

**SPRINGETTSBURY TOWNSHIP
BOARD OF SUPERVISORS REORGANIZATION MEETING**

**JANUARY 3, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Reorganization Meeting on Tuesday, January 3, 2012 at 5:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN

ATTENDANCE: Bill Schenck
Don Bishop
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Jim Baugh, Economic and Community Development Director
Dori Bowders, Manager, Administrative Services
Betty Speicher, Director of Human Resources
Jean Abreght, Stenographer

1. OATH OF OFFICE – William H. Schenck, III

SCHENCK Harriett Schenck, Notary Public, led Mr. Schenck in the Oath of Office.

2. CALL TO ORDER

SCHENCK Acting Chairman Bill Schenck called the meeting to order at 5 p.m. He led the Pledge of Allegiance.

3. ELECTION OF OFFICERS

A. Chairman of the Board of Supervisors
Current Chairman: Bill Schenck

MR. BISHOP NOMINATED BILL SCHENCK FOR CHAIRMAN OF THE BOARD OF SUPERVISORS. MOTION UNANIMOUSLY CARRIED.

B. Vice Chairman of the Board of Supervisors
Current Vice Chairman: George Dvoryak

MR. BOWMAN NOMINATED DON BISHOP VICE CHAIRMAN OF THE BOARD.

MS. LANDIS NOMINATED GEORGE DVORYAK FOR VICE CHAIR.

VOTES FOR DON BISHOP AS VICE CHAIRMAN: MESSRS. SCHENCK, BISHOP, DVORYAK AND BOWMAN VOTED IN FAVOR; MS. LANDIS VOTED NO. MOTION CARRIED 4/1.

SCHENCK Chairman Schenck declared Don Bishop elected as Vice Chairman.

- C. Assistant Secretary/Treasurer**
Current Assistant Secretary/Treasurer: Julie Landis

MR. BISHOP NOMINATED MIKE BOWMAN ASSISTANT SECRETARY/ TREASURER.

MR. DVORYAK NOMINATED JULIE LANDIS.

VOTES FOR MR. BOWMAN AS ASSISTANT SECRETARY/TREASURER: MESSRS. BISHOP, SCHENCK AND BOWMAN VOTED IN FAVOR. MR. BOWMAN RECEIVED THREE VOTES.

VOTES FOR MS. LANDIS AS ASSISTANT SECRETARY/TREASURER: MR. DVORYAK AND MS. LANDIS VOTED IN FAVOR. MS. LANDIS RECEIVED TWO VOTES.

SCHENCK Chairman Schenck declared Mr. Bowman elected Assistant Secretary/Treasurer.

4. APPOINTMENT OF BOARD DELEGATES

A. Appointment of Delegates and Voting Delegate to the PSATS Annual Convention

Current Delegates: Bill Schenck, Don Bishop, Mike Bowman, George Dvoryak, and Julie Landis
Current Voting Delegate: Julie Landis

Consensus of the board declared that all members of the Board of Supervisors are named as Delegates to the PSATS Annual Convention.

MR. BOWMAN NOMINATED DON BISHOP AS VOTING DELEGATE. MOTION UNANIMOUSLY CARRIED.

5. RESOLUTIONS

A. Resolution No. 2012-01 – Appointment of Township Solicitor

Current Solicitor: Blakey, Yost, Bupp & Rausch, LLP – Charles A. Rausch, Esquire.

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 2012-01 APPOINTING BLAKEY, YOST, BUPP & RAUSCH, CHARLES RAUSCH, ESQUIRE, SOLICITOR. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2012-02 – Appointment of Personnel Attorney

Current Personnel Attorney: Ballard Spahr, LLP – Patrick J. Harvey, Esquire.

MR. DVORYAK MOVED TO ADOPT RESOLUTION 2012-02 APPOINTING BALLARD SPAHR, PATRICK J. HARVEY, ESQUIRE. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 2012-03 – Appointment of Township Civil Engineer

Current Engineer: First Capital Engineering, Inc. – John Luciani, P.E.

MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 2012-03 APPOINTING TOWNSHIP CIVIL ENGINEER, FIRST CAPITAL ENGINEERING. MOTION UNANIMOUSLY CARRIED.

- D. Resolution No. 2012-04 – Appointment of Township Environmental Engineer**
Current Engineer: Buchart-Horn, Inc. – Dennis Crabill, P.E.

MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 2012-04 APPOINTING BUCHART-HORN, INC. TOWNSHIP ENVIRONMENTAL ENGINEER. MOTION UNANIMOUSLY CARRIED.

- E. Resolution No. 2012-05 – Appointment of Township Secretary**
Current Secretary: John J. Holman

MR. BISHOP MOVED TO ADOPT RESOLUTION 2012-05 APPOINTING JOHN HOLMAN TOWNSHIP SECRETARY. MOTION UNANIMOUSLY CARRIED.

- F. Resolution No. 2012-06 – Appointment of Township Treasurer**
Current Treasurer: Jack Hadge

MR. BISHOP MOVED TO ADOPT RESOLUTION 2012-06 APPOINTING JOHN HOLMAN TOWNSHIP TREASURER. MESSRS. BISHOP, BOWMAN, AND SCHENCK VOTED IN FAVOR; MR. DVORYAK AND MS. LANDIS VOTED NO. MOTION CARRIED 3/2.

- G. Resolution No. 2012-07 – Appointment of Vacancy Board Chair**
Current Chairman: Jeffrey Lobach

MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 2012-07 APPOINTING VACANCY BOARD CHAIR JEFFREY LOBACH. MOTION UNANIMOUSLY CARRIED.

- H. Resolution No. 2012-08 – Appointment of Police Pension Fund Chief Administrative Officer**
Current CAO: John J. Holman

MR. BOWMAN MOVED TO ADOPT RESOLUTION 2012-08 APPOINTMENT OF POLICE PENSION FUND CHIEF ADMINISTRATIVE OFFICER JOHN HOLMAN. MOTION UNANIMOUSLY CARRIED.

- I. Resolution No. 2012-09 – Appointment of Fireman’s Pension Fund and Non-Uniformed Employee Pension Fund Chief Administrative Officer**
Current CAO: John J. Holman

MR. BISHOP MOVED TO ADOPT RESOLUTION 2012-09 APPOINTING JOHN HOLMAN AS THE FIRE PENSION CHIEF ADMINISTRATIVE OFFICER. MOTION UNANIMOUSLY CARRIED.

- J. Resolution No. 2012-10 – Appointment of Sewage Enforcement Officer**
Current SEO: Bradley Hengst; David Brown and John Luciani, P.E., Alternates

MR. BOWMAN MOVED TO ADOPT RESOLUTION 2012-10, APPOINTMENT OF SEWAGE ENFORCEMENT OFFICER, BRADLEY HENGST; DAVID BROWN AND JOHN LUCIANI, ALTERNATES. MOTION UNANIMOUSLY CARRIED.

- K. Resolution No. 2012-11 – Appointment of One Representative and One Alternate to the York Adams Tax Bureau**
Current Representative: Jack Hadge
Current Alternate: Sandy Ratcliffe

MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 2012-11 APPOINTING JOHN HOLMAN AS REPRESENTATIVE AND SANDY RATCLIFFE AS ALTERNATE TO YORK ADAMS TAX BUREAU. MOTION CARRIED 3/2; MR. DVORYAK AND MS. LANDIS VOTED NO.

- L. Resolution No. 2012-12 – Appointment of Representative to Springettsbury Township Volunteer Fire Company**
Current Representative: Bill Schenck

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2012-12 APPOINTING BILL SCHENCK AS REPRESENTATIVE. MOTION UNANIMOUSLY CARRIED.

- M. Resolution No. 2012-13 – Appointment of One Representative to Serve on the York Area United Fire & Rescue Commission (2 Year Term)**
Current Representative: Don Bishop

MR. DVORYAK MOVED RESOLUTION 2012-13 APPOINTING DON BISHOP AS REPRESENTATIVE TO YAUF. MOTION UNANIMOUSLY CARRIED.

- N. Resolution No. 2012-14 – Appointment of Representative to Serve on the Local Government Advisory Committee (LGAC)**
Current Representative: Julie Landis

MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 2012-14 APPOINTING DON BISHOP AS REPRESENTATIVE TO SERVE ON THE LOCAL GOVERNMENT ADVISORY COMMITTEE. MOTION UNANIMOUSLY CARRIED.

- O. Resolution No. 2012-15 – Appointment of Member to Serve on the Planning Commission (4 Year Term)**
Expired Term: Mark Swomley

- P. Resolution No. 2012-16 – Appointment of Member to Serve on the Zoning Hearing Board (5 Year Term)**
Expired Term: Sande Cunningham

- Q. Resolution No. 2012-17 – Appointment of Member to Serve on the Park and Recreation Board (4 Year Term)**
Expired Terms: Stephen Wolf and Robert High
- R. Resolution No. 2012-18 – Appointment of Members to Serve on the Recycling Committee (No Term Length – Annual Appointment)**
Current Members: Ron DiAngelo, Stephen Baker, Penny Dellinger, William Greenawalt, and Charles Stuhre.
- S. Resolution No. 2012-19 – Appointment of Members to Serve on the Historic Preservation Committee (No Term Length – Annual Appointment).**
Current Members: Mary Ellen Monson, Lois Miller, Luther Sowers, June Frick, Lee Davis, Edward “Turk” Pierce, and Steven Kohler.

MR. BOWMAN MOVED TO ADOPT RESOLUTION NUMBERS 2012-15 THROUGH 2012-19. MOTION UNANIMOUSLY CARRIED.

- T. Resolution No. 2012-20 – Designation of Zoning Officer and Deputy Zoning Officer.**
Current Zoning Officer: James Baugh
Current Deputy Zoning Officer: Angela Liddick

MR. BISHOP MOVED TO ADOPT RESOLUTION 2012-20 DESIGNATING JAMES BAUGH AS ZONING OFFICER AND ANGELA LIDDICK AS DEPUTY ZONING OFFICER. MOTION UNANIMOUSLY CARRIED.

- U. Resolution No. 2012-21 – Appointment of Building official and Deputy Building Official(s)**
Current Building Official: James Baugh
Current Deputy Building Officials: Angela Liddick and John Luciani, P.E.

MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 2012-21 APPOINTMENT OF BUILDING OFFICIAL, JAMES BAUGH, AND DEPUTY BUILDING OFFICIALS ANGELA LIDDICK AND JOHN LUCIANI. MOTION UNANIMOUSLY CARRIED.

- V. Resolution No. 2012-22 – Appointment of Sager Swisher and Company, LLP to Audit Township Funds for the Period December 31, 2011 through December 31, 2012.**

MR. BISHOP MOVED TO ADOPT RESOLUTION 2012-22 APPOINTING SAGER SWISHER TO AUDIT TOWNSHIP FUNDS. MOTION UNANIMOUSLY CARRIED.

- W. Resolution No. 2012-23 – Establishment of Treasurer Bond**

MS. LANDIS MOVED TO APPROVE RESOLUTION NO. 2012-23. MOTION UNANIMOUSLY CARRIED.

- X. Resolution No. 2012-24 – Approval of Bank Account Signatories**

MR. BISHOP MOVED TO ADOPT RESOLUTION 2012-24, APPROVAL OF BANK ACCOUNT SIGNATORIES. MOTION UNANIMOUSLY CARRIED.

Y. Resolution No. 2012-25 – Designation of Depositories and Safety Deposit Box

MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 2012-25, DESIGNATION OF DEPOSITORIES AND SAFETY DEPOSIT BOX. MOTION UNANIMOUSLY CARRIED.

6. OTHER ITEMS

A. Set Dates and Times for Regular Meetings of Board of Supervisors (second and fourth Thursday of each month – 7:00 p.m.)

Exceptions:

- June, July, and August – fourth Thursday only.
- November – Wednesday, November 14 (due to Township's of the Second Class Convention being held on second Thursday in November).
- December – second Thursday only.

B. Set Dates and Times for 2012 Budget Work Sessions

Proposed:

- October 3, October 10, October 31, November 7 (7:00 a.m.)
- November 14 (6:30 p.m.)

MR. BOWMAN MOVED TO APPROVE MEETING DATES AS LISTED ON THE SCHEDULE (A AND B). MOTION UNANIMOUSLY CARRIED.

7. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 5:15 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 12, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 12, 2012 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
David Trott, Springettsbury Police Department
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He stated that Boy Scouts of Troop 3 were present and working on their Citizenship in the Community Merit Badge. He asked them to lead the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that there had been no Executive Sessions since previous meetings, and none had been scheduled for this date.

3. COMMUNICATION FROM CITIZENS

RICHARDSON Shane Richardson of 5958 Lincoln Highway introduced himself and stated that he would be running for the State House seat in the 47th District on the Democratic ticket.

LARGENT Ms. Karen Largent of 238 Pleasant Acres Road, stated that she had received an ordinance violation letter over the weekend. She understood the need for guidelines with regard to hazardous situations that affect public safety. However, she noted there were certain ordinances that had been enacted by

the township that take away the basic rights as taxpaying, property owning citizens to have the right to life, liberty and the pursuit of happiness. She cited the ordinance relating to their right to keep or maintain a recreational vehicle or trailer of any kind on their property. She noted the wording in the ordinance, Paragraph A, Section 2, D which stated that the unit can be parked or stored on a paved surface. The ordinance does not mention that it should not be parked on grass. Her driveway is stone, which should not be a problem. She indicated that the letter requested that her motor home be removed from her property within 30 days. She also commented on the prohibition of electrical line connections, which keep batteries charged in the unit over the winter.

SCHENCK

Chairman Schenck thanked her for her comments. He explained that the RV ordinance originally had been put into place many years ago in response to an outcry to ban them completely. In response, the township took the position that to ban them was extreme. The result was that an RV can be parked beside or behind the house. The ordinance was only enforced by responding to complaints. When the ordinance was updated in 2008 the word screening was added, and there had been some reconsideration of the screening issue. The matter of electrical connections was to discourage people from living in RV's on a full-time basis.

BERKHEIMER

Norma Berkheimer of 521 South Finley Street stated that she had been involved with the first agreement made with the campers. At that time many were parked on the streets. An agreement was reached with the township that the campers would be moved back at least three feet behind the front of their house. In addition, it had to be three feet away from your neighbor's property line. Her camper had been behind her home since 1973 and she had received one of the ordinance letters. Depending upon which direction one looks at her property, the camper can't be seen. She wondered when things changed.

SCHENCK

Chairman Schenck responded that he was sure the screening requirement had been added during the last update of the zoning ordinances in 2008. There is no real good definition of screening, and that is an issue the board needed to change.

An additional lengthy discussion took place with the residents. The main points are summarized:

- Fencing six feet high is permitted; may not be high enough to screen a unit.
- Vehicles are to be parked on a paved surface; must be registered, inspected and insured.

- Sidewalks had to be repaired some time ago; some in the neighborhood have yet to be repaired.
- Americans with Disabilities Act require special boats; screening very difficult with special access.
- Storage elsewhere presents additional costs; also sites are sometimes unsecure.
- Former Danskin site is zoned commercial; different standards than residential zoning.
- Other neighborhood issues with upkeep, weeds, termites – unfair to other residents.
- Actual letter was a courtesy notice of violations; not a citation.
- Every ordinance has an appeal process; residents encouraged to review.
- Review process of the ordinance could take up to six months to change.

LANDIS Ms. Landis stated that, in conclusion, the board had heard some grave concerns from the residents. They want to have some direction of what they need to do. She suggested that the residents sign in on the sheet in the lobby. The board will review the issues and get back to the residents with some answers.

BAUGH Mr. Baugh stated that there were 62 residents who had received a letter.

SCHENCK Chairman Schenck stated that he thought Ms. Landis had a great suggestion and if the residents will leave their names and some way to contact them, the board will figure out a way to resolve the issues.

RESIDENT The resident had spoken with Mr. Nestlerode and he had given her an extension to April 1st. She had requested that he send a letter to that effect, but he stated he would change it on his books.

BAUGH Mr. Baugh noted that if someone is making a sincere effort to resolve a problem, then they would not go to a judge. If someone says they're just not going to comply, then they will go to a judge.

BISHOP Mr. Bishop added that in many situations it takes a long time to go through the process to get any effective enforcement. The township must follow the laws of the Commonwealth as well.

SCHENCK Chairman Schenck stated that the board had heard the residents clearly and will review the issues and get back to them.

MCDONALD Mr. Lee McDonald, 2720 Carnegie Road indicated that the apartment complex had a fire, and since that time trash has been thrown outside of the complex, and it makes it look like a slum area. It is right in front of his door. He asked if someone could contact the apartment personnel to see if they

would put a dumpster in place and have the debris moved so it would not be so unsightly in front of his house.

SCHENCK Chairman Schenck responded that it was a reasonable request and asked Mr. Baugh to investigate and resolve the issues.

MCDONALD Mr. McDonald thanked them for their help.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Dennis Crabill stated that he had provided a written monthly report. He added that the Sherman Street bridge shutdown signs were posted to begin work January 23rd.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI John Luciani had submitted a monthly report. He had one update to report with regard to the LCBC church. The striping for the middle turn lane was completed on North Hills Road. LCBC had agreed to maintain that striping and it will hopefully improve safety. He hoped that additional signage will further direct the traffic flow in and out of the site. A pork chop at the entrance closest to the intersection will be added. They will continue to monitor the situation.

LANDIS Ms. Landis asked whether the meeting between the business owner and PennDOT had been held with regard to his concerns.

LUCIANI Mr. Luciani responded that he did not believe the meeting ever took place. However, the department issued the HOP. LCBC indemnified the department and the township against any litigation by the business owner.

LANDIS Ms. Landis asked for further clarification on the Storm Water Management Ordinance noted in his report.

LUCIANI Mr. Luciani responded that he was working with the Planning Commission and will have a formal presentation for the board. He provided a summary of the Storm Water Ordinance item. He reported:

- York County Planning Commission issued a mandate that the township had to adopt a new Storm Water Ordinance by October 12th, 2011. A number of meetings were held with them, the outcome of which was that the township was not in a position to comply as it was somewhat unique. They agreed.
- DEP forbids a payment in lieu of doing storm water management.

- Basketball courts, pads for an RV, all will require storm water management and will be subject to inspections for the first five years; every three years and every 10-year rain event.
- Should the township not comply with the mandates, the federal and state funding will be cut off, liquid fuels, any grant money.
- Deadline for compliance is in June, 2012. This is for Act 167, which will become the new MS4.

SCHENCK Chairman Schenck noted that this was one of those state mandates that the township will have to enforce and inspect. In a 10-year storm event 800 sites will have to be inspected.

LUCIANI Mr. Luciani noted that PSATS had been fighting with DEP concerning these issues. York County was mandated 20 years ago to figure out how to do storm water runoff in all the stream areas. Then the title, Integrated Water Resource Plan came into focus and in September in seminars they were discussing the fact that it had to be adopted by October 12th. He noted that a draft ordinance had been created, which he will provide to the board members.

LUCIANI Mr. Luciani stated that he thought the township had been doing a pretty good job on water quality and runoff. He indicated that the township was one of about 30 communities that are in the MS4 program that had a satisfactory report submitted to DEP; 29 others were in violation.

HOLMAN Mr. Holman added that the concern of Act 167 and MS4 is the cost. The costs for doing storm water for some of this is astronomical. The reason DEP had allowed the township more time was because the ordinances had been updated in 2008.

LANDIS Ms. Landis noted that the report had raised concerns and that there needed to be major discussions concerning the issues. She added that she would like to see the draft.

5. CONSENT AGENDA:

- A. Acknowledge Receipt of November 15, 2011 York Area United Fire and Rescue Commission Meeting Minutes.
- B. Acknowledge Receipt of November 30, 2011 Treasurer's Report.
- C. Board of Supervisors Budget Work Session Minutes – October 12, 2011.
- D. Board of Supervisors Budget Work Session Minutes – October 27, 2011.
- E. Board of Supervisors Budget Work Session Minutes – November 2, 2011.
- F. Board of Supervisors Regular Meeting Minutes – December 8, 2011 (Recessed and Reconvened on December 15, 2011).
- G. Board of Supervisors Reorganization Meeting Minutes – January 3, 2012.

- H. Johnston Construction Company – Request for First and Final Payment – Replacement of Sluice Gate in an amount not to exceed \$314,315.
- I. Conewago Enterprises, Inc. – Request for Payment No. 28 – BNR Project in an amount not to exceed \$270,499.
- J. Regular Payables as Detailed in the Payable Listing of January 2, 2012.

DVORYAK Mr. Dvoryak requested that item G be pulled for a correction.

MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH J EXCLUDING ITEM G. MOTION UNANIMOUSLY CARRIED.

DVORYAK Mr. Dvoryak noted that with regard to item G, Resolution 2012-06, the minutes should reflect that he voted no on that particular resolution.

MR. DVORYAK MOVED TO APPROVE THE REORGANIZATION MINUTES OF JANUARY 3RD AS AMENDED. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Enter into Lease Agreement with Township Tax Collector S. Frances Surdich.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO ENTER INTO LEASE AGREEMENT WITH THE TOWNSHIP TAX COLLECTOR. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into Agreement with EnerNOC, Inc. to Provide Power Monitoring Services and Demand Response Services to the Wastewater Treatment Facility.

MR. BISHOP MOVED TO AUTHORIZE ENTERING INTO AGREEMENT WITH ENERNOC, INC. MOTION UNANIMOUSLY CARRIED.

- C. Conewago Enterprises, Inc. Change Order Request No. 10 – BNR Project – for Costs Related to Delays in Construction Due to Inclement Weather in an amount not to exceed \$50,000.

MR. DVORYAK MOVED TO APPROVE CHANGE ORDER REQUEST NO. 10 IN AN AMOUNT NOT TO EXCEED \$50,000. MOTION UNANIMOUSLY CARRIED.

- D. Conewago Enterprises, Inc. – Request for Payment No. 29 – BNR Project in an amount not to exceed \$50,001 (Final Payment).

MS. LANDIS MOVED TO APPROVE REQUEST FOR FINAL PAYMENT NO. 29 –BNR PROJECT IN THE AMOUNT NOT TO EXCEED \$50,001. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-11-01 – Devolias Funk Subdivision Plan – 1/27/12 (Action)

BAUGH Mr. Baugh presented Subdivision 11-01, Devolias Funk Reverse SD as documented in a December 15, 2011 memorandum. He noted that the property currently consisted of four lots, two of which contain single family dwellings and two of which were vacant land. The plan proposed to join the vacant land to the parcels containing the single family dwellings with no additional lots being created. Mr. Baugh provided an overview of the plan along with an aerial view of the property and noted that it is a classic minor subdivision plan. It is zoned R-10. Mr. Baugh stated that the Planning Commission recommended the plan with items listed on the memorandum.

FAIRCLOTH Mr. Lee Faircloth of Gordon L. Brown Associates introduced himself, along with Bill Allison, Executor of the Funk estate. He had nothing of note to add and indicated that Mr. Baugh had explained it well.

MR. DVORYAK MOVED WITH REFERENCE TO SUBDIVISION PLAN 11-01 TO RECOMMEND APPROVAL OF THE PLAN WITH WAIVER OF SALDO (289-14), THE MINOR SUBDIVISION WAIVER; AND WITH REFERENCE TO SUBDIVISION PLAN 11-01, DEVOLIAS FUNK REVERSE SUBDIVISION, TO RECOMMEND APPROVAL OF THE FINAL PLAN WITH THE FOLLOWING CONDITIONS: SALDO (289-13.A.4) AND SALDO (289-13.A.5). MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis questioned the DEP Notice of Violation for \$34,000. She asked for clarification.

HODGKINSON Mr. Hodgkinson responded that the violations are real and they are accurate. He explained that the violations began when the BNR project started. For four months half the plant was off the line for construction purposes. The construction was mandated. Because the township was in violation for so many consecutive months, it was placed on the EPA's Watchlist. Nothing was done until now due to the fact that the project was just closed and the final documentation was sent to DEP.

LANDIS Ms. Landis questioned why there are negotiations if the violations are valid.

CRABILL Mr. Crabill responded that he had discussed the issue with DEP. They were more than willing to meet with the township; however, they assured him that the fine would not be less, that it was a minimum fine allowable for the number of violations. The only way to be removed from the EPA Watchlist is to pay the fine. The project was long enough that it made the list.

DVORYAK Mr. Dvoryak commented that it sounded as though the violation was a known event. He wondered whether there was anything that could have been done differently to stay off the EPA Watchlist.

CRABILL Mr. Crabill responded that in a project of this nature it is typical to have some violations.

HODGKINSON Mr. Hodgkinson added that they had recommended to him to stop taking septage and send the capacity to the city. He responded that there were ramifications to doing that, and in the best interests of the township it should be maintained within the township. He noted the fine is \$34,300.

BOWMAN Mr. Bowman mentioned the apartment fire and stressed the mess in the area of Mr. McDonald's home. He wondered how long it had to be before it was hauled away.

SCHENCK Chairman Schenck asked Mr. Baugh if any enforcement had been started.

BAUGH Mr. Baugh responded that he had not; he was aware that they were cleaning out the debris from the fire, but they should be using dumpsters.

SCHENCK Chairman Schenck advised the board that he had been invited to attend a meeting of the Hallam Borough Joint Recreation Plan. They are revisiting the idea of a YMCA branch on the eastern side of the area which was defined as Mt. Zion Road towards the river. They made a presentation about building the new YMCA. Chairman Schenck had asked whether they were looking for capital or operating costs and had been advised that they were not soliciting either. He will be following up for further clarification..

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had nothing to add to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman stated that with regard to the DEP violation, he just had received the Consent Agreement. Solicitor Rausch is reviewing the Agreement and they will meet with DEP to go over the Consent Agreement.

11. ORDINANCES AND RESOLUTIONS

There were none for action.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update.

BISHOP Mr. Bishop stated that he had nothing new to report.

HOLMAN Mr. Holman noted that he had not received any communications.

13. NEW BUSINESS

A. Authorization to Approve 201 Tax Refund Request for the Following Parcel:

- 1) Vu Dinh & Nhiem Nguyen (Parcel #46-5-50) in the amount of \$11.86

MS. LANDIS MOVED TO AUTHORIZE TO APPROVE 2011 TAX REFUND REQUEST FOR THE FOLLOWING PARCEL: #46-5-50 IN THE AMOUNT OF \$11.86. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck brought forward the subjects and issues discussed earlier by the residents with RV's and trailers. He thanked Ms. Landis for her suggestion to keep in contact with the residents who signed in as a way to move forward. He stated that it is a problem, and the board needed to figure out how to fix it. What had been determined years ago to have the trailer or RV beside or behind the house was appropriate.

Additional discussion was held which is summarized:

- Long-time owners of RV's could be considered a non-conforming use; not a solution as once moved they would be conforming.
- Property values are the bottom line.
- Process is needed for best regulation; bring in zoning consultants; possible work sessions followed by review by the Planning Commission.
- Enforcement based on complaints must not be the way to handle things in the future.
- Valuable input would come from the residents.
- Potential for a grace period due to winter season.
- Gather information previously received from the RV industry.
- Visual aids with pictures of objectionable violations will be helpful.
- Determine actual issues, i.e., parking areas with stone, pervious material, screening
- Review of this particular ordinance against the property maintenance code.
- Definition of paved surface; new pervious pavers; also recycled rubber products, all that allow water to drain through. Use generic definitions.
- Three specific areas determined: A) Area must be paved, B) Is there a need for a screen, or not; C) Explore what to do to make it make sense.
- Screening defined in dictionary as "ornamental device shielding an area from view." Blue tarp meets that definition.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 12, 2012
APPROVED**

HOLMAN Mr. Holman suggested that he, Solicitor Rausch and Mr. Baugh meet and bring recommendations back to the board in two weeks. The board has made its wishes known; however, he wanted to be sure to stay in compliance.

RAUSCH Solicitor Rausch added that he wanted to determine exactly what the notices were for before any extensions would be granted. There may be a review of screening, the option of paving and under those two circumstances an extension may be appropriate.

SCHENCK Chairman Schenck stated that it sounded like a good place to start. He asked whether an early meeting had been scheduled before the next regular meeting.

HOLMAN Mr. Holman responded that a Strategic Planning meeting had been scheduled for 6 p.m. on January 26th.

BISHOP Mr. Bishop asked about the cost of an appeal.

RAUSCH Solicitor Rausch responded that there is a \$300.00 application fee.

BAUGH Mr. Baugh mentioned that some training for Zoning Hearing Board had been scheduled with the York County Planning Commission. He commented that, even though the Supervisors are not members of the Zoning Hearing Board, they will be hearing items of Conditional Uses and Special Exceptions. It might be beneficial to attend.

SCHENCK Chairman Schenck asked for an email reminder of the date.

14. ADJOURNMENT:

SCHENCK Chairman Schenck adjourned the meeting at 9:10 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
STRATEGIC PLANNING WORK SESSION – RV/TRAILER/BOAT
STORAGE**

**JANUARY 26, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, January 26, 2012 at 6 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop (arrived 6:05 p.m.)
Mike Bowman
Julie Landis

MEMBERS NOT

IN ATTENDANCE: George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Rausch, Solicitor
Jim Baugh, Director of Community Development
Angela Liddick, Community Development Coordinator
John Luciani, Civil Engineer
Marian Hull, AICP/PP, URS Corporation
Jean Abrecht, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the Work Session to order at 6 p.m. He stated the purpose of the meeting was to review the current status of ordinances regarding RV, Trailer and Boat Storage. He noted that the staff had worked diligently to bring information and documentation.

Review of Municipal Code – James Baugh

BAUGH Mr. Baugh reviewed the Municipal Code items with regard to recreational vehicles. He explained the process of enforcement, which begins with a complaint and is followed by a visit to the site, issuance of a courtesy letter allowing 30 days for compliance. Mr. Baugh stated that, if a property owner has a plan to resolve the issue, an extension will be granted. Once a formal notice is issued, the resident can then enter an appeal process to the township Zoning Hearing Board.

LANDIS Ms. Landis noted that the documentation did not establish clear direction for the appeal process and suggested clarifying the process as to who to contact and how to proceed.

BAUGH Mr. Baugh continued that the property owner can appeal to the Court of Common Pleas, a process that could take a few years.

HOLMAN Mr. Holman stated that any changes to be made to the ordinance must be reviewed by Solicitor Rausch.

SCHENCK Chairman Schenck commented that the Court of Common Pleas can overrule the Zoning Hearing Board, and the township has the ability to challenge the Zoning Hearing Board.

RAUSCH Solicitor Rausch added that if the property owner does not appeal to the Zoning Hearing Board within the time frame, the conclusive determination is that there has been a violation. The violation penalty or fine is set by the District Magistrate. The property owner can be assessed a daily fine along with the township attorney's fees.

Review of Requirements/Ordinances, PowerPoint

HULL Marian Hull provided a PowerPoint review of the current ordinance and slides on some research of actions done in other communities. Through her presentation and the ensuing discussion, a summary of points followed:

- RV's, boats, trailers are considered an accessory use with permitted use.
- Allowed on side or rear yard with some standards; minimum 3 feet from side/rear lot line.
- Minimum setbacks – Current Ordinance is appropriate
- Safe and secure manner for safety purposes.
- No RV's, Commercial vehicles are to be parking on the street.
- RV's cannot be used for dwelling purposes; consideration being given to allowing a trickle charge to the battery.
- Unit must be licensed and operable.
- Property owner must be owner of stored unit.
- Paved surface; major emphasis on using pervious pavers; also paving under tire tracks common; gravel. Need for paved surface in order to reduce erosion and mud residue in neighborhoods.
- Education of residents in state standards of use of pervious pavers.
- Gross weight of units; requires a review of ordinances.
- Screening – Need for very definite parameters: meshed gate with opaque coverage; fencing with plants.
 - Photo of trailer beside house on a pad; installation of six foot high white vinyl fence along side potentially acceptable and blocks side views.
 - Arborvitae and bushes could provide appropriate screening in some cases.

PUBLIC COMMENTS

RESIDENT Resident spoke against fencing; would prefer shrubs to screen from view.

**SPRINGETTSBURY TOWNSHIP
STRATEGIC PLANNING WORK SESSION – RV/TRAILER/BOAT
STORAGE**

**JANUARY 26, 2012
APPROVED**

- Enforcement – 62 Yorklyn neighbors were issued courtesy letters because of one complaint.
- Screening lacks purpose if it can be seen through fencing.

LUCIANI Mr. Luciani noted that the whole purpose for screening is about the esthetics of the neighborhood.

SCHENCK Chairman Schenck asked what the next steps would be to move forward.

BAUGH Mr. Baugh suggested that the board members provide Mr. Holman some email feedback with pros and cons. Then Ms. Hull, Mr. Holman, Mr. Luciani and Solicitor Rausch and Mr. Baugh will work on the next draft.

ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7:05 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 26, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 26, 2012 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jack Hadge, Finance Director
Dan Stump, Springettsbury Police Department
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7:05 p.m. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. January 17, 2012 – 5:00 p.m. – Collective Bargaining Agreements
1) Police Officer's Association
2) Teamsters Local 776

SCHENCK Chairman Schenck announced that an Executive Session was held on January 17th at five o'clock to discuss a strategy session for Collective Bargaining negotiations with the township police union and also the Teamsters Union. He announced that an Executive Session was scheduled immediately following the meeting this date to discuss a personnel matter.

3. COMMUNICATION FROM CITIZENS

REISINGER Jeff Reisinger, 3812 Stuart Drive, brought forward his observations of truckers routinely using Stuart Drive and Yorklyn Gate. He noted that signage does not

deter them from using Pleasant Acres Road to Stuart. He also inquired about the roads built up to the railroad tracks.

SCHENCK Chairman Schenck responded that the trucks are not supposed to be in that area. Inquiries of their drivers had been helpful and enabled the township to contact the businesses where the truckers were going. He stated that their GPS tells the trucks to go that way. He provided a summary of the roadway stopping at the railroad tracks and the difficulty with the PUC in obtaining the ability to cross the tracks. The township nearly had been able to get the permission to cross the tracks, but the PUC had changed its opinion and said no. The township appealed and went to court but lost. The township has not given up on that possibility as it had always been in the long-range planning to ease traffic, including truck traffic, flow in that area.

REISINGER Mr. Reisinger stated that he would inquire about the situation through Keith Gillespie.

HOLMAN Mr. Holman noted that at decision time, the railroad stated that the township had to hold them harmless for anything that they might do wrong, no matter what.

REISINGER Mr. Reisinger asked if anything could be done in the meantime with curtailing the truck traffic in his neighborhood. He noted the safety of the children in the area.

SCHENCK Chairman Schenck responded that enforcement by the police department is the key, and the police officers do their best to enforce it. The neighborhood roads were never built for the weight of trucks. It produces a number of problems. He thanked Mr. Reisinger for his comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Dennis Crabill stated that he had provided his monthly written report and had no updates. He offered to respond to questions but there were none.

B. Civil Engineer - First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated that he had provided his written report and he had three updates.

- During the January Planning Commission meeting, the Social Security building proposed for Industrial Highway was approved, which will be a future Land Development Plan.
- PennDOT named Mike Keiser, the new District Engineer. Mr. Keiser had been in the district before, and Mr. Holman and Mr. Luciani had a very good relationship with him. He is a real ally which might help with the Davies Drive project.

- A public seminar will be held in Lancaster, and Mr. Holman and he will be attending with regard to MS4 on the new regulatory applications.

SCHENCK Chairman Schenck commented that, with regard to the Davies Drive project, the Norfolk Southern line had changed hands.

HOLMAN Mr. Holman noted that it is leased to Eastern Pennsylvania Railroad. Norfolk Southern still owns the line, but Eastern Pennsylvania Railroad's long-term plan is to purchase the line if they can make it profitable. They are the entity the township will have to discuss the rail crossing with, and Keith Gillespie, the 911 Center authorities, and the County Commissioners all need to work together to get the road improvements completed.

CRABILL Mr. Crabill added that in speaking with Eastern Pennsylvania Railroad individuals, they indicate it's their line and that they will do everything they can to honor the agreement that Norfolk Southern has with the township.

Traffic Signage

SCHENCK Chairman Schenck asked about the signage and whether it will be possible to put signs up on Eastern Boulevard indicating that the opposing traffic does not stop.

LUCIANI Mr. Luciani responded that the signs had not been installed and would cost slightly less than \$200.00. He added that there are vague rules about such signs, but if complaints had been received and the area is unsafe, the board should make a clear policy decision. There may be additional requests from other neighbors.

Consensus was approval to erect signs indicating "Opposing Traffic Does Not Stop"

5. CONSENT AGENDA

- A. Acknowledge Receipt of December 20, 2011 York Area United Fire and Rescue Commission Meeting Minutes.
- B. Acknowledge Receipt of December 31, 2011 Treasurer's Report.
- C. Frey Lutz Corporation – BNR Project – Request for Payment No. 19 in an amount not to exceed \$48,500.48 (Final Payment).
- D. Regular Payables as Detailed in the Payable Listing of January 26, 2012.
- E. LD-08-12 – Time Extension – Yale Electric – Plan Expires 2/25/12 (New Plan Date 5/25/12).
- F. SD-08-03 – Time Extension – Pam Long – Plan Expires 2/25/12 (New Plan Date 5/25/12).

MR. DVORYAK MOVED TO APPROVE THE CONSENT AGENDA. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

There were no Bids, Proposals, Contracts or Agreements for action.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were no Subdivisions and Land Developments for action.

BAUGH Mr. Baugh reported that Suburban Park Apartments are in the demolition state, and they agreed to provide a dumpster for the fire damage debris. He noted that there was nothing in township ordinances requiring them to do so; however, they had agreed to the request.

Mr. Baugh reported that, with regard to the Yorklyn neighbor dispute, the court case was held on November 14th. Following the hearing decision, they will wait roughly 90 days before visiting the site to review any progress. He added that the neighbor likely will have to move his shed.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis congratulated the police department and everyone involved for their work noted on the front page of the local newspaper.

LANDIS Ms. Landis inquired as to the status of the proposals for the police and fire pension funds.

HOLMAN Mr. Holman responded that he had received one proposal from Supervisor Dvoryak. The subject will come up again at the next Fire and Police Pension meeting.

LANDIS Ms. Landis asked if Mr. Holman was looking for the board's comments.

HOLMAN Mr. Holman responded that he was and would like to receive that information up to two weeks before the next pension meeting so that he has time to incorporate the board's recommendations.

LANDIS Ms. Landis brought forward an item referencing a letter from Commissioner Steve Chronister concerning the support of Property Tax Reform asking for the township's response.

HOLMAN Mr. Holman indicated that a response would be a decision of the board.

Consensus was to request further information from Senator Waugh with regard to the proposed legislation.

DVORYAK Mr. Dvoryak inquired about the status for the Schenck Trust.

HOLMAN Mr. Holman responded that they are searching for a better interest rate. He will provide further information to Mr. Dvoryak by email.

SCHENCK Chairman Schenck reported that a resident had contacted him regarding the interchange of Mt. Zion Road and Route 30, which is totally PennDOT controlled. The resident commented that it is a gateway to the community and has a negative appearance. The resident wondered if anything could be done about it. He had responded that, because it is PennDOT controlled, they spray for weeds and mow periodically.

BOWMAN Mr. Bowman added that it is an area that could be manicured and be a beautiful area. He had made that observation before the board a few years ago.

DVORYAK Mr. Dvoryak mentioned that, at times, it is a safety hazard with sight distance if the grass is high.

HOLMAN Mr. Holman mentioned that he and Mr. Lauer meet with PennDOT maintenance for the district. They will see if something can be done. He commented that perhaps some of the work release or community service people could assist in cleaning up the area. One way the state had attempted to provide a solution for such areas is through seeding wild flowers, which would look better.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that he had nothing to add to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman brought forward an item concerning an appeal to a Zoning Hearing Board decision and for the township to intervene. Mr. Holman wanted to know if the board wanted to move forward and intervene. This particular case related to the Goddard School. It would be a normal practice to intervene, an action that would be the first in about three years.

RAUSCH Solicitor Rausch asked that the board authorize him to file and intervention, which allows the township to be a party.

DVORYAK Mr. Dvoryak asked whether there was any downside.

RAUSCH Solicitor Rausch responded that there was not.

MR. BISHOP MOVED TO AUTHORIZE THE SOLICITOR TO FILE A NOTICE OF INTERVENTION IN THE BENTIVEGNA APPEAL. MOTION UNANIMOUSLY CARRIED.

11. ORDINANCES AND RESOLUTIONS

There were no Ordinances or Resolutions for action.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop stated that he had not heard of any updates.

HOLMAN Mr. Holman reported that he had received an email request for additional information, which Acting Lt. Stump will be providing.

13. NEW BUSINESS

There was no New Business for discussion.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7:40 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 9, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 9, 2012 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
Julie Landis
George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Betty Speicher, Director of Human Resources
Dori Bowders, Manager of Administrative Operations
Mark Hodgkinson, Director of Wastewater Treatment Plant
Bob McCoy, YAUFRR Chief
Sgt. Tony Beam, Police Department
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

- A. January 26, 2012 – 7:45 p.m. – Personnel Matter
- B. February 3, 2012 – 4:00 p.m. – Personnel Matter
- C. February 9, 2012 – 6:30 p.m. – Real Estate Matters

SCHENCK Chairman Schenck announced that several Executive Sessions had been held on January 26th at 7:45 p.m. and February 3rd at 4 p.m. for personnel matters, and just prior to the Regular Meeting this date, an Executive Session was held at 6:30 to discuss two potential real estate matters. He announced that an additional Executive Session would be held immediately following adjournment to discuss a personnel matter.

3. COMMUNICATION FROM CITIZENS

PHAN Mrs. Phan of 3841 Silver Spur Drive, brought forward the item surrounding the word screening. They have an RV and they have been working with the township to resolve the screening issue. She noted they were confused with the wording and wanted direction. They

understood the paving issue. She commented that they take a lot of pride in where they live and how they take care of their property.

SCHENCK Chairman Schenk responded that the board held a special meeting to discuss the very same subject on the definition of screening. He asked Mr. Holman to provide the current status.

HOLMAN Mr. Holman responded that a request had been made of the board for recommendations. He had received recommendations from Supervisor Landis. He is working with Mr. Baugh on the concerns and offered to discuss it with them and visit their property. Mr. Holman was aware that Mr. Baugh had extended the time frame for the residents to March 15th.

SCHENCK Chairman Schenk stated that the definition of screening had been deliberately left undefined so that it could be more situational; however, even that became a bit confusing. They will continue to work with the residents.

PHAN Mrs. Phan stated they really appreciated the help as they wouldn't want to be compared with someone who doesn't care for unattended vehicles on their property.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated that he had provided a written report and had no additions to add. He offered to respond to questions.

SCHENCK Chairman Schenk noted he had no questions but commented on the elimination of the pump station at Food Lion and indicated it appeared to be doing a good job.

LANDIS Ms. Landis questioned the work being done on the Sherman Street bridge and the length of time for the project to be completed until the end of 2012.

HOLMAN Mr. Holman stated that they are doing the micro piles as opposed to the original plan. He indicated a year is probably about right for that bridge because it will be widened to coincide with the widening of Route 83 in the future.

LANDIS Ms. Landis asked whether that information was on the township website.

HOLMAN Mr. Holman responded that if it was not, he would make sure it would be the next day.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani indicated he had provided his written report and that he had a few updates.

- The Department of Transportation received bids for the Mt. Rose Avenue project. He and Mr. Holman will have their typical meeting with PennDOT February 13th to discuss roadway improvements and will have an update on the apparent low bidder.
- Mr. Luciani and Mr. Holman attended a seminar on MS4 with a lot of municipalities and good questions were raised. They had an off line discussion with the county and they are contemplating getting all the municipalities together with them being the applicant for the

MS4. Mr. Luciani noted that he thought it was very individualized and did not know if it would be beneficial to move that way through the permit process. The question of measuring how effective the results are came up, and the response was if the Chesapeake Bay gets better then there are good results. If there is a great blue crab population next year maybe the intensity won't be as bad as it is at this time. Mr. Luciani noted that there are a lot of regulatory items to which the township has complied.

HOLMAN Mr. Holman stated that he and Mr. Luciani will prepare a more condensed presentation for the board on the MS4 Chesapeake Bay. Once the MS4 is completed, there are 12 months to finish the Bay compliance plan, followed by the Act 167 project.

LUCIANI Mr. Luciani stated that a meeting with the Conservation District, which had been scheduled for February 10th had been moved to Monday, February 13th. They will discuss the implementation of erosion control inspections.

5. CONSENT AGENDA

- A. Board of Supervisors Regular Meeting Minutes – January 12, 2012
- B. Board of Supervisors Regular Meeting Minutes – January 26, 2012.
- C. Regular Payables as Detailed in the Payable Listing of February 9, 2012.

MS. LANDIS MOVED TO APPROVE THE CONSENT AGENDA ITEMS A THROUGH C. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Advertise Bids for Pulverized Quicklime.

