borrowing costs would exist in any case.

PASCH Mr. Pasch commented that the savings would be realized earlier.

SABATINI Mr. Sabatini asked whether an analysis had been done for cost savings.

PASCH Mr. Pasch recalled that an analysis had been done by R. K. & K.

HODGKINSON Mr. Hodgkinson stated there had been two different studies done, and R. K. & K. did one. He added that he would search his files for the information.

BISHOP Mr. Bishop pointed out that disposing of solids remained a constant problem. With good weather, the agriculture method

could be utilized. If not, then the expense rises. If the political situation should change, that would add additional problems.

HODGKINSON Mr. Hodgkinson pointed out that the main objective of the centrifuge is to reduce, if not eliminate, the composting. The odors created problems with the residents and the proposed golf course.

MITRICK Chairman Mitrick asked how much it would reduce the odorous material. She stated that there was a very good chance that the new Central High School would be built in that area. They certainly would be concerned about odor.

HODGKINSON Mr. Hodgkinson stated that with the present belt presses as it is de-watered it is 15% solids and the rest is water. With the centrifuge it will raise the percentage up to 24% or 25%. He added that it didn't sound like a lot, but it is.

GURRERI Mr. Gurreri asked about the two odor control systems. He recalled that $1 million had been spent.

HODGKINSON Mr. Hodgkinson stated that the addition of a small demo type unit had been made in the compost pad. Without spending $1 million worth of capital, he had investigated and researched the matter with one option of putting covers over all the tanks. Another solution, having discussed treatment in other plants especially in heavily populated areas, was the addition of mist sprayers, which spray neutralizers up into the air. While the mist sprayers would not totally eliminate the odors, it seemed to be the most cost effective.

GURRERI Mr. Gurreri asked whether the air control presently was available.

HODGKINSON Mr. Hodgkinson responded that it was not. They have a smaller solution that that is shown to DEP if a resident complains to explain that the Township is moving in that direction.

GURRERI Mr. Gurreri asked for further information.

HODGKINSON Mr. Hodgkinson explained that one would totally surround the perimeter of the compost pad, and the second would totally surround the digesters, which present the foul odor, and then composting projects it further.

GURRERI Mr. Gurreri asked whether $40,000 would take care of it.

HODGKINSON Mr. Hodgkinson responded that it would help without a doubt.

GURRERI Mr. Gurreri asked if there was anything else in mind to do at this time.

HODGKINSON Mr. Hodgkinson responded that there was no other plan at this time. Industry designs have planned to totally enclosed digesters to prevent odors from escaping into the atmosphere.

PASCH Mr. Pasch asked what happens to all the gases that are created.

HODGKINSON Mr. Hodgkinson responded that the use of scrubbers would be in place.

GURRERI Mr. Gurreri stated that would not happen until 2002 and 2003.

PASCH Mr. Pasch asked how thick the coating would be with the use of Permacast.

CROOKS Mr. Crooks responded that one-inch was normal. If the manhole was very weak and needed more structural support, it could be thicker. It is normally applied with a rotating head.

PASCH Mr. Pasch asked about the life expectancy.

CROOKS Mr. Crooks responded that they had been advised its life was about 20 years.

PASCH Mr. Pasch added he could probably figure on 15 years.

CROOKS Mr. Crooks stated there was a written guarantee of 10 years.

MITRICK Chairman Mitrick asked whether the project of 300 manhole inserts had been staged over a number of years.

CROOKS Mr. Crooks responded that manholes are replaced yearly. There are 2500 manholes, which are plastic dish-type items with a 5-10 year life.

MITRICK Chairman Mitrick stated that the 300 covers mentioned in the budget are part of the replacement plan.

CROOKS Mr. Crooks responded that was correct and would cover one year.

PASCH Mr. Pasch observed that the replacement would be an on-going, yearly project.

CROOKS Mr. Crooks commented that some of the manholes are out in traffic with automobiles running over them, and they deteriorate from that as well as age and the elements.

BISHOP Mr. Bishop asked Mr. Hodgkinson to again review the percentages on the dewatering, in the way it was currently done, and the centrifuge.

HODGKINSON Mr. Hodgkinson responded that currently the 15% is solid material. All the rest is water. As that compost is spread on the farmer's fields, 15% actually stays with the field. The rest evaporates into the atmosphere. The water adds a significant amount of weight. The cost is associated with a per wet ton.

SABATINI Mr. Sabatini added there is a long-term cost savings in liability and equipment.

SCHENCK Mr. Schenck asked whether it would be cost effective to drive the dump trucks south.

HODGKINSON Mr. Hodgkinson responded that transporting the material across state lines gets very complicated. York City's material is sent to Maryland and Virginia. The City dewaters its material, and has a contract for it to be land applied. They pay in the neighborhood of $34.00 to $35.00 a wet ton. Springettsbury's own handling on our own fields, with our employees costs about $18.00.

SCHENCK Mr. Schenck stated that they could do that year round.

HODGKINSON Mr. Hodgkinson stated that was correct, but the $35.00 a ton still was more expensive than the composting. He added that a compost roof at the plant in the sludge containment area would enable the department to stockpile the material.

SABATINI Mr. Sabatini commented on an issue of availability of farmland. He reported that some municipalities are purchasing farms and leasing them with the understanding that they are to be used for that purpose permanently. Land application is incredibly less expensive than composting, incineration and landfill. Five to 10 years from now, we may explore the purchase of land in southern York County.

HODGKINSON Mr. Hodgkinson stated there are 1700 acres permitted and more would be permitted in the coming year. Recently a farmer had contacted the Township and requested the product.

GURRERI Mr. Gurreri asked when the digester odor control systems would be installed.

HODGKINSON Mr. Hodgkinson responded he would like to start on that at the beginning of the year.

GURRERI Mr. Gurreri stated that in four more years nothing is stated for odor control.

HODGKINSON Mr. Hodgkinson stated that he did not expect any problems. The two major sources are the processes, which create odors, and they will be self-contained.

PASCH Mr. Pasch commented that with the two odor control systems, they're just like two big plug in Glade systems.

HODGKINSON Mr. Hodgkinson stated that the chemical would have to be purchased.

SCHENCK Mr. Schenck stated that the solution was really just a band-aid, and it could not continue.

HODGKINSON Mr. Hodgkinson indicated that DEP tries its best to tell the neighboring residents that with a Wastewater Treatment Plant there are associated odors. They try to act as the liaison between but the municipality and the resident, but if they get pressure they will come down harder on us.

GURRERI Mr. Gurreri stated that we need to have something to tell the people.

HODGKINSON Mr. Hodgkinson commented that most people, if you tell them that Springettsbury is investing a lot of money over the future years and putting this temporary fix to reduce, if not eliminate odors, most people are understanding and satisfied.

MITRICK Chairman Mitrick encouraged a meeting of the handful of residents who have consistently complained and let them know what the temporary band-aid is and what the true fix is going to be. That would be good PR for those residents.

HODGKINSON Mr. Hodgkinson agreed.

SABATINI Mr. Sabatini added that a walk through the plant could be planned.

HODGKINSON Mr. Hodgkinson stated that had been very beneficial in the past because people really do not realize the nuts and bolts of it. Once they see what all is involved with it, then they have a better understanding and are more willing to maybe put up with more.

MITRICK Chairman Mitrick commented that if they understand what is coming, she thought they would be more patient.

PASCH Mr. Pasch stated that a press release could be issued as to the current events.

MITRICK Chairman Mitrick asked if there were any further questions.

HADGE Mr. Hadge thanked Messrs. Crooks and Hodgkinson for their hard work.

SCHENCK Mr. Schenck acknowledged the great operation that Messrs. Crooks and Hodgkinson run. His only regret was that it was not publicized to get the acknowledgement that they earn. As supervisors, we know, and those in the industry know, but the overall township doesn't realize the DEP awards and other awards earned, and the quality of the plant.

3. EASEMENTS:

SABATINI Mr. Sabatini stated that approval was needed on an easement for the new connector pump station from GPU Energy. This covered a normal easement for the corner of Loucks Mill Road and Route 30. Approval was requested by the Board of Supervisors.

MR. SCHENCK MOVED TO APPROVE THE EASEMENT FROM GPU FOR THE DIVERSION PUMPING STATION. MR. PASCH WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck asked Mr. Hadge whether he anticipated any rate issues as far as our sewer users.

HADGE Mr. Hadge responded that a decision had been made not to make that an issue in 2001.

SCHENCK Mr. Schenck asked whether the budget will be able to handle that.

HADGE Mr. Hadge responded that it will, but during 2001 it will need to be addressed.

SCHENCK Mr. Schenck cautioned that the matter of sewer rates not be held off too long.

SABATINI Mr. Sabatini asked when was the last year that rates were raised.

GURRERI Mr. Gurreri responded that it was two years ago.

4. CAPITAL IMPROVEMENT FUND:

HADGE Mr. Hadge directed attention to the Capital Improvement Fund amount of $2,725,000 being proposed. He stated that it was broken down in terms of the revenues about 1/10th of a mil for the Real Estate Taxes. He had indicated earlier in the first session that 9/10th of a mil had been shifted over into the General Fund. Originally there was approximately 2/10th of a mil. Mr. Hadge reviewed each of the items under Revenues and Expenses.

SABATINI Mr. Sabatini commented about the Park Improvements. He indicated that in all likelihood there would be borrowing to cover that. Baseline estimates of $2.5 million had been made. $1.2 million could be borrowed. Decisions will have to be made toward bundling it up with the cost for Sewer Plant Improvements, Sewer System Improvements or go into the bond markets depending upon timing and we may end up with a good rate. Or you just do a short-term borrowing, 1 or 2 years, and assume that in two years interest rates will have dropped substantially.

HADGE Mr. Hadge stated that he had included $1 million plus for 2001 park improvements.

BISHOP Mr. Bishop stated that he had a couple of problems. One, he indicated there would be a long discussion before he would agree that money should be borrowed to build the park. Two, if the park were to become a $3 to $4 million park, he would never agree to it. Mr. Bishop indicated that the Board needed to decide what it really wanted to do. His recollection was that the park would be scaled to do what we could afford. He was not excited about spending $1 Million out of a $3 million Project and then be advised that it would be $1 million for three years for completion. That's not the understanding under which he had agreed to proceed.

PASCH Mr. Pasch recalled originally a projection of $2.5 million for the park improvements.

SCHENCK Mr. Schenck stated that he was looking for a summary of all fund balances. He thought that the money was available.

SABATINI Mr. Sabatini indicated that during a special session the Board had been advised that the funding was available.

HADGE Mr. Hadge stated that he estimated a fund balance of $4,000,000 plus for the year ending December 31, 2001 in the General Fund with no commitments attached. As a result the ability to transfer those funds was available. One issue that Mr. Sabatini commented upon is that the park would last 50 to 75 years. He asked whether they want to borrow long term to fund a major project like that.

SCHENCK Mr. Schenck stated that the discussions were to scale it to what we could afford.

BISHOP Mr. Bishop commented that when he had come on the Board there was $6 million as a fund balance in our accounts. He did not want to reach a point where that would be zero.

SABATINI Mr. Sabatini commented that a decision could be made toward investing. Right now funds are being invested at 6 to 7%. If you can hit the equity market at 5-1/2 to 6% it may be cheaper to borrow the money than to use the funds. That is a decision that is based upon when you enter the market. Rates seem to be dropping next year and the year after.

GURRERI Mr. Gurreri asked what rate was being paid on the school.

SABATINI Mr. Sabatini responded that item was on his list for review toward refinancing of debt.

GURRERI Mr. Gurreri asked whether it should be paid off if we have extra money.

BISHOP Mr. Bishop indicated there couldn't be that much left on it.

HADGE Mr. Hadge stated that he had simply set aside $1 million for next year and that includes the $8,000 for the grading.

BISHOP Mr. Bishop asked how long it would take to build the park.

SABATINI Mr. Sabatini responded it would take about a year.

SCHENCK Mr. Schenck stated that they had not seen anything about the park project status.

SABATINI Mr. Sabatini responded that he and Mr. Stern met with Ann Yost and they're providing the drawings for presentation to the Board in a special session during the first half of January, 2001. It has some architectural drawings of different structures in the park layout based on some additional discussions for the Board's input.

BISHOP Mr. Bishop indicated he was confused about the timing of the whole thing. He understood it would take eight months for construction and it would start in the spring. We only have budgeted $1 million for this year. He asked for the cost estimate.

SABATINI Mr. Sabatini indicated the park project would begin in the spring to early summer.

HADGE Mr. Hadge commented that he concluded that it very unrealistic to complete the park project in 2001 with no final plans approved. That is why he used $1 million, but $2 million could be spent on the park next year, if you do decide that money is needed to be spent, as the money is in reserve.