MR. DVORYAK MOVED TO AUTHORIZE ADVERTISING BIDS FOR THE QUICKLIME. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into Consent Agreement with the Department of Environmental Protection in an amount not to exceed \$34,300 in Accordance with the Commonwealth of Pennsylvania Clean Water Fund.

MR. BISHOP MOVED TO AUTHORIZE SIGNING THE CONSENT AGREEMENT WITH DEP. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

8. COMMUNICATION FROM SUPERVISORS

BOWMAN Mr. Bowman reported that Mr. McDonald had telephoned him to report that the dumpsters had arrived at the apartments on Carnegie Road. He was very happy and appreciative.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 9, 2012
APPROVED**

BISHOP Mr. Bishop brought forward an opening on the Planning Commission. He recalled that Charles Stuhre had expressed an interest in that position. Mr. Bishop recommended that the board take action to appoint Mr. Stuhre.

SCHENCK Chairman Schenck noted that there would be no need to conduct an interview with Mr. Stuhre as he had served on the Zoning Hearing Board and currently serves on the Recycling Committee. He noted, in addition, that Mr. Stuhre could remain serving on the Recycling Committee as there would be no conflict.

MR. BISHOP MOVED TO APPOINT CHARLES STUHRE TO A FULL FOUR YEAR TERM TO EXPIRE THE FIRST MONDAY IN JANUARY, 2016. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop commented on the discussion concerning the RV policy and Mr. Holman was looking for input from the board. Mr. Bishop noted that he wholeheartedly agreed with everything that Ms. Landis had recommended. He added that it was important to move forward with getting the changes in the ordinance.

SCHENCK Chairman Schenck noted that his only concern was that some type of alternate paving be considered under these vehicles. However, he could understand some patio pavers or stone that might be reasonable under small boats and little trailers.

BOWMAN Mr. Bowman added that big pavers 24 by 24 can be put under wheels to avoid the mud.

LUCIANI Mr. Luciani noted that Ms. Hull had wheel pads in her presentation, and the matter of weight might be an issue.

SCHENCK Chairman Schenck added that enforcement of the weight could be difficult.

LUCIANI Mr. Luciani suggested that length might be a consideration.

HOLMAN Mr. Holman stated that he would take all the recommendations and discussions and prepare a draft ordinance which could then be sent to the Planning Commission for review.

SCHENCK Chairman Schenck asked that the discussion and recommendations be summarized for the board to review in preparation for sending the information to the Planning Commission.

HOLMAN Mr. Holman stated he would put everything together for a presentation at the next meeting and summarize the comments.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had nothing to add to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman reported that Lt. Stump accepted a donation from the Central York County School District's Community Acquatic Program for the Township Canine Program in the amount of \$548.00. The funds were raised as part of the Athletic Program Swimathon that was held on December 31, 2011.

Mr. Holman stated that the SPCA had submitted a copy of an ordinance to all municipalities to adopt an Outside Dog Tethering Ordinance for consistency of ordinances throughout the county with consistency of enforcement.

Mr. Holman reported that Lt. Stump had submitted a response concerning truck traffic. In a review of the ordinances, it was determined that there is no prohibition to truck traffic using Stuart Drive or Yorklyn Gate.

LUCIANI Mr. Luciani noted that a change could be made by signing those streets to allow Local Trucks only. He stated that the significant amount of truck traffic would be sufficient to order an in-house traffic study.

BISHOP Mr. Bishop stated tractor-trailer trucks driving through those narrow streets in Yorklyn should be prohibited.

LUCIANI Mr. Luciani stated that they will proceed to review that and draft an ordinance for the board.

HOLMAN Mr. Holman reported that PennDOT will be looking at Mt. Zion and Druck Valley Roads with another traffic study, specifically at that intersection. No date was forthcoming.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2012-26 – Amending Fee Schedule

MS. LANDIS MOVED TO APPROVE RESOLUTION NO. 2012-26 AMENDING THE FEE SCHEDULE. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop had nothing to report.

13. NEW BUSINESS

A. Longstown United Methodist Church, 2975 Carroll Road – Request for PennDOT Traffic Study on Edgewood Road.

HOLMAN Mr. Holman stated that Longstown United Methodist Church would like to subdivide a lot off the back of their property. They had come before the Zoning Hearing Board to subdivide the lot and then they'd like to make that subdivided lot a parking lot with access off of Edgewood Road. Mr. Holman questioned this inasmuch as the state had done several traffic studies in that area due to the proposed work on the Longstown Intersection in the near future. This would mean an additional access off of Edgewood.

LUCIANI Mr. Luciani noted that PennDOT questions whether there is sight distance. In that area sight distance would not be possible going up the hill. In response to that the church's consultant suggested to request that the speed limit would be reduced.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 9, 2012
APPROVED**

- SCHENCK** Chairman Schenck indicated that there could be unintended consequences. PennDOT could come through and increase the speed limit rather than lower it, which they have done in the past.
- HOLMAN** Mr. Holman commented that he was not sure if the state would actually do a traffic study as they are getting ready to do the Carroll Road project, which is widening from Carroll down to Windsor Road along Route 24.
- SCHENCK** Chairman Schenck stated that he would want the church to know, very specifically, what might happen with the speed limit.
- LUCIANI** Mr. Luciani stated that when a speed limit goes below 40 to 35, the municipality is then responsible for the signage and the care of them.
- LANDIS** Ms. Landis commented that every time she traveled that road it is packed with cars. She did not see how an access road could be possible.
- HOLMAN** Mr. Holman agreed to meet with the church officials and explain the difficulties.

B. Approval of Revised Job Description: Events/Public Relations/Grants Administrative Assistant

MR. DVORYAK MOVED TO APPROVE THE REVISED JOB DESCRIPTION FOR THE EVENTS/PUBLIC RELATIONS/GRANTS ADMINISTRATIVE ASSISTANT. MOTION UNANIMOUSLY CARRIED.

C. Resolution 2012-27 – Professional Services Act 44

MR. DVORYAK MOVED TO ADOPT RESOLUTION 2012-27. MOTION UNANIMOUSLY CARRIED.

14. ADJOURNMENT

SCHENCK Chairman Schenck reminded the board members of the scheduled Executive Session to be held immediately following adjournment. He adjourned the meeting at 7:45 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 23, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 23, 2012 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
Julie Landis
George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Betty Speicher, Director of Human Resources
Dori Bowders, Manager of Administrative Operations
Jack Hadge, Finance Director
Bob McCoy, YAUFRR Chief
Dan Stump, Police Department
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7:05 p.m. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. February 9, 2012 – 7:45 p.m. –Personnel Matter

SCHENCK Chairman Schenck announced that an Executive Session had been held following the February 9th meeting to discuss a personnel matter. No Executive Sessions had been scheduled since, and none had been planned for this date.

3. COMMUNICATION FROM CITIZENS

SANDMYER Robert Sandmyer, 2625 Kingston Road, brought forward the necessity for greater traffic control on Meridian Lane. He requested that the township install the speed humps once again, and install more traffic speed signs in the neighborhood. He reported that the general consensus among the residents of that area is that the speed humps were effective in slowing traffic.

SCHENCK Chairman Schenck asked for a status on the traffic signs on Kingston.

- HOLMAN** Mr. Holman responded that they plan to install a few additional signs, as well as the speed display sign.
- DVORYAK** Mr. Dvoryak asked whether state law dictates how far apart speed limit signs must be placed.
- LUCIANI** Mr. Luciani responded that there is a minimum standard. If a motorist turns off a street, they must be able to see the sign in order for police to cite someone.
- SCHENCK** Chairman Schenck commented that his whole idea of putting the temporary speed humps up was to (a) determine their effectiveness and (b) determine whether the residents wanted something permanent. He asked for a status of the speed humps.
- LUCIANI** Mr. Luciani responded that some speed evaluations and data collection will be compiled to review whether there was a measurable difference.
- HOLMAN** Mr. Holman added that there will be one more speed and traffic study as spring approaches. Motorists tend to drive more slowly during the winter due to the snow although this winter has been somewhat mild. Mr. Holman noted that they will be following the policy, and with board approval the project would be made part of the road program and will be contracted.
- NEELY** Mr. Ralph Neely, 3871 Hearthstone Court, addressed the problem with tractor-trailers going through their development. He provided some photographs of damage done as the tractor-trailers have moved through at all times of day or night. He commented that their GPS's direct the truckers through the development as a short cut to Dawn Foods. His wife's automobile had been scraped and the trucker did not stop. They reported the incident to Tom Wales, Badge No. 43-15, who took the report. He stated that the situation is grave and they would like to have some kind of resolution.
- SCHENCK** Chairman Schenck responded that the board was somewhat familiar with the problem. The Traffic Manager at Dawn Foods had been contacted to request that their drivers not go through the development, but the truckers are not their drivers; they are companies making deliveries. A traffic study had been ordered to document that the streets are not built to withstand truck traffic or are too narrow. Once the study is done, then an ordinance can be passed banning trucks from that neighborhood. It then would become an enforcement issue, but then large signs can be installed to restrict that traffic and there will be a way of citing the drivers.
- POPE** Mr. Joe Pope, 150 Yorklyn Gate, added to the comments on truck traffic through the neighborhood and the damage that had been done. He had been advised that the township could not do anything about the problem.

SCHENCK Chairman Schenck apologized that he had received that message; however, the township has begun the process of putting legal things in place to do something about it. The goal is to establish signage prohibiting the truck traffic.

POPE Mr. Pope mentioned that when the snow plows come down to his corner, they pile the snow up on that corner and motorists can't see coming the other way. He has to shovel it because the water comes down and gets underneath his driveway and lifts it up. It freezes and breaks the sidewalk in front of it.

SCHENCK Chairman Schenck stated that his concerns would be passed along to Public Works.

POPE Mr. Pope mentioned that there is a children's bus stop in that area as well. He did not want to see an accident happen with the buses.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided a monthly report. He had no additions to his report and offered to respond to questions. There were none.

B. Civil Engineer – First Capital Engineering, Inc.

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

- Harley Davidson Improvements at Eden Road and Gate 1 – Recent problems with a traffic accident affected the light at Harley. They need battery backup for safety. A recommended solution will be made during a March meeting.
- Speed limit reduction on Edgewood Road – A meeting was held at the church and the township's concerns were discussed. The speed equipment will be placed there to measure speeds prior to going forward.

HOLMAN Mr. Holman reported that counts are being done on Whiteford and 11th Avenue due to a concern about cars and speed with the Sherman Street bridge closure. He is working with the state police and PennDOT to obtain more control in that area.

LANDIS Ms. Landis requested clarification on the land development project at American Hydro.

LUCIANI Mr. Luciani responded that American Hydro is located in both Hellam and Springettsbury Townships. They are moving their world headquarters from Scotland to Pennsylvania and immediately will add eight new employees in the office portion. The project includes:

- Phase I – Will include an office building, which will be placed on an existing paved area and is a simple project. The office building will not generate much traffic and is their most immediate need.

- Phase II - Will be the bigger traffic generator when the 60,000 square foot expansion of the manufacturing facility comes. That portion is 100% contained within Hellam Township, but all the traffic has to come through Springettsbury's roadways. They are obligated only to improve the roadway in front of their building, and there may be a need for a turning lane improvement.

HOLMAN Mr. Holman added that their exit will be to a state roadway which will require a HOP permit. That will be triggered with the 60,000 square foot expansion.

LANDIS Ms. Landis asked for the status of the Mt. Rose Avenue/PennDOT improvements and the funding.

LUCIANI Mr. Luciani noted that there are several projects on Mt. Rose Avenue.

- Heritage Hills Indoor Water Park – A board-approved plan with conditions is in limbo. A Developers Agreement is intact and indicates an amount, up to \$50,000, of funding will be provided for sidewalk improvement, which will offset those costs to the township.
- First Phase of Mt. Rose Avenue stops short of Heritage Hills at Hartford. Township funding and sidewalks is further down the road about 1,000 feet.
- Second Phase will go up to Mr. DeRose's property, Heritage Hills, and will involve the taking of real estate, to which Mr. DeRose expressed some disappointment with the financial offer.

Mr. DeRose is hoping that the timing of the road improvements and his facility upgrades would occur at the same time.

HOLMAN Mr. Holman reported that Heritage Hills made a presentation at the Rotary Club and they are working with their investors to get their project moving. One of their concerns is the disruption of business during the road improvements. The project is moving forward and the value of the real estate will continue to be challenged, perhaps ending up in court.

SCHENCK Chairman Schenck thanked both Mr. Holman and Mr. Luciani for their assistance in resolving issues by residents of the Pleasantrees Development concerning erosion control.

5. CONSENT AGENDA

- A. Acknowledge Receipt of January 31, 2012 Treasurer's Report.
- B. Board of Supervisors Strategic Planning Work Session – January 26, 2012.
- C. Board of Supervisors Regular Meeting Minutes – February 9, 2012.
- D. Regular Payables as Detailed in the Payable Listing of February 23, 2012.
- E. SD-11-02 – Time Extension – Bensinger SD – Plan Expires 3/19/12 (New Plan Date 6/22/12)

- F. SD-10-02 – Time Extension – Harley Campus Separation – Plan Expires 3/29/12 (New Plan Date 7/2/12)

MS. LANDIS MOVED TO APPROVE CONSENT AGENDA, ITEMS A THROUGH F. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

There was nothing for action under item 6.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. LD-11-02 – Internal Revenue Service/Social Security Administration Building, Industrial Highway - 4/27/12 (Action)

BAUGH Mr. Baugh presented the Preliminary/Final Development Plan for the IRS/Social Security Administration building located on Industrial Highway. The plan information was documented in a February 23rd memorandum. Mr. Baugh provided a PowerPoint review of the location, zoning, an area view, site plan and layout. He noted it fits well into the Town Center layout. Planning Commission recommended approval with several conditions, and since their recommendation, numbers 3 and 9 had been accomplished. All but number 8 are administrative. Staff concurs with Planning Commissions approval. He noted that the engineer for the project, Brian Myers, had done an excellent job of cooperating and bringing the plan into township requirements.

SCHENCK Chairman Schenck thanked Mr. Myers for his efforts. He noted that the board's goal is that by the time the plan is presented to the board, everything had been accomplished and that takes cooperation.

MYERS Mr. Myers stated that the township staff, Mr. Luciani and Mr. Baugh all had been very helpful, which they appreciated as they are on a fast track.

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-11-02, TO RECOMMEND THE APPROVAL OF THE PRELIMINARY/FINAL PLAN WITH THE 7 CONDITIONS AS LISTED IN THE MEMO. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

DVORYAK Mr. Dvoryak inquired about the status of the Kahlbaugh's request of the township.

HOLMAN Mr. Holman responded that he had communicated with the Kahlbaughs by email and requested a meeting with them, Messrs. Luciani, Baugh and himself during one of the Tuesday mornings. He reported that all of the research was done and everything is finished with regard to the problem. All of the drainage way was cleared and they are

investigating to see what additional concerns they might have. He added that with Tropical Storm Lee they had met with four groups relating to flood issues.

DVORYAK Mr. Dvoryak commented that he had seen Public Works performing some work on the drain.

HOLMAN Mr. Holman noted that Mr. Lauer had discussed opening the drain up a little more and widening it so it can take a little more capacity.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch had provided a written monthly report. He reported that a check had been received from Mr. Darrah so there would be no need to proceed with a contempt charge.

10. MANAGER'S REPORT

HOLMAN Mr. Holman reported that the Planning Commission planned to invite the County to their next meeting as part of their Act 167 review ordinance. If the Supervisors would like to attend and sit in the audience, they could hear what the County has to say. The date of the meeting is Thursday, March 15th at 6 p.m. Mr. Holman noted that he would send an email reminder to the board. He indicated that there had been a lengthy discussion on the subject during the Manager's meeting.

SCHENCK Chairman Schenck stated, for the residents' information, the meeting just discussed related to a new law passed by the state that will have far-reaching implications regarding storm water. The state is mandating that townships and cities enforce the new storm water regulation, and Springettsbury Township is very concerned about it. There are very little options, but they are working through it.

11. ORDINANCES AND RESOLUTIONS

There were none for action.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop stated that he had no update.

13. NEW BUSINESS

A. SPCA'S Request for Ordinance Regarding Tethering of Dogs Outdoors.

SCHENCK Chairman Schenck indicated that the SPCA sent a request to consider an ordinance prohibiting tying dogs outdoors.

HOLMAN Mr. Holman stated that the enforcement by police and code enforcement of such an ordinance would be extremely difficult. The SPCA indicated that they would do the enforcement; however, it is somewhat vague. The matter was discussed during the Manager's meeting this date. A number of municipalities had tabled it as it needed some work.

RAUSCH Solicitor Rausch responded that the ordinance did need work, and a number of municipalities are not interested in adopting it for a number of reasons.

LANDIS Ms. Landis reported that she had received email from Melissa Smith, the Executive Director on Tuesday, the 21st of February. Ms. Landis read a portion of the email: "Please be sure that the supervisors know that the SPCA planned to enforce the ordinance so that there will not be a burden on the police department. Also the proposal is a draft, and I'm happy to work with the supervisors to amend any of the language if there is a concern. In addition, we are looking at setting aside a fund for the municipalities to help with the cost of the enactment and advertisement. If there are any other questions, please, I'm available. Let me know, and we can meet. Thank you." Ms. Landis asked about specific concerns.

RAUSCH Solicitor Rausch responded that, without having the document in front of him, he knew of an issue raised that it was very broad. There are some animals that say their breed of dog is supposed to be outside. In addition, there are issues raised about monitoring the time.

An additional lengthy discussion took place, which is summarized:

- Ordinance is focused on one issue, tethering. Is it a big problem in Springettsbury Township?
- Additional problem issues concerning dogs could be bundled together rather than just focusing on the one item of tethering.
- Enforcement would include monitoring temperatures and weather warnings, a burdensome enforcement. The SPCA may be appointed by Resolution to enforce the ordinance, although they may have that right by state statute.
- Isolation of pack animals (dogs) can be considered abuse, tying them up outside away from social people and other animals. Additionally, the way they are tied up must be considered as well as having adequate water and shelter.
- SPCA is interested in trying to figure out how to assist the township and tweak the ordinance.
- Ordinance indicates enforcement is to be done by the police, the township and the SPCA.

- Work Session suggested to discuss issues and have Melissa Smith educate the board, as she is more knowledgeable about dog laws. Need to address state-wide issues.
- Such ordinances may spread across the Commonwealth as it is much larger than the SPCA and includes the Humane Society.

HOLMAN Mr. Holman noted that a Work Session would tie into the Strategic and Long-Term Planning. He offered to send Ms. Smith a letter to arrange a time frame for a 6 o'clock hour-long meeting. In the meantime he intended to contact Representative Keith Gillespie to inquire of state statutes.

B. Approval of Job Description: Part-Time Receptionist

MR. DVORYAK MOVED TO APPROVE THE JOB DESCRIPTION AS PRESENTED FOR THE PART-TIME RECEPTIONIST. MOTION UNANIMOUSLY CARRIED.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:11 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
STRATEGIC PLANNING SESSION**

**FEBRUARY 23, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Strategic Planning Session on Thursday, February 23, 2012 at 6 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
Julie Landis
George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Jack Hadge, Finance Director
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

2. RV, BOAT AND TRAILER STORAGE

SCHENCK Chairman Schenck called the Strategic Planning Session to order at 6 p.m. He welcomed the attendees. He noted that, during a previous meeting a presentation had been made as to the progress regarding the RV, boat and trailer storage issues. The Board of Supervisors had provided comments which were incorporated into the presentation this date. He noted that the meeting was a public meeting and he would provide time for public comments.

BAUGH Jim Baugh had compiled documentation and provided a PowerPoint presentation with photographs and documentation. The presentation included such items as Outdoor Storage Requirements, Screening, Opaque and See-Through Fencing, Landscaping, Screening Materials, Paved Surface Requirements, Use Limitations, Before and After Photographs, Changes to Consider and Ordinance Comparison along with Board of Supervisors' comments. The entire PowerPoint presentation was provided in written format to the board and the residents for review. Some main points brought out as a result of the presentation follow:

- Define the specific objective.

- Paved surface – To avoid soil erosion and reduce environmental impacts; could be established by weight. Consider alternate paving; stone driveway previously approved by township.
- Use limitations – Occupation is prohibited due to overcrowding and blight; safety issue.
- York Township Ordinance – Much more restrictive.
- Electrical Hookup – Safety hazard versus continual charge to batteries to keep unit functioning.
- Definition of Screening – Need to clarify; pros and cons; consider appearance of surrounding neighborhood. Types of fencing, opaque or see-through; potential to eliminate; consider streetscape.
- Registration/licensing - Vehicles, RV's, boats and trailers need to be current.
- Original mission – To formulate a direction for Planning Commission.

SCHENCK Chairman Schenck defined the process that is needed to change the ordinance. First, the Board of Supervisors will send suggestions to the Planning Commission. They will review the information and respond with their comments. It will then move through the York County Planning Commission for review and following that will come back to the Board of Supervisors for a final decision.

BAUGH Mr. Baugh noted that during this time, the residents do not have to continually call the township for extensions. If there are changes, the township will contact the residents.

RAUSCH Solicitor Rausch noted that the subject will be discussed during the April 19th Planning Commission meeting beginning at 6 p.m.

LUCIANI Mr. Luciani added that it would not get back to the Board of Supervisors until May.

2. FUND BALANCE POLICY

SCHENCK Chairman Schenck introduced the subject of Fund Balance Policy. He asked Mr. Holman to discuss the draft document he had provided for the board.

HOLMAN Mr. Holman stated that he had worked with the auditor to identify specific items for the Fund Balance Policy. They had referenced GASBE 34 and added a Fund Balance Policy in A and B. Municipalities can place any desired percentage into the Fund Balance. However, the board had expressed interest in placing a minimum percentage into the policy. Mr. Holman noted that the schools have to place 8% into their Fund Balance; however, he thought that would be somewhat low for the township. He added that the Fund Balance had included more than

14% and that had carried the township through the recent difficult economic times with no need to burden the residents and businesses.

SCHENCK Chairman Schenck indicated that the township is required to have a Fund Balance Policy and currently has approximately 28%.

HOLMAN Mr. Holman noted that the importance of having a Fund Balance Policy becomes more critical when there is a need to borrow funds. He noted in the documentation he provided that A and B follow exactly the GASBE 34 requirements, but C indicates that it is up to the board to establish a minimum and maximum percentage.

BISHOP Mr. Bishop commented that the structure does not include dollars or amounts.

DVORYAK Mr. Dvoryak added that the policy could include percentages anywhere from 0% to 100%.

HOLMAN Mr. Holman noted that the percentages do not have to be stated. However, the board had previously indicated possibly setting what would be a minimum Fund Balance which would be the minimum Non-Dedicated Fund Balance.

SCHENCK Chairman Schenck stated that he would not want the policy to drive or force the board's hand. It should be as liberal as possible in order to use the funds where necessary. At this time the township is at a place where it can begin to rebuild the fund.

BISHOP Mr. Bishop stated that an additional value is making the entire issue visible to the board. Creating a policy indicates the township will calculate it, review it and use the funds in a certain way.

HOLMAN Mr. Holman indicated that funds could be assigned for specific things, such as the Route 124 improvements. Money is assigned to Capital in the budget for those specific projects which are committed by Resolution.

SCHENCK Chairman Schenck added that assigning those funds would be discussed during the budget process.

HOLMAN Mr. Holman noted that he was not looking for board action; however, he requested some comment on the percentages and any items to be removed from the drafted policy. He will bring it back to the board at the next meeting for action.

SCHENCK Chairman Schenck questioned what percentages a lending institution would like to see, i.e., 8%, 10%.

HOLMAN Mr. Holman reiterated that 8% is a comfortable percentage but he would like to see it higher. He would be comfortable with 10% or 12%.

DVORYAK Mr. Dvoryak agreed with a percentage between 8% to 12% as a minimum.

SCHENCK Chairman Schenck agreed with the 10% to 12% with no maximum. He asked Mr. Holman to bring it back for action at the next meeting and to be sure it meets all accounting standards.

3. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 8, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 8, 2012 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Betty Speicher, Director of Human Resources
Dori Bowders, Manager of Administrative Operations
Mark Hodgkinson, Director of Wastewater Treatment
Bob McCoy, YAUFRR Chief
Lt. Dan Stump, OIC, Police Department
Jack Hadge, Finance Director
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7:05 p.m. He led the Pledge of Allegiance.

B. Recognition of Retired Public Works Employee – Francis H. Mumma

SCHENCK Chairman Schenck provided comments on the exemplary career of Francis Mumma in Springettsbury Township over 41-1/2 years of service. He stated that the township was very grateful for treating the township as if it were his own backyard. He congratulated him and hoped he enjoyed his retirement. He presented Mr. Mumma with a Springettsbury watch, along with a framed Resolution in honor of his service. Mr. Mumma's wife, Joan, was acknowledged and thanked for her part in his career. She was presented with a dozen long-stemmed roses.

SPEICHER Ms. Speicher presented Mr. Mumma with a Springettsbury coffee mug, a Centennial Book and provided some history of the year 1970 when he had started his employment with the township.

MUMMA Mr. Mumma thanked everyone for coming out for his retirement. He thanked all the police officers and wished Lt. Trott a good retirement too.

C. Recognition of Retired Police Officer – David G. Trott

STUMP Lt. Dan Stump presented Lt. Trott's duty weapon and his retirement badge. He commented that Lt. Trott was a 22 year veteran of the Police Department. He noted that he had taken the department into a new level as the Information and Technology person, which changed the paper heavy department to a paperless and more efficient department. He stated that the department will miss his sense of humor but wished him well in his retirement.

SCHENCK Chairman Schenck presented Lt. Trott with a framed Resolution in his honor. He mentioned that Lt. Trott had joined the Police Department on February 26, 1990 and had gone through all the ranks. He served most recently as Officer in Charge, and the board had been very impressed with the depth in the Police Department during a time of vacancies that occurred in the last few months. The department never missed a beat which was a tribute to Lt. Trott. Chairman Schenck thanked him for serving the citizens well with dedication and faithful service.

SPEICHER Ms. Speicher presented Lt. Trott with the Centennial Book, coffee cups and pens.

TROTT Lt. Trott thanked the citizens of Springettsbury Township, the board, Mr. Holman and all the employees of the township for affording him the opportunity to be a police officer in the community. His service of 22 years with Springettsbury concluded 35 years as a law enforcement officer. He considered his fellow officers, who will remain on the job, the very best and noted that the future of the Springettsbury Township Police Department is in very capable hands.

D. Oath of Office – Patrolman Justin L. Kinard

STUMP Lt. Stump introduced Justin Kinard, who joined the Police Department on February 20, 2012. He noted that following high school graduation, he had completed the 91st Police Academy and has four years of experience in law enforcement. He welcomed him to the department.

SCHENCK Chairman Schenck administered the Oath of Office to Patrolman Kinard and congratulated him.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. March 7, 2012 – 3:00 p.m. – Personnel Matter

SCHENCK Chairman Schenck announced that an Executive Session had been held on March 7th at three o'clock in the afternoon to discuss a personnel matter. No additional Executive Sessions had been planned for this date.

3. COMMUNICATION FROM CITIZENS

SCHWARTZ Hal Schwartz, representative of York Christian Church, 2901 Pleasant Valley Road, approached the board to advise that, due to unprecedented growth, the church is exploring relocating. They are looking at the Fincor property at 3750 East Market Street. He indicated that they would be requesting a potential zone change or conditional use. He noted he would be attending meetings with staff to look into the matter.

SCHENCK Chairman Schenck thanked him and advised him to go through the process with the staff. He noted it was good to hear of the church growth.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated that he had submitted a monthly written report and offered to respond to any questions. There were no questions.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated that he had submitted a monthly written report as well. In addition he had provided to the board, Manager and Solicitor an extensive draft restriction as to the weight and size of truck traffic based on the condition of highway and bridge. There had been a complaint about trucks turning onto Stuart Drive. Some points discussed:

- A 50-foot tractor-trailer maneuvering through the narrow streets will drive up and over curbs and create property damage.
- Truck prohibition is supported.
- Staff will discuss and begin the steps for an ordinance.
- Davies Drive road connection to Market Street would alleviate some of that problem.
- Pursue blocking truck traffic coming off Pleasant Acres Road and study adding Yorklyn Gate as well.

DVORYAK Mr. Dvoryak asked about a storm water meeting scheduled for March 29th to which the board had been invited. He asked whether the subject of EPA regulations being drafted would be discussed during that scheduled meeting.

LUCIANI Mr. Luciani responded that he had been asked to show the Riparian Buffer put into place at Penn Oaks Park, which had been very successful. There had been no erosion through the park, and he had explained that to Joanna Shovlin and those on a bus tour of the area. They were looking into storm water issues between the Act 167 and the MS4 requirements along with the MPDS requirements. The Chesapeake Bay nutrient improvement starts with the Waste Water Treatment Plant and spills over into storm water. Maryland sued Pennsylvania with permit requirements which must meet AS4 requirements in order to get the crab population back. Future impacts will ultimately affect the township.

HOLMAN Mr. Holman added that the presentation by the county will be on Act 167, which was what Mr. Dvoryak mentioned with regard to RV's and putting down the 1x1 or 2x2 concrete slabs and then having to do a \$3,000 storm water study. That will be discussed March 15th during the Planning Commission meeting.

SCHENCK Chairman Schenck noticed that there had been no trucks parked on Yorklyn Gate. He thanked whoever was responsible for making that happen.

5. CONSENT AGENDA

- A. Acknowledge Receipt of January 17, 2012 York Area United Fire and Rescue Commission Meeting Minutes.
- B. Board of Supervisors Regular Meeting Minutes – February 23, 2012
- C. Regular Payables as Detailed in the Payable Listing of March 8, 2012

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH C. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Award Bid to Cumulus Media for Exclusive Rights to Promote and Advertise the Springettsbury Summer Concert Series and Saturday in the Park Event for the period March 31, 2012 through and including October 31, 2012 in an amount not to exceed \$4,500.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO AWARD BID TO CUMULUS MEDIA FOR EXCLUSIVE RIGHTS TO PROMOTE AND ADVERTISE THE SPRINGETTSBURY SUMMER CONCERT SERIES AND SATURDAY IN THE PARK EVENT FOR THE PERIOD MARCH 31, 2012 THROUGH AND INCLUDING OCTOBER 31, 2012 IN THE AMOUNT NOT TO EXCEED \$4,500. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Execute PennDOT Cost Sharing Agreement for Route 124 (Mt. Rose Avenue between Greensprings Drive and Hartford Road).

MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO EXECUTE PENNDOT COST SHARING AGREEMENT FOR ROUTE 124 (MT. ROSE AVENUE BETWEEN GREENSPRINGS DRIVE AND HARTFORD ROAD). MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Approve Change Order No. 4 for a decrease in the total amount of \$109,000 to the Contract with Gettle, Inc. – BNR Electrical Contractor.

MR. DVORYAK MOVED TO AUTHORIZE APPROVING CHANGE ORDER NO. 4 FOR A DECREASE IN THE TOTAL AMOUNT OF \$109,000 TO THE CONTRACT WITH GETTLE, INC. MOTION UNANIMOUSLY CARRIED.

7. ACCOUNTS PAYABLE

- A. Gettle, Inc. – BNR Project (Electrical) – Application for Payment No. 22 in an amount not to exceed \$94,000 (Final Payment).

MS. LANDIS MOVED TO APPROVE THE BNR PROJECT PAYMENT NO. 22 IN THE AMOUNT NOT TO EXCEED \$94,000 (FINAL PAYMENT). MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

9. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis asked about the upcoming Forum meeting and whether the board was planning to attend as a board or individually.

HOLMAN Mr. Holman responded that he planned to attend and would be able to extend any board comments. He noted that it would not be a formal board meeting. In addition, Mr. Luciani was fully aware of the township's position with regard to it.

SCHENCK Chairman Schenck noted that he had put it on his calendar and would try to attend.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch reported one update that the lawsuit, Fitz versus Kreider et al Springettsbury had been settled. The suit related to a motorcycle driver and passenger that had been hit on Market Street and the lawsuit followed.

11. MANAGER'S REPORT

HOLMAN Mr. Holman added to Solicitor Rausch's comment that the reason the township was kept in the suit was that the township had been asked to plow Western Drive, and the judge determined that the township had control of the site.

12. ORDINANCES AND RESOLUTIONS

A. Authorization to Advertise Ordinance Amending the Code of Ordinances Chapter 276 "Solid Waste and Recycling"

MR. DVORYAK MOVED TO AUTHORIZE ADVERTISING THE ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 276 "SOLID WASTE AND RECYCLING." MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2012-29 – Recognition of Francis H. Mumma

C. Resolution No. 2012-30 – Recognition of David G. Trott

MS. LANDIS MOVED TO APPROVE RESOLUTION NUMBERS 2012-29 AND 2012-30 IN RECOGNITION OF RETIREMENT OF FRANCIS MUMMA AND THE RETIREMENT OF DAVID TROTT. MOTION UNANIMOUSLY CARRIED.

D. Resolution No. 2012-31 – Liquor License Transfer – Blazin Wings, Inc. (Buffalo Wild Wings).

MS. LANDIS MOVED TO APPROVE RESOLUTION NO. 2012-31, LIQUOR LICENSE TRANSFER FOR BLAZIN WINGS, INC. (BUFFALO WILD WINGS). MOTION UNANIMOUSLY CARRIED.

E. Resolution No. 2012-32 – Adoption of Regulations for Mercantile and Business Privilege Taxes

MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 2012-32, ADOPTION OF REGULATIONS FOR MERCANTILE AND BUSINESS PRIVILEGE TAXES. MOTION UNANIMOUSLY CARRIED.

F. Resolution No. 2012-33 – Adoption of Springgettsbury Township Fund Balance Policy in Accordance with GASB 54.

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2012-33. MOTION UNANIMOUSLY CARRIED.

G. Resolution No. 2012-34 – PennDOT Utility Relocation Cost Sharing Request – Mundis Mill Road Between Sheridan Road and the Bridge.

MS. LANDIS MOVED TO APPROVE RESOLUTION 2012-34. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop stated he had nothing new to report.

14. NEW BUSINESS

A. Authorization to Approve 2011 Tax Refund Requests as follows:

- 1) Komax Systems York, Inc. (Parcel #46-JJ-47D) in the amount of \$272.49.
- 2) York Plymouth Associates (Parcel #46-IJ-16A) in the amount of \$349.36.
- 3) 2618 Inc. (Parcel #46-21-08) in the amount of \$1,664.90

MR. BOWMAN MOVED FOR AUTHORIZATION TO APPROVE THE 2011 TAX REFUND REQUESTS FOR THE THREE ITEMS LISTED ON OUR AGENDA. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck thanked Mr. Baugh for providing the opportunity to the board to attend the zoning classes. He indicated he had learned a lot, and they did a good job.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7:50 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING – Liquor License**

**MARCH 8, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, March 8, 2012 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Charlie Lauer, Director of Public Works
Mark Hodgkinson, Director of Wastewater Treatment Plant
Jack Hadge, Finance Director
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the Public Hearing to order at 6:45 p.m. He stated that the purpose of the hearing was to hear testimony of an application to transfer a liquor license into the township. He noted that he would hear comments following the applicant's presentation, represented by Attorney L. C. Heim.

2. NEW BUSINESS

A. Transfer of Pennsylvania Liquor License No. R-15231 from 2266 South Queen Street, York, PA to 105 N. Northern Way, York, PA.

HEIM Attorney Heim indicated that the Code requires that the municipality to which the license is being transferred approve it, and even if it is approved by the board, that allows them to apply, and the transfer comes later. He introduced Mr. Block from Blazin Wings, Inc. to respond to any questions. In addition, he had passed out a sample menu of the products.

SCHENCK Chairman Schenck asked for clarification of the location on Northern Way.

HEIM Attorney Heim responded that it would be across from the Wal-Mart.

RAUSCH Attorney Rausch added it would be right next door to Applebee's.

SCHENCK Chairman Schenck asked about the nature of alcohol sales related to food sales.

BLOCK Mr. Block responded that the food sales amounted to about 70% and the bar amounted to 30%. There is a patio for an additional dining room area but no bar is outside. The bar is between 30% and 40% of the size of the restaurant.

- HEIM** Attorney Heim added that they do not offer takeout beer; only takeout food.
- SCHENCK** Chairman Schenck questioned their experience with unruly and disruptive patrons. In the application the answer was that it is a large restaurant company with a lot of experience.
- BLOCK** Mr. Block responded that they have strength with that. All of their serving staff, hosts, bartender and servers are all ServSafe Alcohol Certified and are all very familiar with the laws and how to serve and how not to serve. They are very experienced with that and take it very seriously.
- HEIM** Attorney Heim pointed out that there was a change in the law in December and from now on every new manager that's appointed (and there will be a new manager for this store) has to be Manager RAMP Certified within six months. It's a requirement now and those are courses that are offered by the PLCB.
- BISHOP** Mr. Bishop asked if this location would be a company-owned store.
- BLOCK** Mr. Block responded that it was, in fact, a corporate store.
- BISHOP** Mr. Bishop asked if there are franchises also.
- BLOCK** Mr. Block responded affirmatively.
- SCHENCK** Chairman Schenck questioned where the license came from.
- HEIM** Attorney Heim responded that it came through the Grove Estate in York Township.
- BISHOP** Mr. Bishop noted that 2266 South Queen might be the old Dew Drop Inn.

3. PUBLIC COMMENT

There was no public comment.

- RAUSCH** Solicitor Rausch commented that in two weeks the board will hear the conditional use for the Town Center Overlay for this restaurant and for the Chick-fil-A, which will be presented by the mall owners.

4. ADJOURNMENT

- SCHENCK** Chairman Schenck adjourned the meeting at 6:50 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
STRATEGIC PLANNING – TRASH CONTRACT**

**MARCH 8, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Strategic Planning Meeting on Thursday, March 8, 2012 at 6 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
George Dvoryak

MEMBERS NOT

IN ATTENDANCE: Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Rausch, Solicitor
Charlie Lauer, Director of Public Works
Ron DiAngelo, Recycling Committee
Bill Greenawalt, Recycling Committee
Charles Stuhre, Recycling Committee
Jean Abreght, Stenographer

1. TRASH CONTRACT REVIEW

SCHENCK Chairman Schenck called the Strategic Planning Work Session to order. He stated that the meeting had been advertised as a public meeting and public comment will be taken. The purpose of the meeting was to discuss the proposed new trash contract. Chairman Schenck indicated that three members of the Recycling Committee were present. He advised that Ms. Landis had advised she would be late.

HOLMAN Mr. Holman introduced the discussion noting that the current trash contract expires on December 31, 2012. The Recycling Committee had done considerable work on the contract over the past year and a half in support of the board in order to be ready to go out to bid no later than July. He suggested that he and the committee members go over some of the proposed changes for the board's review. He hoped, following review, to schedule a public comment meeting on April 12, 2012 at 6 p.m. He noted that Ron DiAngelo, Chairman of the Recycling Committee and Bill Greenawalt, along with Charles Stuhre were present to respond to questions. He thanked Solicitor Rausch for his assistance with the draft plan. Three major contract issues had been recommended:

- Type of recycling, i.e., what can be recycled; include cardboard.

- Alternate bidding – 3 year, 2 to 5 year; 3 year with 2 year renewal option.
- Committee recommended 5 year bid award.
- Single source vs. source separated.

DIANGELO Mr. Diangelo stated that the committee reasoning behind their recommendation for a five-year contract was saving time and money. In addition, they did not want to give up anything in place, such as the free toters and the Recycle Bank.

SCHENCK Chairman Schenck commented that the proposed contract was silent to the Recycle Bank.

HOLMAN Mr. Holman responded that Solicitor Rausch planned to add a section discussing the maximum charge for toters, as well as to propose a recycle credit program. The “Recycle Bank” is a proprietary program; however having a recycle credit program is not a requirement and would not be a basis on which to award the bid.

SCHENCK Chairman Schenck asked whether the Recycle Bank was a separate contracted agreement with the trash hauler.

HOLMAN Mr. Holman clarified that the hauler made a contract with Recycle Bank because they determine what happens to the recycled material.

SCHENCK Chairman Schenck commented that a requirement could be placed in the bid that the data be supplied for the recycle contract. The contractor has bar codes to scan recycling.

HOLMAN Mr. Holman stated that the township provides the tonnage information for the recycling information, which is what is scanned when the hauler lifts a resident’s toter up. It reveals the resident’s participation.

GREENAWALT Mr. Greenawalt noted that the hauler weighs the amount of recycling that the truck picks up, which is how the credits are given. Participation is not given on an individual basis. Additional lengthy discussion revolved around the potential for a recycling awards program. Some main points are summarized:

- Contractor should or should not be required to offer a recycle awards program.
- Township should control the recycle awards program.
- Participation data should be provided for a recycling program.
- Additional rewards programs are available.

- Bid specs should be flexible for the contract hauler but offer incentive for a recycling program
- Question raised as to whether the current recycling program is worthwhile to residents.
- Potential for offering residents a larger recycle bin/toter to encourage more recycling.
- Language changed from source separated material to single stream.
- Fee schedule was set by Ordinance some time ago.

DIANGELO Mr. DiAngelo noted that there was nothing major changed in the proposed contract other than some language changes and eliminating unnecessary language. Other than finding a solution to the reward program, the bid specifications should be clear.

HOLMAN Mr. Holman stated that a meeting could be scheduled with the Recycle Bank representatives. He questioned whether the board would agree with adding recycling toters into the bid specs as a voluntary option.

BISHOP Mr. Bishop noted that he was committed to the recycling idea and that the easier it is made for residents to recycle, the more recycling will be done. He wanted to be certain that adding to the program of recycling actually will be a benefit.

RAUSCH Solicitor Rausch commented on pricing to include toters versus mandating toters.

BISHOP Mr. Bishop stated that having toters is more efficient for the trash hauler and residents have grown accustomed to them.

DIANGELO Mr. DiAngelo asked whether a poll could be placed on the website or in the newsletter to determine whether the residents actually want and/or use the recycling rewards program.

HOLMAN Mr. Holman responded that it could be put on the website. Also he thought he could provide percentages from Recycle Bank to determine its use by the residents.

2. PUBLIC COMMENT

SCHENCK Chairman Schenck asked if there was any public comment on the garbage contract. Hearing none, he thanked Mr. DiAngelo and the Recycling Committee for the work they had done.

3. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 6:40 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 22, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 22, 2012 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
Julie Landis
George Dvoryak

ALSO IN

ATTENDANCE: Nicole Ehrhart, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Jack Hadge, Finance Director
Mark Hodgkinson, Director of Wastewater Treatment Plant
Bob McCoy, YAUFRR Chief
Don Eckert, YAUVFR
Dan Stump, Police Department
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

Pledge of Allegiance

SCHENCK Chairman Schenck called the meeting to order and led the Pledge of Allegiance. He announced that Township Manager John Holman was out of town attending a conference along with several other staff members, and Acting Solicitor Nicole Ehrhart was present in the absence of Solicitor Charles Rausch.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that there had been no Executive Sessions since the last meeting, and none were anticipated for this date.

3. COMMUNICATION FROM CITIZENS

MILLER Jean Miller, 1318 East 11th Avenue, along with a number of her neighbors were present to voice concern over the traffic in their neighborhood. She stated that she had questioned the plan for traffic pattern during the Sherman Street bridge

construction some time ago, but she had not received any feedback. Now that Eberts Lane was opened and the Sherman Street bridge closed, she voiced some major issues as a result. She requested that the township consider putting in some speed humps. She provided copies of her notes which included:

- Street is very narrow; only two vehicles can pass.
- Posted No Trucks unless local delivery.
- Weight limit on small bridge is three ton; used by tractor-trailers, trash trucks, UPS, FedEx trucks.
- Large volume of traffic speeding, running stop signs.
- Neighbors can't walk their dogs due to unsafe conditions.
- School children wait for school buses; also unsafe.

SCHENCK Chairman Schenck responded that the township had great concerns about the traffic in that area.

PENDEL Bruce Penndel, 826 East 11th Avenue, noted he had lived in the neighborhood for 16 years. He had witnessed motorists coming down Sherman to get to 30 who will cut on to 11th Avenue to try to beat the light. He recently experienced standing behind his car for five minutes waiting to open his car door to get into his car during high traffic at 5:30 to 6 a.m. He also requested consideration for the speed humps.

SCHENCK Chairman Schenck thanked him. He noted that the township does own some temporary speed bumps. He indicated that there would be some procedures that would be necessary for deployment.

LUCIANI Mr. Luciani noted that the township policy is to get an endorsement by all the neighbors in order to locate an acceptable spot. He indicated they could review the matter.

SCHENCK Chairman Schenck stated that another neighborhood was looking forward to getting the speed humps back.

LUCIANI Mr. Luciani noted that the data had not yet been reviewed to determine the effectiveness.

SCHENCK Chairman Schenck stated that motorists will find their way through in spite of the detour. Trucks are using GPS's and winding through neighborhoods, and during just about every meeting there are complaints about trucks in neighborhoods. He

commented that Police Officer Dan Stump was present and noting their comments.

SNYDER Mary Ann Snyder, a resident of the neighborhood spoke in support of what the other neighbors had indicated. She noted the danger and added that her husband had lost two mirrors off his vehicle.

PENDEL Mr. Pendel's daughter noted that there was a special needs neighbor who rides a bus to school. She has oxygen and has to be pulled up into the bus. The bus does not have a stop sign for everybody to stop, and the motorists beep until they move the bus. She has seen motorists speed right around her wheelchair to get around the bus. In addition, the young lady noted that she had to jump up on a hill while walking her dog in order not to get hit.

SCHENCK Chairman Schenck asked that she leave her name and phone number with Officer Stump, along with the timeframe of that bus arrival. Chairman Schenck found the information to be very disturbing.

STUMP Officer Stump commented that the Police Department had just completed a study on that roadway, and what the residents had stated was accurate with speeds. He indicated they will be targeting the area.

PENDEL Mr. Pendel stated that there are a lot of children waiting for school buses.

PENDEL Mr. Pendel's daughter indicated that none of the high schoolers are able to walk to school any longer.

SCHENCK Chairman Schenck stated that a review of the speed humps will be made, and with the help of the residents something can be put in place.

GAROFALO Mario Garofalo, 3385 Oakham Drive stated that it was his understanding that the board was attempting to get rid of the EMS service.

SCHENCK Chairman Schenck responded that, because Mr. Garofalo represented that union, he would know the answer to his question.

GAROFALO Mr. Garofalo stated that he was a citizen.

SCHENCK Chairman Schenck asked him whether he represented that union or not.

GAROFALO Mr. Garofalo responded yes, that he does represent the union.

SCHENCK Chairman Schenck thanked him for his response.

GAROFALO Mr. Garofalo indicated he was present as a township resident.

SCHENCK Chairman Schenck stated that the township had been studying the possibility of privatizing the ambulance service for at least a year and it was no secret and there was no question about it.

GAROFALO Mr. Garofalo indicated he wanted to make sure the residents were aware of what the board was attempting to do.

SCHENCK Chairman Schenck thanked him for his comments.

1. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated that he had submitted his monthly report and had no changes or additions. He offered to respond to questions.

SCHENCK Chairman Schenck commented on the Meadowlands Pump Station project. Mr. Crabill had reported extending the contract for inspections, and he asked about the cost impact.

CRABILL Mr. Crabill responded that there would be a cost impact if the contract is extended. Mr. Crabill verbalized a formula based on length of sewer, normal production rates, price per day and estimated hours. Because the project had involved so much rock it had been moving very slowly, and as a result, the inspection must be extended to the end of the contract.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided a written monthly report and had one update involving Metso Materials on Pleasant Valley Road. He noted several points:

- There is reoccurring sinkhole activity in the area.
- Storm water is underground, and their project engineer indicated they would have to dig up the area to infiltrate water; that requires monitoring.
- York County limestone presents serious subsurface issues.

- Challenges for contractors and property owners.

LANDIS Ms. Landis asked for an update on the Sentry Woods storm water.

LUCIANI Mr. Luciani responded that when the Sentry Woods development was built, the developer moved a stream. The Army Corps of Engineers and DEP required them to restore that into an overflow channel. During the severe storms last September the auxiliary channel cut a new channel through the area, which is private property. The property owners had questioned how to repair the damage. He and staff members reviewed the plans, which indicated there was an easement that was not within the township right-of-way. They met with the residents and attempted to have them cooperatively restore the channel to pre-storm conditions. Mr. Holman had requested him to get an emergency permit to facilitate that.

LANDIS Ms. Landis commented that it would be a cost to the homeowners. She asked what range of cost it would be per resident.

LUCIANI Mr. Luciani responded that it would require a lot of top soil to fill a four to five-foot deep hole. He estimated that the amount for all property owners might be \$10,000 total.

LANDIS Ms. Landis asked whether there would be a follow up meeting.

LUCIANI Mr. Luciani responded that there would be a follow up meeting, but the first step would be to get the emergency permit.

LANDIS Ms. Landis asked about the Pleasant Valley Road stream runoff. She noted an email sent to several board members from a resident. She understood the township agreed to continue to evaluate the issue. She asked for clarification.

LUCIANI Mr. Luciani responded that the township had made no commitment. The corner resident had no financial damage. An investigation had been made into what it would cost to enlarge the conduit beneath the road to handle a 100 year event, and it was approximately \$60,000, and it was determined that it would not make sense to change the culvert. The complaint that came forward was more about the sediment getting into the channel and blocking the pipes, which came from upstream farmland. The farmer does not have a conservation plan. Mr. Holman stated that the township would continue to monitor the situation.

LANDIS Ms. Landis asked whether the pipe was township pipe.

LUCIANI Mr. Luciani responded that the pipe was 100 percent township responsibility underneath Pleasant Valley Road.

DVORYAK Mr. Dvoryak reported that the residents in the East York neighborhood noted that the new cross traffic signs were making a difference.

2. CONSENT AGENDA

- A. Acknowledge Receipt of February 29, 2012 Treasurer's Report
- B. Board of Supervisors Public Hearing Minutes – March 8, 2012.
- C. Board of Supervisors Regular Meeting Minutes – March 8, 2012
- D. J. A. Myers Building & Development, Inc. – Meadowlands Interceptor Project – Application for Payment No. 1 in an amount not to exceed \$153,405.90.
- E. Regular Payables as Detailed in the Payable Listing of March 22, 2012.
- F. Time Extension – SD-07-06 – Triplet Springs – Plan Expires 4/20/12 (New Plan Date 7/20/12).

MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH F. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Award Pulverized Quicklime Contract to Greer Lime Company as outlined in the Wastewater Treatment Director's Memorandum dated March 14, 2012.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO AWARD PULVERIZED QUICKLIME CONTRACT TO GREER LIME COMPANY AS OUTLINED IN THE WASTEWATER TREATMENT DIRECTOR'S MEMORANDUM DATED MARCH 14, 2012. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into Agreement with North Central Highway Safety Network, Inc. for PA Aggressive Driving Enforcement and Education Project.

MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO THE AGREEMENT WITH NORTH CENTRAL HIGHWAY SAFETY NETWORK WITH PA AGGRESSIVE DRIVING ENFORCEMENT AND EDUCATION PROJECT. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Enter into Agreement between Springettsbury Township and Springettsbury Township Volunteer Fire Company for Use of Proceeds for Possible Sale of Realty Property.

SCHENCK Chairman Schenck introduced item C, an agreement between the Springettsbury Township and the Springettsbury Township Volunteer Fire Company. He reported that the agreement basically would allow the Volunteer Fire Company to sell its building and use the proceeds toward a new fire station in partnership with the township. The main reason for the agreement related to the deed restriction on the property, which indicated if it ceased to be a volunteer company, it must revert to the township. The agreement satisfies the legal requirement, as well as language with regard to a permanent home for the volunteers.

DVORYAK Mr. Dvoryak commented on several points and concerns within the agreement, summarized:

- Agreement protects the best interests of the volunteers and YAUFER but not the taxpayer.
- No costs are identified for the new facility or specifications.
- Previous discussions included from \$2 million to \$5-1/2 million.
- Agreement seemed vague and open to interpretation; needs additional work.

BISHOP Mr. Bishop noted that the agreement would not commit the taxpayer to spend more than the board decided. The agreement commits the board to provide the basic level of fire protection.

LANDIS Ms. Landis concurred with Mr. Dvoryak's comments. She stated the following points:

- Strategic Outline of Five Year Capital Improvement Projects would be helpful in decision making.
- Board had previously agreed to pledge a certain amount of money to the fire entities.
- Prefer tabling agreement until further financial documentation is available.

MS. LANDIS MOVED TO TABLE THE AGREEMENT AS IS UNTIL FURTHER INFORMATION, FINANCIAL DATA AND ANSWERED QUESTIONS ARE RECEIVED AS TO MOVING FORWARD AND PAYING FOR THE PROJECT. MR. DVORYAK, MS. LANDIS VOTED IN FAVOR; MESSRS. SCHENCK, BISHOP AND BOWMAN VOTED NO. MOTION DIED 3/2.

SCHENCK Chairman Schenck stated that Mr. Dvoryak was correct in that the agreement does not have dollar amounts included. Those amounts cannot be obtained until engineering work is done to identify written specifications.

ECKERT Don Eckert reported that the Solicitor for the volunteers met with the township Solicitor, Charlie Rausch. This legal document was never intended to commit the township to build and pay for a building. The agreement simply allows the parties to proceed in order to continue to provide the citizens of Springettsbury Township adequate fire protection. His additional comments are summarized:

- Consultant Les Adams recommended relocation of the 3013 East Market Street further east.
- Funding for the project had been discussed and approved during an October, 2011 meeting.
- Future facilities are a responsibility of the municipality; township will own the new facility.
- Due diligence period for proposed location is complete; deadline to enter into that agreement is April 23rd.
- Headquarters station is needed for fire service for the 21st century and volunteers and those in the fire service know best what is to be in the station.

SCHENCK Chairman Schenck asked Mr. Eckert if he was comfortable signing the agreement as President of the Volunteer Fire Company.

ECKERT Mr. Eckert responded that he was willing to sign it and wanted to make sure that it provides all that is needed, not only for the volunteers, but also YAUFRR and the township. They will take that \$200,000 of the fire fund and use it towards purchasing the parcel, followed by having an architectural engineer review and provide some estimates for the building. In addition, there is \$30,000 in escrow for the sale of the facility at 3013 East Market Street. Mr. Eckert made it clear that he would be happy to meet with any member of the board for discussion, but it was critical to move forward at this time.

SCHENCK Chairman Schenck noted that the Volunteer Fire Company understood that the agreement alone did not obligate the township to a new station. However, the agreement allows it to move forward with the sale of the building and the purchase of the new land.

DVORYAK Mr. Dvoryak noted that once the 3013 East Market Street fire station is sold, then it is no longer a fire station, and in that case, ownership would revert to the township.

SCHENCK Chairman Schenck indicated that a Judge in the Court of Common Pleas will be requested to allow the transfer of that deed, inasmuch as there is a deed restriction but the parties got together and agreed. That action was all the agreement was intended to do. Legal title of the building will be in the name of the township.

DVORYAK Mr. Dvoryak indicated that it also stated that the Volunteer Fire Company will give the proceeds of the sale. He did not understand if the proceeds weren't the fire company's how they could transfer the proceeds.

SCHENCK Chairman Schenck responded that it will be their proceeds to give once this agreement goes before a Judge. That's the heart of this agreement.

BISHOP Mr. Bishop noted that an extraordinary level of cooperation between the volunteers, all the different volunteer organizations and township got this to where it is today. There is a level of cooperation that was frankly difficult to envision 11 or 12 years ago before the process started. Mr. Bishop stated that he was very proud of the township and the volunteers to get to this point together, and he was absolutely committed to the idea that the process will continue to move forward. Because this really is an excellent deal for Springettsbury Township, an excellent deal for all the volunteers involved, and it makes a lot of sense. It's extremely complicated, very hard to understand. The history is as convoluted as it can possibly be, but the process has come to this place and needed to move forward.

DVORYAK Mr. Dvoryak agreed with most of Mr. Bishop's comments but it was not clear what the board was getting into by signing the agreement.

BISHOP Mr. Bishop assured him that he knew exactly what was being done.

MR. BOWMAN MOVED FOR AUTHORIZATION TO ENTER INTO AGREEMENT BETWEEN SPRINGETTSBURY TOWNSHIP AND SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY FOR USE OF THE PROCEEDS FOR THE POSSIBLE SALE OF RELATIVE PROPERTY. MESSRS. SCHENCK, BISHOP AND BOWMAN VOTED IN FAVOR; MR. DVORYAK AND MS. LANDIS VOTED NO. MOTION CARRIED 3/2.

BISHOP Mr. Bishop suggested that, in order to move the process forward, there needed to be a next step of doing some preliminary engineering and architectural work on the proposed site. He suggested that the board authorize the expenditure of

monies out of the fire fund for that purpose to determine what it will take to build the potential fire station.

LANDIS Ms. Landis asked whether he was referring to the \$220,000 currently sitting in the Volunteer Fire Company account.

BISHOP Mr. Bishop responded that he was not sure of the amount in the fire company fund at the moment.

LANDIS Ms. Landis commented that she thought Mr. Eckert was going to use those funds for the down payment on the lot. She just wanted to understand the funding.

BISHOP Mr. Bishop noted that he thought it made sense to have the Township Manager oversee the project of engineering and architecture and have the township in control of the project.

MR. BISHOP MOVED TO AUTHORIZE THE TOWNSHIP MANAGER TO OVERSEE THE ENGINEERING AND ARCHITECTURAL DESIGN WORK AND TO EXPEND THE NECESSARY FUNDS OUT OF THE FIRE FUND TO DO SO AT A TIME HE DEEMS APPROPRIATE IN THE PROCESS. MESSRS. SCHENCK, BISHOP, BOWMAN AND DVORYAK VOTED IN FAVOR; MS. LANDIS VOTED NO. MOTION CARRIED 4/1.

D. Authorization to Enter into Mobile Data Computer Service Agreement for the period March 1, 2012 through March 31, 2017.

MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO THE MOBILE DATA COMPUTER SERVICE AGREEMENT FOR THE PERIOD MARCH 1, 2012 THROUGH MARCH 31, 2017. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-05-13 & LD-05-18 – Market Street Commons Add On Lots (Final Plan Approval).

SCHENCK Chairman Schenck commented that the Market Street Commons Add On Lots plan had been preliminarily approved some time ago. He did not believe there had been any changes since the Planning Commission presentation during its March meeting.

BAUGH Mr. Baugh indicated that the plan had been documented in a memorandum dated 3-22-12 and involved three lots filed under the old ordinances along Eastern Boulevard. There are 30 townhouses proposed. He provided an overhead aerial view of the site. Waivers and conditions were approved and the recommended motion was provided for the board.

MR. BOWMAN MOVED WITH REFERENCE TO SUBDIVISION PLAN SD-05-13 AND LAND DEVELOPMENT PLAN LD-05-18, MARKET STREET COMMONS ADD ON LOTS, TO APPROVE THE FINAL PLAN WITH THE FIVE CONDITIONS AS LISTED ON THE AGENDA. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

There were no Supervisor communications.

9. SOLICITOR'S REPORT

EHRHART Acting Solicitor Ehrhart stated that Solicitor Rausch had nothing in addition to his written report.

10. MANAGER'S REPORT

SCHENCK Chairman Schenck noted that Mr. Holman had submitted his monthly report, and there were no additional comments.

11. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 2012-01 – Amending Chapter 276 of the Code of Ordinances “Solid Waste and Recycling”.

MS. LANDIS MOVED FOR APPROVAL OF ORDINANCE NO. 2012-01. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that he had an email from Chairman Steve Hovis who noted that the township would be receiving information in the near future.

13. NEW BUSINESS

SCHENCK Chairman Schenck brought forward his concerns relating to the Town Center Overlay. The following points were brought up:

- Five plans within the Town Center Overlay have been approved, all with difficult conditions.
- All five projects had to go before the Zoning Hearing Board.
- Concept was to promote walking down a sidewalk, making a turn and visit a business.
- The Chic-Fil-A plan required pedestrians to cross drive-through lanes and handicapped people to come in the back door due to parking restraints.
- Patient First and Social Security buildings both have a side door entrance.
- Focus for the Town Center Overlay was to project into the future 20 years.
- Twelve-foot walkways have had to be waived.
- Difficulties in refurbishing older areas.

BISHOP Mr. Bishop suggested that Mr. Holman ask Marian Hull to review some of the issues and respond whether it is working the way it was intended.

DVORYAK Mr. Dvoryak agreed with Chairman Schenck's comments and concurred with Mr. Bishop's suggestion to have Mr. Holman discuss the issues with Marian Hull for a review.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Created by the stenographer in Mr. Holman's absence.

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
CONDITIONAL USE HEARING**

**MARCH 22, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Conditional Use Hearing on Thursday, March 22, 2012 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
Julie Landis
George Dvoryak

ALSO IN

ATTENDANCE: Nicole Ehrhart, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the Conditional Use Hearing to order. He stated the meeting had been advertised and is a public meeting. He requested Solicitor Nicole Ehrhart to provide an overview on conditional uses.

2. NEW BUSINESS

EHRHART Solicitor Ehrhart stated that the applicant was seeking approval from the board for a proposed conditional use application. She noted that they are providing a proposal of a master plan for possible future development in the York Mall site. The reason for the conditional use is because the mall is in the Town Center Overlay District and the uses are by conditional use. The action specifically refers 325-200-H; a pre-existing use on the property.

SECARY Mr. Ron Secary of Snyder, Secary and Associates, the site civil engineers spoke for the project. He had provided the board with documentation and a PowerPoint presentation showing an aerial view of the northeast quadrant of the East Market Street and Northern Way intersection. The potential users for the property would be Buffalo Wild Wings and Chick-Fil-A restaurants. Mr. Secary's presentation included details of their compliance to requirements in 325-200-H, summarized:

- Existing zoning is Commercial Highway; Town Center Overlay requires submission of the master plan.
- Parking requirements are met with 300 additional parking spaces both to side and rear.
- Future conceptual master plan showed improvements including landscaping.
- Town Center Overlay – Streetscape improvements to be provided.
- Primary building entrances for both restaurants on street frontage.
- Chick-Fil-A has configured drive-thru lane to the side of the building.

- Transparent or translucent material requirement of 25% will be met with windows and awnings.
- Pedestrian pathways include an existing pathway, as well as new access and connectivity.
- Strict compliance to pedestrian walkway speaks to a 12-foot wide pathway; however, existing utilities on Market Street and existing landscaping and parking too close to the roadway to meet those requirements.
- New landscaping will be provided from eastern portion to first access point.
- Landscape islands/diamonds with trees to be placed throughout parking areas.
- Pedestrian scale façade articulation will distinguish each building. Buffalo Wild Wings has definition between stores, roof lines, building lines.
- Developer will provide signalized intersections along Northern Way with battery backup systems, generator plugs and video camera detection equipment.
- Outdoor patio area provided seasonally; parking included in the calculations.

SCHENCK Chairman Schenck commented on some sidewalk issues, which would be determined during the Land Development process. He noted that the drive-through lane appeared to be between the building and the sidewalk, which he questioned whether it would be consistent with what the board had hoped for with the Town Center where pedestrians would be able to walk between businesses.

BISHOP Mr. Bishop commented on the pedestrian access requirement as well and noted he would prefer a plan where internal pedestrian access was addressed.

SECARY Mr. Secary responded that part of the issue is that the mall is a very mature developed property, which is difficult to retrofit with pedestrian walkways. If it were a green field starting from scratch that could easily be accomplished.

BISHOP Mr. Bishop asked whether the two parcels will be subdivided.

SECARY Mr. Secary responded that they would not be subdivided.

3. PUBLIC COMMENT

SCHENCK Chairman Schenck opened the meeting to public comment.

There were no public comments.

SCHENCK Chairman Schenck stated that the decision to be made is whether the developer meets the conditions. He added that the Planning Commission had recommended granting the use with two conditions: Developers Agreement and that Land Development requirements apply.

SECARY Mr. Secary responded that they accept both conditions.

SCHENCK Chairman Schenck asked Solicitor Ehrhart if she was satisfied with the testimony.

EHRHART Ms. Ehrhart responded that she was satisfied.

MR. BISHOP MOVED TO GRANT THE CONDITIONAL USE WITH TWO CONDITIONS: (1) A DEVELOPERS AGREEMENT BETWEEN THE APPLICANT AND THE TOWNSHIP TO BE AGREED UPON PRIOR TO APPROVAL OF ANY LAND DEVELOPMENT PLANS AND (2) THAT ANY RESULTING DEVELOPMENT PLANS WILL BE SUBJECT TO SPRINGETTSBURY TOWNSHIP'S SUBDIVISION AND LAND DEVELOPMENT ORDINANCES AND THE ZONING ORDINANCES INCLUDING THE TOWN CENTER OVERLAY. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck thanked Mr. Secary and indicated that they appreciate and value redevelopment in the township.

4. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the Conditional Use Hearing at 6:55 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**APRIL 12, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 12, 2012 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
Julie Landis
George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Dan Stump, Police Department
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that no Executive Sessions had been held since the last meeting, and none were anticipated for this date.

3. COMMUNICATION FROM CITIZENS

SANDMEYER Robert Sandmeyer, 2625 Kingston Road, wondered about the status of permanent speed humps; whether the humps were still on the schedule. He noted that between the hours of three and six in the morning traffic is terrible, and it helps when the humps are there because the motorists have to slow down.

SCHENCK Chairman Schenck responded that a review of the counts was taking place with the police department.

HOLMAN Mr. Holman noted that a report will be available in two weeks regarding the counts and the recommendation for the permanent humps.

KLINEDINST Donald Klinedinst, 2580 Hartford Road, questioned the plans for Mt. Rose Avenue and Interstate 83.

LUCIANI Mr. Luciani responded that he will attend a meeting on Thursday, April 13, 2012 to discuss the planning surrounding the ramps off of Interstate 83 with regard to the storm water. He thought it was to be a five-year planning option.

KLINEDINST Mr. Klinedinst suggested that they put a bridge there and eliminate the northbound exit since the majority of the cars are going to Market Street.

SCHENCK Chairman Schenck commented that the PennDOT project will expand the area greatly and will take the restaurant, the motel, the miniature golf course and construct new ramps and adjust traffic lights.

KLINEDINST Mr. Klinedinst noted that there would be enough room there to put another ramp beside the existing ramp. He noted that there are three traffic lights within 150 yards. A bridge for southbound traffic would keep traffic moving.

LUCIANI Mr. Luciani commented that what he described was similar to the plan options. He explained that it can be researched on the Website I-83, Google exit 18, Interstate 83. There are five options being investigated.

HOLMAN Mr. Holman noted that some of those options had been eliminated. They are moving forward to 2015. He offered to show Mr. Klinedinst the draft plans, documentation, etc. and go over it with him.

KLINEDINST Mr. Klinedinst asked whether there would be any cost to Springettsbury.

SCHENCK Chairman Schenck responded that there would not; it is a PennDOT project.

KLINEDINST Mr. Klinedinst added that a bridge could be added at Market Street and North Hills Road to keep that traffic moving. It seemed common in Pennsylvania to add a traffic light every time there is a new mini-market.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated that he had submitted his written report and had no additions. He offered to respond to any questions. There were no questions.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated that he had submitted his written report and had no additions. He offered to respond to any questions.

LANDIS Ms. Landis asked for an update to the storm water runoff issues with regard to Keith and Ann Kahlbaugh. Mrs. Kahlbaugh had sent Ms. Landis an email noting her continued concern for the condo people, for herself and her family during any future heavy downpours.

LUCIANI Mr. Luciani responded that he and Mr. Holman met with Keith Kahlbaugh at their property, walked the channel around the back yard. Kinsley had built a little berm in their back yard to prevent some run off through their yard. Mr. Luciani had recommended that Mr. Kahlbaugh plan for some vegetation to prevent continued erosion and gave him some recommendations to accomplish that.

HOLMAN Mr. Holman noted that there was a very gentle swale that was there but with the tree roots moved up it kept the water from flowing down the swale route but more towards the house.

LUCIANI Mr. Luciani noted that they met with the farmer, Donald E. Miller, who had some erosion in September and who continued to have a silt fence. A channel goes down through Mr. Miller's farm. Mr. Luciani planned to reach out to the York County Conservation to see if he would agree to some soil conservation efforts. In addition, Mr. Lauer of Public Works cleared out sticks and vegetation in the channel and in the inlet box. They will continue to monitor the upstream areas. Mr. Luciani thought the issues had been fairly well resolved.

LANDIS Ms. Landis added that Mrs. Kahlbaugh hoped the farm land and Rocky Ridge area could be surveyed and reviewed to potentially install or create hold backs for land contours to slow down the water runoff. Mrs. Kahlbaugh had sent Ms. Landis an email which stated that, during an initial meeting with Mr. Holman, he had stated that the cost to replace the pipe was \$85,000 and that the township could not do that at this time.

LUCIANI Mr. Luciani responded that it would not be something the township could do without condemning property. In particular, farming is an exempt group.

LANDIS Ms. Landis asked whether Mr. Luciani remembered the number of people from the condominiums who came to the meeting following the major storm and whether there had been any follow up meeting with them as well.

LUCIANI Mr. Luciani responded that he could not recall how many individuals were involved. They had not met with them.

HOLMAN Mr. Holman stated that they have a contact person's name in a separate file. Following the storm, they looked at the storm water line that had been damaged. That was replaced along with the box to improve flow so all that work had been completed.

5. CONSENT AGENDA

- A. Acknowledge Receipt of York Area United Fire and Rescue Commission Meeting Minutes – February 21, 2012.
- B. Board of Supervisors Strategic Planning Meeting Minutes – February 23, 2012.
- C. Board of Supervisors Strategic Planning Meeting Minutes – March 8, 2012.
- D. Board of Supervisors Conditional Use Public Hearing Meeting Minutes – March 22, 2012.
- E. J. A. Myers Building & Development, Inc. – Meadowlands Interceptor Project – Application for Payment No. 2 in an amount not to exceed \$75,804.30.

LANDIS Ms. Landis asked to remove item F regarding the Regular Payables.

**MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH E.
MOTION UNANIMOUSLY CARRIED.**

F. Regular Payables As Detailed in the Payable Listing of April 12, 2012

LANDIS Ms. Landis asked for clarification of the Gleason Associates item in the amount of \$5,220.

HOLMAN Mr. Holman responded that the item was payment to the firm providing background checks for personnel matters.

LANDIS Ms. Landis asked about the \$8,918 listed for the newsletter and whether that was for just the spring newsletter.

HOLMAN Mr. Holman responded that the newsletter is published four times a year. He did not think it was an unusual number but he would have to go back and look at the last four or five issues. He added that the trash hauler provides \$1,000 for the newsletter to advertise information concerning trash pickups and recycling. In addition, the Business Association partners with the township with a \$500 amount.

LANDIS Ms. Landis asked for clarification on the R. R. Donnelly item for citations in the amount of \$81.75.

HOLMAN Mr. Holman responded that covered the township's purchase of printed citations.

MR. DVORYAK MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE LISTING OF APRIL 12, 2012. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

A. Buchart Horn, Inc. – Supplemental Inspection Services for the Meadowlands Interceptor Project in an amount not to exceed \$61,500

MR. BISHOP MOVED TO APPROVE THE CONTRACT FOR SUPPLEMENTAL INSPECTION SERVICES FOR BUCHART HORN AND THE MEADOWLANDS INTERCEPTOR PROJECT IN THE AMOUNT NOT TO EXCEED \$61,500.00. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were no subdivisions or land developments for action.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis asked for an update on the testing of the AVA and the position of the Chief of Police.

HOLMAN Mr. Holman responded that the testing had been completed, and he was finishing the project.

LANDIS Ms. Landis asked for a timeframe of when there would be some discussion.

HOLMAN Mr. Holman responded that the decision will be made within the next two weeks.

LANDIS Ms. Landis asked whether any Executive Sessions will be held within that two weeks.

HOLMAN Mr. Holman responded that he had none planned.

9. SOLICITOR'S REPORT.

RAUSCH Solicitor Rausch noted that only item he had was with regard to the Integrity Bank zoning appeal. He requested authorization to file a Notice of Intervention to protect township interest in the event the appeal goes beyond the Court of Common Pleas.

MR. DVORYAK MOVED TO AUTHORIZE SOLICITOR RAUSCH TO FILE A NOTICE OF INTERVENTION IN THE INTEGRITY BANK ZONING APPEAL.

BISHOP Mr. Bishop asked about the proposed location.

RAUSCH Solicitor Rausch responded that it would be the south west corner of Market Street and Northern Way.

MOTION UNANIMOUSLY CARRIED.

10. MANAGER'S REPORT

HOLMAN Mr. Holman stated that he had nothing other than the Integrity Bank issue.

11. ORDINANCES AND RESOLUTIONS

There were none for action.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that he had received no updated information.

13. NEW BUSINESS

- A. Acceptance of Letter of Resignation from Robert High from the Parks and Recreation Board.

SCHENCK Chairman Schenck noted that the board needed to formally accept the resignation of Robert High from the Parks and Rec Boards. He asked that a letter of thanks be sent for his service.

HOLMAN Mr. Holman stated that a letter would be sent, and in addition, letting people know that a new member is needed for the Parks and Rec Board.

- B. Authorization to Approve 2011 Tax Refund Request for Parcel #46-KJ-39 – Patricia S. Green in the amount of \$6.48.

MS. LANDIS MOVED TO APPROVE 2011 TAX REFUND REQUEST FOR PARCEL #46-KJ-39 FOR \$6.48. MOTION UNANIMOUSLY CARRIED.

HOLMAN Mr. Holman reminded the board that the Planning Commission will be reviewing storm water during its May, 2012 meeting followed by a review of the RV ordinance during the ensuing meeting..

BISHOP Mr. Bishop commented that Congressional candidate, Swomley, during a Rotary meeting, noted that it was ridiculous for someone to have to pay \$4,000 in engineering fees to build a shed on their property.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7:30 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**APRIL 26, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 26, 2012 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Julie Landis
George Dvoryak

MEMBERS NOT

IN ATTENDANCE: Mike Bowman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Dan Stump, Police Department
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that no Executive Sessions had been held since the last meeting; however, one had been requested for this date.

LANDIS Ms. Landis withdrew her request for an Executive Session for discussion related to the hiring of the Police Chief.

3. COMMUNICATION FROM CITIZENS

- DAVIS** Michael Davis, 3764 Long Point Drive, commented on a recent newspaper article with regard to the hiring of the Police Chief. He was not aware that the Board of Supervisors were not involved in the process.
- SCHENCK** Chairman Schenck responded that the Board of Supervisors hire the Manager, and the Manager hires every other employee in the township.
- DAVIS** Mr. Davis stated that he thought it was wrong to not appoint Lt. Stump as Police Chief.
- GAROFALO** Mario Garofalo, 3385 Oakham Drive, commented on the Board of Supervisors having no authority in the hiring and firing of township employees.
- SCHENCK** Chairman Schenck responded that was how the township was structured. He noted that the Board takes very seriously all the policy-making authority, the authority to enact laws, along with setting all budgets and with many other duties.
- LANDIS** Ms. Landis added that under the Springettsbury Township Employee Policy Manual, Springettsbury is a Second Class Township. The policies that the board enacts may be revised with a majority vote of the board. She noted that Springettsbury Township is governed by a five-member Board of Supervisors elected at large for staggered six-year terms. The supervisors are charged with the duty of general governance of the township, the execution of legislative, executive and administrative powers in order to insure sound fiscal management and to secure the health, safety and welfare of the township.
- WITMER** Kenneth Witmer, 3310 Kingston Road, stated that he was a 29-year veteran retired from Springettsbury Township Police Department. He commented that he had worked under three different Police Chiefs: Don Shultz, Harold Kessler and Dave Eshbach. All three Chiefs had been promoted from within; all three had a learning process, and all three took the department to new heights. Mr. Witmer noted that Mr. Holman had done his job as he thought best, but thought it was a mistake not to promote Lt. Stump.
- TROTT** David Trott, 3360 Druck Valley Road, stated his opposition to Mr. Holman's management of the township and his marring of the township's reputation. He indicated that the board had allowed him to do so. Mr. Trott questioned Chairman Schenck's recent quote in the newspapers concerning the Manager's Ordinance regarding the hiring, firing and promotions. He commented that Lt. Dan Stump

should have been given additional consideration inasmuch as he has exceptional credentials.

SCHENCK Chairman Schenck responded that he had made the statement in the newspaper; that he felt it was absolutely right. He added that the Board of Supervisors would not allow the Manager to make a horrible decision. There was a pool of all highly-qualified applicants, who made it through the process. Chairman Schenck stated that the final determination was Mr. Holman's, and he was comfortable with that.

CARTER Bill Carter, 321 Mundis Mill Road, stated that he could appreciate the situation although he was not very close to it. He stated that Mr. Holman runs the township and it seemed that the Board of Supervisors were unnecessary.

LANDIS Ms. Landis stated to Lt. Stump that she was sorry for all the aggravation and time that he spent. She thanked him for stepping up as the Acting Chief and noted that good things will happen to him in the future.

BISHOP Mr. Bishop commented to Lt. Stump that he did not want to publicly have a conversation with him, but he encouraged him that, if he in any way felt that he was treated unfairly by Springettsbury Township, he hoped Lt. Stump would privately let him know so that he could have that conversation.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchar Horn, Inc.

CRABILL Mr. Crabill stated that he had provided his written report and had no additions. He offered to respond to questions but there were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated that he had provided his written report as well. He had one update to report. The Traffic Safety group visited the site on 11th Avenue to see the application of the temporary speed humps. He noted that, as he had discussed with some of the residents, it is a perfect use during the bridge work in progress.

BISHOP Mr. Bishop asked for clarification on the Kingston Road speed study.

LUCIANI Mr. Luciani responded that the study indicated there had been a small decrease in speed. The road had been striped, which had contributed to approximately a 10% decrease. The cost for permanent speed humps had been discussed with Mr. Lauer, and as Mr. Sandmeyer had indicated, the neighbors are in favor of the permanent humps.

SCHENCK Chairman Schenck noted that there had been a policy developed with the required signatures. He asked what would be the next step.

LUCIANI Mr. Luciani responded that Mr. Lauer will present his bituminous product pricing bid at the May 10th meeting, and the permanent humps would be included in his program. Mr. Luciani noted that he wasn't trying to delay the process; however, during the next board meeting a formal request should be made to move forward.

DVORYAK Mr. Dvoryak asked whether, in Mr. Luciani's opinion, the results were any different than could be expected in consideration of similar roads throughout the township, throughout Pennsylvania or throughout the United States inasmuch as speeding existed everywhere.

LUCIANI Mr. Luciani responded that the results are different but the only difference is Kingston Road is a very wide road. The section in Mr. Sandmeyer's neighborhood was developed in such a way that there are driveways every 30 feet out on to Kingston and some are around a curve. He noted that a review of Mr. Holman's complaint log revealed at least 500 complaints about motorists going through the neighborhood, all of which must be balanced with the traveling public. There may be complaints in opposition following the implementation of the speed humps.

BISHOP Mr. Bishop asked whether Mr. Sandmeyer had seen the results of the latest speed study.

SANDMEYER Mr. Sandmeyer responded that he had not seen the report. He added that there had been no complaints from his neighbors about noise when the temporary humps were in place, and they are all asking for the permanent humps.

5. CONSENT AGENDA

- A. Acknowledge Receipt of March 20, 2012 York Area United Fire and Rescue Commission Meeting Minutes.
- B. Acknowledge Receipt of March 31, 2012 Treasurer's Report.

- C. Board of Supervisors Regular Meeting Minutes – March 22, 2012.
- D. Board of Supervisors Regular Meeting Minutes – April 12, 2012.
- E. Regular Payables as Detailed in the Payable Listing of April 26, 2012.
- F. Time Extension – LD-11-01 – Buffalo Wild Wings – Plan Expires 4/27/12 (New Plan Date 7/27/12).

LANDIS Ms. Landis requested removal of items A and D.

DVORYAK Mr. Dvoryak requested removal of item C.

BISHOP Mr. Bishop suggested handling each item separately.

LANDIS Ms. Landis stated that with regard to item A there were no corrections. She questioned a statement made by Don Eckert in the approved YAUFRR minutes concerning the real estate settlement scheduled for April 24th. She asked whether the settlement had taken place for the fire building.

RAUSCH Solicitor Rausch stated for clarification that the settlement related to the purchase of the land and not the fire building. The current fire station has not been sold to date.

SCHENCK Chairman Schenck reported that the land was purchased and settled on April 24th.

LANDIS Ms. Landis asked where the money came from and what the sale price was.

SCHENCK Chairman Schenck responded that the money came from the volunteer fire company and the sale price was approximately \$550,000.

RAUSCH Solicitor Rausch stated that it was handled with an agreement with the township, all of which will be finalized upon the sale of the fire station.

MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE MARCH 20, 2012 YORK AREA UNITED FIRE AND RESCUE COMMISSION MEETING MINUTES. MOTION UNANIMOUSLY CARRIED.

MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF MARCH 31, 2012 TREASURER’S REPORT. MOTION UNANIMOUSLY CARRIED.

DVORYAK Mr. Dvoryak asked for a word correction to change the context of the sentence in the March 22 minutes on page 9. The corrected sentence reads: “Mr. Dvoryak

agreed with most of Mr. Bishop's comments but *it* was not clear what the board was getting into by signing the agreement."

MR. DVORYAK MOVED TO APPROVE THE BOARD OF SUPERVISORS MEETING MINUTES FOR MARCH 22, 2012 AS AMENDED. MOTION UNANIMOUSLY CARRIED.

LANDIS Ms. Landis requested an addition to the April 12, 2012 minutes on page 3. She had shared the draft minutes with Mrs. Kahlbaugh who requested the following be reflected in the minutes: *Mrs. Kahlbaugh had sent Ms. Landis an email which stated that, during an initial meeting with Mr. Holman, he had stated that the cost to replace the pipe was \$85,000 and that the township could not do that at this time.* Ms. Landis asked for a correction on page 5 as follows: Ms. Landis asked for an update of the testing of the *AVA* and the position of the Chief of Police.

MR. BISHOP MOVED TO APPROVE BOARD OF SUPERVISORS MINUTES OF APRIL 12, 2012 AS AMENDED. MOTION UNANIMOUSLY CARRIED.

MS. LANDIS MOVED TO APPROVE ITEMS E AND F, THE PAYABLES AND THE TIME EXTENSION. MOTION UNANIMOUSLY CARRIED.

A. Authorization for RFP: Banking Services.

MR. DVORYAK MOVED TO AUTHORIZE THE RFP FOR BANKING SERVICES. MOTION UNANIMOUSLY CARRIED.

B. Authorization for RFP: Investment Counseling and Custodial Services for Springettsbury Township Police Pension, Death and Disability Fund.

MR. DVORYAK MOVED TO AUTHORIZE THE RFP INVESTMENT COUNSELING AND CUSTODIAL SERVICES FOR SPRINGETTSBURY TOWNSHIP POLICE PENSION, DEATH AND DISABILITY FUND BUT TO BE AMENDED TO MAKE SURE THE FEE STRUCTURE INCLUDES DIVIDING THE ASSETS AMONG TWO FIRMS. MOTION CARRIED 4/1. MESSRS. BISHOP, DVORYAK AND SCHENCK VOTED IN FAVOR; MS. LANDIS VOTED OPPOSED.

C. Authorization to Award Line Painting Contract for 2012 to Alpha Space Control Company

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO AWARD LINE PAINTING CONTRACT FOR 2012 TO ALPHA SPACE CONTROL COMPANY. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-10-02 – Harley Davidson – 7/2/2012 (Action)

The item was tabled for additions and corrections.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis brought forward discussion in the Manager’s Report concerning the appointment of Lt. Hyers as Police Chief. A summary of the discussion follows:

- Starting salary of \$100,000 for the first six months; than \$105,000.
- The Manager’s Ordinance states fixing wages and salaries within a range as determined by the Board of Supervisors.
- Advertisement for the position had been provided to the supervisors from \$95,000 to \$105,000.
- October’s approved budget called for holding the line on salaries due to economic conditions.
- Chief’s salary to be increased in six months by five percent.
- Budget amounts were and will be expected to cover the cost for Chief. Funding is fully available within the police budget to cover the Chief’s salary.
- Chief Hyers’ application requested less of a starting salary.
- Contract with terms and conditions of the Chief’s employment requested; never provided for any employee under the Manager in the past.
- One-year probationary policy would not allow for increase in six months.

HOLMAN Mr. Holman reminded the board that the discussion was getting into personnel matters.

SCHENCK Chairman Schenck noted that Ms. Landis’ voiced a fair request; however, it would be a policy decision, a personnel decision on which the entire board has to weigh in. He added that it would be wise to obtain some counsel from the personnel attorney on that. Personnel issues must be handled carefully, and the board must be respectful of all parties involved. There are certain personnel documents that are exempt from Right-to-Know.

Consensus of the board was to schedule an Executive Session prior to the May 10, 2012 Regular Board of Supervisors meeting.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch indicated he had nothing to add to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman brought forward a Local Agency Hearing to be held regarding a property maintenance issue. He asked to schedule the hearing at 5:15 p.m. on May 10, 2012.

DVORYAK Mr. Dvoryak asked whether the pension meetings would be rescheduled from May 10th.

HOLMAN Mr. Holman responded that the pension meeting will be rescheduled from May 10th to a later date.

SCHENCK Chairman Schenck asked that the time between the 5:15 p.m. Hearing and the 7 p.m. Regular Board of Supervisors meeting be filled.

HOLMAN Mr. Holman responded that Chief Hyers will attend the meeting.

11. ORDINANCES AND RESOLUTIONS

There were none for action.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that YorkCounts indicated in an email they received most of the comments on their final report but they are still waiting for additional information.

13. NEW BUSINESS

A. 2012 Proposed PSATS Resolutions

SCHENCK Chairman Schenck stated that the board had received the proposed resolutions for the PSATS Convention. He noted that Mr. Bishop, as the voting delegate, would be casting the vote for Springettsbury.

BISHOP Mr. Bishop suggested that, following the board's review of the proposed resolutions, each board member would email him their thoughts, and he would take their recommendations to the Convention.

B. Approval of Revised Job Description: Receptionist/Data Entry Clerk

**MS. LANDIS MOVED TO APPROVE THE REVISED JOB DESCRIPTION,
RECEPTIONIST/DATA ENTRY CLERK. MOTION UNANIMOUSLY CARRIED.**

SPCA Dog Tethering Ordinance

LANDIS Ms. Landis asked for discussion regarding the dog tethering ordinance. The following is a summary of that discussion:

- Solicitor Rausch to review the proposed ordinance.
- SPCA is willing to be flexible with language; to work with the township.
- The board will either adopt or not.
- SPCA will enforce the ordinance and deal with issues.
- Ordinance needs to be more objective to withstand court scrutiny; needs more definition.
- Cruelty to animals is already against the law.
- Springettsbury Township does have some animal issues based on the SPCA statistics.
- Caution should be exercised in order not to have unintended consequences.

SCHENCK Chairman Schenck stated that he had highlighted the specific sections with which he had concerns. He offered his marked-up copy to any board members that may want it.

RAUSCH Solicitor Rausch offered to review some of the issues and alternatives and provide that to the board.

LANDIS Ms. Landis indicated a number of municipalities had adopted the ordinance.

SCHENCK Chairman Schenck noted that there were a fair number that did not adopt the ordinance.

RAUSCH Solicitor Rausch added that the educational component seemed to be pretty strong in some of the material he had read. He suggested some consideration to putting something on the website about dog tethering. Some of the issues are not deliberate mistreatment of an animal but rather ignorance. If people became aware of the proper handling of animals it might help.

BISHOP Mr. Bishop commented that could be a potential component of an ordinance. It could mean training sessions with an individual on proper care of animals.

LANDIS Ms. Landis commented the SPCA does plenty of education, as well as follow up.

RAUSCH Solicitor Rausch noted that, with the board's direction, he will create something in conjunction with the staff and possibly with Melissa Smith of the SPCA to go over some of the issues.

Consensus of the board was that Solicitor Rausch should investigate the matter and report back to the board.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:45 p.m.

Respectfully submitted,

John Holman
Secretary

ja

The Board of Supervisors of Springettsbury Township held a Strategic Planning Session on Thursday, April 26, 2012 at 6:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Julie Landis
George Dvoryak

MEMBERS NOT

IN ATTENDANCE: Mike Bowman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jean Abreght, Stenographer

1. CALL TO ORDER

- a. Request for Tethering Ordinance

SCHENCK Chairman Schenck called the Strategic Planning Work Session to order. He stated that the public meeting had been advertised for the purpose of gaining information concerning a potential dog tethering ordinance, as well as discussing a potential KOZ. He noted that Supervisor Mike Bowman was unable to be present. He introduced Melissa Smith of the SPCA.

SMITH Ms. Smith provided the board members with a handout for reference. She noted that she wanted to discuss tethering and review each section of the proposed ordinance:

- Section 1 – Prohibits continual tethering of dogs and provides guidelines.
- Section 2 – Care of outside dogs during severe weather conditions.
- Section three – Empowerment of SPCA agent to provide for enforcement.
- Section 4 – Protocol for enforcement.
- Section 5 – Chain of evidence; custody of dog held at SPCA.
- Section 6 – Penalties – Summary Offence punishable up to \$500 fine, restitution, court costs.