BISHOP Mr. Bishop indicated that it was his understanding that one of the ideas of a budget document was for the Board to make sure that it basically has the same general idea of how we're moving forward, and it sounded to him like we don't. It's very clear that there's $1 Million in the budget, but there are seven of us here who don't have a clear idea of how this is going to move forward.

HADGE Mr. Hadge asked if the board had seen any documentation for final plans.

BISHOP Mr. Bishop indicated he hadn't seen anything. Mr. Bishop made it very clear that he would not approve even $1 million unless he was assured as to where the rest would be spent. He added that he did not want to approve $1 million now and get started, and then have someone else come back and say we need another $2-1/2 million to finish the project.

GURRERI Mr. Gurreri asked whether we should have $2-1/2 million for the park project.

BISHOP Mr. Bishop responded that he didn't know. He heard people say $2 million, $2.6 million and $3 million.

SABATINI Mr. Sabatini stated that he would state $3 million, which would include the engineering costs. Remember that the estimate that he had been given was $250,000, and that's the agreement that the Board had signed for the design services estimating $2.5 million on the project itself. It's not unreasonable to budget $3 million, not that you want to use it, but we made one change already, which included the size of the amphitheatre, because they only budgeted for an amphitheatre which seats 800. We have more people attending than that on a regular basis. We changed the design on that to 1200 people. The total including engineering of $3 million is not excessive. Mr. Sabatini indicated he would have something prepared for the Board with the Board packets before the Board meeting.

BISHOP Mr. Bishop stated he was uncomfortable with spending $250,000 to engineer this if we're not getting a clear picture of the target. Mr. Bishop recalled that the Township went to this engineer and indicated, this amount is what we are willing to spend, make it happen. Now the comments indicate that $500,000 will be added.

GURRERI Mr. Gurreri stated that was what had been said for engineering at, -$250,000.

BISHOP Mr. Bishop stated he did not have a problem with that, but that he had a problem with what we're getting for it. He thought when the Board agreed to spend $250,000 that enough engineering would be done in order to say how much would be spent on the park. She was at $2.6, and you're at $3 million now.

SABATINI Mr. Sabatini stated that $3 million included the $250,000 for the engineering.

MITRICK Chairman Mitrick stated that it was important that Mr. Sabatini get back to the Board on the park project status. She asked how aggressively are grants being pursued.

SABATINI Mr. Sabatini responded that they had already applied for the Growing Greener. There are some alternative options, such as sponsorships and/or exclusive arrangements with Pepsi or CocaCola that could produce $250,000 of revenues up front for the Township. In speaking with staff there had been some discussion about corporate sponsorships of facilities, and there was a question

whether or not it was acceptable to the Board. Discussion would be re-opened with the Board on specific sponsorships of structures, the Harley Davidson Amphitheater, or the Bon Ton Amphitheatre may be a solution to some of our funding issues. Mr. Sabatini would set as a target approximately $700,000 for corporate sponsorships and other outside sources, but a lot of it depends upon what length the Board is willing to go to.

PASCH Mr. Pasch stated he did not think that would be a problem, because a fundraiser had been paid to come in and tell us how we could raise funds from the community. He suggested Mr. Sabatini review the fundraiser's report and talk with them. Their indication was that it was going to be difficult to raise money. Mr. Pasch had no problem with a franchise agreement with Coke or Pepsi, whoever has the biggest dollar.

GURRERI Mr. Gurreri asked whether there was a need to do that.

BISHOP Mr. Bishop stated we do not even need to do it at all. He stated that taxes could be raised at any time.

SABATINI Mr. Sabatini added that the reserve could be tapped, but $250,000 is hard to turn away. He added that at least $130,000 could be obtained from the Growing Greener Recreation Funds that had been applied for, as well as tapping into special funds for handicap accessibility. York Little League had expressed an interest in paying for lighting.

SCHENCK Mr. Schenck stated he was a little concerned about the comment that you heard from the staff here that the Board needed to make a policy decision or give direction on this outside funding from the private sector.

SABATINI Mr. Sabatini indicated he may have mis-stated that the Board had questions about whether or not they wanted to pursue that direct interaction.

SCHENCK Mr. Schenck added that he thought the Board sent as clear a signal as possible, that not only did we approve of that thought process, but we wanted to pursue it. Mr. Schenck wanted to make sure that the Board was not sending the wrong messages to the staff.

MITRICK Chairman Mitrick asked whether there was a plan for recycling in the park.

SABATINI Mr. Sabatini was not aware of any plan for recycling.

MITRICK Chairman Mitrick reported she had spoken with Phil Briddell, who indicated that York Township just received a very significant grant, and they are going to be enhancing their township park. Part of it was recycling.

SABATINI Mr. Sabatini stated he would follow up. Mr. Sabatini stated that he had received a clear message from the Board to pursue that type of corporate sponsorships.

GURRERI Mr. Gurreri asked when they would find out how much park improvements would cost.

SABATINI Mr. Sabatini stated that the agreement had it at the 60% stage in mid-January, and that is when we wanted to sit down with the Board and say this is where we think that we are going.

GURRERI Mr. Gurreri stated that with an amphitheater we talked $100,000, but you can spend a lot of money in an amphitheater if you wanted to increase to 1200 seats.

SABATINI Mr. Sabatini stated that it was not really in the seating. It is in the structure itself. It is graded out and then they use the split face concrete retaining walls with a tiered effect. There was more of an impact on walkways and where other things are than it does really on the overall cost of the structure.

SABATINI Mr. Sabatini talked about how good it was getting the people out into the park, and I have mentioned a number of times about how I thought it would be good to have an office for recreation out there in the park for approximately 800 square feet. I would like to at least have an estimate done with and without that attached to the amphitheater.

GURRERI Mr. Gurreri added that would eliminate the trailer. He asked whether the trailer by the other building could be used for Recreation.

SABATINI Mr. Sabatini responded that he did not know if that would be appropriate to spend a lot of money to modernize that facility and then to have a 10-year old trailer in the middle would stick out like a sore thumb.

MITRICK Chairman Mitrick asked about the township building construction and the $600,000 cost estimates. She indicated she did not think the Board ever saw a figure for furnishings.

SABATINI Mr. Sabatini responded that his recollection was that there were no specific funds appropriated for the police office. Several desks would be transferred to the Police Department, which had been slated for other offices. That would amount to a cost savings. It was his understanding that most of the furnishings were to be re-used.

MITRICK Chairman Mitrick asked Mr. Sabatini to check on that because she was hearing differently.

HADGE Mr. Hadge indicated that in this year's budget there was estimated $80,000 for furnishings for this building.

MITRICK Chairman Mitrick stated she thought that amount had been exceeded.

PASCH Mr. Pasch stated that, if a budget had been established, which it had been, and if it was gone over in terms of what was ordered, then the Board should have been made aware of it. Mr. Pasch did not know whether it had gone over or not. He recalled Mr. Amic giving an estimate on the building and an estimate for furnishings. Mr. Pasch thought the estimate on furnishings was well over $100,000.

SABATINI Mr. Sabatini indicated that one of the items he and Mr. Hadge had spoken about making sure that the budget numbers were nailed down and that the budget equals the spending or the spending is within the parameters of the budget. This year had been difficult because of the transition. They had attempted to keep controls and part of that effort was to have a realistic budget communicated properly to the people who are doing the projects.

HADGE Mr. Hadge commented that the $80,000 was all that had been set aside for furnishings in the 2000 budget.

BISHOP Mr. Bishop desired again to get straight on the history of the park improvements. The Board agreed that whatever was in the budget last year had been thrown out and started over again. It wasn't our intention to go by anything that was in there as far as the park.

HADGE Mr. Hadge stated that he had followed his instructions from Manager for at least $1 million. There are additional fund balance moneys available if the Board so desired to use them. Mr. Hadge did not believe there was a need to borrow. However, a decision was needed on how much would be spent.

SABATINI Mr. Sabatini took a philosophical approach. If you have a long-term capital project, it is not inappropriate to spread out the costs over the life of the facility, especially if there is a variance between what you can earn and what it costs to borrow. It is a philosophical thing that's different for each Board. Some Boards want to go strictly cash. Other Boards would prefer spreading that out so that you don't impact on some of your other funds or lose opportunity costs for other money. Mr. Sabatini indicated that at that point, he would be showing the Board more detailed costs.

MITRICK Chairman Mitrick stated that she agreed with Mr. Bishop that when she came on the Board there was a very sizeable purse. She, too, would hate to see that depleted to the point where it is embarrassing for the decision-making body.

SABATINI Mr. Sabatini indicated that some people say an organization should have two months' worth of money, with which he did not agree. The reason is because if you have a dynamic organization that is intent on addressing needs in the short term as well as the long term you need to have the financial resources available. Your credit rating looks better if you've got $4 million than $1 million in the bank. Other municipalities take an approach that they want to pool a year's worth of money there. Mr. Sabatini did not necessarily believe that was appropriate at least in the General Operating Fund. He preferred having about six months worth of money there, which would be approximately $3.5 million as a benchmark.

HADGE Mr. Hadge then commented upon the contingency, which has been included in the Capital Improvement Fund, of $100,000, which could be adjusted whatever way the Board desired.

MITRICK Chairman Mitrick commented about property acquisition. Those residents may be waiting to make their move. We need to keep money available for that. Someone mentioned the other property too. That had been a goal for them.

BISHOP Mr. Bishop had a question about the philosophy of a contingency as an expense item in the Capital Improvement Fund.

HADGE Mr. Hadge reported there are a lot of dollars included that are unforeseen. The Chairperson asked about the dollars for the furnishings and property acquisition. Mr. Pasch stated earlier that he had heard some figures for this building's furnishings, and it is believed that they were exceeded. Mr. Hadge stated such issues could be used within the context of a contingency. It would be very difficult to give a finite figure in August for what's going to happen a year later.

BISHOP Mr. Bishop asked whether this contingency line item then exists so that management can juggle these things around as those issues arise.

HADGE Mr. Hadge responded that he would not say that management could, but that it gives additional flexibility for the legislative body. He would remove the contingency if the Board opposed having it in the capital improvement fund.

BISHOP Mr. Bishop stated that the board has infinite flexibility at any time to change the budget.

HADGE Mr. Hadge agreed. He added as an example that a Resolution could specifically designate $50,000 of this $110,000 contingency to the building construction for furnishings. Then there would be no doubt in Chairman Mitrick's mind as to where the dollars were spent for the furnishings.

SABATINI Mr. Sabatini added that capital improvements especially are things that are very heavily interfaced with the Board.

SCHENCK Mr. Schenck stated that this budget was a different presentation for the Board than what we are used to. He questioned the contingency, however, he understood the philosophy that you are more concerned with being able to show a balanced budget now and at the end of the year. Previously the Board had always worked with a balanced budget going in, but accepted overs and unders at the end of the year. Your philosophy is that's unacceptable to you.

HADGE Mr. Hadge stated that he wanted to make it clear that he was very conservative.

SABATINI Mr. Sabatini stated that both he and Mr. Hadge were bottom line oriented. He commented that it was important to meet the details

within the budget. He is as much or more concerned with the bottom numbers because budgeting is a guideline.

BISHOP Mr. Bishop commented that if he understood correctly, then at the end of 2001, the Capital Improvement fund is at zero.

HADGE Mr. Hadge responded that it would be close to it. He estimated more toward $200,000. Approximately $2.8, $2.9 balance at the end of this year in the capital fund, and there's $2.7 projected expenditures. That was why he figured about $200,000 left, and that considered all the building costs and $1 million plus of a park. Also, there is a projected $4 million balance in the General Fund at the end of this year.

BISHOP Mr. Bishop asked whether there was a snapshot of the end of 2001 overall incorporated in the budget.

SCHENCK Mr. Schenck agreed that he would like to see a summary of all the fund balances. He indicated that he was having difficult understanding the whole picture. He asked whether Mr. Hadge could provide a summary of all the funds and all the fund balances.

PASCH Mr. Pasch stated that what was being done was set up so that all of these other funds are handled internally.

HADGE Mr. Hadge added that was true with the exception of the Capital Fund.

MITRICK Chairman Mitrick asked again about the $80,000 figure for furnishings. Her understanding was that was for the whole complex because here it says, Township Building Projects. She added that because of the transition, that figure was probably exceeded. Chairman Mitrick would like information on the furnishing expenditures for the other building.

HADGE Mr. Hadge thought that Mr. Stern provided that to her in a revised memo. Mr. Stern had assisted Mr. Hadge in the development of the $600,000 figure for the building costs in 2001.

MITRICK Chairman Mitrick stated that she had been grateful that Mr. Stern took over the project. She would just like to review the figures.

SABATINI Mr. Sabatini stated that the information would be provided.

PASCH Mr. Pasch commented that if the 2000 furnishings figure had gone over the budget, it would be the responsibility of the Board as well.

SABATINI Mr. Sabatini stated that there were four pieces of furniture that were designated for the Recreation people that were to be transferred over.

PASCH Mr. Pasch responded that was utilizing what you have, and he had no problem with that.

5. FIRE FUND:

HADGE Mr. Hadge had provided information about the Fire Fund earlier in terms of the millage that is dedicated to it, 1/10th of a mill. An information sheet was provided showing the Fire Company' s Expenses.

PASCH Mr. Pasch commented that for Commonwealth it had been determined that what we're paying is a total percentage of their budget. No budget had been submitted for Springetts.

HADGE Mr. Hadge stated that he had not received anything from Springetts.

BISHOP Mr. Bishop asked whether any information about Springetts had been submitted regarding their expenditures.

SABATINI Mr. Sabatini responded that their monthly financials had been received.

BISHOP Mr. Bishop asked about expense returns.

HADGE Mr. Hadge indicated that information would just cover their expenses when they ask for a check.

SABATINI Mr. Sabatini commented that when they applied for the PEMA loan, they had to supply tax returns. Their monthly financial statement is not a consolidated financial statement.

6. OTHER FUNDS:

HADGE Mr. Hadge indicated he had some other funds to briefly highlight. First the Capital Waste Reduction Fund, where the estimated revenue in 2001 is $116,500 and $125,700 for expenditures.

BISHOP Mr. Bishop asked about the Capital Waste Reduction Reserve Fund's and whether Mr. Hadge would propose to eliminate it.

HADGE Mr. Hadge indicated he probably would do so in the future.

SCHENCK Mr. Schenck asked whether the state would have any interest in seeing that money in this particular fund.

HADGE Mr. Hadge responded that he wanted to research that further with Mr. Lauer and with the state officials. For an example, State Liquid Fuels must be kept as a separate fund.

SCHENCK Mr. Schenck stated that other than that, we do a lot of work to make sure this comes out even trying to find items on which to spend the money.

BISHOP Mr. Bishop wanted to have a sense of whether the Board was comfortable about getting rid of these funds and what the criteria was. Mr. Bishop indicated he did not see any reason to continue the little accounting things that we're doing for historical purposes.

SCHENCK Mr. Schenck stated for the record that he held his ground firmly that we needed to keep them separate because he felt that it gave board direction; but he indicated a willingness to be much more open-minded about that. He asked Mr. Hadge what he would suggest, if those changes were to be implemented after the budget was adopted.

HADGE Mr. Hadge responded that he needed to spend some time to put everything together as a program. He had been listening to the Supervisors and indicated he would propose some changes sometime during the summer. He added that he wanted to present some of this information so that the Board would be thinking about the program.

SABATINI Mr. Sabatini stated that there is still a learning curve about Township policies. He and Mr. Hadge are getting in "sync." They had not wanted to make radical program changes at this time, but to make the Board aware of some of the procedures and associated costs.

HADGE Mr. Hadge then commented about the Wastewater Treatment Department. Mr. Hadge stated that he would endorse a separate fund for shared expenditures for that department. They have 900

accounts, but one could not determine out of 900 accounts how much money is shared and how much is not shared.

PASCH Mr. Pasch asked why the auditors who have audited the books for the past 10-20 years had not pointed this out to staff. He added that the auditors have to be charged with a certain amount of responsibility.

HADGE Mr. Hadge stated that he had met with the auditors twice and they were very supportive of Township direction. They really are not in a judgmental role to say this is shared and this is not shared.

PASCH Mr. Pasch stated that the auditors had submitted a report in terms of the shared expenses that sister communities and we relied on. Now they missed that as far as I am concerned.

HADGE Mr. Hadge provided a simple example where a mileage reimbursement could be a shared expense.

PASCH Mr. Pasch thought that pointing those items out should be the auditor's job. He stated that Mr. Hadge and Mr. Sabatini should point that out to the auditors. He added that the auditors come in and represent themselves as professionals and should be able to handle complicated matters.

HADGE Mr. Hadge then reported there had been some discussion about changing the Insurance Program, however, Mr. Hadge indicated $567,000 is included as part of the budget material.

HADGE Mr. Hadge stated that the budget would be compiled and ready for adoption at Noon on December 21, 2000.

MITRICK Chairman Mitrick stated that Mr. Sabatini had spoken about possibly adding positions within the Township. She asked whether those positions had been included in the budget, for instance, the Grants Coordinator person.

SABATINI Mr. Sabatini indicated they were included in the budget under the Contingency Account and would be a created only by action of the Board.

MITRICK Chairman Mitrick asked about the position of Director of Wastewater Treatment. It was her understanding that the salary was always there in the budget in the event a person would assume that position.

HADGE Mr. Hadge responded that the figure was in the Wastewater Treatment Fund, under Administration. Fifty thousand dollars were budgeted for three-quarters of the year.

GURRERI Mr. Gurreri asked whether anything had been done toward filling that position.

SABATINI Mr. Sabatini responded that he had not, due to the reorganization. He added that a draft Job Description and a draft ad were being generated, and he planned to pursue that after the first of the year. Mr. Sabatini then asked for a short Executive Session.

HADGE Mr. Hadge added that the budget book will be provided at the end of January following adoption of the budget.

PASCH Mr. Pasch commented that he appreciated the simplification of the budgeting process, as well as the direction being taken. He stated that it was very important and long overdue.

7. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 10 p.m.

Sincerely,

Robert Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **DECEMBER 14, 2000**
REGULAR MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, December 14, 2000 at the Township Offices at 1501 Mt. Zion Road.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Nick Gurreri
Don Bishop
Bill Schenck

MEMBERS NOT IN ATTENDANCE: Ken Pasch

ALSO IN ATTENDANCE: Don Yost, Solicitor
Robert Sabatini, Township Manager
John Luciani, Civil Engineer, First Capital Engineering
Mike Schober, Environmental Engineer, Buchart Horn
Mike Myers, Design Engineer, R. K. & K.
Dori Bowders, Manager of Administrative Operations
Jack Hadge, Finance Director
Mark Hodgkinson, WWT Director
Betty J. Speicher, Director of Human Services
Sgt. Scott Laird, Police Department
Andrew Stern, Economic Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to order at 7:30 p.m. She welcomed everyone to the first general meeting in the new Board Room. On behalf of the Board, she wished everyone a very happy, safe holiday season.

SCHENCK Mr. Schenck introduced Troop 25 Boy Scout Color Guard for presentation of the colors and the Pledge of Allegiance. The four Boy Scouts were: Eric Nelson, Greg DeBlise, Dan Walters and Harry Schenck. Troop 25 meets at the Yorkshire United Methodist Church in Springettsbury Township.

MITRICK Chairman Mitrick stated that an Executive Session had been held prior to the general meeting regarding legal matters.

2. COMMUNICATION FROM CITIZENS:

There was no public comment.

3. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

537 Plan

SCHOBER Mr. Schober reported several updates to his written report. As part of the 537 Reimbursement Plan, Mr. Hadge had been requested to process cancelled checks

East/West Interceptor

East/West Interceptor right-of-ways were completed and sent to Solicitor Yost. Two formal permanent right-of-ways are needed, along with one temporary construction easement.

Act 339

The process had begun of preparing the Act 339 application due the end of January. No problems are expected.

B. Civil Engineer – First Capital Engineering

Pleasant Valley Condominiums

LUCIANI Mr. Luciani provided an addition to his written report regarding Plan Reviews. The Pleasant Valley Condominium project had been removed from the agenda. A meeting was scheduled for December 15 to discuss some outstanding engineering issues.

Plymouth Road

Mr. Luciani advised that a complete set of plans had been sent to Mr. Gurreri regarding Plymouth Road. A new review engineer would be looking at that project one additional time to generate a new list of comments.

MITRICK Chairman Mitrick mentioned an alternate consideration for the lot on Whiteford Road.

LUCIANI Mr. Luciani responded that the engineer who had attended staff meeting was not at liberty to say who it was but, given the problems they had in that particular lot, they were looking at an alternate type of facility with a less intense traffic volume.

C. Design Engineer – Rummel, Klepper & Kahl

MYERS Mr. Myers provided several construction updates to supplement his earlier written report. The pump station should be completed in mid to late January for start up. Springfield had installed about 1200 to 1500 feet of pipeline, and the parallel interceptor is substantially complete. The Overview Sewer Project is essentially done with a few remaining

construction items, which the contractor will complete. The Utility Water System at the plant is 99.9% complete and a final walk through is being scheduled.

MITRICK Chairman Mitrick asked whether there would be a grand opening at the Diversion Pump Station.

MYERS Mr. Myers responded that he hoped so.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 12/14/00.
B. Public Planning & Management Group, Inc. – Additional Billing – Invoice #2000-273.
C. Reed Smith, LLP - $19,860.10.
D. Rummel, Klepper & Kahl – Diversion Pumping System and Parallel Interceptor – Invoice #24 - $16,104.72.
E. Buchart Horn – Solids Handling Improvements – Project Invoice #5 - $22,253.79.
F. Grassie & Sons, Inc. – Mt. Zion/Overview Replacement Sewer – Pay Estimate #1 - $37,336.
G. Springfield Contractors, Inc. – Parallel Interceptor – Pay Estimate #2 - $187,907.85.
H. Norfolk Southern – Parallel Interceptor – Flagging Services - $8,704.63.
I. Allan A. Myers, Inc. – Diversion Pumping Station – Pay Estimate #7 - $275,682.93.
J. Rummel, Klepper & Kahl – Diversion Pumping System and Parallel Interceptor – Invoice #25 - $17,559.21
K. Reed Smith, LLP – Invoice #829803 - $336.
L. Reed Smith, LLP – Invoice #829802 - $6,559.
M. Buchart Horn – Raw Pump Drives – Project Invoice #6 - $10,661.22
N. Buchart Horn – East/West Interceptor – Project Invoice #6 - $16,384.80.
O. Rummel, Klepper & Kahl – WWTF Utility Water System Upgrade – Progress Billing #8 - $818.
P. Allan A. Myers, Inc. – Diversion Pumping System – Pay Estimate #8 - $296,473.03.
Q. Shannon Smith – Progress Billing #12 – New Building - $5,737.05.
R. Shannon Smith – Progress Billing #3 – Existing Building $3,266.10.
S. Shannon Smith – Progress Billing #4 – Existing Building $13,260.10.
T. Shannon Smith – Progress Billing #13 – New Building - $806.55.
U. Williams Service – Progress Billing #5 – New Building - $13,050.
V. Williams Service – Progress Billing #1 – Existing Building $4,500.
W. Frey Lutz – Payment #10 – New Building - $8,932.37.
X. East Coast Contracting – Progress Billing #11 – New Building - $151,839.16.

MITRICK Chairman Mitrick asked whether there were any questions regarding Items A through X. She questioned the Reed Smith charges.

SABATINI Mr. Sabatini responded that the Reed Smith items covered legal services that the township had incurred for the grant application process. During the transition period three invoices had been submitted, but had not yet been paid, and thus appeared on the Accounts Payable for payment.

BISHOP Mr. Bishop inquired whether those items were shared expenses.

SABATINI Mr. Sabatini responded that the expenses would be shared because they are for funding a project that serves all of the client municipalities.

MR. GURRERI MOVED TO APPROVE INVOICES A THROUGH X AS PRESENTED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. BIDS, PROPOSALS & QUOTES:

A. TRB Specialty Rehabilitation – Market Street Manhole Rehabilitation Bid Proposal - $26,400.

SABATINI Mr. Sabatini presented Item A for the Market Street Manhole Rehabilitation bid. The 2000 budget had funding for restoring the manholes. Six bids had been received, and staff had recommended approval of TRB Specialty Rehabilitation in the amount of $26,400.

SCHENCK Mr. Schenck commented that during budget meetings there had been discussion regarding the purchase of equipment to do this type of work. He asked whether it was wise to contract out for work that the Township would probably buying equipment to do within the next few months.

SABATINI Mr. Sabatini responded that the bids had been issued prior to the budget process, and this had not been addressed. He suggested holding action until the meeting on December 21 to address it.

BISHOP Mr. Bishop asked whether the recommendation would be to award this to the low bidder.

SABATINI Mr. Sabatini responded that was correct.

MITRICK Chairman Mitrick commented on the wide range of bids.

SABATINI Mr. Sabatini responded that there were many bids coming in with wide ranges. He added that TRB had very good references.

Consensus was to hold Item A. until Mr. Sabatini could review the matter and respond to the Board.

B. Grace Quality Used Cars – Sale of Surplus Vehicles – 1997 Ford Crown Victoria ($4,459), 1995 Chevrolet Caprice ($1,759), and 1996 Ford Crown Victoria ($2,359).