A lengthy discussion took place for which the main points are summarized:

- Welfare of the dog important; makes neighborhoods safer; decreases barking complaints.
- SPCA responded to complaints in Springettsbury for Old Orchard Road, Eastwood Drive, Druck Valley Road, Cambridge Road Edgewood Road, Maywood Road, Kalreda Drive, Raleigh Drive, North Sherman Street, Quaker Drive, Carnegie Road, Bridlewood Way, Sylvan Drive and Stony Brook Drive.
- State law covers humane treatment - cruelty to animals with specific limits; does not prohibit continual tethering.
- Investigations of cruelty come through complaints filed.
- Process for confiscating dogs – written warnings, removal of the animal, assisting owners to come into compliance, return of the animal and follow up.
- Consideration for extreme weather conditions. Animals need some type of indoor enclosure such as a barn a garage, a shed or outbuilding.
- York County is considered rural area; farming community had issue with tethering; some farm dogs need to be outside.
- Springettsbury ordinance would be enforced by SPCA but defended by Springettsbury Township. Hearing would be before the District Justice.
- Educational component should be involved through the website, newsletter.
- Humane Officer investigates 1,100 complaints per year in York County, by complaint only.
- Officers are sworn in through York County; ability to enforce Section 5511 of the PA Crimes Code. Two Officers, Nicole Boyer and Melissa Smith cover York County 24/7.
- Ordinance is a draft and can be tweaked for the municipality.
- SPCA organization provides a large array of services to York County; privately funded with some public funding.
- Other behaviors to address in Springettsbury Township – feral cats.

SCHENCK Chairman Schenck thanked her for coming to the meeting for further discussion and information concerning the potential ordinance. He stated that the board would continue its investigation and follow up with her with any further questions.

SMITH Ms. Smith thanked the board for their time.

2. Keystone Opportunity Zone (KOZ)

SCHENCK Chairman Schenck stated that Mr. Holman had some information concerning a Keystone Opportunity Zone.

HOLMAN Mr. Holman reported that there are some additional opportunities for Keystone Opportunity Zones. The York Economic Development Alliance asked the municipalities to consider some areas for possible submission as KOZ's.

- KOZ's would mean property and some additional taxes are exempted 100% the first year; 90% the second year, etc. Local services taxes are paid by agreement.
- A service agreement for payment is created, such as was done with York Butterfly for the Bon Ton.
- Consideration for Mr. Holman to investigate the west side of the Harley-Davidson Plant.
- Would require a policy decision by the board; then he would contact the Industrial Development Authority.
- May help to redevelop the site more quickly.
- Approval needed of all taxing districts.

SCHENCK Chairman Schenck stated that he would certainly be in favor of investigating the possibility with the IDA.

BISHOP Mr. Bishop agreed and noted that the township would be better served in the long run spending time figuring out how to make all redevelopment easier.

DVORYAK Mr. Dvoryak agreed and indicated he didn't hear much downside to it.

HOLMAN Mr. Holman responded that he would discuss it with the IDA.

SCHENCK Chairman Schenck adjourned the meeting at 6:50 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MAY 10, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 10, 2012 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Charlie Lauer, Director of Public Works
Mark Hodgkinson, Director of Wastewater Treatment Plant
Thomas Hyers, Police Chief
Dan Stump, Police Department
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. and led the Pledge of Allegiance.

B. Oath of Office – Police Chief Thomas H. Hyers

SCHENCK Chairman Schenck introduced Thomas H. Hyers, who recently had been hired as the new Police Chief. He led him in the Oath of Office.

HYERS Chief Hyers thanked everyone and introduced his family, as well as visiting officials from the Philadelphia Police Department.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck stated that no Executives Sessions had been held since the last meeting, and none were scheduled for this date.

3. COMMUNICATION FROM CITIZENS

MILLER Jean Miller, 1318 East 11th Avenue, thanked the board for the effort that had been spent in traffic control since the Sherman Street bridge was closed. There had been increased police presence, as well as the addition of the speed hump, and traffic had decreased through the neighborhood. She indicated that since those measures had been put into place, Standard Concrete had opened their gates on Eberts Lane, and that resulted in additional truck traffic, tractor-trailers, tri-axle dump trucks, etc. She was aware that Eberts Lane was controlled by three townships and wondered if that issue could be alleviated.

LAUER Mr. Lauer noted that Mill Creek is the boundary line and Standard Concrete's driveway empties into Spring Garden Township.

SCHENCK Chairman Schenck responded that township staff could politely talk to Standard Concrete to see if they understood the impact of the additional traffic. There are legal issues regarding prohibiting trucks on certain streets.

MACKIE Kyle Mackie, Strictly Fitness, brought forward an issue of manhole ownership. He reported that he had been advised that two manholes on Prospect Road were overflowing. He was unaware of his ownership but gave permission for the township to open the manholes. He then received a bill. He subsequently searched for legal and binding proof that he did, in fact, own the manholes and found a letter dated April 18, 1978 signed by an architect concerning the manholes, which at that time were not on the road and on private property. The road was then widened and the manholes were put on the roadway. He did not think he should bear costs concerning these manholes.

HOLMAN Mr. Holman reported that he met with Mr. Mackie and an investigation was conducted. The resolution would be to abandon the line and move the connection into the doctor's line next door. Mr. Holman added that he will continue the review of plans and current zoning and report back to the board.

MACKIE Mr. Mackie noted that if ownership is legal and binding, he intended to go back to his title insurance company inasmuch as it was not disclosed upon purchase.

SCHENCK Chairman Schenck thanked him for bringing it to the board's attention. The staff will follow up with him.

TROTT David Trott, 3360 Druck Valley Road, stated that he intended to follow up on his comments made during the April 26th Board of Supervisors meeting related to the hiring of the new Police Chief. He noted that an organization had been formed, Operation Take Back Springettsbury Township 2013. On behalf of that organization, he filed an official complaint with the Board of Supervisors for an official inquiry into the hiring process. A copy of that complaint was provided to the board.

MILLER Jean Miller, 1318 East 11th Avenue, brought forward an additional item of concern. She asked what the ordinance indicated as far as short school bus being parking in her driveway. She is a Lincoln Intermediate Unit driver and had parked her bus in her driveway for 14 years.

BAUGH Mr. Baugh noted that a complaint had been received; however, he was not prepared to respond.

MILLER Jean Miller's husband asked whether the township ordinances are ever published and provided to residents.

SCHENCK Chairman Schenck responded that the ordinances are all posted on line on the township website.

RAUSCH Solicitor Rausch noted that copies of particular sections could be provided by the township.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided a written report to the board. He had no updates and offered to respond to questions. There were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided his written monthly report and had no updates to report. He offered to respond to questions. There were none.

5. CONSENT AGENDA

- A. Regular Payables as Detailed in the Payable Listing of May 10, 2012

MR. DVORYAK MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE LISTING OF MAY 10, 2012. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Enter into Agreement with Conservation Fund for Purchase of Hunters Crossing in an amount not to exceed \$100,000.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO ENTER INTO AGREEMENT WITH THE CONSERVATION FUND FOR THE PURCHASE OF HUNTER'S CROSSING IN THE AMOUNT NOT TO EXCEED \$100,000. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into Agreement with Integra York PA, Inc. for Settlement of Tax Fund Overpayments in an amount not to exceed \$71,124.50.

MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO AGREEMENT WITH INTEGRA YORK PA, INC FOR SETTLEMENT OF TAX FUND OVERPAYMENTS IN AN AMOUNT NOT TO EXCEED \$71,124.50. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Enter into Discretionary Investment Management Agreement with FNB Investment Advisors, Inc. for the Springettsbury Township Police Pension Fund.

MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO ENTER INTO DISCRETIONARY INVESTMENT MANAGEMENT AGREEMENT WITH FNB INVESTMENT ADVISORS, INC. FOR THE SPRINGETTSBURY TOWNSHIP POLICE PENSION FUND. MOTION UNANIMOUSLY CARRIED.

- D. Authorization to Enter into Agreement with Central York School District for Provision of School Resource Officer Beginning September 1, 2012

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO ENTER INTO AGREEMENT WITH CENTRAL YORK SCHOOL DISTRICT FOR THE PROVISION OF SCHOOL RESOURCE OFFICER BEGINNING SEPTEMBER 1, 2012 THROUGH JUNE 1, 2013. MOTION UNANIMOUSLY CARRIED.

- E. Authorization to Advertise for Receipt of Sealed Bids – 2012 Road Materials

MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO ADVERTISE FOR RECEIPT OF SEALED BIDS FOR 2012 ROAD MATERIALS. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. SD-10-02 – Harley Davidson – 7/2/2012 (Action)

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN SD-10-02 HARLEY DAVIDSON CAMPUS SEPARATION TO GRANT THE THREE WAIVERS LISTED ON THE SUPERVISOR’S SUMMARY; AND WITH REFERENCE TO THE SAME LAND DEVELOPMENT PLAN SD-10-02 HARLEY DAVIDSON CAMPUS SEPARATION TO APPROVE THE FINAL PLAN WITH THE FIVE CONDITIONS AS LISTED. MOTION UNANIMOUSLY CARRIED.

- B. LD-11-01 – Buffalo Wild Wings – 7/27/2012 (Action)

MR. BISHOP MOVED WITH REFERENCE TO LAND DEVELOPMENT LD-11-01 BUFFALO WINGS, TO APPROVE THE FINAL PLAN WITH THE FIVE WAIVERS AS LISTED ON THE SUPERVISOR’S MEMO; AND FURTHER MOVED TO APPROVE THE PLAN WITH THE FOUR CONDITIONS AS STATED IN THE MEMO. MOTION UNANIMOUSLY CARRIED.

8. AGREEMENTS

- A. Authorization to Enter into Sewer Agreement with Harley-Davidson Motor Company Operations, Inc. and York County Industrial Development Authority for Equitable Allocation of Existing Sewer Capacity Based on Subdivision of the Harley-Davidson Property.

MS. LANDIS MOVED FOR AUTHORIZATION TO ENTER INTO SEWER AGREEMENT WITH HARLEY DAVIDSON MOTOR COMPANY OPERATIONS, INC. AND YORK COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY FOR EQUITABLE ALLOCATION OF EXISTING SEWER CAPACITY BASED ON THE SUBDIVISION OF THE HARLEY DAVIDSON PROPERTY. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into Developers Agreement with Market Street Commons, LP for Development Plan entitled Market Street Commons Add-On Lots.

The item was tabled for further review.

- C. Authorization to Enter into Developers Agreement with THF York Development, LP as Part of the Revision to the Master Plan for Map 46-JJ, Parcel 06.

MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO DEVELOPERS AGREEMENT WITH THF YORK DEVELOPMENT LP AS PART OF THE REVISION TO THE MASTER PLAN FOR MAP 46-JJ PARCEL 06. MOTION UNANIMOUSLY CARRIED.

9. COMMUNICATION FROM SUPERVISORS

SCHENCK Chairman Schenck extended the township's sympathy to Solicitor Rausch and his firm in the death of their Partner, Albert "Bud" Blakely.

RAUSCH Solicitor Rausch expressed appreciation for the comment.

SCHENCK Chairman Schenck reported that he had received a letter from a resident requesting a statement on an escrow account. He noted that he asked township staff to respond.

LANDIS Ms. Landis questioned the confidential Five Year Budget Projections that the board had received. She asked whether a work session would be planned for discussion of the document.

HOLMAN Mr. Holman responded that the document was a Five Year Budget. He had requested any questions or comments from the board.

SCHENCK Chairman Schenck encouraged each board member to read the document inasmuch as it makes certain assumptions which are strategic in nature. He responded to Ms. Landis' suggestion to have a work session during a Strategic Planning meeting.

DVORYAK Mr. Dvoryak noted that making that part of a Strategic Planning session would make sense.

LANDIS Ms. Landis asked for an update on the SPCA dog tethering matter. She asked Solicitor Rausch if he had any update.

RAUSCH Solicitor Rausch indicated he had been gathering information and would have a draft for the board at the next meeting.

DVORYAK Mr. Dvoryak reported a comment he received from a Druck Valley resident with regard to the odor from the Wastewater Treatment Plant. The resident noted that whatever the township was doing this year, he had not smelled a thing. Secondly, he received a citizen question about the minutes that go on the website and whether they are the same as the board approves; that there are no changes.

HOLMAN Mr. Holman responded that the minutes that are approved by the Board are the same minutes that are posted on the website; unaltered.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had nothing to add to his written monthly report.

11. MANAGER'S REPORT

HOLMAN Mr. Holman stated, in addition to his manager's report, he would be sending out dates for an alternate pension meeting, as well as dates for the public trash contract meeting.

12. ORDINANCES AND RESOLUTIONS

A. Authorization to Advertise Ordinance for Truck Restrictions along Pleasant Acres Road and Stuart Drive.

MS. LANDIS MOVED TO AUTHORIZE TO ADVERTISE ORDINANCE FOR TRUCK RESTRICTIONS ALONG PLEASANT ACRES ROAD AND STUART DRIVE. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2012-35 – Authorizing Vacation of Right-of-Way and Re-adoption of Right-of-Way for Eden Road.

MS. LANDIS MOVED TO APPROVE RESOLUTION NO. 2012-35. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that a meeting was scheduled for the Task Force to meet in early June to review the consultant's report. Mr. Bishop stated he will attend the meeting.

14. NEW BUSINESS

LANDIS Ms. Landis asked for an overview of the voting at PSATS.

BISHOP Mr. Bishop responded that there were only two controversial items that went against the recommendations of the Resolutions Committee and they were with respect to non-native species plantings; that ordinances only include native Pennsylvania species. In addition, there was discussion of whether townships should have the authority under state law to prohibit firearms in township properties, which was voted down.

HOLMAN Mr. Holman added that he had the opportunity to meet with banking service vendors with investment services for pension funds. He attended a class with regard to the General Code, referred to as the E380, which will enable easier access to researching code and ordinance issues.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:10 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MAY 24, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 24, 2012 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Thomas Hyers, Police Chief
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that no Executive Sessions had been held since the last meeting, and none had been scheduled for this date.

3. COMMUNICATION FROM CITIZENS

SANDMEYER Robert Sandmeyer, 2625 Kingston Road, asked for an update on the request for the speed hump on Kingston Road.

LUCIANI Mr. Luciani responded that Mr. Lauer will include the speed hump as part of his paving projects. The bituminous bid for materials was issued, and as soon as a low bidder is designated, that work will begin. He added that the speed hump will be permanent.

DVORYAK Mr. Dvoryak commented that he did not recall having taken any board action for a permanent hump. He recalled approving the temporary speed hump policy.

LUCIANI Mr. Luciani responded that they had all the documentation for the temporary speed humps and the permanent humps had been discussed but not yet implemented. The temporary speed hump policy had been followed and there had been some incremental reduction in speeds during that trial. He added that the permanent hump could be placed in July.

DVORYAK Mr. Dvoryak noted that there are unintentional circumstances that come about with every traffic decision. He indicated that a policy would eliminate future problems with requests for speed humps all over Springettsbury Township.

SANDMEYER Mr. Sandmeyer responded that Kingston Road is a main short cut, and with the road work on Mt. Rose Avenue, it will get worse. He added that the speed hump is badly needed.

SANDMEYER Mr. Sandmeyer reported that he had called Public Works one Friday morning and left a voice mail. He reported that there is a sewer line in front of his home. He noted that there are cracks and a sink hole in the area that needed attention.

SCHENCK Chairman Schenck thanked him and indicated someone would look into the sink hole.

MILLER Jean Miller, 1318 East 11th Avenue thanked the board for the response she received that her bus can be parked in the driveway.

MILLER Ms. Miller asked whether the new Police Chief had taken all the pictures and history down in the township building.

BISHOP Mr. Bishop commented that he had toured the Police Department within the last few weeks and saw the photos on the wall. It was his understanding that the pictures were significantly outdated.

MILLER Ms. Miller stated that she thought the history should remain on the walls for the residents.

SCHENCK Chairman Schenck suggested that she come in and observe what was there and have a discussion about the matter.

MILLER Ms. Miller responded that she could; she simply wanted to know if it was a fact.

HOLMAN Mr. Holman responded that he was aware that the Police Chief had taken some of the pictures down in order to update with the correct pictures. In addition, he planned to take pictures of prior officers in what they are currently doing, which would keep the officers part of the township history as time moves on. He has been collaborating with the other officers on this program.

MILLER Ms. Miller thanked Mr. Holman for the information.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill reported that he had submitted his monthly report. He added several updates:

- Meadowlands – Contractor hauling materials and filling manholes to complete project. A Change Order was issued for pipe removal, blasting rock and re-establishing a pipe.
- Second Change Order may be issued due to an eight-foot deep water line conflict.
- Marlowe Drive – Paving was completed May 18th.

BOWMAN Mr. Bowman asked about the Sherman Street manhole cover.

CRABILL Mr. Crabill responded that in changing the Sherman Street bridge, PennDOT is widening the road and changing the grades off the side of the road. Outside of the original right-of-way there was a manhole that was normal height. They acquired more right-of-way off the side and they are raising the grade approximately 10 feet. The manhole is free standing at this point, but it won't be exposed like that once the bridge work is completed.

B. Civil Engineer – First Capital Engineering, Inc.

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

- Heritage Hills – New focus on the signal permit; township will coordinate with Heritage Hills and PennDOT and people involved with widening of Mt. Rose Avenue. Early June they will be meeting with the committee to discuss Heritage Hills traffic plan.

- Kingston Road Culvert – Township will be inspecting that this week, and if everything is good, the contractor will invoice the township.
- Longstown United Methodist Church – Request for reduction in speed to 25 miles an hour on a state highway. Police department investigated and the 85th percentile is 40 miles an hour indicating the speed limit is appropriate. Results were discussed with the church members. An option was provided to move about a dozen grave sites to assist getting out on Carroll Road.

SCHENCK Chairman Schenck asked if they seemed to understand, as well as the risks they were posing to themselves.

HOLMAN Mr. Holman responded that their engineer was involved as well and he concurred with the township.

5. CONSENT AGENDA

- A. Acknowledge Receipt of York Area United Fire and Rescue Commission Meeting Minutes – April 17, 2012.
- B. Acknowledge Receipt of April 30, 2012 Treasurer’s Report.
- C. Board of Supervisors Strategic Planning Work Session Minutes – April 26, 2012.
- D. Board of Supervisors Regular Meeting Minutes – April 26, 2012.
- E. J. A. Myers Building & Development, Inc. – Meadowlands Interceptor Project – Application for Payment No. 3 in an amount not to exceed \$226,267.49.
- F. Regular Payables as Detailed in the Payable Listing of May 24, 2012.
- G. LD-08-12 – Time Extension – Yale Electric – Plan Expires 5/25/12 (New Plan Date 8/25/12).
- H. SD-08-03 – Time Extension – Pam Long SD – Plan Expires 5/25/12 (New Plan Date 8/25/12).
- I. SD-11-02 – Time Extension – Bensinger SD – Plan Expires 6/22/12 (New Plan Date 9/22/12).

**MR. DVORYAK MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.
MOTION UNANIMOUSLY CARRIED.**

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. J. A. Myers Building & Development, Inc. – Meadowlands Interceptor Project – Change Order No. 1 in a total amount not to exceed \$7,800.20 as follows:
 - 1) Item 1.1 – Installation of Additional Silt Soxx in an amount not to exceed \$2,321.41.

- 2) Item 1.2 – Replace Existing 42” Storm Water Pipe in an amount not to exceed \$5,478.79.

MR. BOWMAN MOVED TO APPROVE THE CHANGE ORDER, NO. 1, FOR J. A. MYERS BUILDING AND DEVELOPMENT, INC., MEADOWLANDS INTERCEPTOR PROJECT IN A TOTAL AMOUNT NOT TO EXCEED \$7,800.20. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into ENERNOC Demand Response Sales and Services Agreement for the Wastewater Treatment Facility.

MR. DVORYAK MOVED TO APPROVE THE ACT 129 COMMERCIAL INDUSTRIAL DEMAND RESPONSE AGREEMENT WITH MET ED. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. LD 11-02 – IRS Building

SCHENCK Chairman Schenck introduced Land Development 11-02, known as the IRS Building. This plan was rejected by the county because the owner didn't sign in the right spot.

HOLMAN Mr. Holman indicated the owner had signed, but didn't say he was the owner.

SCHENCK Chairman Schenck called for a motion to re-approve that plan noting that no changes had been made other than the signature of the owner.

MS. LANDIS MOVED TO RE-APPROVE PLAN LD 11-02. MOTION UNANIMOUSLY CARRIED.

LANDIS Ms. Landis noted mention in the minutes of the York Area United Fire and Rescue Commission that an Open House will be held in June. She had not heard anything about the function.

SCHENCK Chairman Schenck responded that the item had been carried in the township newsletter, on the website and also in the Manager's Report. The function is being handled by the Volunteer Fire Company and not YAUFR.

LANDIS Ms. Landis commented on Jean Miller's mention of the re-arrangement of pictures being done in the police building. She thought there would be much more important business to address by the new Police Chief rather than re-arranging pictures. She asked for additional follow up information on the matter.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had nothing to add to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman stated he had nothing in addition to my supplemental report.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2012-36 – Authorizing Disposition of Public Records.

MS. LANDIS MOVED TO APPROVE RESOLUTION NO. 2012-36. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Advertise Ordinance Amending Chapter 227, Article 4 "Property Maintenance Standards" of the Township Code of Ordinances.

Consensus of the board was to table authorization pending further documentation and review.

C. Ordinance to Restrict Trucks on Stuart Drive and Pleasant Acres Road.

MR. BISHOP MOVED TO ADOPT ORDINANCE 2012-02, NO TRUCKS RESTRICTIONS. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that a meeting will be held during the first week in June.

B. Dog Tethering Ordinance

SCHENCK Chairman Schenck asked Solicitor Rausch for information he had gained from his review.

RAUSCH Solicitor Rausch responded that he tried to find as much information as possible in order for the board to determine direction. He had provided documentation to the board.

LANDIS Ms. Landis noted she had emailed Solicitor Rausch with her thoughts. She asked if any of his information had been shared with Melissa Smith.

RAUSCH Solicitor Rausch responded that he had not yet discussed it with her.

LANDIS Ms. Landis stated that she thought it would be beneficial. She had seen some comments in the Sunday paper regarding the matter.

DVORYAK Mr. Dvoryak stated that his only comment was in agreement with Solicitor Rausch to tighten up the language to be very specific.

Consensus of the board was for Solicitor Rausch to have a discussion with Melissa Smith for her additional input.

C. Board of Supervisors/Planning Commission – Joint Meeting - RV Ordinance

HOLMAN Mr. Holman brought forward a proposed joint meeting with the Board of Supervisors and the Planning Commission for June 21st at 5:30 p.m. for the purpose of discussing the RV Ordinance. They would like to receive input from the Supervisors. Mr. Holman offered to send a notice to determine the board's availability.

13. NEW BUSINESS

A. Authorization to Approve Tax Refund Requests as follows:

- 1) Ann Carter (Parcel #46-L1-85) for tax year 2012 in the amount of \$310.
- 2) Ann and William Carter (Parcel #46-K1-217-AO) for tax year 2012 in the amount of \$92.55
- 3) Federal Home Loan Mortgage (Parcel #46-6-115) for tax year 2012 in the amount of \$40.71.
- 4) Richard and Susan Glaser (Parcel #46-24-303) for tax years 2007-2012 in the amount of \$297.73.

- 5) Home Depot USA, Inc. (Parcel #46-JJ-6D) for tax years 2010-2012 in the amount of \$3,245.17.
- 6) Skills of Central Pennsylvania (Parcel #46-11-142) for tax year 2012 in the amount of \$132.33.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO APPROVE THE FOLLOWING TAX REFUND REQUESTS, ONE THROUGH SIX. MOTION UNANIMOUSLY CARRIED.

Permanent Speed Hump – Kingston Road

SCHENCK Chairman Schenck brought forward additional discussion concerning the request for the permanent speed hump on Kingston Road. He commented that Mr. Luciani previously mentioned a formal request should be made in order to move forward. He added that a permanent hump could not be completed until the bid for road material is received, which would delay installation until mid-July or early August.

BOWMAN Mr. Bowman asked whether the neighborhood had signed an additional petition for the permanent hump.

DVORYAK Mr. Dvoryak questioned whether a policy exists for a permanent speed hump.

SCHENCK Chairman Schenck recalled the adoption of a policy some time ago for speed humps in Old East York for South Vernon Street.

LUCIANI Mr. Luciani indicated that when the island was built on Eastern Boulevard, the adjoining approved, and there was an internal policy.

HOLMAN Mr. Holman indicated he would review the matter to determine whether a permanent policy exists, and if not, use the temporary policy to create a permanent policy for adoption.

Response to David Trott's Letter

SCHENCK Chairman Schenck chose to respond to a letter from David Trott of 3360 Druck Valley Road concerning the appointment of Chief Thomas Hyers and the Manager's Ordinance. Mr. Trott's suggestion was that the hiring was not done properly. Chairman Schenck cited the following points:

- Search was professionally conducted and both internal and external candidates were considered.
- A nationwide search was conducted and full background checks were made.

- Process was very thorough and spanned over six months.
- Field was reduced to just a few candidates, and interviews were conducted.
- The Board of Supervisors sat in on those interviews.
- Township Manager requested and received input from the entire board concerning the candidates.
- By a four to one majority the Board of Supervisors respected and supported the decision of the Manager.
- The offer was made on April 18th, six days after the April 12th public meeting.

Chairman Schenck added that, with regard to Lt. Dan Stump, he is a fine police officer who will make an outstanding Chief one day. The selection of Chief Hyers was made with full consideration of what the future holds for Lt. Stump and his leadership potential. Had Chief Hyers not accepted the position the offer was to be made to Lt. Stump.

Chairman Schenck stated that over his 19 years of service for Springettsbury Township, he had seen the township grow and prosper. Springettsbury Township has been recognized as a leader and is a model for many other municipalities that follow. He stated his confidence that will continue into the future.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8 p.m.

Respectfully,

John Holman
Manager

ja

**SPRINGETTSBURY TOWNSHIP
CONDITIONAL USE HEARING**

**JUNE 28, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Conditional Use Hearing on Thursday, June 28, 2012 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak
Julie Landis

MEMBERS NOT

IN ATTENDANCE: Bill Schenck, Chairman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Jean Abreght, Stenographer

1. CALL TO ORDER

BISHOP Vice Chairman Don Bishop called the Conditional Use Hearing of the Board of Supervisors to order at 6:30 p.m. He announced that Chairman Schenck would not be present due to some unexpected personal issues.

2. NEW BUSINESS

A. York Adams Transit Authority – Application for conditional use to consider the installation of a Rabbittransit bus shelter near the northeast corner of Williams Road and the intersection with the access road to The Art Institute of York (1409 Williams Road) and York Technical Institute (1405 Williams Road).

BISHOP Mr. Bishop stated that the purpose of the Conditional Use Hearing related to the York Adams Transit Authority Conditional Use for a Rabbittransit bus shelter.

FARR Richard Farr, Executive Director of Rabbittransit, the York Adams Transportation Authority, stated that they were seeking conditional use for a transit shelter located near YTI. He reported that there had been a significant increase in student riders using the stop, standing in the rain, and they had

approached Rabbittransit and requested a shelter. They began the process at that time. He introduced Chris Deardorff of JMT, the engineer for the project.

DEARDORFF Ms. Deardorff stated that she had processed the application. The design proposed is a transparent glass with some etching that will be done by the Art Institute of York which will give them a tie to that particular shelter. She had provided a site sketch, photos and location map for the board noting that it does not interfere with the site triangle. She pointed out the bus shelter master plan which had been approved in 2008. Only half the shelters were then approved, this being one of them. They requested approval so that they can have the bus shelter in place prior to the student arrival in the fall. She noted that she had copies of the easement agreement between the property owners and Rabbittransit and she offered to respond to questions.

LANDIS Ms. Landis indicated she would like to see a letter of consent that had been mentioned in the documentation.

BISHOP Mr. Bishop clarified that the construction of this particular shelter will be essentially the same as all the other ones in the township except for the graphics, which will be customized.

FARR Mr. Farr responded that it will be very similar. He stated that the structure is three sided with a roof. There will be no advertisement on it. Rabbittransit had been approached by York Technical Institute, and by agreement have agreed to maintain and clean the shelter.

LANDIS Ms. Landis noted that Rabbittransit would remain responsible for repairs.

FARR Mr. Farr agreed with her statement.

BISHOP Mr. Bishop requested Solicitor Rausch's direction as to the next steps.

RAUSCH Solicitor Rausch indicated that, following all testimony, the board should deliberate, followed by a motion either to approve or deny the request.

3. PUBLIC COMMENT

BISHOP Mr. Bishop opened the floor for public comment. Hearing none he entertained a motion.

MR. BOWMAN MOVED TO APPROVE THE CONDITIONAL USE FOR THE YORK ADAMS TRANSIT AUTHORITY FOR A BUS SHELTER NEAR THE NORTHEAST CORNER OF WILLIAMS ROAD AND THE INTERSECTION NEAR THE ART INSTITUTE OF YORK. MOTION UNANIMOUSLY CARRIED.

4. ADJOURNMENT

BISHOP Vice Chairman Bishop adjourned the meeting at 6:35 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 28, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, June 28, 2012 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak
Julie Landis

MEMBERS NOT

IN ATTENDANCE: Bill Schenck, Chairman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Thomas Hyers, Police Chief
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jean Abreght, Stenographer

1. CALL TO ORDER

BISHOP Vice Chairman Don Bishop called the June 28th Regular Meeting of the Board of Supervisors to order. He led the Pledge of Allegiance. He announced that Mr. Schenck would not be present due to some unexpected personal business that required his attention.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

BISHOP Mr. Bishop announced that no Executive Sessions had been held since the last meeting, and none had been scheduled for the future.

3. COMMUNICATION FROM CITIZENS

SAWYER Bob Sawyer of 146 Oakleigh Drive brought forward an item regarding the EMS service in Springettsbury Township. It was his understanding that the township is planning to replace the EMS service.

BISHOP Mr. Bishop stated that he was not certain that it was true that anyone was planning to replace the EMS service. He noted that the board has many options to consider.

SAWYER Mr. Sawyer provided some statistics gathered for the month of June. He reported an extreme lack of coverage and presented some statistics:

- Month of June 1 to June 28 – 202 calls logged; 71 were covered by ambulances outside of Springettsbury Township; 25 covered by ambulance 89.2 from Grantley.
- Response time for outside ambulances delayed by bridge construction.
- Ambulance club dues provide for a reduced rate (\$525) for transport. When other ambulances run, the insurance company is billed full price that they charge. \$525 times 71 calls = \$37,000/month lost by the township.
- Suggested an ambulance at Commonwealth.
- Fire trucks come to ambulance calls; questioned whether fire fighters are all trained EMT's.

GAROFALO Mario Garofalo of 3385 Oakham Drive questioned how the minutes were recorded and how they are placed on the website for Springettsbury Township. He noted that the minutes do not contain everything that happens in the meetings.

BISHOP Mr. Bishop responded that the stenographer records the minutes and then creates a summary that is presented to the Board of Supervisors. The summary meets Roberts Rules of Order, as well as other known requirements.

GAROFALO Mr. Garofalo suggested that this should be discussed with the Solicitor along with a review of Roberts Rules of Order.

TROTT David Trott, of 3360 Druck Valley Road referred to the earlier discussion with regard to the EMS service. He asked what other options the board was considering in lieu of replacing the ambulance service.

BISHOP Mr. Bishop responded that the subject could not be discussed in a public meeting due to the fact they are currently in negotiations with the Teamsters union.

TROTT Mr. Trott asked whether the Teamsters know what the other options would be.

BISHOP Mr. Bishop responded that the Teamsters would know whatever it is they're supposed to know. As part of the labor negotiations, it would not be the township's responsibility to tell the Teamsters about the township's options.

- TROTT** Mr. Trott understood but noted that, as a citizen, getting rid of the ambulance service would be important and he would like to know what the options are.
- BISHOP** Mr. Bishop commented that when Mr. Trott is elected to be a supervisor, then he could be informed of that, but it was not something to be discussed in public at this time.
- Resident** A resident commented that they are the taxpayers so the board better answer.
- TROTT** Mr. Trott stated that on May 10th he had submitted an official complaint requesting that an inquiry be made by the Board of Supervisors regarding issues involving the Township Manager. He had submitted his request to the Chairman, and he asked about the status of his complaint.
- BISHOP** Mr. Bishop responded that his understanding was that Mr. Trott received his answer from the Chairman of the Board during the last meeting and the matter was closed.
- TROTT** Mr. Trott asked if there was a Springettsbury Township policy concerning official complaints and how they are handled.
- BISHOP** Mr. Bishop was not aware of any “Official Complaint” or how such matters would be handled. He commented that Mr. Trott read his complaint; the board heard it, and Mr. Trott had received his answer, which the board heard as well.
- TROTT** Mr. Trott noted that the way the Chairman expressed it, it was his response. He asked whether he would speak for the board and whether anyone else has any input into his questions or answers he sought.
- BISHOP** Mr. Bishop responded that he had no further comment. He stated that the forum was open for public comments, but it was not an opportunity for discussion of issues that are before the township. If a resident wanted to come to the meeting, provide information or advise items that the board should be discussing, they would be happy to take the information. Work Sessions are held on all items that need discussion. Personnel complaints or anything related are handled by the Solicitor with the processes that are currently in place.
- TROTT** Mr. Trott asked whether he could question the Solicitor.

- RAUSCH** Solicitor Rausch responded that he could ask but he was not certain that he would answer it. Normally any action by the board would be handled by a motion and a second. So unless there is a motion, a second and a vote, nothing will happen.
- TROTT** Mr. Trott noted that he would like clarification on if a resident has a problem in the township and they come to a township meeting, to whom do they direct their questions; the board, the Chairman, the Solicitor, the Manager.
- RAUSCH** Solicitor Rausch responded that it would depend on the nature of the complaint. If a complaint was against a neighbor doing something, that would be referred to the board.
- TROTT** Mr. Trott indicated this was about the Manager.
- RAUSCH** Solicitor Rausch understood. However, he indicated that would not be a blanket issue. Mr. Trott had wanted an investigation about the hiring of the Police Chief.
- TROTT** Mr. Trott noted that was part of it.
- RAUSCH** Solicitor Rausch stated that wasn't part of it; that was what he had requested. He stated that would be handled by a motion, a second and a vote. If there was no motion or a second or a vote, nothing happens.
- TROTT** Mr. Trott commented that at the time that he gave the complaint there should have been discussion and if somebody wanted to make a motion, they would do so.
- RAUSCH** Solicitor Rausch stated that was absolutely correct, and if that does not happen, it does not happen.
- TROTT** Mr. Trott noted that was good to know. He was not sure the rest of the board knew that was how it was supposed to be done.
- RAUSCH** Solicitor Rausch stated he was certain the board knew the process.
- MILLER** Jean Miller of 1318 East 11th Avenue stated that she had asked a question at the last meeting about the removal of the history of the township from the township building. She had asked if it was a rumor that the Chief had done this and she had not received a proper answer. She asked for a proper answer.

HYERS Thomas Hyers, Police Chief, responded to Ms. Miller's question. He stated that there was a large board inside headquarters. It was outdated, had things taped over it, there were pictures that were incorrect. He removed it and had it updated. There was no history to remove in that building. There are 11 pictures that were over the past four years hanging up inside the training room that remain there and if anybody wants to come see them they are welcome. Chief Hyers stated that he had coordinated with the retired officers, Kenny Witmer, Fred Nestlerode and a couple others individuals and had authorized them from day one, long before Ms. Miller's question, to completely redo the lobby of the Springettsbury Township Police Department and that's what they are in the process of doing. They met several times and gathered several hundred photos. The plan is to put some history and some mannequins up. The statement about the pictures that Ms. Miller mentioned was incorrect, and the rumor is incorrect. He restated that anyone is welcome to come and tour the facilities.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had submitted a written monthly report. He had no updates. He offered to respond to questions. There were none.

B. Civil Engineer – First Capital Engineering, Inc.

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

- Storm Water Management Ordinance – Agenda item for authorization to advertise. The ordinance complies with MS4 mandates, as well as the Act 167 requirements. All Federal, state and county reviews were acceptable.
- Right turn lane-Pleasant Valley and Mt. Zion Roads – Standing water detected with some flat spots. Road was overlaid and crowned which should allow water to move off roadway.

LANDIS Ms. Landis questioned an item in his report on the North Hills Road traffic. She asked whether accident data and traffic regulation information was being acquired since the LCBC building opened.

LUCIANI Mr. Luciani responded that, LCBC, as part of the Land Development Plan approval, changed the configuration of North Hills Road with a center turn lane. Mr. Snyder had a concern about his customers being able to turn in and out of his driveway. LCBC indemnified against any action by Mr. Snyder in order to get

the turn lane approved. It involves the relationship between LCBC and Mr. Snyder. There have been no accidents in the six months the church has been in operation.

LANDIS Ms. Landis commented that she recalled discussion around striping the lane, which she did not think would effectively correct the problem with traffic flow.

LUCIANI Mr. Luciani responded that it all related to Mr. Snyder and his concern that his customers weren't going to be able to get out safely. LCBC took the risk to indemnify and PennDOT allowed it. From a safety concern along the entire corridor, the left turn lane is an improvement in traffic flow. Shared left turns always pose a slight risk with turning movements. However, there are many center turn lanes within the township which are common.

LANDIS Ms. Landis asked whether North Hills Road was recently named one of the most congested roads in Springettsbury Township, York Count.

LUCIANI Mr. Luciani responded that he was not certain of that; however, he did know that Market Street, as well as Route 30 are congested. There are plans by PennDOT to make a better connection between Interstate 83 and Route 30, which involved North Hills Road.

LANDIS Ms. Landis asked about his note on Fading Way Noise Concerns and how many residents are affected.

LUCIANI Mr. Luciani responded that the concern involved Harley Davidson, which recently re-developed Eden Road to access all their shipping through Gate 5. There are no more than five homes affected. A landscape buffer is required along Eden Road. Harley noted that they had some truckers with loose material that created a lot of noise, and they are taking steps to improve that. Harley needs the gate; residents need to sleep at night. They are trying to find a solution between the residents and Harley. A meeting is to be held, and the board members will receive minutes.

BISHOP Mr. Bishop noted that a berm and some landscaping are anticipated. He asked whether that berm had been built.

LUCIANI Mr. Luciani responded that it had not been built. There is a temporary sediment trap that is collecting mud from the construction and that has not been phased out. Once that is done, they are obligated to build the berm and put in a number of trees with the whole purpose of diminishing some noise.

5. CONSENT AGENDA

- A. Acknowledge Receipt of May 31, 2012 Treasurer's Report.
- B. Board of Supervisors Regular Meeting Minutes – May 10, 2012.
- C. Board of Supervisors Regular Meeting Minutes – May 24, 2012.
- D. Acknowledge Receipt of May 15, 2012 York Area United Fire and Rescue Commission Meeting Minutes.
- E. Acknowledge Receipt of 2011 Auditor's Report for York Area United Fire and Rescue.
- F. J. A. Myers Building & Development, Inc. – Meadowlands Interceptor Project – Application for Payment No. 4 in an amount not to exceed \$118,677.57.
- G. Regular Payables as Detailed in the Payable Listing of June 28, 2012.
- H. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 7/20/12 (New Plan Date 11/20/12).
- I. LD-12-01 – Time Extension – B-Way – Plan Expires 7/12/12 (New Plan Date 10/12/12).

LANDIS Ms. Landis asked to remove items C and G from the Consent Agenda.

MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS EXCLUDING ITEMS C AND G. MOTION UNANIMOUSLY CARRIED.

- C. Board of Supervisors Regular Meeting Minutes – May 24, 2012.

LANDIS Ms. Landis noted a comment that was missing having to do with the dog tethering ordinance. Mr. Schenk commented that he is not in favor of the ordinance. That is completely missing in the minutes and should be added.

BISHOP Mr. Bishop responded that he was somewhat uncomfortable with changing the minutes by putting words in the mouth of a member who was not present. There was nothing pressing to bring the item to a vote, and the item can be held for the next meeting.

- G. Regular Payables as Detailed in the Payable Listing of June 28, 2012.

LANDIS Ms. Landis questioned items on the General Warrant Report dated 6/13/2012. She asked about the Porter Lee Corporation item for \$1,212 with the explanation of support.

HOLMAN Mr. Holman responded that he would go back through the reports and look up the item.

- LANDIS** Ms. Landis asked about the notation for Citizens Bank, \$1,777.89 for administrative expenses.
- BISHOP** Mr. Bishop asked Mr. Hadge if he would be willing to respond to Ms. Landis' questions concerning the Regular Payables.
- HADGE** Mr. Hadge responded that he would be happy to. He asked if she had the documents.
- LANDIS** Ms. Landis responded that it was with respect to the General Fund account, warrant report dated 6/13/2012. The vendor is Porter Lee Corporation for \$1,212. with the only comment or explanation of support.
- TROTT** Mr. Trott responded that it related to the Police Department evidence software.
- HADGE** Mr. Hadge pointed out that there are only so many spaces for explanations on the warrant report, and they try to shorten it.
- LANDIS** Ms. Landis responded that she understood. However, with the fiduciary responsibility, she needed to have more information. She asked about an item for Citizens' Bank, administrative expenses for \$1,777.89.
- HADGE** Mr. Hadge responded that there are two credit cards; one for the Police Department, the Police Chief, and the other one for the Township Manager. As they use those cards for a variety of items for purchase or for trips primarily for hotels, conferences, parking, etc., the township pays Citizen Bank for those charges. The itemized detail is attached to the Citizen Bank statement.
- LANDIS** Ms. Landis asked if that could be copied and reviewed.
- HADGE** Mr. Hadge responded that it certainly could and to just request a copy through the manager, who will notify him to make a copy.
- LANDIS** Ms. Landis asked about the Ranking Communication item for \$500 for social media development.
- HOLMAN** Mr. Holman responded that Ranking is assisting in the preparation and completion of the Facebook and Pinterest program project during 2012 to complete the social media program. The Facebook page just came on line and

will be a better way to communicate with our citizens. The world is becoming more electronic, and the township is going into electronic media.

LANDIS Ms. Landis asked what the final cost will be.

HOLMAN Mr. Holman responded that the total cost will be approximately \$2,000.

LANDIS Ms. Landis noted that the website had just been upgraded and had cost substantial money to make it more user friendly and draw people to it. She asked if there had been a Facebook page at that time.

HOLMAN Mr. Holman responded that was for the design and upgrade of the new website. This is for the design and completion of the Facebook page. More information can be provided to the public. If someone goes to the website they will find a link to the Facebook page.

LANDIS Ms. Landis asked what information will be on the Facebook page that won't be on the website.

HOLMAN Mr. Holman responded that it would allow for comments, information and questions and it will have additional information.

LANDIS Ms. Landis asked when this was discussed.

HOLMAN Mr. Holman responded that they had been working on social media for the past couple of years. Once the website was up, then they went on to Facebook.

LANDIS Ms. Landis commented that this was the first time she had heard of going into Facebook with a final cost of approximately \$2,000. She asked whether only certain people would be able to make comments on the Facebook page for the township.

HOLMAN Mr. Holman responded that the Facebook page is currently up and running.

LANDIS Ms. Landis noted that she would have to visit then. She asked about placing comments on the page.

HOLMAN Mr. Holman responded that it would follow the same rules that are in place for the newsletter. There will be an administrative policy developed for the Facebook

page. No questionable language can be used; certain specific items can't go on it, and there will be the same rules that PSATS recommends.

LANDIS Ms. Landis asked whether there is a policy in place.

HOLMAN Mr. Holman responded that there is an administrative policy currently in place to be sure there are no problems. That will come to the board for final approval.

LANDIS Ms. Landis asked for the expected date the board would receive the policy.

HOLMAN Mr. Holman responded it would be provided as soon as he has it completed.

LANDIS Ms. Landis had seen an item consistently for a Richard Biding for lawn mowing. She had received a phone call from a resident with concerns of lawn mowing for households not taking care of their property.

HADGE Mr. Hadge responded that Richard Biding was one of the township's contractors; there are two contractors.

LANDIS Ms. Landis asked how the fees are recovered as they seemed expensive.

HADGE Mr. Hadge responded that it is expensive. He explained the process that includes: 1) Following the mowing the property owner is billed; 2) After 30 days a letter is sent to the property owner indicating the bill is unpaid; 3) If the bill remains unpaid a lien will be placed on the property. Mr. Hadge noted that a set procedure is in place, and effective at the close of business June 29th, a new list will be reviewed with the manager to send out lien letters. The manager put this procedure in place some time ago.

LANDIS Ms. Landis asked what the recovery rate is.

HADGE Mr. Hadge responded that the money would be recovered through the sale of the property. However, Fred Nestlerode, part time inspector, had done a very good job of pulling in some of the monies incurred based upon that expense. In terms of recovery rate, it may be 25%, which in this day and age is not bad for such services. Some of these are abandoned properties.

DVORYAK Mr. Dvoryak questioned whether there was nothing further that could be done before taking it to the next step beyond the lien. The township cannot force the sale of a property.