SABATINI Mr. Sabatini reported that bids had been received on three of the surplus vehicles. The bidder was Grace Quality Used Cars, Morrisville, Pennsylvania, which met or exceeded the cost estimates. Mr. Sabatini recommended that the Township award the surplus vehicles to Grace Quality Used Cars.

MR. GURRERI MOVED TO ACCEPT THE BIDS FROM GRACE QUALITY USED CARS IN THE TOTAL AMOUNT OF $8,577.00 AND DIRECT THE TOWNSHIP MANAGER TO EXECUTE THE NECESSARY DOCUMENTS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

GURRERI Mr. Gurreri suggested that the remaining cars be sold at Township auction. He added that more money might be spent advertising the vehicles than their worth.

SABATINI Mr. Sabatini responded that the remaining vehicles include the K car, two busses, a police car and a scout. The disposal of the remaining vehicles should be addressed in the near future.

C. Shannon Smith – Change Order #9 – New Building - $1,665

SABATINI Mr. Sabatini recommended approval for Change Order #9 covering electrical work that had been completed in the new building

MR. SCHENCK MOVED TO APPROVAL SHANNON SMITH CHANGE ORDER #9 IN THE AMOUNT OF $1,665 AS PRESENTED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Shannon Smith – Change Order #10 – New Building - $1,494

SABATINI Mr. Sabatini recommended approval for Change Order #10 covering additional electrical and data cabling work completed and approved by the project manager.

MR. GURRERI MOVED TO APPROVE SHANNON A. SMITH ELECTRICAL CHANGE ORDER #10 IN THE AMOUNT OF $1,494 AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. East Coast Contracting – Change Order #2 – New Building $26,487

SABATINI Mr. Sabatini recommended approval of Change Order #2 for East Coast Contracting. This item covered seven items that had been completed as part of the project.

MR. SCHENCK MOVED TO APPROVE EAST COAST CONTRACTING CHANGE ORDER #2 IN THE AMOUNT OF $26,487 CONDITIONED UPON THE REVISIONS OF THE NUMBER OF ADDITIONAL DAYS THAT IS ACCEPTABLE TO THE CONTRACTOR AND THE TOWNSHIP. MR. BISHOP WAS SECOND.

SABATINI Mr. Sabatini commented that when the Change Orders had been submitted, the contractor had noted "to be determined" additional days. An accurate record was necessary in order to determine any failure by the contractor to meet future deadlines.

MOTION UNANIMOUSLY CARRIED.

F. Rummel, Klepper & Kahl – Diversion Pumping Station & Parallel Interceptor – Proposal for Additional Construction – Phase Engineering and Resident Project Representative Services

SABATINI Mr. Sabatini provided background information regarding Item F for proposed additional costs for construction phase engineering and resident project representative services. He reported that the project for the diversion pump system and interceptor was significantly behind. A need exists to move ahead towards providing for additional engineering and project services from R. K. & K. The monies from liquidated damages will be used to pay for these costs.

BISHOP Mr. Bishop asked for clarification about Mr. Sabatini's memo stating that both of the projects are in delinquent status.

SABATINI Mr. Sabatini responded that it meant that the projects are behind schedule. Allan A. Myers had been put on notice that they are in liquidated damages now. Springfield Contractors will not go into liquidated damages until some time in January.

BISHOP Mr. Bishop commented that it was important because it justified why the additional engineering was required.

SABATINI Mr. Sabatini commented that under the contract, the Township was permitted to charge liquidated damages for additional costs incurred by the Township in order to meet the requirements. Part of the requirements are that resident site inspectors and resident engineers be available for this project.

MR. GURRERI MOVED TO APPROVE THE PROPOSAL FOR ADDITIONAL CONSTRUCTION PHASE ENGINEERING AND RESIDENT PROJECT REPRESENTATIVE SERVICES FOR R. K. & K. IN THE AMOUNT OF $64,560 AND FURTHER DIRECT THE LIQUIDATED DAMAGE ASSESSMENTS BE UTILIZED TO PAY FOR THESE SERVICES. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENTS:

A. Sewer Planning Module A3-67957-313-3 – Fountains at Heritage – (Springettsbury Township) – 17,500 GPD

STERN Mr. Stern commented that Sewer Planning Module A3-67957-313-3 would provide sewer planning for 15 new single-family attached dwellings, a continuation of the existing Heritage Condominiums.

MITRICK Chairman Mitrick asked whether signed documentation had been received.

SABATINI Mr. Sabatini responded that it had been received.

MR. BISHOP MOVED TO APPROVE SEWER PLANNING MODULE A3-67957-313-3 – FOUNTAINS AT HERITAGE – 17,500 GPD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Land Development Waiver Request – Jack Giambalvo Motor Company – 1793 Whiteford Road

STERN Mr. Stern commented that Item B covered a 2,465 square foot proposed addition at the Whiteford Road facility for an additional showroom for the Hyundai line. The applicant asked for a waiver from the requirement to submit a formal Land Development Plan. At the time that Mr. Stern received the request he noted that there had been several major unresolved items. Since then he had received the new plans; however, he had not had an opportunity to review them with the applicant.

GIAMBALVO Mr. John Giambalvo, Vice President of Operations of Jack Giambalvo Motor Co., presented diagrams of the proposed addition. He commented that a hardship would be experienced if it were required for the time and money of the Land Development process, primarily the time. The Hyundai franchise had been acquired in August, 1999. At that time they had agreed to provide additional service department, parts department and a separate showroom area. Those additional services were for both Hyundai and Jeep customers. The body shop had been moved out to the former Lowe's building to provide service space. The parts department had been enlarged to provide for additional parts storage. Hyundai felt

that the showroom was more important, and they are pushing to get the showroom project completed. He stated that Land Development is a necessary and good thing. However, there's also in the Ordinance the Board's authority and discretion to waive that requirement.

GIAMBALVO Mr. Giambalvo commented on issues relating to parking, storm water retention, sewer, and landscaping. He indicated that there would be virtually no impact from any of these items. He stated that there was nothing about this project that could not be accomplished through the Labor and Industry process and the Building Permit process. The only thing Land Development would do provide more difficulty for him with Hyundai, take up three months and cost $11,000. He requested that the Land Development requirement be waived.

MITRICK Chairman Mitrick asked for Mr. Stern's comments.

STERN Mr. Stern responded that in the past he had recommended waivers. However, he did not believe that this project met the Ordinance requirements.

BISHOP Mr. Bishop asked what Mr. Stern meant.

STERN Mr. Stern responded that, in his opinion, the property presently is non-conforming and does not comply. It had never had parking, landscaping, storm water or any of the other issues.

GURRERI Mr. Gurreri asked whether the storm water issue would change by the addition to the paved lot.

LUCIANI Mr. Luciani responded that he had not had an opportunity to review the plan.

GURRERI Mr. Gurreri asked about the planting of trees and shrubs.

STERN Mr. Stern responded that he did not believe there was room on the existing property.

GIAMBALVO Mr. Giambalvo indicated that they were willing to plant on any of their other properties or on the park.

GURRERI Mr. Gurreri added that there are some areas where green grass could be planted.

GIAMBALVO Mr. Giambalvo stated that they would do whatever they could with the property. It shouldn't matter where the trees would be located and would simply beautify the township.

MITRICK Chairman Mitrick stated that it does matter to the Board. She stated that Mr. Giambalvo might have referred to a developer who came in, and the reason we had suggested possibly relocating trees was the fact that where the trees were they were really not going to serve any purpose. They were on the back of the property. She added that it was not a typical event.

GIAMBALVO Mr. Giambalvo stated he believed there was room at this property to plant trees and shrubbery.

GURRERI Mr. Gurreri stated that if they had the room Giambalvo would gladly plant them.

GIAMBALVO Mr. Giambalvo stated that he has to get the showroom done, and he ‘s already behind schedule.

MITRICK Chairman Mitrick asked about the fencing that secured the body shop and whether that area is open and available.

GIAMBALVO Mr. Giambalvo stated that the fencing had been moved. They want to keep a fenced in area because there are customer cars that are going to be there for a week or two waiting for parts, etc.

GURRERI Mr. Gurreri commented about that the landscaping and the water are the two major problems.

STERN Mr. Stern stated that landscaping and parking are the two items that he could not comply with; with the storm water issue, he can comply.

GIAMBALVO Mr. Giambalvo stated that the addition doesn’t take the property out of compliance.

GURRERI Mr. Gurreri stated it would make the property look a lot nicer.

MITRICK Chairman Mitrick asked Mr. Stern about the parking situation in that it would not be worse.

STERN Mr. Stern responded that as far as the Ordinance was concerned, yes. At least six spaces would be lost as well as for the additional showroom of 2,400 sq. ft. requires additional parking for those cars as well.

MITRICK Chairman Mitrick asked how it would balance out with the Ordinance.

STERN Mr. Stern responded that as far as the Ordinance was concerned, it would not balance.

MITRICK Chairman Mitrick commented about the space that had been gained with the move of the body shop.

STERN Mr. Stern responded that as far as the Ordinance was concerned there are not enough spaces.

SCHENCK Mr. Schenck asked whether there was anything in the Ordinance for car dealers in that they have inventory.

STERN Mr. Stern responded that was not considered parking. An issue had been reviewed recently with regard to Diehl Toyota and York Volkswagon where we required them in the Land Development Process to identify a specific display area parking.

SCHENCK Mr. Schenck stated that was his concern. They probably have the square footage on the lot to accomplish what they want, but one of the things that come out of Land Development is that the design of the facility is to accommodate the uses correctly.

GURRERI Mr. Gurreri asked whether the property was in compliance before with the body shop.

STERN Mr. Stern responded that he was not sure but that he'd guess that it wasn't in compliance. The body shop area is now the service area.

LUCIANI Mr. Luciani stated that the use of a Land Development Plan provides for a more orderly review of property development.

MITRICK Chairman Mitrick asked Mr. Stern if there was any way to accommodate Giambalvo, knowing the time pressure. If the information were provided prior to our meeting on the 21st that it could be brought to the board to support this request to justify it.

STERN Mr. Stern responded that he could if he had the information. Every other waiver that he had brought before the Board had been brought basically within a Land Development package.

MITRICK Chairman Mitrick stated that more information was needed. She understood that Mr. Giambalvo had presented his letter very carefully. She agreed with Mr. Schenck's comment that when other developers had come in they have it all drawn out that shows what exists, what will exist, where the parking shift is going to be, and where potential landscaping could go in. She stated that if it were possible to get a plan to Mr. Stern's office, she would request that the Board review the plan during a lunch meeting on December 21st.

GURRERI Mr. Gurreri stated that what we're asking for is your landscaping and parking shown on the drawings.

BISHOP Mr. Bishop stated that it sounded as though Mr. Giambalvo is saying that the property would meet all the requirement of the ordinance in the end. What was needed is to see that on a plan like any other project. It appears that Giambalvo would be willing to do all the work; just that it won't take three months.

YOST Solicitor Yost stated that this might be the only opportunity to do something with this site. He indicated that the Board was not necessarily even looking for a professionally drawn plan, but would like to see a plan with the customer parking designated, with the cars for sale area designated, the new additions designated, with the landscaping located so that when you review the process the Board would have something indicating what the end result would be.

SCHENCK Mr. Schenck stated that there are many things that are reviewed in Land Development. He would not want to add delay to delay and would not want to suggest giving that opportunity and then on the 21st say sorry, it's still not what is needed.

MITRICK Chairman Mitrick stated that knowing the property she could understand what Mr. Giambalvo was stating about the desired changes. She stated that she did not feel confident in not being able to see it on paper, even though Mr. Giambalvo has a very clear plan in mind. The Board indicated a willingness to allow time on the agenda during the December 21st meeting, which was a very unusual gesture.

Consensus of the Board was to Table the Matter until the 21st.

C. SD – 99-09 – Hunters Crossing – Waiver Requests

STERN Mr. Stern provided an overview of the Open Space Plan for Hunters Crossing. He stated that in the Ordinance it would be referred to as Residential Open Space. The Consultant to the developer, Mr. Stallman, identified eleven items for which waivers would be necessary. Mr. Stern narrowed the list down to five items, those being (1) set back reductions, (2) curbs, (3) sidewalks, (4) cul de sac length, (5) street slopes and leveling areas. Mr. Stern explained:

- Set Back Reductions – The Ordinance is somewhat inconsistent in that it allows for lot sizes to be reduced but does not allow for reduction of set backs. Mr. Stern felt it would be logical to allow for reduction of set backs. This item would have to be waived or amended by text

amendment, as well as a variance granted from the Zoning Hearing Board.

- Curbs - The curb items previously identified in Mr. Stern's memo had been discussed with Mr. Stern and Mr. Lauer. Mr. Lauer indicated that having curbs on public streets made maintenance easier and storm water work more effectively. The applicant had requested waiving the curbs except in certain areas where asphalt curbing would be placed. Mr. Stern added that he was not opposed to asphalt curbing as it had been used effectively in other municipalities.

- Sidewalks - The applicant requested walkways placed behind the properties through the common open space areas. Mr. Stern agreed with that concept. Several issues need to be resolved, such as safety, security, ownership and maintenance.

- Cul de sac Length – Mr. Stern stated that the issue of cul de sac length had been resolved. The developer had made the necessary adjustments.

- Street Slopes and Leveling Areas - Because of the typography of the development of the property, it had been difficult to get the street slopes at the intersections to have a leveling area. Mr. Stern stated that the applicant and John Luciani would explain that further. Mr. Stern stated that he hoped that the Board could provide the staff and the applicant some guidance toward resolving this issue. Mr. Stern provided one suggestion to make Kingston Road, which is the main road, a public road meeting all Township requirements and the remainder of the roads to be private and maintained by a private Home Owners Association.

STALLMAN Mr. Jerry Stallman and Mr. Tim Pasch represented the plan. Mr. Stallman provided some background information. Mr. Stallman indicated that the plan created a great deal of open space in order to protect approximately eight acres of land, which is essentially the entire site that was delineated by the archaeologist at the Camp Security site. He hoped to be able to resolve the five issues quickly in order to move forward with the plan.

- Set Back Reduction – Mr. Stallman would proposed a text amendment to the Ordinance if that were agreeable with the Board. The Ordinance states very little information regarding an Open Space development. Typically an ordinance that is associated with open space relaxes the setback requirements. The Township Ordinance is silent on that. They would identify what the set backs are and any exceptions to that would have to be approved by the Supervisors. He asked the Board to consider a text amendment to the Ordinance.

BISHOP Mr. Bishop asked Mr. Stern whether this seemed reasonable to him and whether anyone was working on the proposed language.

STERN Mr. Stern responded that it was reasonable in his opinion, but at this time no one was working on language.

BISHOP Mr. Bishop asked whether there was any reason why the Township would not permit the applicant to propose text in this situation.

STERN Mr. Stern responded that it was an excellent idea and logical to reduce the lot size.

PASCH Mr. Tim Pasch stated that his basic concern was that it might not be needed. Some of the homes to be built in the woodlands would need it. Many of the people who are interested in building there are looking to build a larger home, and the extra five feet would allow them either to do a side entry garage or sun room or whatever it might be.

STALLMAN Mr. Stallman added that they would propose the draft text amendment, which the Ordinance needed to have identified in the long term.

STERN Mr. Stern stated that, if the Board was receptive to that idea, he would ask that it be indicated to him so that he could prepare the Planning Commission Agenda rather than spending two more months seeking the Board's approval.

MITRICK Chairman Mitrick asked Mr. Stern be certain that the language would not only meet this development, but adequately meet others as well.

STERN Mr. Stern responded that this would apply only to Residential Open Space development, of which there are very few. If a developer wanted to develop a regular Open Space Development and requested a set back reduction, this would not apply.

STALLMAN Mr. Stallman added that the Ordinance was not defective but silent on this issue.

MITRICK Chairman Mitrick asked for a consensus of the Board.

Consensus of the Board was to allow the developer to provide language for the text amendment.

- <u>Sidewalks</u>

STALLMAN Mr. Stallman stated that the Ordinance clearly states that the Board of Supervisors may waive the sidewalk requirement in an Open Space development. The justification for that would be the physical circumstance and exceptional typography of the property, which might make installation of sidewalks impractical. Mr. Stallman indicated that sidewalks would be fragmented with sections where no houses would exist. The intent was to try to preserve nearly all of Camp Security. Mr. Stallman ask that the board waive the sidewalk condition with a note on the plan that the site would be physically prepared in such a fashion that in the event sidewalks would have to go in, they could be added within the bounds of the right of way.

BISHOP Mr. Bishop asked whether the preference would be to waive the sidewalks completely.

STALLMAN Mr. Stallman stated that his assumption was correct. In turn they would create a note on the drawing that they would prepare the site to receive sidewalks if they would ever be mandated. In lieu of these we would provide a network of interior walkways so that we could utilize the open space.

BISHOP Mr. Bishop stated that Mr. Stallman was not calling those interior walkways sidewalks.

STALLMAN Mr. Stallman stated that was correct.

PASCH Mr. Tim Pasch commented that people would travel through the open space instead of right near the street.

MITRICK Chairman Mitrick stated that years from now, if the Board decided that they need these sidewalks you would have the sidewalks within the right of way and still have your walking paths.

PASCH Mr. Tim Pasch stated that he had done this in another subdivision. That Board just asked that a note be put on the plan. Every home owner that purchased a home was informed of that so that they knew that if in six months or whenever that the Board said sidewalks were to be put in, they knew that they would have to incur that cost.

GURRERI Mr. Gurreri asked who would put the curbs in if that took place.

PASCH Mr. Tim Pasch responded that the curb issue has to be determined now. He added that he was discussing sidewalks only.

- <u>Cul de Sacs</u>

STALLMAN Mr. Stallman continued with the list relating to substandard cul de sacs. They had eliminated an additional cul de sac at the upper right corner of the terrace. They had increased the length of one cul de sac. With regard to the long cul de sac along the wetlands, the Ordinance was clear in saying that it should not exceed 600 feet. This cul de sac covers 840 feet. Some of the reasons that the Ordinance identifies for granting a waiver are the unique shape of the parcel, which clearly was the case with the wetlands, the steep slopes, the archeological site, the geometry, etc.

STERN Mr. Stern stated that they had asked for a couple of fire hydrants where if the need be the entire neighborhood could be shut off.

PASCH Mr. Tim Pasch indicated that a fire hydrant was placed on one end and one at the cul de sac and one in the middle, for a total of three.

STALLMAN Mr. Stallman stated that Mr. Stern had mentioned that the Township would be purchasing a new engine for our fire facilities. Additionally, Spring Garden Township has a monster of a truck that has a fifty foot turning radius and a 240 inch wheel base, which is a big fire truck. The Ordinance requires these cul de sacs to have only a 40 foot radius. If there is a turning radius of 50 feet for the fire truck, it would imply that the cul de sac should have a 50 foot radius also. The drawing reflects a 50 foot radius cu de sac and they would additionally agree to the extra fire hydrants.

PASCH Mr. Tim Pasch added that covered the concerns of the Fire Chief.

- <u>Street Slopes</u>

STALLMAN Mr. Stallman discussed street slopes and leveling issues. There are steep slopes to deal with, and following a discussion with Mr. Luciani, he had requested that a leveling be placed in certain areas to accommodate traffic turning and stopping during inclement weather. There were several problems with leveling, such as forcing a large fill section and an additional cut section. A 7% leveling was shown on the drawing based on the Ordinance language. Kingston Road should not need any leveling since it is intended to be a through street. Several other alternatives were discussed such as having the intersecting streets leveled.

LUCIANI Mr. Luciani commented that there are other areas with 10% slope. His concern was those which have no crown in the road and vehicles attempt to make turns on icy streets. His second concern is that the road would be tilted down the hill producing a tendency for a vehicle to slide into another vehicle at a stop sign. His recommendation was to either see a leveling area or a straight 10% slope.

PASCH Mr. Tim Pasch stated that there were several areas within the Township which had no leveling. There are no more accidents there than other areas.

STALLMAN Mr. Stallman continued that they would prefer to provide for a 10% slope with no leveling area on Kingston. The leveling area would be provided on the side streets so people coming down could stop and start. He added that the Ordinance states that the intersection approached by side streets with greater than 7% must have a 4% leveling area. Mr. Stallman stated that if he approached that intersection with 7% he would not have to put in the extra leveling area.

STERN Mr. Stern responded that one of the proposed solutions had a slope of 14%, which the Ordinance allowed. He personally would not want to drive up or down a 7% slope. He agreed with John Luciani to make a nice leveling area and go with the 10%, rather than the 14% that is allowed. If you want the 14%, which is allowed by Ordinance or something less, then you have to be willing to accept a not perfect intersection on a side street.

LUCIANI Mr. Luciani stated that the Ordinance states that if the grade of any street at the approach to an intersection exceeds 7%, a leveling area shall be provided with no greater than a 4% grade for a distance of 25 feet of the inside of the right of way. Mr. Luciani stated that the 10% slope is probably the better choice.

FOLTZ Mr. Don Foltz commented on the leveling area. He stated that he pulls a travel trailer and when you come down a slope and you have that leveling area where you are going up the other way, you are going to drag. I just wanted to get that point in.

LUCIANI Mr. Luciani responded that he had a good point. We have what they call vertical curves and those are designed with the change in the reflection and the angle. If you are going up seven and down seven obviously as a truck pulls over that big hump the trailer has to be large enough so that would never occur.

FOLTZ Mr. Foltz added that he was not an engineer, but had experienced that and just wanted to point that out. Thank you.

LUCIANI Mr. Luciani added that he, Charlie Lauer. Tim Pasch and Gerry Stallman did review areas in the Township. One slope in Haines Acres was totally unacceptable. They would prefer the 10% slope.

MITRICK Chairman Mitrick asked whether there was anything further regarding the street slope issue.

STALLMAN Mr. Stallman responded that they simply wanted a consensus. He added that he thought they knew now what they need to do, and that the consensus would be to put the issue on a future agenda.

MITRICK Chairman Mitrick moved to the discussion on curbs.

- Curbs

STALLMAN Mr. Stallman spoke about elimination of the curbs or the use of asphalt curbing early in the development to create an atmosphere of a less intense development in keeping with this open space. Storm water could be channeled off the site and piped underground. They could envision something that would be a mix of both. He recommended that the asphalt curbs be used in the steeper areas.

MITRICK Chairman Mitrick asked about the status of curbing on public and private roads.

SCHENCK Mr. Schenck stated that he could not support the concept of no curbs on any street that would be a Township street. Through his time with Public Works, he was aware of some of the difficulties with snow removal, etc. He added that he did not recall any meetings where curbs had been discussed.

PASCH Mr. Tim Pasch stated that he had tried to meet every need of every aspect that he could and still do the subdivision. Planning Commission was there, and the Board was there and all agreed. It was suggested that maybe we could asphalt curb that just to also try to reduce some costs.

MITRICK Chairman Mitrick asked Andrew for his opinion on curbing on a public street.

STERN Mr. Stern responded that there were three choices:
1. Standard curbs per the Ordinance
2. Rolled asphalt curbs
3. No curbs

MITRICK Chairman Mitrick stated that she had her own opinion on that. She stated that there is asphalt curbing on a good part of their property, and when the snow plow comes through he comes through every year to repair it. She added that she would clearly go with standard curbs.

SCHENCK Mr. Schenck stated that he was not sure how much of these were intended to be private roads.

PASCH Mr. Pasch responded that there had been no intent to make them private roads.

STALLMAN Mr. Stallman stated that the Ordinance offers no curbs on private roads. It had been a suggestion for a way to accommodate that.

STERN Mr. Stern indicated that his suggestion had been to meet the Ordinance with concrete curbs on public streets and asphalt elsewhere.

BISHOP Mr. Bishop commented that he could agree with the concept of having concrete curbs on Kingston and asphalt elsewhere. He also agreed that Charlie Lauer's significant experience should be heeded.

PASCH Mr. Pasch indicated some frustration and added that he wished those comments would have been said at that earlier meeting. He wouldn't have spent money doing this knowing that he was not going to have to incur the cost of curbs and now he was back to incurring the cost of curbs.

BISHOP Mr. Bishop asked how the sidewalks would interface with existing sidewalks.

PASCH Mr. Pasch responded that there would be no interface since he would be putting in a bridge.

BISHOP Mr. Bishop asked whether there are existing sidewalks on Kingston.

STERN Mr. Stern responded that there are on the west side of the bridge.

BISHOP Mr. Bishop asked about the north end of the bridge.

STERN Mr. Stern responded that it might be possible that the sidewalk would lead into the open space walkways.

BISHOP Mr. Bishop stated that there must be some kind of continuity there.

MITRICK Chairman Mitrick asked Solicitor Yost if he felt there was adequate information to proceed.

YOST Solicitor Yost indicated he was comfortable with it.

STERN Mr. Stern stated that as long as the extra provisions are worked out he had no problem with it.

MITRICK Chairman Mitrick indicated that the extra provisions are the three hydrants and bigger cul de sac. She called for a motion.

MR. GURRERI MOVED FOR APPROVAL OF A WAIVER TO ALLOW CUL DE SAC LENGTH TO 840 FEET, ON THE CONDITION THAT ADDITIONAL FIRE HYDRANTS ARE ADDED AND THE CUL DE SAC RADIUS IS ENLARGED TO ACCOMMODATE THE FIRE SERVICE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

PASCH Mr. Tim Pasch asked about the leveling area.