- RAUSCH** Solicitor Rausch responded that it could be done if the township wanted to go that far.
- DVORYAK** Mr. Dvoryak noted that the township should be aware of these situations.
- HOLMAN** Mr. Holman stated that once these reach a certain level, he meets with Solicitor Rausch and begins preparing them for Sheriff Sale. Normally if the township is cutting the grass, they are also running into sewer liens and taxes on the property.
- HADGE** Mr. Hadge commented that the \$180 bill from Mr. Biding would have included more than one property. The township would not foreclose on a property over a \$150 grass cutting bill but would include a \$250 unpaid sewer bill and analyze every situation.
- DVORYAK** Mr. Dvoryak asked what the level of indebtedness or the policy would be before foreclosure would proceed.
- HADGE** Mr. Hadge responded that the lien process begins at \$200.
- LANDIS** Ms. Landis noted that she would get back to the resident to explain the process.
- HADGE** Mr. Hadge added that a letter goes with that billing sent by Community Development and if there are questions, it specifically states to contact Fred Nestlerode.
- HOLMAN** Mr. Holman added that a notice is sent to the property owner prior to the township cutting the lawn and they do end up in Magistrate Court. Following that the township can move more quickly with lawn cutting.
- RAUSCH** Solicitor Rausch stated that later in the agenda there is an item for authorization to advertise for the amendments to the Property Maintenance Code. The current ordinance measurement is 12 inches, which is going to be reduced to eight inches, which will be the threshold at which an individual will receive a Notice of Violation that their lawn needs to be cut. Additionally, he stated that part of the problem with foreclosures is difficulty getting in contact with the banks. Normally the banks will send their maintenance people to cut lawns of foreclosed properties.

MR. BOWMAN MOVED TO APPROVE ITEM G, REGULAR PAYABLES. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop responded to Ms. Landis' comment that the whole lawn maintenance issue had never been discussed.

LANDIS Ms. Landis responded that it had never been discussed with her.

BISHOP Mr. Bishop stated that one of the opportunities that he knew was made available to every supervisor in Springettsbury is if there are questions on payables or any other items in the agenda, the Manager calls all of the supervisors between when the packets go out and the meeting, which is a good opportunity to ask those kinds of questions and get an answer.

LANDIS Ms. Landis responded that she wanted to know the answers, but in addition she wanted to have her questions on the record. She thought it was important because, not only did she not know, there were many citizens who did not know as well. If it is on the record it gets out to the public.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

A. Authorization to Enter into Agreement with Conservation Fund to Accept Assignment of Option for the Purchase of Real Estate – Camp Security Property (Final 3.392 acres) in an amount not to exceed one dollar.

BISHOP Mr. Bishop noted the item authorizes the township to enter into agreement with the Conservation Fund for the one remaining parcel of the Camp Security transaction.

HOLMAN Mr. Holman stated that it had been held by the bank and the corporation with the expectation to be cleared. It involved 3.392 acres of wetland and a stream. The area is along Brook Edge Road in the Penn Oaks Development. The cost to the township is \$1.00.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO ENTER INTO AGREEMENT WITH THE CONSERVATION FUND TO ACCEPT THE ASSIGNMENT OF OPTION FOR THE PURCHASE OF REAL ESTATE – CAMP SECURITY PROPERTY (FINAL 3.392 ACRES) IN THE AMOUNT NOT TO EXCEED \$1.00. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Award Bids for 2012 Road Materials and Resurfacing Project.

MR. DVORYAK MOVED TO AUTHORIZE AWARDING BIDS FOR 2012 ROAD MATERIALS AND RESURFACING PROJECT. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Advertise for Bids: Residential Garbage and Recycling Collection Contract for years 2013 through 2017.

MS. LANDIS MOVED TO AUTHORIZE TO ADVERTISE FOR BIDS WITH RESPECT TO RESIDENTIAL GARBAGE AND RECYCLING COLLECTION CONTRACT FOR THE YEARS 2013 THROUGH 2017. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. LD-12-01 – B-Way - 7/12/12 (Action)

BAUGH Mr. Baugh presented the preliminary/final plan for B-Way, LD-12-01, which was documented in a June 28, 2012 memorandum. The plan is located on the south east intersection of Concord and Davies Drive and proposes to add a 60,000 square foot addition for warehouse use with 64 additional parking spaces and truck docks. The property is zoned Business/Industrial. Mr. Baugh provided a PowerPoint presentation showing the aerial view, a site plan, landscaping plan, drainage basin. He stated that the developer had added additional landscaping beyond the requirements to assist with noise reduction. He noted the Planning Commission recommended approval with several waivers and conditions, also documented in the June 28th memorandum.

BISHOP Mr. Bishop asked if there were any neighbors present who wanted to speak regarding the project.

LARGENT Tom Largent of 2238 Pleasant Acres Road stated that the neighborhood already is subject to a lot of noise from the existing plant. They are concerned that there might be additional noise. He wondered if there would be a way to limit delivery hours or if the beepers could be turned off along private property. Their neighborhood had been a very quiet place to live, but now they get noise not only from B-Way but also from Dawn Foods with the refrigeration trucks.

BISHOP Mr. Bishop commented that the beeping would come from the trucks backing up.

- LARGENT** Mr. Largent added that it also involves the dropping of the trucks when they're unloaded. His neighborhood gets the noise at all hours of the night and they really don't appreciate it.
- LANDIS** Ms. Landis asked whether the issue had been discussed with the developer.
- BAUGH** Mr. Baugh responded that the issue had been discussed. He referred to his earlier comment that they had added additional evergreen landscaping to their plan to assist in noise reduction. Mr. Baugh empathized with the property owner; however, the developer had met the criteria. He noted that B-Way expressed willingness to work with the residents on some of those items.
- LARGENT** Mr. Largent indicated he was willing to work with them also.
- BAUGH** Mr. Baugh noted that there had been discussion of having a limitation on night time hours.
- LARGENT** Mr. Largent noted that he understood this addition was supposed to reduce the truck traffic, which he could not understand.
- BAUGH** Mr. Baugh responded that currently materials are being delivered to this location from another location. When this addition is completed, those deliveries will not be made. Everything will be at one site instead of two different sites, which will reduce truck traffic.
- LARGENT** Mr. Largent indicated that he hoped that would happen. He just wanted to be sure that he had some recourse.
- BAUGH** Mr. Baugh indicated that Mr. Largent should be sure to contact him if the noise gets worse.
- BISHOP** Mr. Bishop added that it would be good to keep the dialogue open. The township is able to set building and land development requirements, and when an applicant comes in with a plan and meets all of those requirements they must be allowed to build. Mr. Bishop noted that it sounded as though they had gone beyond the requirements to demonstrate they are interested in being a good neighbor. With open dialogue Mr. Baugh and his department could assist going forward with any problems.

LARGENT Mr. Largent stated that he hoped they could be good neighbors, and if not, he wanted it noted in the public record.

BISHOP Mr. Bishop encouraged him to come back to the board and advise how it works.

LARGENT Mr. Largent questioned whether it would be possible to turn the beepers off.

BOWMAN Mr. Bowman responded that he did not think that could be done since they're meant to be a safety feature.

LANDIS Ms. Landis commented to Mr. Largent that, once a plan comes to the board and all the approvals are there, the board can't vote against it whether the members like it personally or not. She encouraged Mr. Largent to please, if there is an issue, keep that open dialogue with Mr. Baugh, with the supervisors or whomever because the township certainly would not want to disturb his peace at home.

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-12-01, B-WAY, TO APPROVE THE PRELIMINARY/FINAL PLAN WITH THE THREE WAIVERS AND THE THREE CONDITIONS AS LISTED ON THE PLAN SUMMARY DATED JUNE 28, 2012. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

BOWMAN Mr. Bowman reported a phone call from a resident who, in his neighborhood, has an abandoned house with a pool, and he is afraid of mosquitoes. He had referred him to Mr. Baugh's office.

BAUGH Mr. Baugh responded that Greg Henry took care of that issue.

BOWMAN Mr. Bowman stated that he had reviewed the bills for mowing of lawns and had driven by some of the houses just to see the problems. Since he normally drives around after the fact, he was not sure how tall the grass had been. He was interested in how much was charged for the grass cutting.

BAUGH Mr. Baugh responded that the amount varies. There will be some large ones coming as they do get out of control if they don't know about it.

BOWMAN Mr. Bowman saw some invoices for another company for one on East Market Street, etc.

BAUGH Mr. Baugh responded that the Hemlock firm handles the larger jobs as they have larger equipment. The other mowing company does the smaller jobs.

BISHOP Mr. Bishop announced that the Fourth of July celebration in Springettsbury Township would begin Wednesday at 7 p.m. in the amphitheatre with the Urban Guerilla Orchestra followed by the best fireworks anywhere.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had nothing to add to his written report.

LANDIS Ms. Landis questioned the timeframe of the new items that were listed as far as the resolution sent to Pat Harvey.

RAUSCH Solicitor Rausch responded it could possibly be a year if not more. It is in the normal civil court system.

10. MANAGER'S REPORT

HOLMAN Mr. Holman indicated that prior to the next Board of Supervisors meeting on Thursday, July 26th he would like to schedule a Development Authority meeting at 6:45 p.m. In addition, a number of people had expressed an interest in serving on township boards. He asked if the board would be able to meet with them at 6:30 p.m. on the 26th. The Zoning Hearing Board has a vacancy in the alternate position, along with one or two others. They could be taken as a group.

Consensus of the board was to meet at 6 p.m. for interviews followed by Development Authority at 6:45 p.m.

11. ORDINANCES AND RESOLUTIONS

- A. Resolution No. 2012-37 – Met Ed Street Lights – Corner of Route 30 and North Hills Road (near 951 North Hills Road).
- B. Resolution No. 2012-38 – Met Ed Street Lights – Long Point Drive and Silverwood Drive.

MS. LANDIS MOVED TO APPROVE RESOLUTION NUMBERS 2012-37 AND 2012-38, MET ED STREET LIGHTS, CORNER OF ROUTE 30 AND NORTH HILLS ROAD AND LONG POINT DRIVE AND SILVERWOOD DRIVE. MOTION UNANIMOUSLY CARRIED.

- C. Resolution No. 2012-39 – Approving Transfer of Restaurant Liquor License No. R-18544-2860 Whiteford Road (Banana Max).

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2012-39, TRANSFER OF A LIQUOR LICENSE. MOTION UNANIMOUSLY CARRIED.

RAUSCH Solicitor Rausch asked when they expected to open.

STEEES Mr. Stees responded that the date is Thursday, October 4, 2012. He thanked the board for approval of the transfer.

- D. Authorization to Advertise Ordinance Amending Chapter 227, Article 4 “Property Maintenance Standards” of the Township Code of Ordinances.

MR. DVORYAK MOVED TO AUTHORIZE TO ADVERTISE ORDINANCE AMENDING CHAPTER 227, ARTICLE 4 “PROPERTY MAINTENANCE STANDARDS” OF THE TOWNSHIP CODE OF ORDINANCES. MOTION UNANIMOUSLY CARRIED.

- E. Authorization to Advertise Ordinance Amending Chapter 289 of the Springgettsbury Code “Storm Water.”

HOLMAN Mr. Holman stated that item F is a very detailed ordinance which does meet Act 167, MS4 and the Chesapeake Bay requirements.

MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO ADVERTISE AMENDING CHAPTER 289 OF THE SPRINGETTSBURY CODE “STORM WATER.” MESSRS. BOWMAN, BISHOP AND DVORYAK VOTED IN FAVOR. MS. LANDIS VOTED AGAINST. MOTION CARRIED 3/1.

12. OLD BUSINESS

- A. Dog Tethering Ordinance.

MS. LANDIS MOVED TO ADVERTISE THE DOG TETHERING ORDINANCE 2012-05. MOTION UNANIMOUSLY CARRIED.

- B. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that he attended a YorkCounts meeting at which the hired consultant made a presentation of the report. The extensive draft report was circulated to all Task Force members and included a few recommendations. The net result was that several of the municipalities felt that some of the data was incorrect, and YorkCounts withdrew the draft in order to correct the numbers. Mr. Bishop understood that the final report will be released sometime early fall. The meeting was well attended by all the municipalities involved in the Task Force, and Lt. Stump attended representing Chief Hyers.

13. NEW BUSINESS

A. Acknowledge Receipt of 2011 Audit Report.

RINIER Mike Rinier, Auditor, reported that the board had been provided the audit reports in advance including for the Development Authority, Sewer Operational Audit and the Township report. He had met with Mr. Bishop and Mr. Bowman to review the reports in detail. He stated that auditors gave a clean opinion on the financial statements as presented. The audit report is a one-year fiscal year audit. They present the entire Springettsbury Township basically in two funds: the government activities, which include all the consolidated funds excluding the pension fund, and the business activities of the sewer. The township as a whole has total assets of slightly over \$111 million including the infrastructure. Expenses of government activities are a little over \$15.4 million. Sewer operations operated at just over \$10 million for a total of over \$25 million. Mr. Rinier reported a change in the audit of the Development Authority in that DCED issued a change that there is no longer a requirement to do an annual audit but rather after five years of a DCED grant an audit is to be done at the completion of a 10-year grant. Mr. Rinier presented a summary of the remaining audit detail and offered to respond to questions.

DVORYAK Mr. Dvoryak questioned an item on the balance sheet for accrued salaries and wages. He asked how much any of that would be for unpaid, non-union accrued sick time.

RINIER Mr. Rinier responded that they treat all of the sick time policies as part of compensated assets with what's reported. They do look at the unpaid sick leave balances as part of what's recorded as used or unused. They do go into the policies for booking the compensated assets, like sick leave accrued for full-time, current employees. Part-time employees are on a pro-rated basis and they only started recording a liability because of the contracts related to close to retirement.

The other liabilities are not booked as a compensated balance until that time because if an employee leaves the township they are entitled to nothing.

HOLMAN Mr. Holman noted that if a collective bargaining employee leaves the township prior to retirement they're not entitled to any sick time. That applies to non-collective bargaining as well.

DVORYAK Mr. Dvoryak questioned whether, as part of their process, they review the collectability of the receivables the township has booked such as unpaid sewer liens or outstanding bills for lawn mowing.

RINIER Mr. Rinier responded that they look at the life return on materials and on material receivables as well. With regard to the collectability, under modified accrual accounting there is a period of time for booking a receivable under government activity operations.

DVORYAK Mr. Dvoryak questioned the \$68,000 that was withdrawn for a period of time from a trust fund. He asked whether there is an internal control related to that issue.

RINIER Mr. Rinier responded that he thought that there was a control issue, which was why they added it to their comment letter. The purpose of those funds are to be invested, and those funds were not.

DVORYAK Mr. Dvoryak asked whether he would have a recommendation as to how that could be prevented in the future.

RINIER Mr. Rinier responded that any standard control should be in place and there should be a situation where they would be going directly from one trustee to another trustee. The funds actually were handed out to the actual trustees of the fund but were un-invested at that point, as well as un-cashed. Citizens Bank is holding the funds in trust for that. There was no interest being earned and no investment of those funds. The auditors felt it was a control issue and they had made a recommendation that the funds should be invested directly.

LANDIS Ms. Landis noted for clarity that someone is designated as a trustee and it's still a township fund basically, so the township, the Treasurer, Finance Department collectively, supervisors should be giving direction as far as fulfilling those responsibilities.

RINIER Mr. Rinier responded that she was correct.

MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF THE 2011 AUDIT REPORT.

LANDIS Ms. Landis questioned whether the board would discuss the report to see if they wanted to make any changes or just adopting the audit report as is.

BISHOP Mr. Bishop responded that the board would not be adopting it but rather just acknowledging its receipt.

HOLMAN Mr. Holman stated that the normal process is to take the comments, review them and if corrections are to be made they would be provided to the board.

LANDIS Ms. Landis asked whether that would be part of a Strategic Work Session.

BISHOP Mr. Bishop noted that it sounded more like a management recommendation would be the first thing to have happen.

HOLMAN Mr. Holman noted that there would be a management report provided to the board. He normally meets with the Finance office or whatever department would be involved, come up with an internal control and then send that on to the board. At that time if the board has other recommendations or suggestions they would make those at that time.

MOTION UNANIMOUSLY CARRIED.

B. Acknowledge Receipt of Commonwealth of Pennsylvania Compliance Audit Reports for the Police, Fire and Non-Uniformed Pension Plans for the period January 1, 2009 through December 31, 2010.

DVORYAK Mr. Dvoryak questioned why the Attorney General was finding for a second consecutive audit for the same problem. He recalled that what was said after the first audit was that actions had been taken to correct the problem.

HOLMAN Mr. Holman noted that during the audit the discussion centered around the fact that the contract had 9.5% for payment of pensions in the collective bargaining agreement. However, the ordinance had 9%. The discussion was to leave the ordinance at 9% and during the next negotiation further discussion could take

place to get it cleared. Depending upon what happens during negotiations the appropriate action will be taken with regard to the ordinance.

LANDIS Ms. Landis asked when it became an issue. She noted the time period January 1, 2009 through the end of December 31, 2010.

HOLMAN Mr. Holman responded that the last one was done two years ago; this is the second one. They see the Auditor General every two years, and negotiations are now taking place.

LANDIS Ms. Landis questioned to whom the information is sent. She noted an initial distribution list and her name was listed there as Treasurer. She indicated she had not received a copy of any of the reports and took exception to the fact that her name was on a public record when she was not aware of it. Additionally she noted that she never had been the Treasurer.

HOLMAN Mr. Holman responded that he had corrected the error in the address list with the Auditor General and hopefully they had corrected it. He added that Chairman Schenck and he received a copy as the Administrator. The report is received about May 15th, addressed to Mr. Schenck with a copy to me and then copies are distributed to the board.

LANDIS Ms. Landis noted that she would be following up with the Auditor General because if the information was supposed to be distributed to her and she did not receive it for whatever reason, that would be an issue in and of itself. She asked when this was corrected by Mr. Holman with the Auditor General.

HOLMAN Mr. Holman responded that he could not provide an exact date due to the fact that he spoke with the representative when they came to the township for the audit.

LANDIS Ms. Landis requested that Mr. Holman research the date so that she would have a timeframe when she had a chance to discuss it with the Auditor General.

HOLMAN Mr. Holman responded that he would attempt to figure out the timeframe and would email Ms. Landis as soon as he had the information.

MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF COMMONWEALTH OF PENNSYLVANIA COMPLIANCE AUDIT REPORTS FOR THE POLICE, FIRE AND NON-UNIFORMED PENSION PLANS FOR THE PERIOD JANUARY 1, 2009 THROUGH DECEMBER 31, 2010. MOTION UNANIMOUSLY CARRIED.

C. Acknowledgement of Notice of Demolition and Engineers Report for 1759 Wallace Street. Authorization for Township Manager to award demolition contract not to exceed \$15,674.00 and to assess all costs associated with the demolition.

HOLMAN Mr. Holman provided a short summary related to the demolition of 1759 Wallace Street. The building had been determined to be unsafe and in imminent danger of collapse and could negatively affect neighboring properties. They met with the homeowner and given time to make corrections; also advised of the meeting this date. Bidding took place, and the low bid was \$15,674.00. He requested authorization to move forward.

RAUSCH Solicitor Rausch added that a lien would be placed against the property.

BISHOP Mr. Bishop asked whether there was anyone in the audience who wished to comment or ask questions on this topic. There were none.

DVORYAK Mr. Dvoryak indicated that it must be a rare event for Springettsbury. He asked if anyone recalled when this might have been done before.

HOLMAN Mr. Holman responded this was the first time in his nine years that a matter like this had ever reached this point.

LUCIANI Mr. Luciani recalled that York Valley Inn was blighted and the owner removed the property, not the township.

BISHOP Mr. Bishop indicated it was the first time it had occurred during his time at the township, which had been a lot longer than nine years. He added that it sounded like there is a serious public safety hazard and the board is bound to act.

MS. LANDIS MOVED TO ACKNOWLEDGE NOTICE OF DEMOLITION AND ENGINEERS REPORT FOR 1759 WALLACE STREET AUTHORIZING FOR THE TOWNSHIP MANAGER TO AWARD DEMOLITION CONTRACT NOT TO EXCEED \$15,674.00 AND TO ASSESS ALL COSTS ASSOCIATED WITH THE DEMOLITION. MOTION UNANIMOUSLY CARRIED.

D. Authorization to Approve Tax Year 2012 Tax Refund Requests as follows:

- 1) Devolias Funk (Parcel #46-JJ-74) in the amount of \$12.00.
- 2) Marie Musser (Parcel #46-II-4) in the amount of \$1.72.
- 3) Carol & Jack Smith (Parcel #46-IJ-1.B0-C5) in the amount of \$55.81.

- 4) Springettsbury Volunteer Fire (Parcel #46-JJ-64.G0) in the amount of \$235.28.

MR. DVORYAK MOVED TO AUTHORIZE THE TAX YEAR 2012 TAX REFUND REQUESTS, ITEMS ONE THROUGH FOUR ON THE AGENDA. MOTION UNANIMOUSLY CARRIED.

14. ADJOURNMENT

BOWMAN Mr. Bowman congratulated Mr. Holman on his Professional Development program.

LANDIS Ms. Landis asked about the Community Recreation Plan as to whether there was something the board was to do. She had been unable to attend the meeting.

HOLMAN Mr. Holman responded that the Recreation Committee is working on the plan as they are interested in developing some interest. The board will be discussing it as part of the Strategic Planning during the budgeting process as there will be a cost associated.

BISHOP Vice Chairman Bishop adjourned the meeting at 9:10 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING – LIQUOR LICENSE TRANSFER**

**JUNE 28, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, June 28, 2012 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak
Julie Landis

MEMBERS NOT

IN ATTENDANCE: Bill Schenck, Chairman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Jean Abreght, Stenographer

1. CALL TO ORDER

BISHOP Vice Chairman Don Bishop called the Public Hearing of the Board of Supervisors to order. He announced that Chairman Bill Schenck would not be present due to some unexpected personal business.

2. NEW BUSINESS

BISHOP Mr. Bishop stated that the purpose of the Public Hearing was to hear testimony concerning the transfer of a liquor license into Springettsbury Township.

A. Transfer of Pennsylvania Liquor License No. R-18544 from 1401 Roosevelt Avenue to 2860 Whiteford Road.

HEIM Attorney Larry Heim spoke as representative of the applicant. He reported that this would involve an inter-municipal transfer for which they sought approval of the township. The applicant desired to move the license from its present location in the City of York to the old Charlie Brown building in Springettsbury Township, a site which had been vacant for several years.

STEEES Dan Stees, partner and manager of Banana Max, testified that Banana Max had been located in Springettsbury Township off and on for 14 years, most recently 11 years on

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING – LIQUOR LICENSE TRANSFER**

**JUNE 28, 2012
APPROVED**

Eastern Boulevard. Several years ago they had moved the business to its current location on Route 30. It had proved to be one of their busiest locations; however, the large portion of the client base comes from Springettsbury Township. The Charlie Browns building became available to them, and they would like to move their business into that location. Mr. Stees provided the board with menus, flyers and promotions for examples. They cater to everyone between the ages of 21 and 81. They are a restaurant, a bar and they have entertainment. They are strict with the regulations and do not tolerate criminal activities.

LANDIS Ms. Landis had several questions and concerns. She asked what steps they had in place to curb any potential dangers or unforeseen accidents with younger crowds with alcohol and a dance club atmosphere

STEEES Mr. Stees responded that the business, as well as the liquor license is very expensive, and they want to make sure that is in place year after year. They maintain a security staff and have their bartenders and servers trained in proper alcohol service. In addition, they have a strict dress code.

LANDIS Ms. Landis asked how they could monitor a strict dress code.

STEEES Mr. Stees responded that they enforce it uniformly regardless of race, creed, color, national origin. There are 20 items posted on the front door, and it is enforced uniformly across the board. In addition, they monitor the kind of music that is played to keep a crowd under control. They maintain a computerized bar list, and each and every person who comes through the door must have a driver's license scanned. If they were barred in one of their locations 15 years ago, they are still barred.

LANDIS Ms. Landis commented that by having the licenses scanned, that would provide the information of origin of the client base from Springettsbury.

STEEES Mr. Stees responded that it tracks down to the zip code. He added that they had become a little uncomfortable in the current location due to foot traffic from some surrounding neighborhoods. They would like to get away from that.

LANDIS Ms. Landis questioned whether they had met with any of the businesses surrounding the Charlie Browns location.

STEEES Mr. Stees responded that they had met with Futer Brothers, which gave them a favorable indication. They had not had an opportunity to meet with Christmas Tree Hill.

LANDIS Ms. Landis asked whether the building would be a lease.

STEEES Mr. Stees responded it is a lease purchase, scheduled to be purchased by May of 2014.

DVORYAK Mr. Dvoryak asked whether there had ever been any shootings at their Roosevelt Avenue location.

STEEES Mr. Stees responded that they had not; however, they did have a pedestrian show a firearm, but he was not a customer. He noted that they are held hostage by the neighborhood.

3. PUBLIC COMMENT

BISHOP Mr. Bishop opened the floor to public comment.

SCHLUDE Rich Schlude of 3465 Edenbridge stated that he had been a long-time customer of Banana Max. He supported Mr. Stees' testimony and stated they have a very loyal group of customers. He specified that the security staff is very capable to take care of any situation that arises. He had seen them work with local authorities. He stated their good reputation and improvements will provide the same high quality at the new location.

BISHOP Mr. Bishop asked for any additional comments on the liquor license transfer. Hearing none he indicated the item would be addressed on the agenda for the regular board meeting scheduled to begin at 7 p.m.

4. ADJOURNMENT

BISHOP Vice Chairman Bishop adjourned the meeting at 6:58 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JULY 26, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, July 26, 2012 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
Julie Landis

MEMBERS NOT

IN ATTENDANCE: George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani Civil Engineer
Dennis Crabill, Environmental Engineer
Thomas Hyers, Police Chief
Robert McCoy, YAUFR Chief
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jack Hadge, Finance Director
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that there had been no Executive Sessions prior to this meeting; however, one had been requested following this meeting to discuss personnel matters.

3. COMMUNICATION FROM CITIZENS

FREY Sarah Frey, 4160 Old Orchard Road, stated that she is a Registered Nurse with a Bachelor of Science in Nursing. She had worked for 30 years at York Hospital, as well as a Public Health Nurse for the Pennsylvania Department of Health. She stated her support for the Springettsbury Township Emergency Medical Services. She read a supporting letter concerning the current review of the township EMS, and she provided the document, as well as some petitions to Chairman Schenck.

SANDMEYER Robert Sandmeyer, 2625 Kingston Road inquired as to the timetable for the permanent speed hump for Kingston Road.

HOLMAN Mr. Holman responded that the repaving project would begin on approximately August 15th, and the hump would be included in that project.

LANDIS Ms. Landis referred to notations from the May 24th meeting minutes, when Supervisor Dvoryak questioned whether or not a policy existed. Mr. Holman was going to review the policies to determine the status of such policy, and if one was not available, then a permanent policy would be presented to the board for approval.

HOLMAN Mr. Holman responded that the temporary speed hump policy exists to determine if a permanent speed hump is required. He did not find a policy for a permanent hump.

SANDMEYER Mr. Sandmeyer questioned whether the board had decided on the speed hump. He noted that the traffic is worse, and he had been informed of the re-surfacing projects.

SCHENCK Chairman Schenck asked whether the board could deal with the matter at this time. He had no issues with it.

MR. BISHOP MOVED TO INSTRUCT THE TOWNSHIP MANAGER TO INSTALL THE SPEED HUMP ON KINGSTON ROAD PERMANENTLY IN REPLACEMENT OF THE TEMPORARY HUMP. MOTION UNANIMOUSLY CARRIED.

KLAYHOLD David Klayhold, 48 Lynbrook Drive North, came forward with a question regarding an alleyway off Lynbrook Drive North, runs past his property, up to Stonehurst out to Old Orchard Road. He learned that the township had given the other end of the alleyway to a resident with a letter to attach to his deed. Mr. Klayhold stated that he had been maintaining the alleyway for over 50 years and he wanted to clarify ownership.

LUCIANI Mr. Luciani reported that he and Mr. Holman visited the property a year ago, and he recalled it was a private right-of-way.

HOLMAN Mr. Holman noted it was a private alleyway as part of the development, and is a private access set up under the developer agreement. He stated that he would have the Solicitor review it further.

KLAYHOLD Mr. Klayhold noted that he had been advised previously that he would have to get the 18 property owners to sign off. He questioned that because when the other end of the alleyway was closed he had not been asked to sign off. Mr. Klayhold indicated that he only wanted the area that he maintains.

RAUSCH Solicitor Rausch indicated that he was not sure about the letter sent to the resident. The only thing the township would have done would have been to say that the township has no public interest in that right-of-way. He did not believe that the right-of-way had been dedicated to the township. After 21 years if the township doesn't take a road it reverts back to the private landowners. Anyone who adjoins the right-of-way, who purchased land that was associated with it would have rights to it. Solicitor Rausch suggested that Mr. Klayhold file a Quiet Title Action against all the other property owners. The township has no jurisdiction over the alleyway.

KLAYHOLD Mr. Klayhold indicated he would like to have something in writing that the township had nothing to do with it.

HOLMAN Mr. Holman stated that the township has all the documentation on file. He will pull that information, review it with the Solicitor and then send a confirming letter to Mr. Klayhold. It should be done within a two-week period.

SCHENCK Chairman Schenck stated that Mr. Klayhold lives around the corner from him, and he will stop by and get a visual on what he's dealing with to see if the township can give him some assistance.

TROTT David Trott, 3360 Druck Valley Road, stated that he had submitted an official complaint on May 10th requesting that an inquiry be made by the Board of Supervisors regarding issues relating to the Township Manager and the hiring process for the Chief of Police. During the June 28th meeting he had asked Vice Chairman Bishop what the status was of his complaint, and he had been advised

that his answer was provided at a previous meeting and the matter was put to rest. His ensuing discussion was lengthy and is summarized.

- Mr. Trott's official complaint was addressed only by Chairman Schenck.
- Township does not have an official complaint policy.
- Mr. Trott questioned competency of Manager Holman.
- Correspondence sent by Mr. Trott to Chairman Schenck dated October 13, 2004 documenting frustrations dealing with Manager Holman.
- Meeting held between Mr. Trott and Supervisor Dvoryak concerning Manager Holman.
- Search for Police Chief conducted by outside professional organization, Gleason & Associates including attorney fees for total cost of over \$26,000.
- Chief Hyers' contract reviewed; question of at-will employee vs. a tenured officer.
- Manager's Ordinance gives too much power and limits power of elected officials.
- Critical to have a manager and staff that is educated and experienced in municipal governance.
- Supervisor's role is not to micromanage administration of the township *but to use common sense and have checks and balances in place.*
- Lieutenant Stump is a proven leader and well respected law enforcement officer with full support of his fellow officers and citizens.

MILLER Jean Miller, 1318 East 11th Avenue, brought forward the traffic issue they are having. She walks her dog between 5:30 and 5:45 in the morning and recently counted at least 15 cars going eastbound at a high rate of speed. She noted that school would be opening soon, and they have Central and LIU children heading to the schools. She noted that something needs to be done again. It had been better when the state police presence had been there.

SCHENCK Chairman Schenck asked whether there was a particular time of day for observation.

MILLER Ms. Miller responded that it would be from 5:45 a.m. to about 8:30 a.m. and in the afternoon from 3 p.m. to 5 p.m.

SCHENCK Chairman Schenck noted that it would be on Whiteford and 11th Avenue.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JULY 26, 2012
APPROVED**

- MILLER** Ms. Miller responded that he was correct. She added that the tractor-trailers are also a problem even though the street is posted for no trucks except local deliveries.
- SCHENCK** Chairman Schenck responded that he appreciated the information and Chief Hyers was taking notes. He added that it is an unfortunate situation with the detour and especially the trucks have a legal detour, which is North Hills Road.
- MILLER** Ms. Miller stated that the other cars are using their GPS, which tells them to use 11th Avenue. She asked whether the state police would come out again. She commented that the township apparently doesn't have VASCAR.
- SCHENCK** Chairman Schenck responded that the township has VASCAR along with some other devices. However, the state police are a great help with radar in a confined area.
- MILLER** Ms. Miller asked why the state police were involved the last time.
- SCHENCK** Chairman Schenck responded that the state police can use radar and in a close environment, radar is a better tool. He asked Chief Hyers to contact her.
- MILLER** Ms. Miller asked whether there would be a possibility for a permanent speed hump on their street. She noted it might be possible in the future.
- SNYDER** Tanya Snyder, 3812 Stuart Drive asked the township to trim some limbs off the two trees that hang over the sidewalk at Stuart and Yorklyn Gate.
- SCHENCK** Chairman Schenck responded that there are some things the township can do, especially if a hazard is involved with sight distances. He asked Mr. Baugh to follow up with her.
- SNYDER** Ms. Snyder expressed her thanks.
- SCHENCK** Chairman Schenck commented on the discussion concerning the ambulance service. He appreciated all the concerns. He noted the following, which is summarized:
- Township has no intention of turning their backs on the service.
 - Considerations involve more than just White Rose Ambulance; rather overall service that is provided.

- Four organizations have been approached with a plan for how the service would work.
- Vehicles would be housed and dispatched in the township as they are currently.
- Paramedics, as opposed to EMT's, would be provided, which assists the residents with billing issues.
- Subscription service/membership and benefits would still be carried.
- Revenue stream of the ambulance service does not cover the cost of the service.
- Billing problems addressed where residents occasionally have to pay from personal funds.
- Township has been funding/subsidizing the service with tax dollars.
- Private contractors can perform the service without the subsidy.
- Ambulance service fundraising capabilities have dropped off.
- New vehicles will be needed; no funding from volunteers; need for tax dollars.
- Loyal employees will be offered positions if changes are made.
- All EMT's can be trained for Paramedic certification.

BISHOP Mr. Bishop commented that the board would be derelict in its duty to not review this to see if improvements should be made. It is possible that there is no need for improvement, and in that case, no change will be made. It is a very dynamic environment, and things change all the time.

SCHENCK Chairman Schenck offered to sit down with Ms. Frey and go over the matter. There are many details to be reviewed and decisions to be made.

GAROFALO Mario Garofalo commented that several of the EMT's are certified as Paramedics.

SCHENCK Chairman Schenck responded that he was correct; however, the service the township is providing is an EMS level service.

GAROFALO Mr. Garofalo mentioned that Memorial Hospital wanted to do joint billing to reduce the costs, but the decision was made not to do so. He stated that apparently the board doesn't want to save the township any money.

SCHENCK Chairman Schenck responded that he was very familiar with the matter. The joint billing question drills down into the details. If the decision was made to do joint billing, it would solve some problems; however, the taxpayers would have to fund even more because the township would lose revenue. The only way to make up that gap is in tax dollars.

GAROFALO Mr. Garofalo asked to have the information placed on the website for the residents to see.

SCHENCK Chairman Schenck responded that he would ask the Manager to do so.

GAROFALO Mr. Garofalo mentioned that he didn't see the tape recorder and wondered if the meetings weren't being recorded.

SCHENCK Chairman Schenck responded that the meeting was being recorded.

GAROFALO Mr. Garofalo apologized as he had not seen it.

MILLER Ms. Miller commented that she thought the Comcast money that the township receives could be put toward EMS.

SCHENCK Chairman Schenck responded that the Comcast money goes into the general fund so it pays general expenses, out of which money is spent towards the ambulance service.

MILLER Ms. Miller commented that she thought it went to Wi-Fi in the park.

SCHENCK Chairman Schenck asked Mr. Holman to clarify the matter.

MILLER Ms. Miller commented on the EMS employees who will lose their jobs.

SCHENCK Chairman Schenck reiterated that within the proposal they would all be offered employment with whoever would win the contract.

HOLMAN Mr. Holman stated that the Comcast Grant was specified to be used for cable, Wi-Fi or telephone systems. It could not be used for ambulance services or anything that is within FCC regulations. As a result, the township was able to Wi-Fi the park and replace the phone system in the township at no cost to the taxpayers.

MILLER Ms. Miller asked to review the Comcast contract.

SCHENCK Chairman Schenck responded that the contract is a public document and can be reviewed.

HOLMAN Mr. Holman clarified that it is a one-time grant that was granted as a signing bonus for the cable contract.

SCHENCK Chairman Schenck noted for clarification that there are some monies paid by Comcast to the township that go into the General Fund, and the General Fund pays all the bills including the ambulance service salaries.

LANDIS Ms. Landis noted, again for clarification, that the grant money is mandated for specific items, but money that come in annually from Comcast can be used for other things.

SCHENCK Chairman Schenck added that it is called a Franchise Fee, and every municipality receives that from the cable companies. That money goes into the General Fund and is used to pay bills.

LANDIS Ms. Landis indicated that it was a couple hundred thousand dollars.

HOLMAN Mr. Holman stated it was closer to \$300,000, and it is currently used to offset costs including the ambulance service.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated that he had submitted his monthly report and he had no updates.

LANDIS Ms. Landis questioned the item concerning collection systems. She asked if the issues were different than normal collection issues.

CRABILL Mr. Crabill responded that there are a number of small projects coming. They meet with township staff and check the site and a decision is made whether engineering will be required. One such project involves the sinkhole on Mt. Zion Road. These are just typical projects, nothing out of the ordinary.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated that he had presented his monthly report. He had several updates:

- Wallace Street Structure – Demolition has been completed.

- Mt. Rose Avenue – Roadwork is commencing from Camp Betty Washington/Haines Road up the hill. One resident had a sewer issue, but there were no events as the work progressed. Some manholes along St. John’s had been relocated.

LANDIS Ms. Landis questioned the Chik-fil-A project, which seemed to have a host of problems.

LUCIANI Mr. Luciani responded that, first of all, it’s in the Town Center overlay, which presents challenges. The developer agreed to do some additional landscaping. Part of the problem is that their engineer is from Red Bank, New Jersey. He is becoming familiar with Pennsylvania requirements. The shared driveway with Home Depot created some of their issues. None of the issues are insurmountable. Mr. Luciani stated that they hope to do the construction late fall 2012 or early spring 2013.

LANDIS Ms. Landis asked about the traffic movement.

LUCIANI Mr. Luciani responded that they will be demolishing the existing Blockbuster building, which had been discussed in a briefing meeting. He cited several issues with the Wal-Mart Garden Center and the traffic from Home Depot. The issue is internal to the mall; however, safety is always a concern. They will work through the issues, which may involve several stop signs and speed humps.

LANDIS Ms. Landis asked about the York County land adjacent to Pleasant Acres.

LUCIANI Mr. Luciani responded that the land involves a vacant tract on the other side of Davies Drive, which is zoned Residential. York County desires to construct a new County Conservation District headquarters on that land, which involves zoning issues which will require some re-zoning.

LANDIS Ms. Landis questioned a comment concerning an error on the map.

LUCIANI Mr. Luciani responded that they believe that the bottom of the zone does not fit what they would like to do. Mr. Luciani indicated he thought there might be a choice to adjust the zone and have them go before the Zoning Hearing Board.

5. CONSENT AGENDA

- A. Acknowledge Receipt of June 19, 2012 York Area United Fire and Rescue Commission Meeting Minutes.
- B. Acknowledge Receipt of June 30, 2012 Treasurer's Report
- C. Board of Supervisors Conditional Use Hearing Minutes – June 28, 2012.
- D. Board of Supervisors Public Hearing Minutes - June 28, 2012.
- E. Board of Supervisors Regular Meeting Minutes – June 28, 2012
- F. Regular Payables as Detailed in the Payable Listing of July 26, 2012.

MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH F. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Approve Change Order #2 for Meadowlands Interceptor Project in the amount of \$7,910.84 with J. A. Myers Building and Development, Inc.

MR. BISHOP MOVED TO APPROVE THE CHANGE ORDER #2 FOR MEADOWLANDS INTERCEPTOR PROJECT. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Approve Change Order #3 for Meadowlands Interceptor Project in the Credit amount of \$33,481 with J. A. Myers Building and Development, Inc.

MR. BISHOP MOVED TO APPROVE THE CHANGE ORDER #3 FOR MEADOWLANDS INTERCEPTOR PROJECT. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck called attention to the fact that the item was a credit of \$33,481. The contract was written in such a way that if they did not use the material anticipated there would be a credit.

- C. Authorization to Enter into Settlement Agreement between Bentivegna Real Estate, LLC and the Springettsbury Township Zoning Hearing Board.

MR. BISHOP MOVED TO APPROVE AUTHORIZATION TO ENTER INTO SETTLEMENT AGREEMENT BETWEEN BENTIVEGNA REAL ESTATE, LLC AND THE SPRINGETTSBURY TOWNSHIP ZONING HEARING BOARD. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis brought forward four items which resulted in a lengthy discussion. They are summarized for the record.

Ambulance Service Information

- Documentation provided dated July 20, 2012 provided statistical data concerning estimated cost savings analysis, percentage of services, percentage of call responses which revealed response to 82.8% of the calls.
- Statistics based on EMT run logs.
- Community interest in EMS needs additional transparency, especially expenses verses revenue.
- Information is being assembled in an effort to present overall scope of the service.
- Work Session may be needed for further review; include Chief McCoy's participation.
- Salaries and benefits are a huge contributor to operational expense.
- Document dated February 4, 2009 requested for Ms. Landis re/call percentages and need for additional ambulances during that time period.

Township Park at Keesey Street and Fifth Avenue

- Parking on both sides of street hinders residents during organized baseball games.
- Attention to be given to handicapped resident being provided access out of driveway.
- Chief McCoy and Chief Hyers to provide evaluation of whether emergency vehicles could get through during games and presented a safety hazard.
- Follow up to be provided to the handicapped resident.

2011 Audit Report

- Report addressing internal control issues to be provided to the board upon its completion.

Summer Concert Series – Police Patrol

- Some residents felt uneasy during police patrol during summer concerts.
- Majority of comments received had been very positive; that it is a good allocation of resources, great interaction with the police officers and well received.
- Environment felt more safe in view of the Colorado massacre.

- Effort is part of the Community Police Program.
- Suggestion made to have David Wendell to introduce Chief Hyers prior to concerts to discuss why the officers are there.
- Officers are not being paid overtime while in the park. They are on duty.

Police Chief – Philadelphia Phillies

- Chief Hyers and Supervisor Bowman used township vehicle to attend game. *This was a violation of Township Policy. The basic use of the police vehicle is stated in Chief Hyers' contract.*
- Gas paid for by Chief Hyers.
- Chief Hyers on duty 24/7; quick response time in police vehicle.
- Police vehicles used outside of Springettsbury for training at Penn State, Hershey Academy, other community meetings.

SCHENCK Chairman Schenck stated for the record that Ms. Landis had requested an Executive Session to discuss some rumors she had heard about Chief Hyers and John Holman. He stated that she had chosen to discuss what is typically personnel matters and discuss them in a public forum.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that he had nothing to add to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman stated he had nothing to add to his written report.

11. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 2012-02A – Restricting Truck Traffic on Yorklyn Gate between East Market Street and Stuart Drive.

MS. LANDIS MOVED TO APPROVE ORDINANCE NO. 2012-02A. MOTION UNANIMOUSLY CARRIED.

B. Ordinance No. 2012-03 – Amending Chapter 227, Article 4 “Property Maintenance Standards” of the Township Code of Ordinances.

MS. LANDIS MOVED TO APPROVE ORDINANCE NO. 2012-03. MOTION UNANIMOUSLY CARRIED.

- C. Ordinance No. 2012-04 – Amending Chapter 289 of the Springettsbury Code of Ordinances “Storm Water.”

MR. BISHOP MOVED TO APPROVE ORDINANCE 2012-04. MOTION UNANIMOUSLY CARRIED.

- D. Ordinance No. 2012-05 – Regulating the Tethering of Dogs

MS. LANDIS MOVED TO APPROVE/AUTHORIZE ORDINANCE NO. 2012-05. MOTION UNANIMOUSLY CARRIED.

- E. Resolution No. 3023-40 – Authorizing Bonds Appointment/Debt Intentions

SCHENCK Chairman Schenck introduced item E, an action which would authorize bonds for expenditures for the Capital program enabling the township to recover the funds under the bonds in the future.

HOLMAN Mr. Holman stated that the action dealt mainly with the current status of the fire building. He asked the board whether it would be an appropriate time to have the presentation of the fire building project.

Consensus of the board was to move item 12D up on the agenda.

- D. Fire Station Update

HOLMAN Mr. Holman introduced Scott Loercher, Buchart-Horn, Inc. who had completed much of the preliminary engineering work. Mr. Luciani’s firm is involved with some of the site work and testing of the site.

LOERCHER Mr. Loercher provided a presentation of the status of the proposed Fire Headquarters. He provided a PowerPoint presentation of the floor plan. A lengthy discussion took place, which is summarized for the record.

- Building Committee consisted of Springettsbury Township Volunteer Fire Company, York Area United Fire and Rescue and York Area United Volunteer Fire and Rescue.
- Original review of the proposed project appeared to be 16,500 square feet, for which a reduction was requested to 15,500 square feet.
- First kick off meeting held March 8, 2012 to review program established in 2008.