MR. SCHENCK MOVED THAT THE BOARD OF SUPERVISORS GRANT THE REQUEST OF WAIVER FOR REQUIREMENTS OF STREET SLOPES WITH AN UNDERSTANDING THAT THE ROADWAY OF KINGSTON BETWEEN SPACING 150 AND 700 WILL BE AT 10% WITH NO LEVELING AREAS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck stated that Kingston Road eventually would become a through street to Locust Grove Road. He felt that would be a significant street and doubted that sidewalks would be waived there. There would be start, stop and start again sidewalks.

PASCH Mr. Pasch commented that from what he was hearing, they are not expected to connect them.

BISHOP Mr. Bishop stated that if it was to be a through road, there should be sidewalks for it.

YOST Solicitor Yost stated that a six-month note would take care of that.

MR. SCHENCK MOVED THAT A WAIVER PER THE SIX MONTH NOTE REQUEST ON THE SIDEWALKS WITH THE CONDITION THAT THE NETWORK OF INTERIOR PATHWAYS WILL BE CONNECTED, AND THAT THE PROJECT BE DESIGNED IN SUCH A WAY THAT THE SIDEWALKS CAN BE PHYSICALLY ADDED AT A LATER DATE. PATHWAY ISSUES WILL BE RESOLVED WITH THE FINAL PLAN SUBMISSION. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

PASCH Mr. Tim Pasch asked for further understanding with regard to curbing. If he curbed the Kingston Road, he asked if the Board would consider asphalt on the private streets.

SCHENCK Mr. Schenck stated that his position was if a street was a Township street I want curbs, unless I hear a good argument why there is something special about this project that doesn't require them. He had not heard a good argument other than they do it in other places. He added that rolled asphalt, in his opinion, is not a curb.

PASCH Mr. Tim Pasch commented that he felt he was back at square one since the curb issue had been changed. Basically, he felt the Camp Security issue was back. It was his impression that was why he thought everyone was willing to make these concessions to accommodate the Camp. Mr. Tim Pasch stated that this was a cost issue, as it appeared that they would save 89 to 90% on the whole site.

SCHENCK Mr. Schenck stated again that he felt it was inevitable that Kingston Road would end up being a through street. He felt his original comment regarding that street was that he would not be able to bend at all on curbs.

PASCH Mr. Tim Pasch stated that he had an easy way out, and he could state that they are just private streets. However, it would be difficult for the residents to have to agree on improving a road. He stated he would rather have it a public road and adopted so there wouldn't be an issue. That was why he had inquired about having to incur costs on Kingston and then try to do asphalt curbs.

MITRICK Chairman Mitrick asked whether he would still want the other roads to be public.

PASCH Mr. Pasch responded that was his whole intent because of the difficulties associated with getting people to agree to spend money on road issues.

STERN Mr. Stern provided some commentary on local condominium associations, such as Heritage Condominiums and others. They are all private streets. They have a homeowner's association into which they pay a fee which goes toward plowing and maintenance. From what he had understood they may have better service than public streets because they have a written contract with a snow plow company, and they don't have to wait until the Township decides that the road is to be plowed.

PASCH Mr. Pasch thanked Mr. Stern for his comments.

MITRICK Chairman Mitrick stated that Items D through K would be adjusted , and at this point on the Agenda Item L would be addressed.

L. SD-00-11-Harry Schaefer, 3952 Ridgewood Road – Action (12/14/00)

STERN Mr. Stern commented that Item L covered a subdivision to subdivide a 4.157 acre tract into a two part tract. One is a 2.4 acres and the other is 1.7 acres. The majority of the newly-created parcel is in Hellam Township, and the properties will be served by on-lot septic and private well for water. Planning Commission had approved the Waiver for the preliminary plan with a modification for curb and sidewalks as per the six month note on the plan. Mr. Stern recommended this straight-forward plan.

MITRICK Chairman Mitrick asked whether Hellam Township had approved their portion of the plan.

SCHAEFER Mr. Schaefer responded that they had approved it.

MR. GURRERI MOVED TO APPROVE SD-00-11 HARRY SCHAEFER, 3952 RIDGEWOOD ROAD WITH A WAIVER FROM SUBMITTING A PRELIMINARY PLAN AND MODIFICATION FOR CURBS AND SIDEWALKS AS PER A SIX MONTH NOTE ON THE PLAN. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

M. SD-00-12-Betty Shimmel, 3930 Druck Valley Road – Action (12/14/00)

STERN Mr. Stern provided background information regarding the subdivision of this property with the original tract of 33.7 acres into two tracts. One would be 29.4 acres; the other 4.3 acres. There was only 150 feet of frontage for the original tract of land. The Zoning Hearing Board granted a variance to allow one parcel to be 25 ft. in width. The other parcel would be 125 ft. which meets the Ordinance requirements. The 125 ft. parcel is the larger of the two parcels, which loops around the smaller one. Mr. Stern advised that the two persons involved in this subdivision are brother and sister, who would be staying on the property. Planning Commission recommended approval of the waiver for a preliminary plan, conditioned on signatures and notarizations, conditioned on submission of PERC tests to the Township engineer.

MITRICK Chairman Mitrick asked whether that PERC test had been received.

SHIMMEL Mr. Shimmel stated that was part of the storm water management plan. What they approved at the Planning Commission was that we can't get a building permit until we submit the storm water management plan. Mr. Shimmel stated that he could not proceed with any of this until he talk to the bank.

STERN Mr. Stern stated that it was conditioned on submission of the driveway easement agreement for the shared driveway.

SHIMMEL Betty Shimmel stated that the easement can not be had until you own something between two people with property.

SHIMMEL Mr. Shimmel showed that to Attorney Yost. He said it was not an easement, but would accept it for what it is. Our attorney indicated an easement could not be obtained until someone owns something between two people with property.

STERN Mr. Stern stated that an additional item was submission of storm water management plan to the township engineer prior to the Building Permit approval, which is normally required and modification of the curb and sidewalks per the six month note shown on the plan. Other than the unique layout of the lots, there is nothing with which he was concerned.

MITRICK Chairman Mitrick asked how long the driveway was, and whether it was paved.

SHIMMEL Mr. Schimmel responded that it was roughly 500 feet and is paved. The same driveway will be used for both properties.

MITRICK Chairman Mitrick asked whether the Fire Chief was concerned about this plan.

STERN Mr. Stern stated that the Fire Chief had made no comment.

BISHOP Mr. Bishop asked whether the number 5 agreement for the easement would be sufficient.

YOST Solicitor Yost indicated it was sufficient as it was a commitment to grant an easement with the deed.

BISHOP Mr. Bishop commented that they can't have an easement until they own it.

YOST Solicitor Yost stated that typically what is done is a draft of what the easement is going to be, but this is better as it is a signed document.

SCHENCK Mr. Schenck commented that this states that it is a subdivision, but we really don't need to condition the storm water.

STERN Mr. Stern responded that he did not think it was necessary.

LUCIANI Mr. Luciani thought it should be conditioned to be sure a storm water management plan was done.

STERN Mr. Stern stated that they would have to submit a storm water plan to put in a driveway and house regardless.

SHIMMEL Mr. Shimmel stated that he had paid an engineering firm to do that.

SCHENCK Mr. Schenck stated that he was comfortable that we would get that as part of the Building Permit process. That's why we don't need the condition.

MR. SCHENCK MOVED FOR THE APPROVAL OF SD-00-12 FOR SHIMMEL WITH:

- **WAIVER FROM REQUIREMENT TO SUBMIT A PRELIMINARY PLAN;**
- **CONDITIONED ON THE COMPLETION OF ALL SIGNATURES, SEALS AND NOTARIZATIONS AND,**
- **MODIFICATION FROM CURB AND SIDEWALK REQUIREMENTS PER THE SIX MONTH NOTE ON THE PLAN.**

MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. LD-00-08 – Hawks Club – Re-Approval (In Order To Record Within 90 Days)

MR. SCHENCK MOVED TO RE-APPROVE LD-00-08 HAWKS CLUB AS ORIGINALLY APPROVED ON 7/27/00. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. LD-00-06 – Auto Zone – Re-Approval (In Order To Record Within 90 Days)

MR. SCHENCK MOVED TO RE-APPROVE LD-00-06 AUTO ZONE AS WAS ORIGINALLY APPROVED ON 7/27/00. MR. GURRERI WAS SECOND.

BISHOP Mr. Bishop asked whether Solicitor Yost was comfortable with the fact that that included all original conditions.

SCHENCK Mr. Schenck assured him that he had posed that question and had been assured that the original conditions had been included.

MOTION UNANIMOUSLY CARRIED.

F. SD-00-01 – Dallmeyer Lot 7A – Re-Approval (In Order To Record Within 90 Days)

MR. BISHOP MOVED TO RE-APPROVE SD-00-01 DALLMEYER LOT 7A AS ORIGINALLY APPROVED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. SD-00-06 – Dallmeyer Lot 7B – Re-Approval (In Order To Record Within 90 Days)

MR. BISHOP MOVED TO RE-APPROVE SD-00-06 DALLMEYER LOT 7B AS ORIGINALLY APPROVED. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. LD-00-11 – MAPLE DONUTS – RE-APPROVAL (IN ORDER TO RECORD WITHIN 90 DAYS)

MR. SCHENCK MOVED TO RE-APPROVE LD-00-11 – MAPLE DONUTS AS ORIGINALLY APPROVED ON 9/14/00. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

I. LD-99-17 – Diehl Motor Company – Re-Approval (In Order To Record Within 90 Days)

MR. SCHENCK MOVED TO RE-APPROVE LD-99-17 – DIEHL MOTOR COMPANY AS ORIGINALLY APPROVED ON 9/14/00. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

J. LD-00-12 – St. Joseph Church & School – Time Extension To 1/25/01

MR. BISHOP MOVED TO RE-APPROVE LD 00-12 – ST. JOSEPH CHURCH PARKING LOT AS ORIGINALLY APPROVED ON AUGUST 24, 2000. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

K. LD-00-09 – Hess – Re-Approval (In Order To Record Within 90 Days)

MR. BISHOP MOVED TO RE-APPROVE LD-00-09 – HESS AS ORIGINALLY APPROVED ON 8/24/00. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

L. SD-00-11 – Harry Schaefer, 3952 Ridgewood Road

Previously discussed earlier on the agenda.

M. SD-00-12 – Betty Shimmel, 3930 Druck Valley Road

Previously discussed earlier on the agenda.

N. LD-00-17 –St. Joseph Church & School – Time Extension to 1/25/01

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION LD-00-17 – ST. JOSEPH CHURCH & SCHOOL UNTIL JANUARY 25, 2001. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

O. LD-00-10 – Sheetz – Time Extension To 3/30/01

MR. BISHOP MOVED TO ACCEPT THE EXTENSION OF TIME FOR SHEETZ LD-00-10 TO 3/30/01. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

P. LD-97-19 – Two Ton/Burger King – Time Extension To 2/22/01

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION – LD-97-19 – TWO TON/BURGER KING TO 2/22/01. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Q. SD-98-06 – Two Ton/Burger King – Time Extension To 2/22/01

MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION – SD-98-06 – TWO TON/BURGER KING TO 2/22/01. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

R. SD-99-09 – Hunters Crossing – Time Extension To 2/22/01

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF EXTENSION OF TIME FOR SD-99-09 – HUNTER'S CROSSING TO 2/22/01. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

S. LD-00-13 – York Volkswagon – Time Extension To 4/30/01

MR. GURRERI MOVED TO ACCEPT GRANT OF TIME EXTENSION FOR LD-00-13 – YORK VOLKSWAGON TO 4/30/01. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

T. SD-00-07 – York Volkswagon – Time Extension To 4/30/01

MR. SCHENCK MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM YORK VOLKSWAGON FOR SD-00-07 TO 4/30/01. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. COMMUNICATION FROM SUPERVISORS:

GURRERI Mr. Gurreri reported that he had received a thank you note from Mrs. Bob Minnich for the Township's expression of sympathy. Mt. Zion Church also sent a thank you note.

GURRERI Mr. Gurreri reported that the Second Class Township Convention had been held. Mr. Schenck had been Chairman. Mr. Gurreri provided comments regarding the speaker's presentation relating to the brain function of men versus women.

GURRERI Mr. Gurreri commented on the Appreciation Dinner. A note of appreciation had been received

MITRICK Chairman Mitrick stated that a copy of a letter sent to our Chief Financial Officer had been received from a resident who had been appreciative of the personal note that he had sent regarding their matter. She commended Jack Hadge for that. She stated that it was good business and good PR, and she thanked him for sharing it with the Board.