- Potential schedule suggested to bid in early 2013.
- Building Committee approved the floor plan.
- Second floor will be limited to YAUFRR headquarters; elevator installation required.
- Building finishes reviewed: all brick lends nicely to civic building; durable. Cement siding or cement fiber siding, less labor intensive, slightly less cost.

LOERCHER Mr. Loercher reported that a proposed/updated cost estimate had been presented which included soft costs.

HOLMAN Mr. Holman stated that he had summarized what Mr. Loercher provided plus what he believed was currently funded by the engineering capital budget, the volunteer contribution, and the Relief Association contribution, which at the minimum was \$200,000 depending on the costs they are permitted to pay.

LOERCHER Mr. Loercher agreed and stated that the numbers they submitted included the building construction, the construction contingency of 15%, the design fees, land development, geotech, as well as the other soft costs such as furniture and equipment, construction management, independent testing and special inspections and building permit review.

HOLMAN Mr. Holman stated that the Springettsbury Township commitment at this point would be \$2,753,000 with \$205,000 from the Reserve Capital.

LANDIS Ms. Landis asked what the difference in price was with the two buildings.

LOERCHER Mr. Loercher responded that they had not priced the differences. They had used the RSMMeans cost with brick on the entire building, which was just a budget number at this point.

SCHENCK Chairman Schenck commented on the total project cost of \$3,600,000 with a township contribution of \$2,700,000 assuming it's all brick

LOERCHER Mr. Loercher noted that it is based on \$175 a square foot documented in the RSMMeans published information plus the 15% contingency for soil conditions, changes in floor plan, special equipment, etc. which would amount to approximately \$437,000.

SCHENCK Chairman Schenck noted that he had seen a document that might be helpful for Ms. Landis to see. Mr. Loercher had referred to the report of buildings that had

just been built based on the construction and square footage, etc. It had been helpful to him. It breaks everything down into square footage and gives a point of reference.

LOERCHER Mr. Loercher noted that there are options: for example, a concrete block option is probably \$15.00 to \$20.00 per square foot less than brick; concrete frame versus steel frame, stick frame with steel studs and a brick veneer, etc.

LANDIS Ms. Landis questioned the Springettsbury Township commitment of approximately \$2,753,000. She questioned whether there had been an official vote, as she had been unable to find any documentation. She thought there had been a consensus that there would be a contribution of from \$2 million to \$2.5 million.

LOERCHER Mr. Loercher noted that the project estimates are derived from the engineer's estimate. He reported that there had been a cost estimate provided in 2008 that used approximately \$140 a square foot.

LANDIS Ms. Landis asked why the Resolution 2012-40 is presented to the board. She stated that it listed anything from Capital projects to acquisitions, construction, police station, administrative building, community recreational facilities in an amount of \$12 million.

SCHENCK Chairman Schenck stated that the purpose of the resolution is in order that any expenses for this project can be rolled into this financing of \$12 million, which can be recovered and make it borrowable money. If the resolution is not approved, any expenditures made would be cash money spent out of the general fund and cannot be reimbursed.

HOLMAN Mr. Holman reported that he had discussed the capital projects with Scott Meehok, who indicated the township could do a \$12 million bond. The \$12 million doesn't have to be borrowed; rather it could include all capital projects over the next three years with the assumption of bonding approximately to 2016 according to the schedule.

LANDIS Ms. Landis asked for clarification as to how the fire building discussion evolved into the bonding for all Capital Improvement projects.

RAUSCH Solicitor Rausch explained that the resolution is like a wish basket. Everything is put into the wish basket, not that all the projects were to be done, but if a

decision were made to do them, the resolution would allow the incorporation of them into the bonding. There's no commitment to any of the projects.

LANDIS Ms. Landis noted that there had been discussion during budget time on the subject. She thought it would be better to keep every project aligned and associated with each project rather than include it in a \$12 million wish list. She commented that there is some type of commitment of \$2,753,000 already over budget, with nothing in the capital reserves except \$10,000.

SCHENCK Chairman Schenck asked her how much are in the general reserves.

LANDIS Ms. Landis responded that there was over \$2 million.

SCHENCK Chairman Schenck stated that the reserve money may or may not be used, and the board was to make a decision.

LANDIS Ms. Landis responded that she would like her questions to be answered first. She asked if the board would approve going over the commitment made.

SCHENCK Chairman Schenck responded that he was completely in agreement with it.

BISHOP Mr. Bishop thought it was a misunderstanding to say that it was over the commitment; that it was a process of honing in on what it might take to achieve the objective. The objective is what is needed to provide the service intended and then as the project moves forward the numbers become more accurate.

LANDIS Ms. Landis thought that there should be an effort to cut costs now.

BISHOP Mr. Bishop responded that the board has every intention to cut costs. The project had already cut out half a million.

LANDIS Ms. Landis asked Mr. Loercher what could be done to bring the cost of this building down.

LOERCHER Mr. Loercher responded that the original project they started with had 19,000 square feet with a budget of \$4.4 million. They went back to the Building Committee, reviewed some options, reduced the square footage and removed rooms and meeting spaces. They came down to 15,500 square feet. If she was looking for more than that they would have to go back to the Building Committee.

LANDIS Ms. Landis noted the elevator cost of \$175,000 and asked if there was any way to have a cheaper elevator.

LOERCHER Mr. Loercher responded that the equipment alone costs \$100,000 plus installation and building the hoist way. He added that there are some remaining questions in terms of the geotechnical information.

LANDIS Ms. Landis commented that the board is to make a decision with a lot of unknown variables at this moment.

LOERCHER Mr. Loercher responded that in the design process they do a cost estimate at difference phases. This would be the schematic phase. Then they into the DD phase and then the construction document phase. They typically don't receive approval on the way. They would review it with the board along the way. They had been authorized to move to this point and then asked to present it. That's where the project currently stands.

SCHENCK Chairman Schenck called for a motion to adopt Resolution 2012-40.

MR. BISHOP MOVED TO ADOPT RESOLUTION 2012-40. MOTION CARRIED 3/1. MESSRS. BISHOP, BOWMAN AND SCHENCK VOTED IN FAVOR; MS. LANDIS VOTED OPPOSED.

SCHENCK Chairman Schenck called for a motion to authorize the manager to move forward in the next step in design based on the document noting the township contribution to the new fire building at this time of \$2,753,000.

MR. BOWMAN MOVED TO APPROVE A COMMITMENT OF \$2,753,000 TOWARD THE NEW FIRE SERVICE HEADQUARTERS AND AUTHORIZE THE TOWNSHIP MANAGER TO PROCEED INTO THE NEXT STEP IN DESIGN. MOTION CARRIED 3/1. MESSRS. BOWMAN, BISHOP AND SCHENCK VOTED IN FAVOR; MS. LANDIS VOTED OPPOSED.

12. OLD BUSINESS

A. Board of Supervisors Regular Meeting Minutes – May 24, 2012

MS. LANDIS MOVED TO APPROVE THE REGULAR MEETING MINUTES, MAY 24, 2012. MOTION UNANIMOUSLY CARRIED.

B. Recreational Vehicle Ordinance

SCHENCK Chairman Schenck stated that item B had been through review by the Planning Commission, along with concerned residents who had participated. The result was that the majority of affected residents were pleased with the result.

RAUSCH Solicitor Rausch noted that there will be some minor tweaks to the language in the draft ordinance; however, if the board chose to authorize it for advertisement, it needed to be sent to York County Planning Commission for review. He would advertise it in such a way that it would meet the 30-day requirement.

MR. BISHOP MOVED TO AUTHORIZE ANY NECESSARY LANGUAGE CHANGES TO THE RECREATIONAL VEHICLE ORDINANCE DRAFT AND ADVERTISEMENT PRIOR TO THE PUBLIC HEARING. MOTION UNANIMOUSLY CARRIED.

C. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that he had nothing new to report. He understood that more information will be forthcoming from YorkCounts in September.

D. Fire Station Update

This item was acted upon earlier during the agenda.

13. NEW BUSINESS

A. Adoption of Social Media Policy.

MR. BISHOP MOVED TO ADOPT THE SOCIAL MEDIA POLICY. MOTION CARRIED 3/1. MESSRS. BISHOP, BOWMAN AND SCHENCK VOTED IN FAVOR; MS. LANDIS WAS OPPOSED.

B. Fundraising Request – Springettsbury Township Historic Preservation Committee

SCHENCK Chairman Schenck introduced Luther Sowers, who brought forward an effort to be made regarding the Shultz property.

SOWERS Mr. Sowers came before the board to ask permission to raise funds to help save the Shultz house. The township owns the property surrounding it, and Historic York owns the house. However, recently it had been offered for sale at

approximately \$299,000. They had discussed the Shultz house with Carol Tanzola of Camp Security and it was agreed that the house was quickly falling into disrepair. Mr. Sowers explained that the ultimate goal would be that the township would own the house. Their plan is to create and distribute a half page of information during the Saturday in the Park function as a way to encourage people to contribute towards purchasing the house. Young people would circulate throughout the park dressed in period costumes with the flyers.

SCHENCK Chairman Schenck responded that the board would have to give the matter serious consideration.

HOLMAN Mr. Holman stated that the Historic Preservation Committee would take the lead in the project. Handling the money would be set up in the Finance Office to set it up in Trust funds, identify the names of contributors. Final ownership of the building must be up to the board whether or not to own the Shultz property.

MONSON Mary Ellen Monson stated that there are individuals and organizations that have a special interest in preservation of history, and they are working to find a buyer. One item that had been presented was if their organization could help to maintain it. They are not completely focused on money; an appeal could be made to the community for labor, supplies or becoming associated with assistance to preserve the house, which they thought was safe in the hands of Historic York.

SCHENCK Chairman Schenck commented on some of the deed restrictions that Historic York placed on the property. Included was they had to properly maintain it, had the right to inspect the property to be sure it was being kept in historic character. He noted that the township had made the investment in the Rowe Farm and Camp Security.

BISHOP Mr. Bishop stated for clarification that they are simply proposing providing people with information as to how to support the project.

MONSON Ms. Monson added that through keeping track of individuals who contribute, if for some reason it would not go through or the opportunity would be lost, they would refund the money.

BISHOP Mr. Bishop commented that his impression was that their mission might be accomplished if enough money could be raised to maintain the building for a period of time until it was sold.

SOWERS Mr. Sowers responded that it was important to keep it public and maintained and restored in a historic way.

SCHENCK Chairman Schenck indicated that a policy decision would have to be made due to the fact that it would ultimately own a historic structure. He added that the board would have to review it before making any decision.

MONSON Ms. Monson noted that the historic bus tours they offer had been extremely well received. Tickets are sold out within a day; they've offered two tours that were both sold out. The interest is there, and there might be a lot of people who would make donations.

SCHENCK Chairman Schenck asked whether Mr. Sowers had the opportunity to discuss this with the Parks and Rec Board. That board is charged with the Rowe Farm and Camp Security concept.

SOWERS Mr. Sowers responded that he had and wanted to approach the supervisors with the matter.

RAUSCH Solicitor Rausch noted that the board should review the information that is prepared to go out to the public.

LANDIS Ms. Landis asked if they had any of the information prepared.

MONSON Ms. Monson had a hand-written draft and provided that to the board.

SCHENCK Chairman Schenck noted that if enough money could be raised to fund it with an endowment forever, the township wouldn't have to spend any money. He thanked Mr. Sowers and Ms. Monson for bring the matter to the board. He stated they would give it due consideration.

SOWERS Mr. Sowers thanked them for reviewing the matter.

C. Acknowledge Receipt of PA Department of Labor and Industry Reassessment Audit #671655-3 Re: Accessibility Requirements of the Uniform Construction Code.

MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE PA DEPARTMENT OF LABOR AND INDUSTRY REASSESSMENT AUDIT #671655-3. MOTION UNANIMOUSLY CARRIED.

New Appointments – Zoning Hearing Board; Parks and Rec Board

SCHENCK Chairman Schenck reported that interviews had been held for vacancies on the Zoning Hearing Board and the Parks and Recreation Board.

MR. BISHOP MOVED TO APPOINT LESLIE JONES TO THE PARK AND REC BOARD TO THE UNEXPIRED TERM. MOTION UNANIMOUSLY CARRIED.

MR. BISHOP MOVED TO APPOINT DAVID SEILER AND KEVIN HEVNER TO ALTERNATE POSITIONS ON THE ZONING HEARING BOARD. MOTION UNANIMOUSLY CARRIED.

14. ADJOURNMENT

SCHENCK Chairman Schenck reminded the board of the Executive Session to be held immediately following adjournment. He adjourned the meeting at 10 p.m.

The Board of Supervisors reconvened at 10:02 p.m. for a brief action.

F. Resolution No. 2012-41 – National Night Out

MR. BISHOP MOVED TO ADOPT RESOLUTION 2012-41 – NATIONAL NIGHT OUT, AUGUST 7, 2012. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck adjourned the meeting at 10:03 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
CONDITIONAL USE HEARING – C-12-03**

**AUGUST 23, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Conditional Use Hearing on Thursday, August 23, 2012 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Jean Abrecht, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 6:45 p.m.

2. NEW BUSINESS

A. Application for a Conditional Use in the Town Center Overlay to Consider Construction of a Retail Center at 3013 East Market Street

SCHENCK Chairman Schenck called the Conditional Use Hearing to order at 6:30 p.m. He stated the purpose of the hearing was to hear testimony from the applicant for a proposed project at 3013 East Market Street.

JOHNSTON Eric Johnston, Johnston and Associates, Inc. stated that he and Frank Messina, the applicant, would be providing testimony. Copies of their Conditional Use Application had been provided to the board. The project involved a two-acre tract of land located at 3013 East Market Street across from Mill Street and next to the Home Depot. The underlying zone is Highway Commercial, and a retail use is permitted in that zone. However, the property is located in the Town Center Overlay district which has limitations and considerations. They propose to subdivide the property into two one-acre lots, rotate and seed it. Closest to the Home Depot property they propose to construct an Auto Zone auto supply. In the other one-acre lot they propose a retail strip center. Their plan is to use the access off Market Street, reposition it slightly and bring it up to PennDOT standards. They propose to use the existing drive to the rear of the property which has some concerns. Planning Commission reviewed the proposed plan and favorably recommended it. Traffic concerns had been reviewed as well with some minor

adjustments recommended. Some landscaping improvements will be made as well.

SCHENCK Chairman Schenck stated that the board had received their application with answers to the six conditions that must be met. He questioned whether orienting the buildings 90 degrees toward the street would solve the spirit of the Town Center Overlay as that was his biggest concern.

JOHNSTON Mr. Johnston stated that they feel that condition would be met.

BAUGH Mr. Baugh commented that because it is a redevelopment site, there is a tendency to be more lenient than if it was a brand new site.

LANDIS Ms. Landis questioned whether there was a need to know who all the tenants would be in order to grant the Conditional Use based on a premature conceptual plan. There are two possibilities, one with the Auto Zone prototype. She commented that prototypes can be scaled up or down to fit the property.

JOHNSTON Mr. Johnston responded that the other users in the retail strip center had not yet been identified. However, Auto Zone is a proposed use, and the prototype fits the site.

LANDIS Ms. Landis questioned the exit in back of the fire station and whether or not it belonged to Home Depot.

JOHNSTON Mr. Johnston responded that he was aware that it is an access easement into the tract.

SCHENCK Chairman Schenck stated that he did not know how the easement access was granted, but in order for this plan to move forward they were making the assumption that they can get the access.

JOHNSTON Mr. Johnston noted that the vantage point access is in the tract.

LUCIANI Mr. Luciani stated that a survey had been conducted during the Chick-Fil-A project, and it was verified that they had access to that easement.

SCHENCK Chairman Schenck noted that the board is only concerned with the Conditional Use. During the Land Development process driveways, access and PennDOT permits will be addressed. He asked if any of the supervisors had any dispute with the six questions that were answered for the Conditional Use.

RAUSCH Solicitor Rausch stated that the board needs only to decide whether or not the applicant complied with the Town Center Overlay requirements and they had met the standards of rehabilitation in the ordinance.

BAUGH Mr. Baugh added that this is a sketch plan only and not their development plan.

SCHENCK Chairman Schenck asked whether Mr. Baugh had agreed with the applicant's statement that their sketch plan illustrates overall compliance with the Town Center Overlay.

BAUGH Mr. Baugh responded that he definitely agreed.

SCHENCK Chairman Schenck asked Mr. Johnston if there was any further presentation he wished to make at this time.

JOHNSTON Mr. Johnston responded that he did not. They felt their response to the six items had met the standards of the Town Center Overlay design.

3. PUBLIC COMMENT

SCHENCK Chairman Schenck asked if there was anyone present who wished to speak about the Conditional Use for the 3013 East Market Street site. There was no public comment.

MR. BISHOP MOVED THAT CASE C12-03 BE APPROVED OF THE CONDITIONAL USE AS REQUESTED. MOTION UNANIMOUSLY CARRIED.

4. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the Conditional Use Hearing at 7:10 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**AUGUST 23, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, August 23, 2012 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
James Baugh, Director of Community Development
Jack Hadge, Finance Director
Thomas Hyers, Police Chief
Robert McCoy, YAUFRR Chief
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7:15 p.m. He announced that there had been two earlier meetings that had taken longer than planned. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that an Executive Session had been held following the last meeting to discuss personnel matters. An Executive Session was scheduled following the meeting this date for discussion of personnel matters.

3. COMMUNICATION FROM CITIZENS

TROTT David Trott, 3360 Druck Valley Road, brought forward several of his concerns regarding the hiring of the Police Chief, his contract and whether he is an at-will employee versus a tenured police officer under the Police Tenure Act. He questioned whether he was on probation as a new employee. He also commented on the hiring process handled by the Township Manager.

RAUSCH Solicitor Rausch stated that unless Chief Hyers had raised the issue, it would be between him and the township.

LANDIS Ms. Landis noted that Solicitor Rausch had indicated to her that it was an important issue to be clarified.

SCHENCK Chairman Schenck inquired whether the board was interested in investing funds to respond to the question of whether the Chief was hired properly or not.

LANDIS Ms. Landis responded that it needed to be clarified. She wanted to be sure that checks and balances are in place.

RAUSCH Solicitor Rausch noted that it would have to be referred to labor counsel.

No further action was taken by the board.

SNELL Barry and Holly Snell of 112 Circle Drive, asked for assistance with a major stormwater issue and sink hole drainage affecting their property.

Following discussion it was determined that both Mr. Holman and Mr. Luciani would investigate and follow up. The item will be discussed in Mr. Holman's monthly report until solved.

WALTERS Bill Walters, 3310 Edenbridge Road, a resident of 49 years and a former board member commented that the board had done a good job and he wanted to see it continue.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated that he had provided a monthly report. Final payment will be submitted for Meadowlands pump station. The manhole line and replacement on 124 was completed as well.

SCHENCK Chairman Schenck expressed his displeasure at the newspaper editorial which suggested that York City and Springettsbury sewer plant contributed to the odor in the Codorus Creek.

CRABILL Mr. Crabill offered to provide a sample of the effluent, which is potable water.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated he had submitted his monthly report. He had several updates. The Harley Davidson video cameras work very well. Battery backup is available. The signal at Home Depot would be a candidate for a similar solution. He

provided a status report on the matter of LCBC church and traffic patterns on North Hills Road. While there is no resolution at this time, the situation is continuously discussed during the traffic meetings.

5. CONSENT AGENDA

- A. Acknowledge Receipt of July 31, 2012 Treasurer's Report.
- B. Board of Supervisors Regular Meeting Minutes – July 26, 2012.
- C. Kinsley Construction, Inc. – Marlow Drive Sanitary Sewer Project – Application for Payment No. 3 in an amount not to exceed \$51,338.75 (FINAL payment).
- D. J. A. Myers Building & Development, Inc. – Meadowlands Interceptor Project – Application for Payment No. 5 in an amount not to exceed \$31,426.84.
- E. Regular Payables as Detailed in the Payable Listing of August 23, 2012.
- F. Time Extension – LD-08-12 – Yale Electric – Plan Expires 8/25/12 (New Plan Date 11/25/12).
- G. Time Extension – SD-08-03 – Pam Long Subdivision – Plan Expires 8/25/12 (New Plan Date 11/25/12).

LANDIS Ms. Landis requested that item B would be pulled for further discussion.

MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH G EXCLUDING B. MOTION UNANIMOUSLY CARRIED.

- B. Board of Supervisors Regular Meeting Minutes – July 26, 2012

LANDIS Ms. Landis made the following additions/changes to the meeting minutes of July 26, 2012.

Under the summary of Mr. Trott's comments on page 4 add the following:
"Supervisor's role is not to micromanage administration of the township *but to use common sense and have checks and balances in place.*"

Under Supervisor Landis' comments on page 12, Police Chief – Philadelphia Phillies, the following statement was added: Chief Hyers and Supervisor Bowman used township vehicle to attend game. It was stated by Ms. Landis that this was a violation of Township Policy.

MR. DVORYAK MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING MINUTES OF JULY 26, 2012 AS AMENDED. MOTION UNANIMOUSLY CARRIED.

LANDIS Ms. Landis suggested that the audio of the minutes be placed on the township website.

SCHENCK Chairman Schenck responded that the item could be placed on the agenda under New Business.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Advertise for Bids – Public Works and Wastewater Treatment Uniform Service Contract.

HOLMAN Mr. Holman reported that uniforms purchased on contract over a three-year period reduced the cost substantially rather than purchasing uniforms on a year-to-year basis.

MR. DVORYAK MOVED TO AUTHORIZE ADVERTISING FOR BIDS FOR THE PUBLIC WORKS AND WASTEWATER TREATMENT UNIFORM SERVICE CONTRACT FOR A THREE-YEAR PERIOD. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Advertise for Bids – Yorklyn Sanitary Sewer Rehabilitation Project.

SCHENCK Chairman Schenck stated that Mr. Hodgkinson had summarized very well the reason for a shift in priorities from Haines Road to Yorklyn.

DVORYAK Mr. Dvoryak asked whether the reason to do one over the other related to dollars, manpower or both.

HODGKINSON Mr. Hodgkinson responded that a study done in 2006 showed Haines Acres in need of repair. However, having televised Yorklyn it became apparent the need for rehabilitation was more urgent.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO ADVERTISE THE BID. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck noted that in order to bid, Buchart-Horn needed to do some work not to exceed \$17,000.

MS. LANDIS MOVED TO AUTHORIZE TO AWARD YORKLYN SANITARY SEWER ENGINEERING SERVICES TO BUCHART HORN, INC. IN AN AMOUNT NOT TO EXCEED \$17,000. MOTION UNANIMOUSLY CARRIED.

- D. Authorization to Award Banking Services for General Fund and Other Funds to Metro Bank.

LANDIS Ms. Landis expressed some concerns with the spreadsheet provided to the board as she thought some of the bank responses vague. The board had not seen their actual proposals and they just say yes or no with regard to the fees. She stated that every bank is a business and she would like to see the actual proposal in detail prior to awarding Metro Bank the General Fund and Other Funds because there were a lot of things in here that are in question. She indicated that in working in the banking field Metro Bank has a very well known reputation to go

out for municipal accounts, bait and switch. They will wine and dine and bring the client in for a year or two and not charge any fees, provide a nice break and then the fees start coming in little bits and pieces. She reiterated her interest in seeing all of the responses because some of the banks gave great detail and others didn't.

SCHENCK Chairman Schenck asked Mr. Hadge whether he had prepared the spreadsheet.

HADGE Mr. Hadge responded that the Deputy had prepared the spreadsheet; however, he noted there was a three-year guarantee on No Fees in the proposal. He noted that Metro Bank is only giving 15 basis points. Other banks gave 20 basis points; some even 25 but they all had fees. This is a three-year guarantee of no fees.

DVORYAK Mr. Dvoryak asked whether, in his professional opinion, this was the best deal offered by the banks.

HOLMAN Mr. Holman stated that it was provided as the strongest and best deal.

HADGE Mr. Hadge responded that he agreed and that there was no question in his mind.

DVORYAK Mr. Dvoryak questioned whether the township could leave Metro at any time should they not live up to their commitment.

HADGE Mr. Hadge responded that it was six months' or three months' notice.

BISHOP Mr. Bishop asked if Metro had wined and dined him.

HADGE Mr. Hadge responded absolutely not. He stated his "Code of Ethics" that he does not take any lunches or anything from any bank or any professional institution with which he does business.

HOLMAN Mr. Holman reiterated that there was no wining and dining done. It was very much like the pension RFP, very specific.

LANDIS Ms. Landis asked whether, within the three-year agreement, the rate is a variable rate.

HADGE Mr. Hadge responded that it is variable. The basis may change, but not the fees. It could go down to .10 or up to .18 or down to .5.

LANDIS Ms. Landis asked whether that would outweigh any possible fees.

HADGE Mr. Hadge responded that it would, absolutely; no question.

LANDIS Ms. Landis acknowledged that she felt secure with the decision.

MR. DVORYAK MOVED TO AUTHORIZE AWARDING THE BANKING SERVICES FOR GENERAL FUND AND OTHER FUNDS TO METRO BANK. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis commented that National Night Out was successful. She thanked the Police Department for their efforts.

SCHENCK Chairman Schenck echoed Ms. Landis' comments as he had attended along with Mr. Bowman and Mr. Bishop. He noted participation by YAUFRR, YAUFRR volunteers, EMS technicians, dog performance, obstacle course and bagpipe presentation. He thanked all the agencies that participated.

Chairman Schenck reported that he had attended the art exhibit from the playground activities held at the Art Institute. The winners from the park activities were presented awards. He noted that the artwork, the children, the families present were very complimentary to Springettsbury Township and the Recreation Program, which is done with one full-time, year-round employee.

Chairman Schenck followed up on Mr. Klayhold's attendance at a previous meeting concerning the alleyway adjoining his property. Chairman Schenck discussed with him what would be necessary for a Quiet Title action. Chairman Schenck asked Solicitor Rausch if there was any agency that could offer legal help to Mr. Klayhold to assist him.

RAUSCH Solicitor Rausch noted that the York County Bar Association has an attorney connection, which can be accessed for consultation.

BOWMAN Mr. Bowman reported that the light at Haines Road and Eastern Boulevard was not tripping correctly. He had emailed Mr. Holman and Mr. Luciani about it.

LUCIANI Mr. Luciani responded that he had discussed the light with Mr. Lauer who reported that the light was unique and had needed constant repair. There may be a need to replace the equipment.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that he had nothing further to report. He had provided his written monthly report.

DVORYAK Mr. Dvoryak brought forward an item that had been passed at the previous meeting, Resolution 2012-40. He asked if a resolution has a factually incorrect statement included, whether the resolution would have to be re-written and passed again or stand on its own merits.

RAUSCH Solicitor Rausch responded that in his opinion, he did not think anything needed to be done. If the board wanted to pass the resolution again, it certainly could. However, it does not have a binding affect as it would not bind the township to anything.

DVORYAK Mr. Dvoryak stated that he had confidence the resolution would pass if it were necessary. He noted the interpretation of the statement to be factually incorrect. His concerns related to the capital project plans of \$12 million and specific areas noted where the township would undertake the new fire facility, and in addition renovations to the police station, the administration building, recreational facilities, etc. His point was that the other \$9 million to be spent had not been approved at this time.

RAUSCH Solicitor Rausch responded that he was not concerned about it because it does not bind the board to do any of the projects. However, if the board were to decide to undertake any of the projects, the design work, etc. would be covered as part of the debt service and could be an incorporated expense.

HOLMAN Mr. Holman explained that the action allows a reimbursement of up-front costs prior to borrowing the money so that money could be returned into the General Fund or Capital Fund.

RAUSCH Solicitor Rausch added that he understood the point Mr. Dvoryak was making as it sounded as though the decision had been made to do all the projects; however, in the context of the resolution it would not bind the board to any future obligation.

10. MANAGER'S REPORT

HOLMAN Mr. Holman had been unable to attend the National Night Out. However, Chief Hyers had made use of some leftover food by preparing a barbeque luncheon for the employees during the lunch hour, which was an excellent way to get everybody together in a more relaxed and family atmosphere. Mr. Holman thanked Chief Hyers for the extra effort. He added that none of the food had been purchased by the township.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2012-45 – Accepting the Offer of Dedication for Recreation Purposes – Phase I (Lot 53) of the Orchard Hills Subdivision.

MR. BOWMAN MOVED TO APPROVE RESOLUTION NUMBER 2012-45 ACCEPTING THE OFFER OF DEDICATION FOR RECREATION PURPOSES, PHASE I, LOT 53 OF ORCHARD HILLS SUBDIVISION. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Advertise Debt Ordinance for Bank-Rates-Note in the amount of \$3,500,000 at a rate of 1.85 percent.

MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO ADVERTISE DEBT ORDINANCE FOR BANK-RATES-NOTE IN THE AMOUNT OF \$3,500,000 AT A RATE OF 1.85 PERCENT. MESSRS. BOWMAN, MR. BISHOP, SCHENCK VOTED IN FAVOR; MR. DVORYAK AND MS. LANDIS VOTED OPPOSED. MOTION CARRIED 3/2.

12. OLD BUSINESS

- A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that he had received no recent updates.

- B. Historic Preservation Committee Concern – Shultz House

SCHENCK Chairman Schenck introduced the item brought forward by the township's Historic Preservation Committee. They requested permission to do some fund raising during Saturday In The Park to purchase and preserve the Shultz house with an assumption that the township would own the house. He did not believe that the township was in the position to own a historic building.

HOLMAN Mr. Holman had obtained some additional information from the Historic Preservation Committee, which he had documented in his Manager's Report. He suggested that he discuss the matter with Luther Sowers and the York County Historic Preservation Commission, current owner of the house, to determine whether funds could be raised to help with maintenance of the property.

Following board discussion consensus was that Mr. Holman should discuss the subject with Historic York and report back to the board.

13. NEW BUSINESS

- A. Authorization to Approve Tax Year 2012 Tax Refund Request as follows:
 - 1) Walter and Carolyn Dickison (Parcel #46-000-11-0116.00-00000) in the amount of \$9.88.

MR. BISHOP MOVED TO APPROVE THE TAX YEAR 2012 TAX REFUND REQUEST TO WALTER AND CAROLYN DICKISON IN THE AMOUNT OF \$9.88. MOTION UNANIMOUSLY CARRIED.

B. Discussion on Audio of our meetings placed on the website.

SCHENCK Chairman Schenck brought forward discussion of placing audio of meetings on the website.

BOWMAN Mr. Bowman questioned what would be involved and how it would be done.

HOLMAN Mr. Holman responded that he would obtain a copy of the audio recording and then have Mr. Hinkle work out a way to place it on the website. He noted that it would take web space.

DVORYAK Mr. Dvoryak commented that it would provide a transparency for individuals who can't attend the meeting to go to the website to catch up on the meeting missed.

BISHOP Mr. Bishop commented that it would become relatively easy for anyone to re-edit the material.

LANDIS Ms. Landis noted that the public would just be listening to it but that it could be re-edited.

SCHENCK Chairman Schenck suggested having Mr. Holman research the technical and legal questions, such as website speed, storage, technical issues, etc.

LANDIS Ms. Landis noted this would not be a costly item. It could be monitored to determine how many actually listened to the audio.

HYERS Chief Hyers commented that one of the things to be careful of is what is said at that board. He mentioned the prime example of something that Ms. Landis said about the bank, comments about the bank wining and dining people. He noted if the bank heard that this board would have tremendous problems.

LANDIS Ms. Landis responded that she hadn't said anything about wining and dining.

HYERS Chief Hyers stated that if that were to be made public and the bank were to see that this township would be open to tremendous liability based on the comments made by Ms. Landis about their business practices.

LANDIS Ms. Landis noted that she knew exactly what she said.

HYERS Chief Hyers stated that the point is not the comments she made but when things like that are put out on the web, the board should be very careful.

HOLMAN Mr. Holman noted that a policy would have to be created to include how many meetings would be included such as the Planning Commission, Zoning Hearing Board, Board of Supervisors, etc.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**AUGUST 23, 2012
APPROVED**

Following discussion, consensus of the board was that Mr. Holman should investigate what is involved, the technical process, editing potential, website speed, storage, cost, risks, legalities, transparency, being prudent and checking the facts and report back to the board.

SCHENCK Chairman Schenck adjourned the meeting at 8:45 p.m.

Respectfully submitted,

John Holman
Secretary

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The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 27, 2012 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
William Gralski, Acting Civil Engineer
Dennis Crabill, Environmental Engineer
Robert McCoy, YAUFR Chief
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Lt. Todd King, Police Department
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He led the Pledge of Allegiance. Chairman Schenck stated that a Public Hearing had been held earlier this date regarding the RV ordinance.

B. Community Award Presented to Springettsbury Township by York County Heritage Trust.

SCHENCK Chairman Schenck introduced Luther Sowers, Chairman of the Historic Preservation Committee.

SOWERS Mr. Sowers presented the York County Heritage Trust Community Award to Springettsbury Township for the work done to preserve Camp Security and the open space in the surrounding area known as the Rowe Farm. He thanked Mr. Sowers and Mr. and Mrs. Holman who attended the award presentation.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that an Executive Session had been held following the last meeting to discuss a personnel issue. None had been planned for this date.

3. COMMUNICATION FROM CITIZENS

TROTT David Trott, 3360 Druck Valley Road, brought forward several items concerning how the township manager had conducted township business.

- 1) Records and documentation relating to the hiring of Police Chief Thomas H. Hyers,
- 2) Dates relating to offers, acceptance and hiring of Chief Hyers,
- 3) Starting salary and increases for Chief Hyers.

BATEMAN Don Bateman, 1450 Ridgewood Road, brought several items to the board's attention:

- 1) A blighted property at 1248 Ridgewood Road. He noted the home had been vacant for three years, has windows boarded and is in disrepair.
- 2) There are 18-wheelers on Ridgewood Road, and the road is not capable of handling the rigs. Signs should prevent through traffic on North Hills and Ridgewood. The trucks are clipping the trees when making the turns.
- 3) Speeds – There are periods when speeding is at least 40 miles an hour and it becomes very dangerous. He was concerned, not only for the deer and other animals, but also for individuals. He asked whether there could be some traffic calming done on Ridgewood.
- 4) The residence in the area of about 1800 Ridgewood typically has six to eight cars in the drive and on the lawn. He requested a review by the township.

SCHENCK Chairman Schenck commented that the truckers increasingly rely upon the GPS systems and it takes them on roads they should not be traveling. He stated that there are some procedures the township has to go through to erect signs. They are aware of this growing problem and will continue to monitor the situation, as well as the other comments he had made. He noted that the police department representatives present had heard his comments as well. He added that parking on lawns is absolutely not permitted.

HELLER Jane Heller, 1819 Idylwyld, requested a review of the speeding on Memory Lane Extended. She has difficulty getting out of her driveway. She also mentioned delays in the sequences of the traffic light at Whiteford and Memory Lane and asked for a review.

SCHENCK Chairman Schenck noted that the engineer had documented her comments and follow up.

CRUMLING Larry Crumling, 108 Lorenzo Court, requested some action by the board concerning Boulevard Commons Condominium Association. Mr. Crumling is President of the Association, which is located on the south side of Eastern Boulevard directly across from the property developed by Pasch Real Estate. Their Executive Board requested township approval to permanently close Heritage Drive at the cul-de-sac that enters their property. He cited several reasons: (1) both children and the elderly live in the community; (2) elimination of traffic traveling at excessive speeds; (3) streets are narrow with no sidewalks, (4) signage indicating "Private Property - No Trespassing" is basically ignored, and (5) Association is a private entity totally responsible for the maintenance of the streets, including snow removal. Mr. Crumling provided a drawing for explanation to Chairman Schenck.

SCHENCK Chairman Schenck stated that the township will follow up with his request and respond to him following that review.

ISABELLA Don Isabella, Republic Services, commented on the waste recycling contract. He stated that his attorney had sent a letter to the board and Mr. Holman citing reasons why the contract should be awarded to Republic Services. He indicated that the residents seemed very pleased with the services provided. He asked that the board review the bid results which he felt would save the residents the most money, reject the bids received, re-issue the bid and issue it with an option that reflects the residents' choice.

HELLER Jane Heller noted she has property both in Springettsbury and Spring Garden, and there is twice a week pickup in Spring Garden. She wondered why the difference as pricing seemed to be the same.

SCHENCK Chairman Schenck indicated that the Recycling Committee had been working on this contract for years. He asked Ron DiAngelo of the Recycling Committee to respond.

DIANGELO Mr. DiAngelo stated that the purpose of the Recycling Committee is to generate less trash rather than more. He added that the trucks running up and down the streets was another negative factor.

PHAN Kathleen Phan, 3841 Silver Spur Drive, requested a time study on the traffic light at Concord and Route 24 east and west. She cited the intersection as very dangerous as the light changes very quickly and motorists attempt to run the light. She noted that it should be monitored for safety.

SCHENCK Chairman Schenck responded that the item would be placed on a traffic study.

WALTERS Bill Walters, 3310 Edenbridge Road stated that he is a 49 year resident of Springettsbury Township. He had been a township supervisor from 1968 to 1984 and it was and is a great township. He noted that he was unhappy with the comments he had been hearing from some of the public and indicated that the current board was doing a great job.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated that he had presented his written report and would respond to any questions the board might have.

There were no questions.

B. Civil Engineer – First Capital Engineering, Inc.

GRALSKI Mr. Gralski noted he was representing John Luciani this date. Mr. Luciani had presented his written report as well and Mr. Gralski offered to answer any questions.

- SCHENCK** Chairman Schenck questioned whether he had made note of the items discussed during the citizen comments and that he would provide them to Mr. Luciani as action items for further review.
- GRALSKI** Mr. Gralski indicated he would follow up with Mr. Luciani.
- DVORYAK** Mr. Dvoryak asked about the Circle Drive storm pipe issue and what the next step would be.
- GRALSKI** Mr. Gralski responded that the pipe already had been replaced and repaired.
- HOLMAN** Mr. Holman added that he and Mr. Luciani had visited the site and discovered that there was an exposed sewer line further down that opened up. They repaired everything in order to protect that sewer line. Mr. Holman added that it could have been a very significant problem if that sewer line had been damaged.
- GRALSKI** Mr. Gralski added that the storm pipe was right in the easement going out to the sewer line so it was replaced as part of that same repair.
- SCHENCK** Chairman Schenck asked whether Mr. Snell was satisfied.
- HOLMAN** Mr. Holman responded that he had stopped by Mr. Snell's home and learned that he had spoken with Mark Hodgkinson. Mr. Hodgkinson indicated he was satisfied with the work.
- LANDIS** Ms. Landis questioned whether there had been additional storm water issues under evaluation since the recent downpour that had not yet been reported to the board.
- GRALSKI** Mr. Gralski responded that he was aware of only two; the one on Circle Drive and the one in the Graystone Development, which will require additional engineering analysis in terms of pipe capacity, etc.

5. CONSENT AGENDA

- A. Acknowledge Receipt of August 31, 2012 Treasurer's Report.
- B. Board of Supervisors Conditional Use Hearing Minutes – August 23, 2012.
- C. J.A. Myers Building & Development, Inc. – Meadowlands Interceptor Project - Application for Payment No. 6 in an amount not to exceed \$3,500 (FINAL Payment).
- D. Regular Payables as Detailed in the Payable Listing of September 13, 2012.
- E. Regular Payables as Detailed in the Payable Listing of September 27, 2012.
- F. LD-12-01 – Time Extension – B-Way – Plan Expires 10/12/12 (New Plan Date 1/12/13).
- G. LD-12-02 – Time Extension – Chick-Fil-A – Plan Expires 10/17/12 (New Plan Date 12/17/12).
- H. LD-12-03 – Time Extension – Weir American Hydro – Plan Expires 10/26/12 (New Plan Date 1/26/13).
- I. LD-12-04 – Time Extension – YCP Admissions Building – Plan Expires 10/26/12 (New Plan Date 1/26/13).

MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH I. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Award Bid to Penn Waste for Residential Waste and Recycling Collection Contract for the period January 1, 2013 through December 31, 2017.

MS. LANDIS MOVED TO APPROVE AND AWARD THE BID TO PENN WASTE FOR RESIDENTIAL WASTE AND RECYCLING COLLECTION CONTRACT FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2017.

HOLMAN Mr. Holman stated for the record that Mr. Lauer did inspect the vehicles and facilities, all of which are wholly satisfactory for providing services to the township.

MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Approve Professional Engineering Services with Buchart Horn, Inc. for Completion of Fire Building Engineering Services in an amount not to exceed \$140,500.

General discussion took place with regard to having competitive bids for the engineering services. The fire company had started the process with Buchart-Horn when a study was done on what was needed for a 21st Century fire station. Buchart-Horn then had been requested to provide the engineering services and had worked extensively with the committees and fire department. The township had approved a portion of the service, and a presentation had been made before the board showing two options providing a clear picture of the next steps. The value of using a consultant such as Buchart-Horn, which is familiar with a base knowledge gained has served the township well. A learning curve with a new firm would slow the project down and potentially could cause additional funds spent. Thus, the township exercised its basic premise to choose a firm based on value, reputation and relationship and not request competitive bidding.

MR. BOWMAN MOVED TO APPROVE PROFESSIONAL ENGINEERING SERVICES WITH BUCHART HORN, INC. FOR COMPLETION OF FIRE BUILDING ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$140,500. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis requested an update concerning the request to upload the audio from the supervisors meetings to the website.

BISHOP Mr. Bishop indicated that the Manager's Report stated some of the technology and ramifications of doing so was being researched.

HOLMAN Mr. Holman added that the staff was getting the options together.

LANDIS Ms. Landis commented on her receipt of the 2009 ambulance study and wondered why it was printed on current letterhead showing the current board of supervisors.

HOLMAN Mr. Holman responded that the file was a computerized file and he simply printed it on township letterhead rather than on blank paper.

SCHENCK Chairman Schenck brought forward an item with regard to the acquisition of the Walters Farm. A portion of the funding came through DCNR, which imposed a time limit as to how long the township could lease the land to the farmer for the growing of corn, which lease expires in May, 2014. Chairman Schenck had discussed the matter with Representative Keith Gillespie, who took an interest in the condition and discussed it directly with the Secretary of DCNR. The result was that if the township re-applied to allow the activity to continue with some very specific wording on the application, there is a high probability it would be approved. He added that, unless the board is uncomfortable with that, he would pass the information on to Mr. Holman to proceed with the application.

DVORYAK Mr. Dvoryak thanked Mr. Schenck for taking on the initiative.

BISHOP Mr. Bishop reminded everyone of Saturday in the Park on Saturday, September 29th.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had nothing further to add to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman stated that he had nothing further to add, following the discussion concerning completion of the Circle Drive project.

DVORYAK Mr. Dvoryak commented that the budget discussions will begin October 3, 2012.

HOLMAN Mr. Holman acknowledged that he was correct and noted that he had been working on the budget in preparation for that meeting.

11. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 2012-06 –Amending Chapter 325, Article XXVII of the Zoning Ordinance for Recreational Vehicle On-Lot Parking and Storage.

SCHENCK Chairman Schenck stated that the Public Hearing had been held earlier this date with regard to Ordinance No. 2012-06.

**MR. DVORYAK MOVED TO ADOPT ORDINANCE NO. 2012-06. MOTION CARRIED 4/1.
MS. LANDIS VOTED OPPOSED.**

B. Ordinance No. 2012-07 – Authorizing and Directing the Issuance of a General Obligation Note Series of 2012 in the Principal Amount Not to Exceed \$3,500,000.

HOLMAN Mr. Holman reported that the note is the same as had been previously authorized for advertisement. The main purpose of the note is for construction of the new fire station. This is a Line of Credit with the bank, which is set up as a note. He introduced Peter Carlucci, Bond Attorney with Eckert Seamans Cherin & Mellott.

SCHENCK Chairman Schenck asked Mr. Carlucci to provide a brief overview

CARLUCCI Mr. Carlucci responded that the main purpose of the ordinance is to authorize the township to incur debt in an amount not to exceed \$3.5 million. The General Obligation Note is structured basically as a construction loan enabling the township to draw the funds as needed, thereby reducing the overall interest expense moving forward. The final maturity date is June 15, 2015 and is slightly less than 2-1/2 years for the term. At the end of the term there are two option: pay off the amount of the loan or refinance the loan on a longer-term basis. The interest rate is 1.85%, a very competitive rate, and is secured by the township's pledge and the full faith credit and taxing power of the township. By an act of this ordinance the township takes all official action necessary to allow the professionals and the officers of the township to proceed. He anticipated that the loan could be closed on or about November 1, 2012.

RAUSCH Solicitor Rausch stated that he had discussed the draft ordinance with the Bond Counsel. Based on previous discussions from board members, he wanted the ordinance to be absolutely clear that the board was in no way binding itself to the \$12 million projects. This ordinance is specifically designed for the \$3.5 million.