MITRICK Chairman Mitrick reported that she had been in the company of a teacher from East York Elementary School. She said that the Springettsbury Township Police Department had conducted an Emergency Response Program at East York Elementary where the teachers and administrators were trained as to what to do in case of an emergency specifically related to security, and she was most appreciative for that. She said it was very thorough, and the teachers who had questions received very good answers to their questions. She highly praised our police department. Chairman Mitrick asked that this thanks be extended to the Police Department.

8. SOLICITOR'S REPORT:

YOST Solicitor Yost commented that Attorney Wolfberg and he continued to work on documentation to fill in the outline of the agreement discussed several weeks ago. A meeting was scheduled for Wednesday, 12/20/00 at 2:30 in Solicitor Yost's office to review the draft of the By-laws and the draft of the Ordinance, which Solicitor Yost had provided to the Board earlier during the evening.

MITRICK Chairman Mitrick asked Solicitor Yost whether he felt things were moving in a positive direction.

YOST Solicitor Yost responded that progress was being made.

MITRICK Chairman Mitrick thanked everyone who was involved.

YOST Solicitor Yost requested a short Executive Session regarding a litigation matter.

MITRICK Chairman Mitrick stated that there would be an Executive Session following the general meeting regarding litigation.

9. MANAGER'S REPORT:

SABATINI Mr. Sabatini stated that he had several items for the Board. The Township received notice that the Environmental Protection Agency, the agency which administers the grant funding. They notified the Township that there are other opportunities to utilize some of those funds for some other projects in the Township, in general, our joint projects with sister municipalities. Mr. Sabatini advised that those project would be explored

with R. K. & K. and with Buchart-Horn and staff and provide recommendations on what the Township should be doing with that funding that is in excess of their standard percentages for local government contributions.

SABATINI Mr. Sabatini reported that they had met with a representative of PennDot earlier this week regarding a proposed road scape improvement project. It will be on Market Street from the city line out to Mill Road, which is where Home Depot is. That work would involve changing the sign posts from the steel piping to wood posts, changing the signs for the cross streets to a larger size, and in the area of the Historic District, to a brown with white lettering and with room there for a logo if the Township so chooses to put it on. Also involved were some improvements to line markings and to crosswalk and pedestrian areas. This will not cost the Township anything. PennDot is using it pretty much as a demonstration project. They had looked at other locations and want to focus in this area.

SABATINI Mr. Sabatini reported that a quote had been received on the blinds that was below the $10,000 mark at approximately $6,000. That proposal will be issued.

SABATINI Mr. Sabatini indicated he liked to provide thanks for things well done. There had been a lot of electrical outages all over the Township during the day, and one of the biggest areas had been over at Eastern Boulevard and Haines Road where the traffic signal has been out. Fire police had been out all day, and specifically Bud Wirtz had been there from 12 to 6. He had been supported by our fire police and three from Spring Garden Township. A portable generator was to be hooked into the traffic signal system because GPU did not believe they could get it up and running this evening. It may be tomorrow before they have electricity through that area. Mr. Sabatini provided a big hats off to Bud Wirtz and to the people from Spring Garden Township. It was a cold, wet day to be standing on concrete.

10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:

A. Resolution 00-53 – Corporate Authorization – People's Bank

SABATINI Mr. Sabatini commented that Item A was a corporate Resolution authorizing the opening of bank accounts at People's Bank.

MITRICK Chairman Mitrick asked why her signature was not on the account.

BISHOP Mr. Bishop responded that his name had been placed in that space.

SABATINI Mr. Sabatini stated that she would be required to sign the original Resolution at the top.

BISHOP Mr. Bishop asked why it was necessary to open a new account.

HADGE Mr. Hadge stated that this was an existing account noting the personnel changes. The cards had been signed; this is a follow up Resolution.

MR. BISHOP MOVED TO ADOPT RESOLUTION 00-53 CORPORATE AUTHORIZATION RESOLUTION. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Ordinance 00-10 – Revoking Status of Springetts Fire Company

SABATINI Mr. Sabatini commented that Item B had been previously authorized to advertise by the Board in November, revoking the status of Springetts Fire Company. Since the time that the Board authorized this, the Township has had a fairly rapid exchange of information with the people from Springetts as well as with Commonwealth. Mr. Sabatini recommended that the Board of Supervisors not act on this Ordinance, and instead table it again with the possibility in the future to revisit it. At this point it would not be appropriate to act upon it.

YOST Solicitor Yost stated that would be his recommendation.

MR. SCHENCK MOVED THAT THE BOARD OF SUPERVISORS TABLE ORDINANCE 00-10. MR. BISHOP WAS SECOND.

BISHOP Mr. Bishop stated that this Ordinance had been advertised for adoption.

YOST Solicitor Yost stated that the action could be tabled which would mean that if it comes back, it would have to be re-advertised. The alternative would be to adjourn any action on it to a meeting specific into the future.

BISHOP Mr. Bishop stated that the second option might be more practical.

YOST Solicitor Yost stated that it's not that long an Ordinance, and it would not be very costly to re-advertise. Putting it off to a future date would keep some pressure on the fire company to keep talking, and that same pressure is on the Township. They're demonstrating good faith and the Township ought to demonstrate good faith. For the few bucks it might cost to re-advertise, he would prefer to have the good faith exercised.

GURRERI Mr. Gurreri asked when the time limit would run out if it were put on hold now.

SCHENCK Mr. Schenck responded at any given meeting in the future, the Board could bring it back by a motion. It would then have to be re-advertised.

GURRERI Mr. Gurreri asked whether the time limit would run out if it were tabled until the January meeting.

YOST Solicitor Yost stated that it could be adjourned to a meeting in January, which was what he had recommended in his report to the Board. He had no problem with the motion to table, and indicated the Township's good faith. We're looking at about only a two-week time frame if it comes back, along with a motion to advertise for adoption. That could be done within the period of the next meeting.

MITRICK Chairman Mitrick stated that she agreed with Solicitor Yost's indication that tabling would be a better display of good faith in this situation and that would be her preference. She would support the motion.

MOTION UNANIMOUSLY CARRIED.

11. ACTION ON MINUTES:

A. Board of Supervisors Public Hearing – November 9, 2000

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 9, 2000 PUBLIC HEARING MEETING AS PRESENTED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT IN ATTENDANCE.

B. Board of Supervisors Regular Meeting – November 9, 2000

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 9, 2000 BOARD OF SUPERVISORS REGULAR MEETING AS AMENDED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT IN ATTENDANCE.

12. OLD BUSINESS:

There was no Old Business for action.

13. NEW BUSINESS:

SABATINI Mr. Sabatini reported that under the Second Class Township Code, the Township must approve a Treasurer's Bond. He requested that the Board approve a $3 Million bond from Traveler's Insurance for the position of Treasurer.

MR. SCHENCK MOVED TO APPROVE THE TREASURER'S BOND IN THE AMOUNT OF $3 MILLION FROM TRAVELER'S INSURANCE AS PRESENTED, THE PREMIUM BEING $2,300. MR. BISHOP WAS SECOND.

BISHOP Mr. Bishop asked the amount of the bond was calculated.

SABATINI Mr. Sabatini responded that the Code indicates specifically that the amount of the bond shall be equal to the highest amount of Township's funds estimated by the Board to be available to the Township Treasurer.

BISHOP Mr. Bishop asked whether the amount was consistent with what had been done in terms of bonds in the past.

HADGE Mr. Hadge stated that the last bond for the Treasurer was $500,000. The bond for Mr. Bishop currently was $250,000.

SABATINI Mr. Sabatini indicated that bonding for a municipality the size of Springettsbury generally goes well over $1 Million. Considering the overall revenues, $3 Million is not inappropriate.

MOTION UNANIMOUSLY CARRIED.

Committee Appointments

MITRICK Chairman Mitrick reported that she had been contacted by one of the committees related to a concern about appointments that are made to various committees and then the people, for whatever reason, do not attend the meetings. The committee wondered what could be done. Chairman Mitrick suggested that Mr. Sabatini could consider that and come up with a policy for the Board to review and inform them of this policy. The committee that expressed a concern is a working committee and needs workers.

SABATINI Mr. Sabatini stated that, at least for Zoning Hearing Board and for Planning Commission, usually there is language in the Ordinance that says that they can be removed for mis-mal or non-feasance, non-feasance being failure to attend. You do have to go through a process as a general rule to remove them.

SCHENCK Mr. Schenck stated that would apply for those two committee appointments, but for all the other ones it should be fairly simple.

SABATINI Mr. Sabatini stated it would depend upon the Ordinance.

YOST Solicitor Yost stated that it would depend on the Ordinance, if there were an Ordinance, but we have a number of Ad Hoc Committees, and any rule could be made for them.

SABATINI Mr. Sabatini stated he would have a recommended guideline provided to the Board for issues relating to attendance.

BISHOP Mr. Bishop stated that would be one way to go about it. Another way to go about it would be just to have all of them re-appointed every year. That way it would not be necessary to go through the process of removing some one, but a natural opportunity would exist not to put them on the list the next year.

MITRICK Chairman Mitrick stated that the method would not make much difference, but she felt that it needed to be addressed.

PP&MG Invoice

MITRICK Chairman Mitrick stated that the bill Mr. Sabatini had prepared from PP&MG required an authorization to execute the additional monies.

MR. BISHOP MOVED TO AUTHORIZE PAYMENT FOR THE ADDITIONAL MONIES TO PP&MG IN THE AMOUNT OF $5,500 FOR THE ADDITIONAL INTERIM MANAGER SERVICES. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop stated that the above motion was made to clarify the amount of $5,500 being authorized for payment for additional Interim Manager services. This amount had not been specified under Accounts Payable, Item B previously approved.

14. ADJOURNMENT:

MITRICK Chairman Mitrick expressed gratitude to Mr. Stern and other staff members, who worked so hard to get everything prepared for the meeting.

FOLTZ Mr. Don Foltz wished everyone on the Board a Merry Christmas and a Happy New Year. He thanked everyone for the great job done over the past year.

MITRICK Chairman Mitrick adjourned the meeting at 10:30 p.m.

Respectfully submitted,

Robert Sabatini, Jr.
Secretary

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SPRINGETTSBURY TOWNSHIP **December 21, 2000**
SPECIAL MEETING **APPROVED**

The Board of Supervisors of Springettsbury Township held a Special Meeting at 12 Noon at the Township Offices, 1501 Mt. Zion Road, York, Pennsylvania. The purpose of the meeting was to adopt the Proposed Budget for Year 2001.

MEMBERS IN ATTENDANCE: Lori Mitrick, Chairman
Don Bishop
Nick Gurreri
Bill Schenck

MEMBERS NOT IN ATTENDANCE: Ken Pasch

ALSO IN ATTENDANCE: Robert Sabatini, Township Manager
Jack Hadge, Finance Director
Andrew Stern, Economic Development Director
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Services
Jean Abreght, Stenographer

1. CALL TO ORDER:

MITRICK Chairman Mitrick called the meeting to Order at 12:05 p.m. She wished everyone a happy and healthy Holiday Season and New Year. She stated that a brief Executive Session would be held immediately following the Special Meeting. She added that Mr. Pasch apologized that he would be unable to attend.

2. PLEDGE OF ALLEGIANCE:

GURRERI Mr. Gurreri led the Pledge of Allegiance to the flag.

3. PROPOSED BUDGET FOR 2001:

A. Open for Public Comment

MITRICK Chairman Mitrick opened discussion regarding the presentation and discussion surrounding the Proposed Budget for the Year 2001. She opened the floor for public comment. Hearing none, Item A was closed.

B. Advertised on November 30, 2000 for Adoption December 21, 2000.

SABATINI Mr. Sabatini commented that Item B disclosed that the Budget had been duly advertised on November 30th for Adoption on December 21, 2000 and met the requirements of the Second Class Township Code.

C. Motion to Adopt Budget 2001 – Resolution #00-54

SABATINI Mr. Sabatini stated that Item C covered the Adoption of Resolution #00-54, the Adoption of the unified Budget, Total Funds, which amounted to $17,871,000. Mr. Sabatini requested Board approval.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 00-54 ESTABLISHING THE TOWNSHIP BUDGET FOR THE YEAR 2001. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Motion to Adopt Tax Resolution #00-55

SABATINI Mr. Sabatini stated that Resolution #00-55 would establish the tax rates for 2001. He added that there were no changes to the tax rates.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 00-55 SETTING THE TAX LEVY IN THE YEAR 2001. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SABATINI Mr. Sabatini stated that the official budget book would be assembled for the members of the Board and the staff within the next two to three weeks. He added it would match with the account codes.