General discussion ensued concerning the board's involvement in building a 14,000 or 15,000 square foot fire station. Throughout the theme of the discussion it was made clear that the desire to build the station is subjective as to what might be necessary, and the earlier presentation made by the architect was simply a projection.

Consensus of the board was to remove any specificity as to the square footage of the facility mentioned in the ordinance. In addition, the same references should be removed from the Five Year Budget Forecast.

MR. DVORYAK MOVED TO ADOPT ORDINANCE 2012-07 AS AMENDED. MOTION CARRIED 4/1; MS. LANDIS VOTED OPPOSED.

C. Resolution No. 2012-46 – Establishing a Refund Amount Policy for Real Estate Taxes.

RAUSCH Solicitor Rausch requested that item C be tabled for additional research.

Consensus of the board was to table action on Resolution No. 2012-46.

D. Authorization to Advertise Ordinance Repealing Chapter 56, Article II of the Code of Ordinances – Firemen's Pension, Death and Disability Fund.

DVORYAK Mr. Dvoryak questioned whether Springettsbury Township would have any remaining financial obligation under the plan as far as what had been done to this date.

HOLMAN Mr. Holman responded that a final compliance audit will be completed by the Auditor, and the township will be released from all obligation, but not obligation before the time everything was transferred to YAUFRR. The township will be responsible for the period prior to the transfer, and YAUFRR will be responsible for the period after the transfer.

DVORYAK Mr. Dvoryak commented that he was referring to municipal pensions, for which some tend to be underfunded.

HOLMAN Mr. Holman responded that the township responsibility, under the Charter Agreement for YAUFRR, will be to cover the township's unfunded portion for the members who are under the Defined Benefit Plan, which is budgeted each year. That amount will be transferred to YAUFRR to pay for that unfunded liability. Every two years the MMO is re-evaluated by the Actuary.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO ADVERTISE ORDINANCE REPEALING CHAPTER 56, ARTICLE II OF THE CODE OF ORDINANCES – FIREMEN'S PENSION, DEATH AND DISABILITY FUND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that the board members received a copy of the summary of the report in their packet, and there had been a press release. With the information provided, it will be up to the individual municipalities to pursue anything in terms of acting upon the recommendations.

DVORYAK Mr. Dvoryak commented that he would like to review the entire report.

BISHOP Mr. Bishop responded that the report is available on line. He noted he had an email copy but not a printed copy.

HOLMAN Mr. Holman indicated he would check the website, and if it was on line he would have copies made for the board.

B. Historic Preservation Committee Concern – Shultz House

SCHENCK Chairman Schenck asked Luther Sowers for an update on the Shultz House concern.

SOWERS Mr. Sowers reported that, following their request to start a fund drive for the Shultz House, Mr. Holman had attended a meeting with Camp Security and Historic York. During that meeting a problem was revealed in that Historic York, which owns the Shultz House, has a covenant. Because of the covenant, the Historic Preservation Committee had adjusted their focus to attempt to find someone to buy the Shultz House.

SCHENCK Chairman Schenck made some personal comments which, in summary, indicated that he hoped the township could remain open to the possibilities surrounding the Shultz House,

not to own the property, but to acquire and hold it until it can be purchased by an individual whose passion is to own a historic building.

13. NEW BUSINESS

A. Authorization to Approve Tax Refund Requests as follows:

- 1) Tax Year 2011 – CK HP Suburban Park Ltd. (Parcel # 46-000-28-0043.00-00000) in the amount of \$787.02.
- 2) Tax Year 2012 – CK HP Suburban Park Ltd. (Parcel #46-000-28-0043.00-00000) in the amount of \$505.15.
- 3) Tax Year 2012 – Harold Murphy (Parcel #46-000-07-0002.H0-00000) in the amount of \$.24.

MS. LANDIS MOVED TO AUTHORIZE TO APPROVE THE TAX REFUNDS 1, 2, AND 3. MOTION UNANIMOUSLY CARRIED.

B. Acknowledge Receipt of Minimum Municipal Obligation for Pension Plans.

MS. LANDIS MOVED TO ACKNOWLEDGE RECEIPT OF MINIMUM MUNICIPAL OBLIGATION FOR PENSION PLANS. MOTION UNANIMOUSLY CARRIED.

C. Authorization to Revise Benefits Policy Manual for Regular Part-Time Employee Hours (Change from 20 to 25 Hours for Eligibility of Paid Time Off).

MR. BISHOP MOVED TO AUTHORIZE THE CHANGE IN PART TIME EMPLOYEE HOURS TO 25. MOTION UNANIMOUSLY CARRIED.

LANDIS Ms. Landis commented on the RV Ordinance vote for the record. She wanted to thank Mr. Baugh for all the hard work that he and everyone had done to collaborate their thoughts. She was glad to see that the screening had been removed. She cited two reasons why she had voted opposed. (1) She believed that the ordinance was too restrictive, and the process for an individual desiring to have a hearing at \$350 was too much. She would like to see additional work done on the \$350 charge. (2) The language of the classes seemed confusing and individuals may not be aware that they are in violation until they are cited.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:35 p.m.

Respectfully submitted,

John Holman
Secretary
ja

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, September 27, 2012 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
William Gralski, Acting Civil Engineer
Dennis Crabill, Environmental Engineer
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 6:30 p.m. He stated that the purpose of the public hearing was to take public comment on the proposed changes to the Zoning Ordinance that deals with Recreational Vehicles, On-Lot Parking and Storage. He asked if anyone had any questions or comments on the particular ordinance.

PHAN Kathleen Phan, 3841 Silver Spur Drive, asked if there had been any changes since the action plan had been submitted.

RAUSCH Solicitor Rausch responded that nothing substantive had changed; simply re-lettering the sections.

WITMER Don Witmer, 124 Oakleigh Drive, stated he had not been able to attend the last meeting. He asked for a summary of the ordinance. He stated he had a utility trailer and wondered whether anything would affect his trailer.

SCHENCK Chairman Schenck provided a brief summary of the significant changes:

- Screening requirement was removed.
- Resident can have two items on the property, which were divided into classes.
- Class I is less than 28 feet long not including the tongue; Class II is a length of 28 feet or more.

- Paving requirement was modified for only motorized recreational vehicles, which must be on a paved concrete or asphalt surface, but pavers, crushed rock with a weed barrier can be used.
- Setback requirements were added where a big motor home, Class I, must be within the setback of 10 feet of a property line; Class II must meet the side setback requirements.

TROTT David Trott, 3360 Druck Valley Road questioned whether a boat and trailer would be considered one or two units.

BAUGH Mr. Baugh responded that as long as the boat sits on the trailer it would be considered one unit.

TROTT Mr. Trott asked whether a boat, trailer and a Winnebago would be within the guidelines.

BAUGH Mr. Baugh responded that he could have only one Class II large item or he could have two little ones or a combination.

TROTT Mr. Trott noted that he could not have three of any size, which seemed a bit restrictive.

RAUSCH Solicitor Rausch stated that he could have three if one was stored in an enclosed building.

LANDIS Ms. Landis commented that if the ordinance passed this date, nothing would be grandfathered, and once it becomes an active ordinance moving forward, it is the law. She asked what a resident would be required to do if they don't qualify for or are in violation of the new ordinance and what steps would have to be taken to obtain a variance or exception.

BAUGH Mr. Baugh responded that they would need to request a hearing at a cost of \$350.00.

LANDIS Ms. Landis asked if the situation, albeit intricate or simple, would still cost \$350.00.

BAUGH Mr. Baugh responded that, unfortunately, the charge would remain \$350.00.

LANDIS Ms. Landis asked what would happen if the Zoning Hearing Board did not act favorably for the resident.

BAUGH Mr. Baugh explained that they could appeal it before the Court of Common Pleas.

LANDIS Ms. Landis thanked Mr. Baugh for the information.

SCHENCK Chairman Schenck stated that the process will move forward. The ordinance had been advertised properly, and the public hearing had been held. Comments had been received from the county, and the item is on the Agenda for potential adoption or rejection during the regular board meeting this date beginning at 7 p.m.

SCHENCK Chairman Schenck adjourned the meeting at 6:40 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
BUDGET MEETING #1**

**OCTOBER 3, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Budget Workshop on Wednesday October 3, 2012 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak

MEMBERS NOT

IN ATTENDANCE: Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Robert McCoy, YAUFRR Chief
Sandra Ratcliffe, Deputy Finance Director
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Lt. Dan Stump, Police Department
Lt. Todd King, Police Department
Mark Hodgkinson, Director of Wastewater Treatment Plant
Jean Abreght, Stenographer

A. Call to Order

SCHENCK Chairman Schenck called the meeting to order at 7 a.m. A quorum was present. He stated the purpose of the meeting was to discuss the 2013 budget. He noted he would take Public Comment at the end of the discussion.

HOLMAN Mr. Holman had provided the board with documentation identifying the specific funds to be discussed. This included backup documents relating to the 2012 budget, audit reports and quarterly reports. He noted the 2013 General Fund budget proposed for 2013 is \$13,152,000 compared with 2012 at \$12,940,000. Following general discussion a review of the YAUFRR budgeting and Sewer Fund budget matters including a proposed rate for 2013 were presented.

B. YAUFRR Budget Review

MCCOY Chief McCoy provided a synopsis of his proposed budget for 2013 at \$4.6 million, which increased by 4% over 2012. Since the budget had been prepared they had received the Minimum Municipal Obligation figure at \$243,000. Adjustment to that figure would reduce Springettsbury's portion to \$2,532,000 minus the fund balance portion leaving the amount of \$2,230,717. Chief McCoy reviewed the documentation provided to the board covering health insurance,

moving costs, retirement, contract negotiations, legal fees, radios, and search for a Finance Director.

C. EMS Budget Review

MCCOY Chief McCoy reported that during 2012 an \$11 per mile fee for transport to hospitals had been added; in 2012 \$525,000 was budgeted revenue. In 2013 the revenue was budgeted at \$550,000.

SCHENCK Chairman Schenck noted that the revenue line for EMS showed \$688,000 which is accurate and the expenditure showed \$548,000. However, the amounts are misleading inasmuch as the cost of employee benefits, insurance and other costs are not included.

MCCOY Chief McCoy mentioned that the revenue portion, \$676,000 includes fire-related activities.

Consensus of the board was to schedule a Work Session for the EMS matter at 6 p.m., October 25, 2012

YAUFR Capital Fund

MCCOY Chief McCoy stated that costs for a new pumper had been placed in the budget over the last few years. The goal is to obtain a smaller, more economic and user-friendly pumper and they have designed one and met with vendors. They have a budget of \$460,000 and estimate a price under \$393,000. YAUFR understands that there may be a need to project the new pumper into the future due to the current planning for the new fire building. In addition, they budgeted \$10,000 for hose, which they can handle from Capital Reserve.

D. Police Department

1. Vehicle/Equipment Purchase: 2012 Budget

HOLMAN Mr. Holman reported that the police department had a very good appropriation year, and there are some offsetting funds that could be used during 2012 for the purchase of new police cars, as well as video systems, wireless systems, replacement tazers and radio mics. Mr. Holman reported that Lt. Stump and Lt. King had been researching the opportunity for new police cars.

KING Lt. King reported that he and Lt. Stump had been investigating the potential purchase of new police vehicles, which included Chevrolet, Dodge and Ford. The COSTARS program would be used for the purchases. Warnock in New Jersey has cars on site that could be purchased during 2012. Total purchase price in stock would be \$32,468. No upgrades would be included. Proposed purchase would be one sedan, one utility and one caged utility for the 2013 year.

KING Lt. King would like to phase in a black and white paint scheme. He indicated the national trend is for the black and white vehicles as a more recognizable police vehicle. The vehicle would be essentially black with a white vinyl wrap.

STUMP Lt. Stump noted that the current vehicles have a Generation 1 camera system. Current in-car cameras are digital DVD-basic cameras. As the vehicles are updated, the camera system will be updated as well.

KING Lt. King noted the prices as follows: Sedan \$33,373; un-caged utility \$32,566 and caged utility \$36,653.90.

MR. BISHOP MOVED TO APPROVE THE PURCHASE OF THREE POLICE VEHICLES WITH BLACK AND WHITE COLOR SCHEME AS PRESENTED. MOTION UNANIMOUSLY CARRIED.

E. Sewer Budget Review – Mark Hodgkinson

1. Intermunicipal Sewer Fund Budget

Return of Surplus to Municipalities in the User Group

HODGKINSON Mark Hodgkinson reported on the status of the Sewer Reserves. He stated that there had been a discussion regarding the Intermunicipal Reserve Account, and he had recommended to the Township Manager that the balance be reduced to \$3 million. In doing so, around \$4.8 million would be refunded back to all the municipalities in the user group, and specifically, around \$2 million would be refunded back to Springettsbury Township which in turn can be placed in the Capital program. Mr. Hodgkinson was confident that \$3 million dollars would be enough of a safety net for any catastrophic emergency.

HOLMAN Mr. Holman noted that the Finance Department had been consulted, and the average growth on that surplus would amount to approximately \$600,000 a year.

SCHENCK Chairman Schenck questioned where the money would be used.

HODGKINSON Mr. Hodgkinson responded that Springettsbury's portion should be used for the Sewer Capital projects and only for Springettsbury's portion.

General discussion by the board ensued and covered the types of projects for which the funds could be used for long-term projects already identified such as Yorklyn, Haines Acres, in-house projects and improvements and to off-set rates.

HODGKINSON Mr. Hodgkinson stated that funds are available to spend; however, there are some smaller projects that had come to their attention such as the sink hole off Mt. Zion Road, Raleigh Drive sewer lines, Circle Drive sink hole. He hoped that would not continue, which would be over and above the long-range plan.

HOLMAN Mr. Holman indicated that the \$600,000 in growth funds each year would go into the Intermunicipal Reserve Account. Over the next five years that fund will grow to potentially \$3 million.

SCHENCK Chairman Schenck commented that, based on the capital program, the rates could be adjusted.

RATCLIFFE Ms. Ratcliffe indicated that current sewer rates are at \$60 for residential and \$62 for commercial; with about a 25% increase in both the rates would amount to \$75 per residential and \$78 for commercial.

BISHOP Mr. Bishop questioned the issue of returning the surplus.

HOLMAN Mr. Holman explained that returning the surplus is a matter of canceling the funds back out of the Intermunicipal group and returning it to each of the individual municipalities while maintaining the minimum fund balance of \$3 million.

BISHOP Mr. Bishop noted that massive upgrades had been done to the plant and there should not be any additional upgrades necessary. The other municipalities had suggested that they could use the return of funds.

Consensus of the board was that the return of funds to the Inter-Municipal group would be prudent.

HOLMAN Mr. Holman indicated that the members would be advised of the general consensus of the board in order to calculate the funds into their 2013 budgets.

2. Sewer Capital Fund

DVORYAK Mr. Dvoryak questioned whether some of the in-house projects could be accelerated.

HODGKINSON Mr. Hodgkinson responded that having multiple projects going on at the same time could be done. Contractors would be available; however, as far as staff time and assuring that things would be done properly would be a lot to ask.

DVORYAK Mr. Dvoryak commented that by accelerating projects it might help to avoid reacting to an emergency.

HODGKINSON Mr. Hodgkinson responded that the emergencies would be brought to the front for immediate repairs. Most of the projects involve somewhat minor adjustments.

Consensus of the board was to hold the Capital Fund Budget for future review.

**3. Sewer Fund Budget: Revenues and Expenditures
Budget and Rate Review**

HODGKINSON Mr. Hodgkinson reported that the proposed 2013 budget is down roughly 12% and the main number comes from depreciation if there is no charge for the BNR portion of the municipal fund. In addition, last year there was a large depreciation number in the expenses, which was removed for 2013 due to the payments on the debt principal.

BISHOP Mr. Bishop questioned the depreciation, principal and interest charges.

RATCLIFFE Ms. Ratcliffe responded that principal and interest is billed separately to each municipality.

HOLMAN Mr. Holman added that depreciation is not charged against the user group even though it is depreciated on the books.

BISHOP Mr. Bishop understood that it had been done during 2011.

RATCLIFFE Ms. Ratcliffe responded that the item had been in the budget, and it was in the General Audit for 2011. It had been determined not to bill for the depreciation because they would be paying depreciation and debt service.

BISHOP Mr. Bishop understood that it would not be in the 2012 budget due to the auditor's recommendation.

HODGKINSON Mr. Hodgkinson reported a new revenue item in utility reimbursement of \$42,000. That is the Demand Response Program that was added in for this year and the reason it's \$42,000 is ENERNOC. The township is in two programs, one is a five-year program and the second program is the PA Act 129 through Met-Ed.

SCHENCK Chairman Schenck asked what the potential figure could be.

HODGKINSON Mr. Hodgkinson responded that it will be \$66,000 this year.

SCHENCK Chairman Schenck asked about the waste hauler revenue item.

HODGKINSON Mr. Hodgkinson responded it is \$900,000.

SCHENCK Chairman Schenck asked whether that was done in rates or volume.

HODGKINSON Mr. Hodgkinson responded that they had changed the rates, approved by the board earlier during the year. The volume is down slightly, but the revenues are up.

HODGKINSON Mr. Hodgkinson reported that most of the expenses are unchanged. Salaries in all four divisions remain unchanged. Chemical expenses went down slightly. Employee benefits are down slightly. Utility expenses are down a lot due to an overestimation for 2012 electric. Maintenance and repair went up 23% due to the new equipment. Normal maintenances can be done by personnel; bearing replacements and warranty items must be done by the manufacturers. Vehicle expenses are up due to fuel prices. Contracted Services involves reimbursements given to the farmers for biosolids applications.

SCHENCK Chairman Schenck asked about the contract negotiations and how that will be absorbed into the budget.

HOLMAN Mr. Holman responded that he has funding elsewhere to cover those costs.

BISHOP Mr. Bishop asked about the status of composting.

HODGKINSON Mr. Hodgkinson responded that no composting had been done for two years. His only concern is if composting would be done in late December, 2012 through March or April, 2013 the complaints would come.

SCHENCK Chairman Schenck asked about the purchase of wood chips.

HODGKINSON Mr. Hodgkinson responded that the purchase of wood chips is no longer necessary.

SCHENCK Chairman Schenck asked where the sludge was being taken.

HODGKINSON Mr. Hodgkinson responded that the biosolids are taken to the farm fields and must have lime added.

F. Public Comment: Budget

SCHENCK Chairman Schenck opened the floor for public comment. However, there was no public comment.

G. Adjournment

SCHENCK Chairman Schenck announced that the next Budget Work Session may be rescheduled for Thursday, October 18th at 7 a.m. Mr. Holman will provide confirmation. He adjourned the meeting at 8:50 a.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
BUDGET MEETING #2**

**OCTOBER 11, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Budget Workshop on Thursday, October 11, 2012 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Mike Bowman
George Dvoryak
Julie Landis

MEMBERS NOT

IN ATTENDANCE: Don Bishop, Vice Chairman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Lauer, Director of Public Works
Jack Hadge, Finance Director
Sandra Ratcliffe, Deputy Finance Director
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Jean Abrecht, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7 a.m. He stated the purpose of the meeting was a review of the Public Works/Other Funds as well as Sewer Fund budgeting for 2013.

HOLMAN Mr. Holman provided updated documentation for the budget discussions, which included the MUNIS reports for the General Fund, Public Works, Liquid Fuels, Petition Street Light Fund and Sewer Fund.

SCHENCK Chairman Schenck asked if there were any questions on the revenue side of Public Works.

HADGE Mr. Hadge stated that the revenue side was basically stable.

LAUER Mr. Lauer reported that the expenditure side was basically the same and stable from last year. He noted there were some increases in the fuel and oil costs due to gas prices. He raised the budget figure up 10%. The storm water account had been increased from \$16,000 to \$20,000 due to the aging system needing repairs.

HOLMAN Mr. Holman added that some of the repairs will be funded out of Liquid Fuels.

LAUER Mr. Lauer responded that materials are purchased out of the Liquid Fuels side. He stated that the electric for the farmhouse had increased due to the installation of an electric unit into the air conditioning system; however, the gas bill dropped to almost nothing as the gas furnace had to be dismantled. He reported a significant change related to the disposal of garbage. The \$1,000 item covered destruction of documents that needed certificates.

LANDIS Ms. Landis asked whether money had been allocated for traffic calming. She commented on residents who had requested speed bumps. She asked whether there were extra temporary speed bumps.

HOLMAN Mr. Holman responded that the township owns two temporary speed humps. Medians or large speed humps would come from Capital and the Liquid Fuels budgets. One of the speed bumps was being pulled from 11th Avenue now that Sherman Street is reopened. The permanent speed hump is being installed on Kingston Road.

LANDIS Ms. Landis asked if there were any open positions in Public Works.

LAUER Mr. Lauer responded that Public Works has one open position.

Commonwealth Liquid Fuels Fund

LANDIS Ms. Landis asked about the status of the state budget not balancing and the auditors as to whether it would impact Springettsbury or any other local borough of municipality going forward.

HADGE Mr. Hadge responded that Mr. Holman had already received notification from the Commonwealth of Pennsylvania of an estimated \$533,000 to be received, which was listed under State Liquid Fuels Revenue as State Allo.

LANDIS Ms. Landis noted that the figure had decreased from \$559,000 but seemed reasonable and practical.

HOLMAN Mr. Holman stated that what would affect that is the amount of gasoline and diesel fuel being used based on township road mileage.

HADGE Mr. Hadge added that it would apply to turn back roads for which the township provides service to the Commonwealth of Pennsylvania.

HOLMAN Mr. Holman added that \$58,000 had been refunded from FEMA's grant. This related to storm issues and was turned back to the Liquid Fuels Fund.

LAUER Mr. Lauer continued with his presentation and noted that he had dropped the funding for snow and ice to \$60,000 due to the fact that they had not needed as much stone and supplies. That was a \$15,000 reduction. In addition, there

was no allocation for Capital Equipment as they are evaluating and sharing equipment with Wastewater. He reduced the electric by \$1,000.

HOLMAN Mr. Holman brought up several items in Liquid Fuels relating to some long-term budgeting. He asked Mr. Lauer for the status of the sign replacement program.

LAUER Mr. Lauer responded that they were about half finished.

HOLMAN Mr. Holman indicated that should be finished in about two years. The state wanted to schedule a meeting with Mr. Lauer and Mr. Holman regarding a program on Market Street. The state plans to resurface Market Street into the City of York. If the township had any interest in doing upgrades to intersections, it would be done through a Contribution Agreement with the state, which would be a Liquid Fuels project. This project would be in 2013/14.

LAUER Mr. Lauer added that the state wanted the township to change every handicap ramp from Interstate 83 north, which would amount to 54 of them. Their contracted price is approximately \$3,000 each and they want the township to bear that cost. Mr. Lauer's theory is if they are in the state right-of-way, then it should be a state problem. Because they are township streets, the state thinks the township should pay the cost.

LANDIS Ms. Landis questioned whether there would be any negotiations.

HOLMAN Mr. Holman responded that they plan to meet with the contractor and through the township's state representatives for discussion.

LAUER Mr. Lauer indicated that when Market Street was done, the township did every curb and all the handicap ramps going east.

SCHENCK Chairman Schenck commented that when the state did the work at the diner they put in a curb and a handicap ramp.

LAUER Mr. Lauer responded that was due to the fact they had to change their radius and their driveways and they picked up the cost of the handicap ramp.

HOLMAN Mr. Holman commented that it seemed as though they are trying to tie this in with the storm water responsibility.

BOWMAN Mr. Bowman noted that it would be 54 times \$3,000.

HADGE Mr. Hadge responded it would be \$162,000 on the low end. It is an unfunded mandate.

SCHENCK Chairman Schenck stated that the response could just be no; just do nothing.

LAUER Mr. Lauer noted it could take the entire Liquid Fuels budget for one year.

HADGE Mr. Hadge echoed Ms. Landis' comment about potential negotiations. Any decision could wait until after the elections.

LAUER Mr. Lauer commented if something were to happen and the township is not compliant, that is the liability of it.

HOLMAN Mr. Holman responded that, if there is a threat to it, theirs is to withhold Liquid Fuels money.

LAUER Mr. Lauer noted that they did 14 handicap ramps this year within the road program at a cost of \$1,800.

LANDIS Ms. Landis noted that the work is to be finished by 2014.

LAUER Mr. Lauer responded that it is a 2014 contract.

Consensus of the board was that the item was for information. Mr. Holman will keep the board informed as the process continues.

Street Light Fund

HADGE Mr. Hadge commented that the street lighting was in the Commonwealth Liquid Fuels Fund and is not residential but rather public safety lights.

LAUER Mr. Lauer stated that no money comes back to pay for these; they strictly come out of Liquid Fuels. They cover street lights and are specifically for public safety, vehicular traffic that safety lights are there to protect. The intersections have 400 watt bulbs.

HOLMAN Mr. Holman reported that he had met with Met Ed and they have a new program for replacing the light heads with LED's and they are giving back some credits. The township may receive some paybacks.

SCHENCK Chairman Schenck asked whether they still are handled on a flat rate.

LAUER Mr. Lauer responded that he had looked into residential street lighting and converting those. They do not have a tariff yet. He did not see the need to change them if there would not be a reduction. He noted that the fixture itself is about \$1,000.

HOLMAN Mr. Holman asked how many poles Mr. Lauer intended to purchase.

LAUER Mr. Lauer responded that he has 10 fiberglass poles ordered. He noted that \$12,000 should cover the cost depending on the contract.

Storm Water Reserve

SCHENCK Chairman Schenck noted the \$500 item shown as interest.

LAUER Mr. Lauer explained that the \$500 item covered the retention pond in lower Penn Oaks and the treatment of pine trees in that area.

HADGE Mr. Hadge noted that because it is such a minor amount, it is put in as interest. Nothing less than \$500 is budgeted.

HOLMAN Mr. Holman brought forward Storm Water Authorities. He stated that there is legislation at the state level with regard to setting up Storm Water Authorities or the ability to tax the storm water. Additional discussion is summarized:

- Storm Water is becoming a greater issue; may not be related to just rain.
- Community systems are aging.
- Liquid Fuels won't be able to handle it; may need to form separate fund for storm water.
- Legislation is working on this now; not specifically defined at this time.
- Mandates would be coming from this fund; no state money.
- Township could impose a separate fee or tax, however it is set up by legislation.

LANDIS Ms. Landis questioned any additional legislation that is coming to the municipalities with respect to new mandates on storm water management. She would like to review the language of the mandate.

HOLMAN Mr. Holman responded that the MS4 statutes are documented in Act 167. The administration is completed for the township's MS4 permits, and the permit will be received shortly. He noted that there are new mandates within that to send new documents and information. The new regulations coming deal with what the township is going to do with the requirements with the farmers and how to test storm water coming out of the outfall lines. The township had been working on the MS4 for years and received a clean bill of health on the last inspection. Mr. Holman added that he had been tracking the storm water legislation in order to find a way to pay for it. There is \$25,000 a year for the MS4 currently and that may raise to around \$200,000 to \$300,000 in the future. It is an unfunded mandate.

Waste Reduction Reserve Fund

SCHENCK Chairman Schenck stated that the \$88,500 budget comes from garbage bills.

HOLMAN Mr. Holman noted that the Recycling Grant comes through the grant funds and then is placed into the General Fund once it is received. He added that the

amount received would be less due to more communities coming into the program.

HADGE Mr. Hadge stated that the auditor recommended that the Waste Reduction Fund be closed and moved into the General Fund. The account was used basically just to transfer the money to the General Fund. Twenty years ago it had been created to fund a piece of equipment, and it is no longer used for that purpose.

Consensus of the board was to eliminate the Waste Reduction Fund.

HOLMAN Mr. Holman commented on the potential for raising the sewer rate, which would be done through a Resolution. He indicated he would place that on the Agenda for the next meeting. He will be meeting with the new waste hauler and there may be a question about the administrative fees, none of which would be effective until January. He would want to get information out in the newsletter for the residents.

SCHENCK Chairman Schenck asked whether the charge for toters will be known before January, which may affect any decision. He added that there is a segment of the population that are one bag residents, and they will have a higher cost.

LANDIS Ms. Landis asked for the approximate costs for toters.

HOLMAN Mr. Holman responded they are \$18.00 each.

HOLMAN Mr. Holman responded that initially Republic Waste had charged \$3.00 each quarter and then lowered it to free on a voluntary basis. They provided free toters for everyone because of the equipment they use. Mr. Holman noted he would check with Penn Waste to determine whether they will charge the maximum amount of \$18.00.

LANDIS Ms. Landis noted that previously the toters were free, but now with the new contract and a different vendor, the toters will cost the residents.

BOWMAN Mr. Bowman stated that in the old contract with Penn Waste the residents had to pay for them at that time.

HOLMAN Mr. Holman added that during the first couple of years under the current contract, the residents paid for the toters. Three years into the contract it had been changed.

SCHENCK Chairman Schenck recalled that Scott Wagner threatened to sue the township when the waste hauler offered to provide the toters free, which set up the current scenario.

Mark Hodgkinson – Sewer Fund

SCHENCK Chairman Schenck indicated that the discussion would be a continuation of a previous meeting. He asked Mr. Hodgkinson where he would begin.

HODGKINSON Mr. Hodgkinson noted that they had reviewed revenues and expenses in Divisions 100 and 200 and had not been through 300 and 500, Administration and Technical Service. He began the discussion with administration and salaries where there was no change. He continued that there was very little change in most of the budget. He noted the Employee Benefits was slightly lower. Legal Services went up slightly due to increased lien filings.

SCHENCK Chairman Schenck questioned the status of the collections.

RATCLIFFE Ms. Ratcliffe responded that it had been about the same and that during 2012 they had begun going after businesses that did not pay. She noted that restaurants have a surcharge if they don't pay. They are going after all sewer invoices if not paid in 60 days.

SCHENCK Chairman Schenck asked if there was anything that could be done other than placing a lien. He commented that a lien could take 20 years to be satisfied.

RATCLIFFE Ms. Ratcliffe noted that there are only one or two old ones. For Escrow balances that are not paid, the Solicitor is asked to review and contact the mortgage companies to see if an escrow balance could be added to the mortgage. There are additional legal fees which are billed to the individual sewer account.

HOLMAN Mr. Holman indicated that the collection rate is very good.

General discussion continued with regard to the budget and main points are summarized:

- Vehicle costs up due to fuel prices.
- Capitol Equipment was up due to computer equipment needs.
- Banking Services were up due to filing more liens.
- Smaller sized bills were discussed along with savings for same.
- Contingency Expense: Used for unplanned equipment repairs; use average over three year period.
- Maintenance and Repair going up due to technical manufacturer needs.
- Catastrophic event cost of \$300,000 was handled by a supplemental appropriation. Insurance money partially offset the cost.
- If Contingency Fund is unused it is transferred to the Fund Balance.
- Contingency Fund should not build surplus; should be moved to Fund Balance.

Consensus of the board was to reduce the Contingency Fund by half to \$50,000.

Discussion continued and is summarized:

- Technical Services/Lab and Pre-treatment program; salaries unchanged.
- Some subcontract work due to reduction in one lab tech position.
- Overall budget is down due to overestimated electrical use; down from \$100,000 to \$85,000; 12%.

HADGE Mr. Hadge called attention to the following figures: Fiscal Year 1, \$10,074,114.28; Projected Budget, \$10,089,000.00, which was very close budgeting.

Sewer Rates

SCHENCK Chairman Schenck brought forward the discussion on rates. In addition, he requested a short Executive Session regarding a real estate matter.

HOLMAN Mr. Holman stated that the rates are coupled with the Capital Improvement Program.

HODGKINSON Mr. Hodgkinson reported that the Capital Sewer Lines Program is inter-municipal and includes the plant and two main lines leading into the Mill Creek Interceptor. That follows Interstate 83 and the Codorus Interceptor, the Codorus Creek and the Diversion Pump Station. He stated that he did not project a lot of projects that needed addressed in the inter-municipal fund. However, the Capital, Springettsbury only includes all of the in-house lines within the community, and that portion includes a significant amount of work over the next five plus years. He stated that using the Fund Balance each year to balance the budget is a concern to him, and he does not want to ignore the Capital projects. He stated there is a clear need to raise the sewer rates to fund the projects going forward. This would be for Springettsbury only.

SCHENCK Chairman Schenck noted that the board had been provided documentation with regard to the Capital Improvement Program.

RATCLIFFE Ms. Ratcliffe responded that after profit showed the current year with revenues generated by the Inter-municipal group. The billing does not include sewer utilities by residence. The documentation showed estimated expenses out five years to come up with what we would need from the sewer utility, the quarterly sewer bill.

Ms. Ratcliffe discussed her documentation for the board showing rates, which is summarized:

- Current charge to Residents: \$60.00; Commercial \$62.00.
- Amount collected would be \$3,756,564.
- Raising the rates to Residents: \$65.00; Commercial \$67.00 would provide an expected annual amount of \$4,098,744 which would cover 2013 expected costs. This is where use of Fund Balance or from Capital Expenditures takes place for the inter-municipal group.

- Above figures were provided prior to the \$2 million transfer to Springettsbury.

HODGKINSON Mr. Hodgkinson recommended reducing the inter-municipal fund down to \$3 million, which would cover anything going forward. Springettsbury would get \$2 million and the rest of the municipalities would get their percentage of that refunded back to them.

HOLMAN Mr. Holman added that the municipal fund surplus replenishes approximately \$500,000 to \$600,000 each year. Any projects that come up could be handled based on five year forecasts.

LANDIS Ms. Landis commented that, with the \$2 million reimbursement to the township, there would be no need to increase the sewer billing forecasting out five years at \$1.4 million.

RATCLIFFE Ms. Ratcliffe stated that when the rates were set five years ago, the first three years were to build up surplus, and the last two years would have a deficit. The \$2 million could be used to cover the 2012 deficit. She added that there is \$7 million in Capital projects; 2012 was \$1.9 million. When the rates were set five years ago, the first three years were used to build up the surplus, and the last two years would be in deficit. This first year surplus would come and that \$2 million could be used to cover 2012 deficit. Additionally there are Capital projects for \$7 million.

DVORYAK Mr. Dvoryak questioned whether funds had been added to the regular Sewer Fund for the past two or three years.

HADGE Mr. Hadge responded that he was correct; they had been adding to that fund. He noted that Mr. Hodgkinson and Ms. Ratcliffe were estimating or projecting the funds needed for Capital projects, which would use up those funds.

Additional discussion took place, which is summarized:

- Scope of the projects increased.
- Springettsbury's portion of the \$30 million debt would raise expenses.
- Repayment of the debt began two years ago; also included in the five year projections.
- The Capital Improvement Program of \$7 million ties in with the long range study.
- Some adjustment of rates will be necessary.

LANDIS Ms. Landis commented on the 2010 increase in Local Services Tax, money which she understood was set aside in the Capital Budget for such projects. Instead it was placed in the General Fund to cover daily operating costs. She indicated her concern for the residents with increases in garbage rates and sewer rates.

SCHENCK Chairman Schenck responded that he respected her opinion. He stated that the specific Sewer Reserves projects are within a stand-alone fund. The Sewer Fund is an enterprise which must pay for itself. It does not receive any money from the General Fund. He wanted to clarify that the two are separate. He added that the only way to address the Sewer Capital projects is through sewer rates.

HOLMAN Mr. Holman noted that there is a process in place which includes the User Group, as well as the Auditor, who recommended using a flat rate. It is averaged every three years.

RATCLIFFE Ms. Ratcliffe re-stated the proposed rates of \$65.00 for Residents and \$67 for Commercial.

SCHENCK Chairman Schenck commented that the districts should be eliminated and have one rate because the Capital projects affect everybody.

HODGKINSON Mr. Hodgkinson understood both sides of the issue. He cited the sewer extension on Barwood Road, and five residents paid for a whole project. They will be paying for that project for 30 years. He commented on a situation at Stone Ridge Road from Locust Grove Road up to Cinema Drive. There is one failing septic system; another one that is questionable. They were given an estimated price of between \$85,000 and \$100,000 to extend the sewer for five homes. They are investigating handling the project themselves and then dedicating it back to the township.

SCHENCK Chairman Schenck responded that to balance the cost it would amount to \$90,000 to pull in five customers.

HODGKINSON Mr. Hodgkinson added that in one of the neighborhoods there is a failing septic system and a cess pool for other homes. It might be the township's decision to say it is the right thing to do environmentally. In addition, there might be a flood of requests for sewer connection. It would be difficult to draw the line fairly.

Consensus was direction to re-run the projections and include the \$2 million return to the township and additionally re-run the projections without sewer districts; 70 users at one rate.

2. PUBLIC COMMENT

SCHENCK Chairman Schenck asked if there was anyone who wanted to speak from the public. There was no public comment.

3. ADJOURNMENT

SCHENCK Chairman Schenck reminded the board of a short Executive Session following adjournment. He adjourned the meeting at 9:20 a.m.

Respectfully,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 25, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 25, 2012 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Director of Community Development
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Robert McCoy, YAUFRR Chief
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Thomas Hyers, Chief, Police Department
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7:15 p.m. He apologized for the late start as an Executive Session had been held earlier at 6 p.m. to discuss Collective Bargaining. He led the Pledge of Allegiance.

B. Oath of Office

1) Patrolman Travis Stotelmyer

SCHENCK Chairman Schenck stated that two new police officers would be sworn in. He asked Chief Hyers to introduce the officers.

HYERS Chief Hyers thanked all five members of the Board of Supervisors for approving the hires. He provided background information with regard to Patrolman Travis Stotelmyer, who holds a Bachelor's Degree. Chief Hyers noted that having a college education would be an important factor going forward. He noted that during Patrolman Stotelmyer's interview his focus on the community, being a service provider and not just a crime fighter was emphasized. Chief Hyers introduced Patrolman Stotelmyer's family members in attendance.

SCHENCK Chairman Schenck administered the Oath of Office and welcomed him.

2) Patrolman Matthew Berry

HYERS Chief Hyers introduced Patrolman Matthew Berry. Chief Hyers, Lt. Stump and Lt. King had been involved in the hiring process, which had set the bar very high. Patrolman Berry had made a positive impression in the first interview. He, as well as Patrolman Stotelmyer, focused not just on crime fighting, but the responsibility to the community, children and seniors, a fact which separated them from other good candidates.

SCHENCK Chairman Schenck administered the Oath of Office and welcomed him.

HYERS Chief Hyers invited the two new Patrolmen and their families, as well other policemen in attendance to the police department for a tour and snacks. He thanked the Supervisors for their approval of the hiring of the two new patrolmen.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

- A. October 11, 2012 – 9:20 a.m. – Real Estate
- B. October 25, 2012 – 6:00 p.m. – Collective Bargaining

SCHENCK Chairman Schenck announced that on October 11th at 9:20 a.m. an Executive Session had been held to discuss a real estate matter. He added that a Executive Session had been held earlier this date to discuss Collective Bargaining.

3. COMMUNICATION FROM CITIZENS

KLINE Melissa Kline, Wilshire Drive, spoke on behalf of residents of Wilshire Drive and Williamsburg Drive. She noted that the number of speeding vehicles traveling down their section of the road had increased exponentially. There are no sidewalks or streetlights in the neighborhood. The police department had been helpful with speed signs and an unmanned police car in place. The residents are concerned for the safety of their children and proposed additional stop signs, as well as speed bumps, to assist in slowing down the traffic. She presented a petition for their 31 residents with 23 signatures; the other eight residents were not at home. They asked for consideration to see what could be done.

SCHENCK Chairman Schenck thanked her for coming and stated that there was a process which involved the Traffic Safety Committee. They will review the matter.

SCHENCK Chairman Schenck stated that he appreciated their concern and advised it will be reviewed. He added that the number one complaint in the township is cut through traffic and speeding in neighborhoods.

KLINE Ms. Kline commented on the new speed hump that was placed on Kingston Road. She thought that was a great improvement, and their residents would welcome that as well to keep their children and residents safe.

SANDMEYER Robert Sandmeyer, 2625 Kingston Road, thanked the board and Mr. Holman for the speed hump that had been installed. He commented that it was not working. He had observed the school traffic including both autos, SUV's and buses going over the hump. He stated that it is not high enough or thick enough to slow motorists down and needs to be about six inches high. He intended to follow up with the school bus company. He noted that the township crew had done a great job in cleaning up after the work was done and he really appreciated the help.

BUPP Matthew Bupp, Mt. Rose Avenue brought forward some issues, concerns and comments for the board's direction. His concern surrounded the road expansion on Mt. Rose Avenue, his attempt to work with PennDOT, the township Manager, Engineer and the Solicitor, all of which left him with frustration and no solution. His desire is to be hooked up to the sewer by bringing the line brought from his property down to Eastwood Road. Following is a summary of his dilemma.

- PennDOT was in the process of digging in the area of his septic system. His property would have become a "non-conforming use" and he would have had to leave his home.
- Sewer Line – Township suggested a grinder pump to pump uphill to church; PennDOT indicated that was a terrible solution.
- His desire is to put a line across the street to connect with the sewer. Township indicated he could only do a four-inch line. From one house they have 28 feet and on the other side they have 32 feet so the width is available.
- It was suggested to re-write the Deeds of properties across the street; his attorney strongly against that. Easements would be separate documentation.
- Questionable documentation was presented as to when his home was built: 1955 aerial photo vs. 1968 documents.
- Looking for input, guidance and direction.

SCHENCK Chairman Schenck commented that Mr. Bupp requested to go across the road and through other people's property to connect to the sewer and there likely would be some legal ramifications. He posed a scenario of what if the option to go across the street is not a solution.

BUPP Mr. Bupp responded that he would have to pay for and maintain a grinder pump for years. He added that both the property owners had consented to his option of going across their property. He added he was just attempting to find resolution that works for everyone. Mr. Bupp stated that his plans had been filed.

LUCIANI Mr. Luciani stated that what Mr. Bupp needed to do was to provide evidence that he has secured the easement documentation to be recorded for future real estate sale of the affected properties. His plans had been received and

reviewed. They had a few technical comments on the plan, and they are waiting for the plans to be re-submitted, and they will be approved.

TROTT

David Trott, 3360 Druck Valley Road, presented a lengthy list of complaints which are summarized:

- Chief Hyers' remarks concerning his focus on hiring college-educated police officers; college education does not make a good police officer.
- Comment that board had not raised taxes in nine years: In 2009 Occupational Privilege Tax of \$10.00 was repealed; Local Service Tax of \$52.00 was adopted in 2009
- Policies and Benefits stated reflecting possible inconsistencies:
 - Compensatory Time for non-union employees
 - Employment Selection Process
 - Probationary Period
 - Performance Evaluation
 - Conditions of Employment
 - Family and Medical Leave Act

HATCHER

Brad Hatcher, 1813 Shawan Lane, brought forward an issue with snow removal on his street. He had addressed the board in the past and requested that the snow be pushed away from the driveways.

HOLMAN

Mr. Holman responded that he and Mr. Lauer had visited the site, and Mr. Lauer noted that he would pay close attention to the plowing on Shawan Lane. He noted he would call Mr. Hatcher for further discussion.

HELLER

Jane Heller, 1819 Idylwyld, spoke concerning the issue of stray animals in York County and the fact that the SPCA is basically full. She suggested there is a need for additional town shelters.

HOLMAN

Mr. Holman stated that the police department and the Animal Control Officer had checked the service provided by the SPCA, and they had no problem with shelter services. It had worked well for the township over the past few years. There had been no increase in cost. The 2010 census was the fact that drove the cost up due to the population increase from \$11,900 to \$13,200, a 50 cent per capita cost.

WALTERS

Bill Walters, 3310 Edenbridge Road, stated he had been a resident of Springettsbury Township for 49 years as a property owner and a taxpayer. He added that he had the privilege of serving on the Springettsbury Township board for 16 years and knows what the board goes through. He reiterated his statement about beating a dead horse.

4. ENGINEERING REPORTS

- A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided a written monthly report. He commented that the only addition to that report was to note that the No. 4 Permit Renewal had been reviewed by the township and submitted both to EPA and DEP.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided a written monthly report for the board. He provided an update which related to the PennDOT planning for Exit 18 improvements.

- A median is proposed on Haines Road, which will affect Rutters, Kmart, Haines Acres shopping center all with right-in, right-out access.
- A concentration point will be placed to mitigate that, and the proposal is to place a signal at Washington Road on the west side, and Raleigh Drive on the east side.
- Additional concerns for left turns from Raleigh Drive are being addressed.
- An update will be provided at the next board meeting.

LANDIS Ms. Landis asked for information regarding the Weir American Hydro project. She questioned whether the township is denying the waiver of sidewalks.

LUCIANI Mr. Luciani responded that the plan had gone through the Planning Commission and would come before the Board of Supervisors in November or December. Weir had requested a waiver of sidewalks. The Planning Commission recommendation was to deny the waiver and require the sidewalk on Stonewood Road. It is not a lot of sidewalk in Springettsbury Township.

LANDIS Ms. Landis asked about the presentation by Matthew Bupp. She did not recall seeing a submitted plan to cross Mt. Rose Avenue. She noted in his report that it had been recently submitted.