MITRICK Chairman Mitrick expressed a very sincere thank you from the Board to Mr. Hadge and others with whom he worked for the excellent job that had been done in a short amount of time.

HADGE Mr. Hadge thanked Chairman Mitrick and the Board.

4. ACCOUNTS PAYABLE:

A. Regular Payables as Detailed in the Payable Listing of 12/18/00.
B. Buchart Horn, Inc. – East/West Interceptor - $10,405.44
C. Buchart Horn, Inc. – Solids Handling - $20,941.03
D. Phillips Brothers Electrical Contractors – Diversion Pumping Station - $32,458.82
E. Springfield Contractors - Parallel Interceptor - $346,074.30

SABATINI Mr. Sabatini commented that an attempt was being made to pay the last few payables due before the end of the year. Items A through E had been reviewed and approved.

BISHOP Mr. Bishop asked Mr. Sabatini whether he anticipated any problems with these items.

SABATINI Mr. Sabatini responded that, with all the issues that had come with the Year 2000, he was making an attempt to assure that nothing would overlap into 2001. He added that the Board had been alerted to all the items previously.

MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A THROUGH E. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. OTHER BUSINESS:

A. Resolution #00-56 Appointment of Zoning Hearing Board Member

SABATINI Mr. Sabatini identified Resolution 00-56 to appoint a member, Mr. James Deitch, to the Zoning Hearing Board. Mr. Deitch would fill the unexpired term vacated by Mr. Albert Sykes, which would be in effect until January of 2003.

MR. GURRERI MOVED TO ADOPT RESOLUTION 00-56. MR. SCHENCK WAS SECOND. MOTION CARRIED. MR. BISHOP ABSTAINED DUE TO ANY PERCEIVED CONFLICT AS HE HAS A BUSINESS RELATIONSHIP WITH THE APPLICANT.

GURRERI Mr. Gurreri commented that Mr. Paul Athey, Sr. applied for that position. He asked whether Mr. Sabatini had contacted him or sent him a letter.

SABATINI Mr. Sabatini responded that he had not intended to correspond with him until the Board made an action. He indicated he would be calling and also corresponding with him. He added that there might be other positions within the Township in which he might be interested.

GURRERI Mr. Gurreri stated that he desired to get involved and was a very capable person.

SABATINI Mr. Sabatini stated that he had a concern in a semi-judicial body like the Zoning Hearing Board that missing two months out of the year would pose somewhat of a problem.

MITRICK Chairman Mitrick asked Mr. Sabatini to notify Mr. Deitch by telephone as well as by correspondence.

SABATINI Mr. Sabatini responded that he would be sending him a Subdivision book and all other pertinent information. He will put Mr. Stern in touch with him.

MITRICK Chairman Mitrick asked that he be notified of the first meeting as well.

B. Executive Session

SABATINI Mr. Sabatini requested an Executive Session following the meeting.

Farmhouse

GURRERI Mr. Gurreri commented that he noticed the bills for heating the farmhouse and the police station was around $300. The farmhouse the front door needs to have some work done to it, and perhaps some insulation needed to be added to the basement. He mentioned the storm door which needed repair.

STERN Mr. Stern commented that glass was being put back in the frame.

GURRERI Mr. Gurreri stated that would help. He asked how much it would cost to get someone to come in and insulate around the bottom of the floor in the basement around the cellar door. There should be a way to cut down the high heating bills or when the police move out, just close it down and turn the heat off.

SCHENCK Mr. Schenck stated he thought it was just being used for storage.

STERN Mr. Stern responded that the first floor was storage, but currently it is being used for a break room and a changing room for the police officers.

SABATINI Mr. Sabatini stated that the heat couldn't really be turned off.

SCHENCK Mr. Schenck stated if there are some little things that could be done to make it a little more energy efficient, he would be in favor.

BISHOP Mr. Bishop added that the heat couldn't be totally turned off. It would have to be heated to some level to keep pipes from bursting. He agreed with adding some insulation.

GURRERI Mr. Gurreri commented that insulation would not be very expensive.

SABATINI Mr. Sabatini stated he would ask Mr. Lauer to investigate the matter.

Consensus was to look into insulation possibilities.

Changing Officers of the Board

GURRERI Mr. Gurreri brought up the matter of changing officers of the Board. He stated that he had nothing against Mrs. Mitrick; it had nothing to do with her, but rather a policy of the Board. Mr. Gurreri felt that an elected official was obligated to perform in whatever capacity they were needed, specially as an officer of the Board. He posed the question of whether it would be better to have a person stay as a Chairman or Vice Chairman or Secretary/Treasurer for 10 to 15 years, or to rotate every several years. He asked for the Board's thoughts on the matter.

BISHOP Mr. Bishop stated that he had one general thought. He would not be in favor of rotating. Just like with any other office, he would not like the idea of term limits anywhere on any elected position. All of the officer positions on the Board are elected positions within the Board. Additionally, he would not want to be told as a voter that he could not vote for who he wanted to vote for because there's a rule that his choice could not do that job for three years in a row.

GURRERI Mr. Gurreri did not agree and stated it was good to discuss the matter. He would not want to nominate someone and then have no one seconded it. He was glad for the discussion, which would eliminate embarrassment.

MITRICK Chairman Mitrick stated that comments need not be held back simply because she was sitting in the Chair. She added that it needed to be an open discussion, and she would not take it personally.

GURRERI Mr. Gurreri stated that, if he had to vote today, he would vote for Mrs. Mitrick as she does a great job.

GURRERI Mr. Gurreri commented that in some other townships, such as Manchester, they have a ladies and gentleness agreement to change every four years. Windsor changes every year, which Mr. Gurreri thought was too much. Up until 10 years ago they had not changed, but they are starting to change that now. Most of the townships around us are changing or at least discussing this matter.

SCHENCK Mr. Schenck stated that the key thing in his opinion is to simply have the discussion as Mr. Gurreri had pointed out. He agreed with Mr. Bishop that as long as the Board would make the selection openly and everyone knows where everyone stands, that's fine. This Board has worked together, and there had been no back room politics. Mr. Schenck added that the next step would be to evaluate everyone on the Board and what their capabilities are and what their time availability would be. That would be how he would base his decision. He agreed that we shouldn't

ever feel committed to keep the same old thing just because it's there. In addition, people have to be willing to serve. He stated that, as much as he loves serving on the Board, he had no more that he could give to the Township.

MITRICK Chairman Mitrick stated that being Chairman of a Board is not being the President of the Board, and there's a difference there. The responsibilities of a Chairman are somewhat lighter than if there were a President of this Board. Basically it's a structure where there are five equal people on the Board. She asked whether the discussion should continue or wait until Mr. Pasch would be present.

GURRERI Mr. Gurreri stated he was just glad to discuss it. He asked Mr. Schenck whether he had any desire to be Chairman.

SCHENCK Mr. Schenck indicated no.

GURRERI Mr. Gurreri stated that he would not have enough experience to be Chairman. He thanked the Board for discussing it and added the discussion could be held again next year.

Appointments

MITRICK Chairman Mitrick asked whether there should be discussion regarding the Consultants or wait until Mr. Pasch would return. She added that she had spoken with Mrs. Pasch. She did think that Mr. Pasch would be in attendance at the January 2 meeting.

SCHENCK Mr. Schenck stated that there were no consultants that he would have a burning desire to change. Mr. Gurreri was slated as the representative for the Local Government Advisory Committee.

BISHOP Mr. Bishop asked whether the list (previously presented) was a recommendation.

SABATINI Mr. Sabatini stated that the list mentioned the current people.

SCHENCK Mr. Schenck stated that Mr. Gurreri currently served on the Advisory Committee and should be given the option to bail on that if he desired. If not, fine.

GURRERI Mr. Gurreri asked whether anyone else wanted to do that.

SCHENCK Mr. Schenck stated he Mr. Gurreri didn't want to do that, they'd work it out.

GURRERI Mr. Gurreri stated he'd like to be a delegate for the convention.

SCHENCK Mr. Schenck asked whether he'd like to be a delegate at PSATS. He was a delegate as a result of his association with the County.

GURRERI Mr. Gurreri indicated he would.

MITRICK Chairman Mitrick asked Mr. Bishop about Resolution 01-02.

BISHOP Mr. Bishop stated that it had been his hope that there would be some feedback.

MITRICK Chairman Mitrick asked Mr. Sabatini whether any feedback had been requested.

SABATINI Mr. Sabatini stated he had reviewed the individual for the Zoning Hearing Board as the Solicitor, but not the corporation or the law firm. If the Board wished him to make some direct solicitations he could provide a list of six or more attorneys who could provide service to the township.

SCHENCK Mr. Schenck commented that he thought the question was more of who was selecting the individual.

BISHOP Mr. Bishop stated that there was past practice from what it should be. He questioned whether anyone had checked to see who actually had been attending Zoning Hearing Board meetings as our Solicitor. It had been indicated that the appointed Solicitor had not been attending all that often, and that was clearly a problem.

MITRICK Chairman Mitrick commented that if the Board appointed a firm such as is the practice with Blakey Yost, there would be a very clear understanding of what procedure would be followed. If a firm would be appointed for Zoning Hearing Board, the same understanding should be in place.

SABATINI Mr. Sabatini commented that this individual would be the primary person and would be expected to attend all meetings; however, if they could not attend then another follow up person would be selected.

STERN Mr. Stern commented that the January meeting had been cancelled as there were no cases for discussion. That would enable more time to appoint a new Solicitor.

SABATINI Mr. Sabatini thought that the Township Board of Supervisors appointed the Zoning Hearing Board Solicitor.

STERN Mr. Stern responded that in practice that was true, but in the Municipal Planning Code it indicated the Zoning Hearing Board shall hire consultants as they deem necessary.

SABATINI Mr. Sabatini responded that he didn't think they would be considered consultants since that's mandated.

STERN Mr. Stern responded that he did not think it was mandated.

BISHOP Mr. Bishop stated that was the question they were asking before, i.e., does the Board have a legal opinion on what the law is. He asked whether past practices conform with that or not and what the recommendation would be for future practices.

SABATINI Mr. Sabatini stated he would have an answer for that question next week.

MITRICK Chairman Mitrick asked about the scheduled time for the organization meeting.

SABATINI Mr. Sabatini stated it was scheduled for 7 p.m.

MITRICK Chairman Mitrick stated that the Re-organization Meeting was scheduled for January 2, 2001 at 7 p.m.

SABATINI Mr. Sabatini stated he would have an Agenda packet out to the Board by next Thursday for the Re-organization meeting.

MITRICK Chairman Mitrick asked for any further comments on any other appointments.

SCHENCK Mr. Schenck stated he would assume that anyone that would be re-appointed would be contacted to be sure that they are willing to serve.

MITRICK Chairman Mitrick commented on the Park and Rec Board showing two names. She asked whether that meant they would assume another term.

SABATINI Mr. Sabatini stated that the two existing members' terms come up next month in four-year terms.

MITRICK Chairman Mitrick stated that the issue had been brought up at a previous meeting regarding a policy of establishing a number of missed meetings before someone would be asked to resign from their position on a committee. Mr. Bishop had suggested that the members be re-appointed annually.

SABATINI Mr. Sabatini responded that he had not had an opportunity to follow up on that issue.

MITRICK Chairman Mitrick asked what the preference would be and who would be included, such as all the members of the Park and Rec Board and the Historic Preservation Recycling.

SCHENCK Mr. Schenck stated that it would be a good policy to appoint all the sub-boards other than Planning and Zoning Hearing Board annually unless the Ordinance which created them specified terms.

BISHOP Mr. Bishop indicated it may do so, but that could be fixed easily. It would be just a matter of cleaning up the Resolution or Ordinance.

SCHENCK Mr. Schenck stated that it was hard to keep track of all the individuals and their terms.

BISHOP Mr. Bishop stated that yearly appointments would provide an opportunity to learn whether the individuals were really interested or not.

MITRICK Chairman Mitrick asked what would happen in a situation where someone might be interested in staying on the committee but could not attend the meetings.

BISHOP Mr. Bishop stated that a recommendation should be solicited from the committee itself at the end of the year.

SABATINI Mr. Sabatini suggested having a staff liaison.

GURRERI Mr. Gurreri asked what would happen if someone isn't attending meetings. Would that person not be re-appointed or would someone discuss the appointment with them. There may be a valid reason.

MITRICK Chairman Mitrick stated that Mr. Sabatini knows the concerns expressed by the Board. She asked him to create something so that those concerns could be addressed.

SABATINI Mr. Sabatini responded that he would review the matter. Mr. Sabatini commented he would provide clarification for the Board for next week's packet.

6. ADJOURNMENT:

MITRICK Chairman Mitrick adjourned the meeting at 12:40 p.m.

Sincerely,

Robert J. Sabatini, Jr.
Secretary

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