LUCIANI Mr. Luciani responded that the plans had been received about three weeks ago and they issued comments as soon as they were received. Mr. Bupp had attended a staff meeting, and they waited for the plans for at least a month. Staff's comments were that he needed to provide proof of easements through people's property. Also, the standard sewer easement is 30 feet wide for maintenance in the future. The plan wasn't labeled 30 feet; it was labeled 20. If those deficiencies are corrected, he could proceed with it. Mr. Bupp's biggest challenge is getting authority through the people's yards to build the sewer.

LANDIS Ms. Landis commented on the Boulevard Commons plan, which was very small in scale and not easily read. She asked for an overview of the plan.

LUCIANI Mr. Luciani apologized for the scale of the plan, which came out of the York County Court House. The concern the residents have is traffic cutting through

the condo development to get out onto Eastern Boulevard. The plan was approved with two entrances: one onto Eastern Boulevard and one onto Heritage Drive. If they gate the one onto Heritage Drive, that presents a hazard for the fire department. Continued review is being made of documentation to be sure if they gate Heritage that it won't violate a condition of the plan. Additionally, when staff met with them, not all their residents are supportive of having it gated.

HOLMAN Mr. Holman added that they were asking for a process in which they can determine how to proceed, and the township is putting that process together.

LANDIS Ms. Landis asked what they would have to do to move forward with the proposed gate and the plan.

LUCIANI Mr. Luciani responded that they may have to go back through the process and alter the plan. However, he added that it would be more of a legal question that he did not feel authorized to answer. He added that he would provide an update at the next meeting.

5. CONSENT AGENDA

- A. Acknowledge Receipt of September 30, 2012 Treasurer's Report.
- B. Acknowledge Receipt of York Area United Fire and Rescue Commission Meeting Minutes – July 17, 2012.
- C. Acknowledge Receipt of York Area United Fire and Rescue Commission Meeting Minutes – August 21, 2012.
- D. Board of Supervisors Regular Meeting Minutes – August 23, 2012.
- E. Board of Supervisors Public Hearing Minutes – September 27, 2012.
- F. Board of Supervisors Regular Meeting Minutes – September 27, 2012.
- G. Regular Payables as Detailed in the Payable Listing of October 25, 2012.

LANDIS Ms. Landis requested removing items D and F.

MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH G EXCLUDING D AND F. MOTION UNANIMOUSLY CARRIED.

D. Board of Supervisors Regular Meeting Minutes – August 23, 2012

Following is a summary of the discussion surrounding the August 23, 2012 Minutes. Ms. Landis recommended the following changes:

- Restate the wording on page 3 to read: It was stated by Ms. Landis that this was a violation of Township Policy with reference to the Police Chief's use of a township automobile.
- Under New Business, B., Discussion of placing audio of meetings on the website, add comments made by Chief Hyers as follows: "One of the things you have to be careful of is what's said at the board meetings. A

prime example is something that Ms. Landis said about the bank. She made some comments about the bank and wining and dining people in inappropriate conduct. If that bank heard that this board would have tremendous problems.”

MR.BISHOP MOVED TO TABLE THE MINUTES OF THE AUGUST 23, 2012 MEETING TO ALLOW THE STENOGRAPHER TO COME BACK WITH ANOTHER PROPOSAL FOR REVIEW AT THE NEXT MEETING.

LANDIS Ms. Landis asked what exactly he meant.

SCHENCK Chairman Schenck responded that it meant that the Stenographer would come back with a draft. The motion was to come back with a revised draft for the board’s review.

LANDIS Ms. Landis responded that she had not heard that part.

MOTION UNANIMOUSLY CARRIED.

F. Board of Supervisors Regular Meeting Minutes – September 27, 2012

Following is a summary of the discussion surrounding the September 27th meeting minutes.

- More detailed description of David Trott’s 15 minute discussion of his concern and comments regarding the offers, acceptance and hiring of Police Chief Hyers.
- Citizen comments are taken and minutes are to record actions of the board.
- Clear guidelines should be given of any changes to the process of the minutes.
- Suggestion made to place the audio on the website to provide for transparency.

MR. BISHOP MOVED TO APPROVE THE MINUTES OF SEPTEMBER 27, 2012 AS PRESENTED. MESSRS SCHENCK, BISHOP AND BOWMAN VOTED IN FAVOR; MR. DVORYAK AND MS. LANDIS VOTED AGAINST. MOTION CARRIED 3/2.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

A. Authorization to Award Bid for Uniform Contract to Coyne Textile Services

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO AWARD BID FOR UNIFORM CONTRACT TO COYNE TEXTILE SERVICES FOR THE PERIOD NOVEMBER 1, 2012 THROUGH OCTOBER 31, 2015 IN AN AMOUNT NOT TO EXCEED \$7,399.60. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Award Bid to AM-Liner East, Inc. for the Yorklyn Sewer Lining Project in an amount not to exceed \$643,790.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO AWARD BID TO AM-LINER EAST, INC. FOR THE YORKLYN SEWER LINING PROJECT IN THE AMOUNT NOT TO EXCEED \$643,790. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Award Professional Services Contract to Buchart Horn, Inc. for the Yorklyn Sewer Lining Project in an amount not to exceed \$76,000.

MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO AWARD PROFESSIONAL SERVICES CONTRACT TO BUCHART-HORN, INC. FOR THE YORKLYN SEWER LINING PROJECT IN AN AMOUNT NOT TO EXCEED \$76,000. MOTION UNANIMOUSLY CARRIED.

- D. Authorization to Supplement Mill Creek Interceptor Televising Contract in an amount not to exceed \$187,000.

MS. LANDIS MOVED FOR AUTHORIZATION TO APPROVE THE SUPPLEMENT MILL CREEK INTERCEPTOR TELEVISING CONTRACT IN AN AMOUNT NOT TO EXCEED \$187,000. MOTION UNANIMOUSLY CARRIED.

- E. Authorization to Purchase F3680 Mowing Tractor with Attachments in an amount not to exceed \$27,491.64.

MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO PURCHASE F-3680 MOWING TRACTOR WITH ATTACHMENTS IN AN AMOUNT NOT TO EXCEED \$27,491.64. MOTION UNANIMOUSLY CARRIED.

- F. Authorization to Execute 2013 Animal Care and Housing Agreement with York County SPCA in an amount not to exceed \$13,334.

MR. DVORYAK MOVED TO AUTHORIZE EXECUTING THE 2013 ANIMAL CARE AND HOUSING AGREEMENT WITH YORK COUNTY SPCA IN AN AMOUNT NOT TO EXCEED \$13,334. MOTION UNANIMOUSLY CARRIED.

- G. Authorization to Execute 2013 Animal Control Services Agreement with Hemler Animal Control Services.

MR. DVORYAK AUTHORIZED EXECUTING THE 2013 ANIMAL CONTROL SERVICES AGREEMENT WITH HEMLER ANIMAL CONTROL SERVICES. MOTION UNANIMOUSLY CARRIED.

- H. Authorization to Renew Application Service Provider Agreement with Tyler Technologies for the period January 1, 2013 through December 31, 2015.

MR. DVORYAK MOVED TO AUTHORIZE RENEWING THE APPLICATION SERVICE PROVIDER AGREEMENT WITH TYLER TECHNOLOGIES FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2015. MOTION UNANIMOUSLY CARRIED.

- I. Wheatland Advisors, Inc. – Review and Consulting – Springettsbury Township Police Pension Fund.

MS. LANDIS MOVED TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH WHEATLAND ADVISORS, INC. FOR THE REVIEW AND CONSULTING ON THE INVESTMENT PROPOSALS FOR THE SPRINGETTSBURY TOWNSHIP POLICE PENSION DEATH AND DISABILITY FUND FOR THE AMOUNT NOT TO EXCEED \$4,000. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

8. COMMUNICATION FROM SUPERVISORS

BISHOP Mr. Bishop brought forward a matter concerning the township’s basic zoning and community development policy. He suggested that a review be made of those policies which based all enforcement on complaints. The recent episode with the RV’s demonstrated that a complaint-driven system is not particularly fair or useful to the township and other options should be explored.

SCHENCK Chairman Schenck echoed Mr. Bishop’s suggestion. During the RV matter it was clearly illustrated that residents had been doing what they had for many years and suddenly were told they were not allowed to do so. He noted that perhaps a shift is necessary toward something more proactive and user-friendly.

HOLMAN Mr. Holman offered to draft an action plan for the board.

BOWMAN Mr. Bowman commented that he’d like to look at an action plan.

DVORYAK Mr. Dvoryak stated that any process could use improvement and he would be in favor of a review to see whether there would be a way to do so. An action plan would be a good starting point for ideas.

LANDIS Ms. Landis stated that she concurred.

SCHENCK Chairman Schenck commented that Saturday in the Park was a huge success. He noted great weather and more volunteers than ever were involved. He stated that several organizations received some nice fund-raising. He

personally was very impressed with the amount of township staff that were there and enjoying themselves.

BISHOP Mr. Bishop commented that David Wendell did a wonderful job.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had nothing to add to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman provided one update. He responded to Ms. Landis' request for any pending legislation regarding storm water, MS4. He had received word from Representative Gillespie's office that there is no pending legislation at this time. He added that they would advise him when the legislature convenes in January if any pending legislation is under consideration. He also contacted PSATS but had not received a response to date. Mr. Holman stated that he would keep the board updated.

LANDIS Ms. Landis thanked him for his report.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2012-46 – Authorizing the Township Treasurer to Process Real Estate Tax Refund Requests in the Amount of Ten (\$10.00) Dollars or Less.

MR. DVORYAK MOVED TO ADOPT RESOLUTION 2012-46. MOTION UNANIMOUSLY CARRIED.

HOLMAN Mr. Holman stated that Tax Collector wanted him to be sure to thank the board for their approval.

B. Resolution No. 2012-47 – Authorizing Execution of Contribution Agreement with PennDOT for Improvements along Mt. Rose Avenue.

MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 2012-47 AUTHORIZING EXECUTION OF CONTRIBUTION AGREEMENT WITH PENNDOT FOR IMPROVEMENTS ALONG MT. ROSE AVENUE. MOTION CARRIED 4/1. MS. LANDIS VOTED OPPOSED.

C. Resolution No. 2012-48 – Amending the Solid Waste Administrative Charge to the Township.

Consensus of the board was to hold action on item C pending review of further information.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that there had been no communications to date.

13. NEW BUSINESS

A. Authorization to Transfer \$19,575 from General Fund to Sewer Fund (Payment Received from Rental on Walters' Property for 2011-12).

MR. BOMAN MOVED TO APPROVE AUTHORIZATION TO TRANSFER \$19,575 FROM GENERAL FUND TO SEWER FUND FOR RENTAL ON WALTERS' PROPERTY 2011 THROUGH 2012. MOTION UNANIMOUSLY CARRIED.

B. Authorize Refund of Real Estate Transfer Tax to Cinema Drive Associations, LLC, Bob Argento Partner, in the amount of \$4,160.37.

MS. LANDIS MOVED TO APPROVE THE REFUND OF REAL ESTATE TRANSFER TAX TO CINEMA DRIVE ASSOCIATES, LLC IN THE AMOUNT NOT TO EXCEED \$4,160.37. MOTION UNANIMOUSLY CARRIED.

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

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO ADVERTISE THE SALE OF VARIOUS ITEMS BY ONLINE AUCTION (MUNICIPAL). MOTION UNANIMOUSLY CARRIED.

D. Rail Trail Support

SCHENCK Chairman Schenck noted that in the supplemental packet, Mr. Holman had requested the board send a letter showing support for the Rail Trail in order to receive funds from the county.

MR. BOWMAN MOVED TO AUTHORIZE A LETTER OF SUPPORT FOR YORK COUNTY RAIL TRAIL AUTHORITY'S REQUEST FOR FUNDING IN THE NORTHERN EXTENSION OF THAT HERITAGE RAIL TRAIL COUNTY PARK WITHIN SPRINGETTSBURY TOWNSHIP. THIS WOULD BE FUNDED THROUGH THE COUNTY APPORTIONMENT OF THE MARCELLUS SHALE FUND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck brought forward a comment concerning citizen comments. General discussion took place which is summarized:

- Citizens appreciate being permitted to speak.
- Board is permitted to have rules concerning length of comments, which is three minutes.
- Three minutes might not be enough time for some issues.

- Citizens should be given opportunity but there may be times when it could be shortened.
- Guidelines and policy should be clear; policy gives discretion to the Chairman.
- Citizens should respect the board's time in terms of length and relevancy of their comments.
- RV issue presented with many residents stating similar concerns/complaints.
- General overall policy review suggested.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 9:40 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**NOVEMBER 14, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Wednesday, November 14, 2012 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Sandy Ratcliffe, Deputy Finance Director
Angela Liddick, Community Development Coordinator
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jack Hadge, Finance Director
Thomas Hyers, Police Chief
Lt. Dan Stump, Police Department
Robert McCoy, Chief, YAUFR
Jay Van Pelt, YAUFR
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that the board had held an Executive Session following the last budget meeting to discuss a real estate matter. An Executive Session was scheduled this date following adjournment to discuss real estate.

3. COMMUNICATIONS FROM CITIZENS

TROTT David Trott, 3360 Druck Valley Road, reported that during the process of the selection of the new Chief of Police, Manager John Holman brought Pat Harvey, Attorney from Ballard Spahr from Philadelphia, to attend the final interview process, which was quite expensive. Since that time it had come to Mr. Trott's attention that Pat Harvey's name is on Mr. Holman's personal reference list on his résumé and he thought it was inappropriate and a conflict of interest.

Additionally, Mr. Trott mentioned the township's recycling policy. He noted the recycle bins that had been in the police department during his time as an officer. He noted that Public Works would come to collect the bins and just throw the recycles in with the regular trash. He thought it was a bit odd.

WALTERS Bill Walters, 3310 Edenbridge Road, stated that he had been a resident of the township for 49 years. He had been a township supervisor in a five-man board for 16 years. He was coming to the board meetings because of his interest in the negative comments made concerning the same thing month after month and finding fault with the township and the manager. In addition, the matter of meeting minutes being questioned had never taken place during his 16 years as supervisor. He stated he thought it was a disgrace.

LANDIS Ms. Landis responded that the board is not just a man's board but a community board with a female sitting on the board. In her opinion his comment that it had been a men's board was inappropriate.

CRUMLING Larry Crumling, 108 Lorenzo Court, brought forward his request to close the gate at Heritage Drive. His reasons were for the safety of the citizens of Boulevard Commons Condominium. The opening had been approved when the subdivision plan was approved. He asked what additional approvals would be needed in order to amend the plan.

HOLMAN Mr. Holman responded that Solicitor Rausch had provided a response to his request, and what is required would be the process to get the cul-de-sac closed.

CRUMLING Mr. Crumling noted that it would be gated with a lock box to allow for emergency vehicles in the event of an emergency.

RAUSCH Solicitor Rausch explained that because the plan was recorded which showed the road open, and the residents had bought into the development with that understanding, a vote of the condo board will be needed with appropriate documentation on record, as well as a sketch as an exhibit of the proposed change. The agreement and exhibit would be recorded with the plan.

HOLMAN Mr. Holman added that, in addition, it would be necessary to follow the MPC rules along with the amendment to the plan.

CRUMLING Mr. Crumling stated that he would have a vote taken at the board meeting, have it recorded and would check with their attorney to be sure it is done and submitted properly.

RAUSCH Solicitor Rausch suggested that he have their attorney contact him to get the agreement and the requirements resolved.

CRUMLING Mr. Crumling stated that he understood the process and would continue with the necessary documents.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided his monthly report. He stated one update in that they received the documentation for the Yorklyn Relining Project. The documents are in the process of being checked for bonds and insurance.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided his monthly report. He had two updates.

- Bupp Sanitary Sewer – A revised plan had been received and was under review. Some action items will be added to file a PennDOT permit in conjunction with some conditions.
- York County Prison Expansion – Planning Commission had a number of concerns about changes in traffic, and pedestrian traffic on Work Release. A meeting was held with county, prison officials and with PennDOT. Potential improvements were discussed for lane changes and signal timing.

DVORYAK Mr. Dvoryak questioned citizen complaints regarding the intersection of Concord and Mt. Zion Roads. He asked what to advise the citizens who insist that only two cars get through the intersection, as well as a back up in traffic.

LUCIANI Mr. Luciani responded that he had reviewed the intersection timing and discussed it during the meeting concerning the prison investigation. The amount of time for all movements to occur at every intersection is 100 seconds. Mr. Luciani itemized the seconds for each movement and indicated that he would provide a spreadsheet for additional information for the board. His response is that the signal is timed correctly. In addition, the Concord Road connector will relieve some of the congestion and go out Davies Drive when that opens.

LANDIS Ms. Landis asked whether there was a proposed appropriation of funds for the additional bus stops and sidewalks for the prison project. In addition, she asked when the date for the next meeting would be.

LUCIANI Mr. Luciani responded that having met with the Planning Commission, the plan was tabled for additional information. He noted that the Board of Supervisors would not see the plan until January or February.

LANDIS Ms. Landis asked whether a concern for pedestrians extended out into Mt. Zion Road area. She had brought this up numerous times because walking in that area is very dangerous.

LUCIANI Mr. Luciani responded that it would. He acknowledged it is a bad situation. He and Mr. Holman had discussed it for many years. Even though PennDOT had stated that they do not allow pedestrian paths through their limited access roadways, the ADA had entered with its requirements to provide a path for handicapped people. Mr. Luciani was certain PennDOT will be making improvements there within the next five years. He noted at that point a segment of sidewalk should be in place.

BISHOP Mr. Bishop questioned the status of York Container's requirement to build sidewalks along their property.

LUCIANI Mr. Luciani stated that the matter is bonded, and the township has the ability to require the sidewalks. They had reached out to York Container about six months ago. Ownership of that company had transferred; however, that does not change the requirement for sidewalks.

BISHOP Mr. Bishop asked how long is it necessary to wait.

HOLMAN Mr. Holman responded that he will have to meet with them, document some letters for history and if necessary, pull the bond and do the work.

LUCIANI Mr. Luciani noted he thought the design works to put sidewalk in there, and it does connect to the prison.

HOLMAN Mr. Holman indicated he would put that on the list.

5. CONSENT AGENDA

- A. Acknowledge Receipt of October 31, 2012 Treasurer's Report
- B. Board of Supervisors Budget Work Session #1 – October 3, 2012
- C. Board of Supervisors Regular Meeting Minutes – October 25, 2012
- D. Regular Payables as Detailed in the Payable Listing of November 14, 2012
- E. LD-08-12 – Time Extension – Yale Electric – Plan Expires 11/25/12 (New Plan Date 2/25/13).
- F. LD-12-05 – Time Extension – The Goddard School – Plan Expires 11/21/12 (New Plan Date 2/21/13).
- G. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 11/20/12 (New Plan Date 2/20/13).
- H. SD-08-03 – Time Extension – Pam Long SD – Plan Expires 11/25/12 (New Plan Date 2/25/13).

**MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH
H. MOTION UNANIMOUSLY CARRIED.**

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

A. Memorandum of Understanding – Police Employee Services

HOLMAN Mr. Holman reported that he had received an agreement from the York County District Attorney and the County Commissioners for reimbursement of police employee services. The agreement would commence no later than January 1, 2013 for a period of three years. This is a follow up to a grant that the township received in 2012 regarding one officer that is provided to the county for specific services.

SCHENCK Chairman Schenck asked what amount the county offered for them to help

HYERS Chief Hyers responded that it would pay for the salary, the time for the Drug Task Force as well as the overtime, which is about \$75,000 to \$80,000 a year.

SCHENCK Chairman Schenck recalled there had been similar activity earlier in 2012.

HYERS Chief Hyers responded that it is an extension of that activity. Additionally, on the MOU they would be able to pull the officer back if needed on a temporary assignment or lack of manpower. The MOU is the same as was approved in 2011.

SCHENCK Chairman Schenck noticed that the agreement had come through the DA's office. He stated that it was a great opportunity for Springettsbury.

**MR. BISHOP MOVED TO APPROVE THE MEMORANDUM OF UNDERSTANDING
WITH THE DISTRICT ATTORNEY AND THE COUNTY COMMISSIONERS.
MOTION UNANIMOUSLY CARRIED.**

7. SUBDIVISIONS AND LAND DEVELOPMENT

A. LD-12-02 – Chick-Fil-A – Plan Expires 12/17/12 (Action).

LIDDICK Angela Liddick provided the presentation of LD-12-02, which was documented in a November 14, 2012 memorandum. The plan proposed to construct a fast food restaurant, Chick-Fil-A, located within the Town Center Overlay District.

Ms. Liddick provided a PowerPoint overview of the plan. Planning Commission had recommended the plan located on the York Mall property. She provided views of the restaurant, two drive-through lanes, required parking, lighting, storm water management, required landscaping, streetscape and sidewalks. She noted it

would be located within the Town Center Overlay District. The location is in the south east corner of the lot next to Home Depot. An aerial view showed it located in the Commercial Highway Zoning District. She stated that the waivers and conditions were itemized on the briefing memo. One addition was suggested for condition number three in order to expedite the plan: Add to the sentence, “Developer’s agreement between the applicant and the township *be acceptable to the Township Manager and Solicitor*.”

The board discussed several points concerning the plan including:

- Entranceway to the building; wider sidewalk in front of Chick-Fil-A.
- Town Center Overlay requirements – Plan is in conformance.
- Developers Agreement – Some improvements are within PennDOT right-of-way; township must be the applicant to PennDOT.
- Drive-through lane.
- Pedestrian walkway from Market Street; going into the restaurant pedestrian must cross the drive-through lane of traffic.
- Town Center Overlay is a 20-year plan.

MR. BISHOP MOVED WITH RESPECT TO LAND DEVELOPMENT 12-02, CHICK-FIL-A, TO APPROVE THE FINAL LAND DEVELOPMENT WITH THE THREE WAIVERS INDICATED ON THE BRIEFING MEMO AND FURTHER APPROVE THAT PLAN WITH THE FOUR CONDITIONS LISTED ON THE MEMO WITH THE ADDITION IN CONDITION NUMBER THREE TO ADD THE WORDS “ACCEPTABLE TO THE TOWNSHIP MANAGER AND TOWNSHIP SOLICITOR”. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck thanked the developers for coming to the Springettsbury community and expressed the board’s appreciation.

B. Other-12-01 – Bupp Highway Occupancy Permit – No Expiration Date (Action).

HOLMAN Mr. Holman reported that Mr. Baugh and Ms. Liddick received an application from Mr. Bupp, which the township referred to as “other” for the extension of his sewer lateral from his property across Mt. Rose Avenue to Eastwood Drive.

LUCIANI Mr. Luciani stated that the two properties Mr. Bupp would cross are owned by families Grimm and Axe.

SCHENCK Chairman Schenck noted that, as previously mentioned, the township must make the application to PennDOT.

LUCIANI Mr. Luciani responded that he was correct. PennDOT does not permit private entities to cross their highway.

HOLMAN Mr. Holman reported that a Developers Agreement will be put in place, which will clearly state that the developer is responsible for all costs associated with the project.

Additional discussion took place, which is summarized:

- Proof of right-of-way necessary before making application to PennDOT for HOP.
- Messrs. Crabill and Hodgkinson reviewing the sewer line material is acceptable.
- Easement agreement is being completed by Solicitor Rausch and Mr. Bupp's attorney.
- Sewer lines will be 30 feet wide; capable of handling the capacity and meet township requirements.
- Mr. Bupp is oversizing the pipe with intention of improving the property and turning the line over to the township. There is no requirement for the township to accept the line. If more than one property ties into the line then it becomes the main.

SCHENCK Chairman Schenck commented that there should not be any implied approval of a main when the township is advised it's a lateral.

MR.BISHOP MOVED WITH RESPECT TO THE SEWER CASE OTHER-12-01 TO AUTHORIZE THE TOWNSHIP MANAGER TO SIGN THE PENNDOT HIGHWAY OCCUPANCY PERMIT TO EXTEND THE SANITARY SEWER FROM EASTWOOD DRIVE ACROSS THE HIGHWAY INTO THE AXE AND THE GRIMM PROPERTIES TO PROVIDE PUBLIC SEWAGE TO THE BUPP PROPERTY WITH THE FOLLOWING TWO CONDITIONS: 1) A DEVELOPMENT AGREEMENT ACCEPTABLE TO THE TOWNSHIP SOLICITOR AND TOWNSHIP MANAGER AND THE APPLICANT MUST BE AGREED UPON AND SIGNED BY THE TOWNSHIP MANAGER AND THE APPLICANT. 2) PROOF OF THE ACQUISITION OF RELEVANT EASEMENT TO ACCOMMODATE THE PROPOSED SEWER EXTENSION MUST BE PROVIDED AND ACCEPTED BY THE TOWNSHIP SOLICITOR. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis questioned a document received in her packet concerning the York County Quick Response Team requesting the township's support. She asked what the amount of support would be and on what line item.

STUMP Lt. Stump responded that the Police Department has a lineup with the York County Quick Response Team. Included in that is the uniforms, equipment for the members, an asset, ammunition. All financial obligations with the Team were met during 2012. The budgeted line item is \$3,500.

SCHENCK Chairman Schenck reported that Messrs. Bowman, Bishop, Dvoryak and he had attended the York County Townships of the Second Class convention on November 8th. He stated that it had been one of the better conventions with attendance by PSATS and an excellent presentation of some items to be dealt with by the municipalities and unfunded mandates. The PSATS officials were very complimentary of what the York County group provided in the way of training to municipalities including various labor law issues. PennDOT officials congratulated Mr. Holman for taking the initiative in setting up the presentation. Additionally, Chairman Schenck noted he was pleased that nearly every department head from Springettsbury was there for the training. The Police Department received accreditation, which is a high honor and not something easily obtained. He acknowledged that they had worked very hard to make sure that accreditation was received.

Chairman Schenck reminded everyone of the Annual Tree Lighting Ceremony on Friday, November 16th.

HOLMAN Mr. Holman added that Toys for Tots will be there for donations and the Marine Corps Color Guard.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had no additions to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman reported that a request had been received from Friends of Camp Security to have Cultural Resources Analysis, Inc. do a non-invasive survey of the Walters property the second week of December. This would be a geophysical survey and would be done pro-bono. The township will receive copies of all information that is developed. He will work with Solicitor Rausch to develop an agreement allowing the work to be done which will include a hold harmless for the township, proper insurance and proper liability. The farmer has no objection.

LANDIS Ms. Landis commented that if there are objects identified they would likely request excavation. She asked what the next process would be.

HOLMAN Mr. Holman responded that many times it is preferable to leave the items in the ground inasmuch as it had been secure there for years. They may come back later if there is a significant find and would need board approval to dig and restore the site.

Consensus of the board was approval for Cultural Resources Analysis, Inc. to do a non-invasive search of the Walters Property.

LANDIS Ms. Landis questioned the report of the project scope of work for the proposal of audio visual system design, equipment and installation. She noted it would be placed on the December meeting agenda.

HOLMAN Mr. Holman responded that he expects some additional quotes and policies and had provided advance information for the board's review.

11. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 2012-08 – Repealing Article II, Chapter 56 of the Code of Ordinances Related to Firemen's Pension Death and Disability Fund Plan.

MR. DVORYAK MOVED TO ADOPT ORDINANCE NO. 2012-08. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2012-48 – Amending the Solid Waste Administrative Charge to the Township.

MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 2012-48. MOTION CARRIED 4/1. MESSRS BOWMAN, DVORYAK, BISHOP AND SCHENCK VOTED IN FAVOR; MS. LANDIS OPPOSED.

C. Resolution No. 2012-49 – Amending Fee Schedule for Sewer Rates for 2013.

MR. DVORYAK MOVED RESOLUTION 2012-49. MOTION CARRIED 4/1; MESSRS DVORYAK, BOWMAN, BISHOP AND SCHENCK VOTED IN FAVOR; MS. LANDIS OPPOSED.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop stated that there had been no new activity.

B. Board of Supervisors Regular Meeting Minutes – August 23, 2012

MS. LANDIS MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MINUTES MEETING, AUGUST 23, 2012. MOTION UNANIMOUSLY CARRIED.

13. NEW BUSINESS

A. Authorization to Advertise 2013 Proposed Budget

MR. DVORYAK MOVED TO AUTHORIZE ADVERTISING THE 2013 PROPOSED BUDGET. MOTION UNANIMOUSLY CARRIED.

B. Set the Time for the January 7, 2013 Board of Supervisors Reorganization Meeting.

Consensus of the Board was to schedule the Reorganization Meeting for Monday, January 7th at 5 p.m.

C. Motion to Approve October 29, 2012 Weather Emergency Declaration by Township Manager and Rescission thereof Effective October 31, 2012 (Hurricane Sandy).

MR. DVORYAK MOVED TO APPROVE THE OCTOBER 29, 2012 WEATHER EMERGENCY DECLARATION BY TOWNSHIP MANAGER AND RESCISSION EFFECTIVE OCTOBER 31, 2012. MOTION UNANIMOUSLY CARRIED.

D. Medication Take Back Box Program

Consensus of the board was agreement to participate in the Medication Take Back Box Program.

E. Authorization to Approve Tax Year 202 Tax Refund Request as follows:

- 1) Harley Davidson Company (Parcel #46-000-K1-0235.00-00000) in the amount of \$1,601.13.

MS. LANDIS MOVED TO APPROVE 2012 TAX REFUND REQUEST AS FOLLOWS: HARLEY DAVIDSON COMPANY FOR \$1,601.13. MOTION UNANIMOUSLY CARRIED.

F. Mt. Rose Avenue Phase II Improvements – Sewer Manhole Adjustments

Consensus of the board was to move forward with the Mt. Rose Avenue Phase II Improvements – Sewer Manhole Adjustments.

BISHOP Mr. Bishop brought forward a matter that had been discussed previously relating to the need for the board to communicate and for citizens to understand the way the board handles municipal matters. Several methods had been suggested including audio/video; however, he suggested the board request the Township Manager to put together a comprehensive plan that will communicate what is

happening in the township and YAUFRR in some different ways than currently are done.

LANDIS Ms. Landis concurred with Mr. Bishop's suggestion and added that the enhanced website is available with a Q&A section. The website and Facebook are excellent sources and it would be a continuation to enhance with other social media.

DVORYAK Mr. Dvoryak commented that it sounded like something that would be good.

Consensus of the board was to have Mr. Holman provide a Comprehensive Plan to enhance communication with information about the township.

14. ADJOURNMENT

SCHENCK Chairman Schenck reminded the board of the Executive Committee meeting and adjourned the meeting at 8:45 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
2013 BUDGET PRESENTATION**

**NOVEMBER 14, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Meeting for Presentation of the proposed 2013 Budget on Wednesday, November 14, 2012 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
John Luciani, Civil Engineer
Andy Hinkle, Manager, Information Systems
Sandy Ratcliffe, Deputy Finance Director
Angela Liddick, Community Development Coordinator
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order. He stated the purpose of the meeting was for a presentation of the proposed 2013 budget. He turned the meeting over to Mr. Holman.

HOLMAN Mr. Holman reported that the budget preparation process began June 29, 2012 where he met with the Directors, who submitted their budgets. The process continued with meetings with the Finance Officer and Directors and work sessions. A joint meeting of the governing bodies for the YAUFRR budget presentation was held September 18th and the ensuing Board of Supervisors work sessions held September 27th, October 3, 10 and 31 and November 7th, all of which culminated in the presentation this date of the Proposed 2013 Budget. If the budget is authorized for advertisement by the board it will be placed in the newspaper on November 19, 2012. The Total Amount in the budget for all funds is \$29,698,778.

Mr. Holman noted the documentation of the PowerPoint presentation would be placed on the website for review. A summary of the proposed budget follows:

General Fund \$12,983,778; Other Funds \$4,697,000, Sewer Fund \$12,018,000 for a Total of \$29,698,778. He noted an increase of \$4,697,000 (67.6%) which directly related to the Fire Building in Capital Projects. Revenues for 2013 for the General Fund are derived largely from the Local Enabling Taxes or the Mercantile and Business Taxes. The largest appropriations in 2013 involve Public Safety, Police, Fire and EMS. Income has been relatively stable in a comparison of 2010 through 2012 through the percentages of individual funds. Surplus Fund Summary at December 31, 2012 is \$3,535,639 and it is not expected to use the \$1,331,950 expected use for 2012.

Mr. Holman stated that the township, for the 10th year, does not propose a raise in taxes or the milage rate in 2013. The rate will stay at .87 mils. Within the York Suburban School District the township represents 3.38% of the property taxes. Within Central York School District the township represents 3.82%.

Mr. Holman discussed the Commonwealth Liquid Fuel Fund, which money is designated for construction and maintenance of roadways and the purchase of related highway equipment. The anticipated Revenue is expected to be approximately \$533,000 in addition to \$8,500 for roads designated in the Turnback program. In addition a Fund Balance of \$480,000 is available in the fund.

The Subdivision Recreation Fund revenue is derived from subdivisions in which the developer is required to pay a fee of \$1,977.33 in lieu of contributing land. The fund had not received any monies during the last few years because of the lack of new developments. It is expected to use \$10,000 of this fund for the rehabilitation of the Creative Playground.

The Petition Street Light Fund revenue is derived through annual property assessment. This covers the expenses of operating street lights. It is expected to use \$70,000 in 2013 for the lights within the township. Contract Services are used to repair lights with an amount of \$12,000 for a total of \$82,000.

The Capital Improvements Fund is financed in part by the General Fund. This year a transfer of \$315,000 will be made into the Capital Improvements Fund.

Mr. Holman stated that revenue is derived through interest, the General Fund Transfer, and Note Proceeds. Total Revenue anticipated by the township is \$3,815,000. He itemized each expenditure of the money to be used during 2013 which totaled \$3,815,000.

The Storm Water Fund controls the accelerated water runoff caused by development. The fund has approximately \$100,000 total, and the expected use is about \$500 which is used to do repair work on certain drainage ponds.

The Waste Reduction Reserve Fund will be removed based on recommendations from the Auditor, Finance Officer and Mr. Holman. The money was simply transferred automatically into the General Fund.

The Library Fund budget amount anticipated for 2013 is \$2,000 and comes from interest earned. The interest is transferred to the Art Institute of York and Martin Library.

The Sewer Operating Fund revealed a significant decrease from \$11,443,500 to \$10,039,000. Mr. Holman reported that most of that decrease dealt with the fact that the cost of the BNR plan is no longer being depreciated because there is debt service and that is being paid back. The other eight municipalities pay 49% of that debt cost. Total Sewer Fund budget is \$10,039,000

Mr. Holman reviewed the list of Capital Programs planned in the Springettsbury Sewer Reserves/Capital Improvement Programs. The list includes Rehabilitation projects, Sewer Replacement, Repair of sinkholes and lines. The Total Projects are estimated to cost \$1,794,000.

Mr. Holman stated that there are only a few projects to be completed in the Sewer Fund Inter-municipal Reserves for 2013: Flood Protection for the York Diversion Pump Station at \$100,000, and the replacement of Truck #908. There is a long-term project in 2014 for a sludge containment area, which may be moved out into 2014. Total projects in 2014 are \$815,000, which costs are split 51% Springettsbury Township and 49% all other eight municipalities.

Mr. Holman revealed the goals for 2013 which include street construction, maintenance and improvements, Capital Improvements, Budgeting and Sewer Improvements, Storm Sewer Improvements. Strategic Planning continues for Long Term Goals and Objectives for the township.

SCHENCK Chairman Schenck asked the board if there were any questions for Mr. Holman.

DVORYAK Mr. Dvoryak asked about the General Fund Surplus Fund which was projected at \$2.2 million. It appeared to Mr. Dvoryak that there would be the use of \$1.2 million in surplus. He asked whether there was a policy setting what the minimum reserve level needed to be for the General Fund.

HOLMAN Mr. Holman responded that he was correct and that the amounts will stay within the minimum reserve.

DVORYAK Mr. Dvoryak asked for the reserve figure.

HADGE Mr. Hadge responded that the figure is \$1.6 million.

HOLMAN Mr. Holman added that the surplus proposed to use in 2012 is \$150,000 less than 2011.

SCHENCK Chairman Schenck thanked Mr. Holman for the presentation.

2. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**DECEMBER 13, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, December 13, 2012 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak

MEMBERS NOT

IN ATTENDANCE: Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Thomas Hyers, Police Chief
Lt. Dan Stump, Police Department
Lt. Todd King, Police Department
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jim Baugh, Director of Community Development
Robert McCoy, YAUFRR Chief
Angela Liddick, Community Development Coordinator
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. November 14, 2012 – 8:50 p.m. – Real Estate

SCHENCK Chairman Schenck announced that an Executive Session was held on November 14th to discuss a potential real estate purchase.

SCHENCK Chairman Schenck stated that a slight adjustment to an Agenda item would be made to enable the Environmental Engineer, Dennis Crabill, the opportunity to present his report and depart for an important family event.

A. Civil Engineer – First Capital Engineering, Inc.

CRABILL Mr. Crabill stated that he had provided his written report and had two additions. First, as far as the Mill Creek Interceptor cleaning and televising, the work will begin in January. Secondly, the Yorklyn Lining Project should begin about the end of February or early March.

SCHENCK Chairman Schenck asked if the board had any questions for Mr. Crabill, and hearing none, he thanked him for his report.

3. COMMUNICATION FROM CITIZENS

SANDMYER Robert Sandmyer, 2625 Kingston Road stated that he wanted to bring the board up to date on the Kingston Road speed hump. He reported that the hump did not appear to be high enough or thick enough to slow the traffic. He added that the school buses are an additional problem in that they speed and then apply the brakes before hitting the hump. He hoped that someone would call Durham Bus Company and report the speeding.

SCHENCK Chairman Schenck commented that there must be a design standard for speed humps. He asked Mr. Luciani for comment.

LUCIANI Mr. Luciani stated that he had referred to the PennDOT traffic calming regulations for speed tables and that's what was installed.

SANDMYER Mr. Sandmyer mentioned that he had seen thicker ones on the streets of downtown York.

LUCIANI Mr. Luciani responded that he was correct. They have them on the Avenues, but they don't follow any standards.

SCHENCK Chairman Schenck noted that it needed to be evaluated because if it is not doing its intended job, it's not worth having.

SANDMYER Mr. Sandmyer suggested that another layer be added on top, and in addition that it should have yellow identification stripes painted that would brighten it up at night.

HOLMAN Mr. Holman indicated that the painting had not been in the line painting program and that he would discuss it with Mr. Lauer.

SCHENCK Chairman Schenck agreed that it should be striped.

BISHOP Mr. Bishop commented that the temporary hump had been better marked. He added that it's unknown whether the actual construction met the design standards.

LUCIANI Mr. Luciani responded that he had not actually checked it. It could be compressed with what was designed. He will investigate it and if it needed to be enhanced, he will advise.

SCHENCK Chairman Schenck thanked Mr. Sandmeyer.

TROTT David Trott, 3360 Druck Valley Road, brought forward the matter of recycling, which he had brought up at an earlier meeting, and the fact that he had been informed by Public Works employees that recycling collected within the township was thrown into the dumpster with the rest of the trash.

SCHENCK Chairman Schenck responded that inasmuch as Mr. Trott had brought up the complaint during the previous meeting, he had personally contacted Mr. Holman with a request to look into the matter. He added that the township needed to lead by example, and if the issues Mr. Trott had brought forward were correct, it needed to be changed.

HOLMAN Mr. Holman responded that he had investigated the matter and had received a response from the Public Works Department. He had provided a copy to the board. A summary of the response indicated that proper procedures are followed and that trash is placed in designated dumpsters and recycling items are placed in totes which are located next to the trash receptacles, a procedure which could have presented confusion. Mr. Holman added that he had requested the new trash hauler, Penn Waste, to provide a three cubic yard recycling dumpster at Public Works beginning in January, which will be picked up every three weeks for recycling. That effort should take care of any confusion with regard to recycling. The township encourages and strongly supports all recycling throughout the township including the township buildings.

SCHENCK Chairman Schenck noted that he was glad to hear that response and he thanked Mr. Trott for bringing it to the board's attention.

TROTT Mr. Trott brought forward an additional item with regard to township vehicles. He had submitted several Right-To-Know requests to the township requesting information about vehicles that are assigned to various employees of the township. He specifically wanted information on how much gas was used, when it was used and the miles driven by the employees on a take-home basis. He had been provided a print out computer log from the Public Works Department. He stated that the information was inaccurate on odometer readings, miles per gallon, miles traveled, etc. His observation was that there is either a problem with the system or with the individual keying in the information.

WALTERS Bill Walters, 3310 Edenbridge Road, York, PA, stated that he had been a resident of the township for 49 years, and in addition had been proud to be a supervisor for 16 years, 1967 to 1983. He stated that in the 16 years he had been sitting up front he had never heard anyone come before this board constantly like this gentleman. Mr. Walters stated that he is beating a dead horse and if he felt this way he would not live in this township. He would move. He indicated that if he is a taxpayer, he should sell his house, leave and forget about it. Mr. Walters stated that the board is doing a great job; the township is run well; including the police department and all the departments.

SCHENCK Chairman Schenck thanked Mr. Walters.

SNYDER Mike Snyder, 2698 Deininger Road addressed the board of the value of the Citizens Police Academy. His daughter had a fear of police officers, and the Academy had been recommended. Both his daughter and son-in-law also participated. By the end of the 10-week sessions, his daughter had to drive through a DUI check point on her way home from work. She had been able to drive through with no issues and was so proud of her progress. He wanted to share the value, not only of the program, but also of the officers who participated, and he heard nothing but positive comments from others who attended as well.

LEIPHART Stephanie Leiphart, 3307 Eastern Boulevard also addressed the board as she had participated in the Citizens Police Academy as well. She had been interested in the work of police officers and had attended the National Night Out at Stonybrook Elementary School and had then become interested in the Citizens Police Academy. She stated that it had been very beneficial to her, as she had learned a lot. She enjoyed it, and it caused her to respect the officers even more. She stated it was a very valuable program and hoped it would continue.

SCHENCK Chairman Schenck thanked them for their comments which were appreciated.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

This report had been presented earlier during the Agenda.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated he had submitted a monthly report and had several updates to report. A summary follows:

- North Hills Road Traffic – A meeting was held with property owners, township officials, PennDOT representatives, police department, public works and legislators. Discussion was held to re-define the roadway, re-alignment, and re-striping. It had been a productive meeting with some progress made and it is hoped for a consensus on a plan with PennDOT in early spring.
- Bupp Sewer Project – Mr. Bupp had attended an engineering meeting, and the township will be the applicant because there can't be a private utility underneath Mt. Rose Avenue. A legal agreement is being prepared between the township and the Solicitor to complete that work.
- Susquehanna Bank Project – The new site on Whiteford Road across from the Galleria entrance was discussed during the Tuesday staff meeting. There are some outstanding issues, and there may be a need for a Developers Agreement. Mr. Luciani voiced his concern about the eventual need for a traffic signal in that area and wanted the township to have protection from having to install a signal.

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SCHENCK Chairman Schenck asked Mr. Luciani of the status of work at the Road House. He noted Mr. Luciani's report that work had to stop due to DEP Floodway and Floodplain permits.

LUCIANI Mr. Luciani responded that the owner of the restaurant had called DEP with a request for a bridge permit. Upon investigation DEP saw that the building was close to the stream and indicated that a Building Permit should be issued. The developer is to submit information to DEP.

HOLMAN Mr. Holman noted that their project was on hold at this time until they submit their information to DEP.

LUCIANI Mr. Luciani added that in the case of the Road House, they did not do a Land Development Plan, and it would have been exposed through that process. They were under the threshold where Land Development was not required.

HOLMAN Mr. Holman noted that in providing Building Permits it will be necessary to do a more thorough job to check flood plain and flood issues. It will be especially important under the MS4 programs, and Mr. Holman noted he is planning to form a committee of staff members, Community Development, Planning Commission and a member of the board to determine how to administer the MS4 program in the township.

5. CONSENT AGENDA

- A. Acknowledge Receipt of September 18, 2012 York Area United Fire and Rescue Meeting Minutes.
- B. Acknowledge Receipt of October 16, 2012 York Area United Fire and Rescue Meeting Minutes.
- C. Board of Supervisors Budget Work Session #2 Minutes – October 11, 2012.
- D. Board of Supervisors Budget Presentation Meeting Minutes – November 14, 2012.
- E. Board of Supervisors Regular Meeting Minutes – November 14, 2012.
- F. Regular Payables as Detailed in the Payable Listing of December 13, 2012.
- G. Time Extension – LD-12-06 – Susquehanna Bank – Plan Expires 1/18/13 (New Plan Date 4/18/13).
- H. Time Extension – LD-12-07 – Weaver Eye – Plan Expires 1/18/13 (New Plan Date 4/18/13).

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH H. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Motion to Confirm Online Auction (MuniciBid) Results for Township Vehicles and Equipment.

MR. BOWMAN MOVED TO CONFIRM ONLINE AUCTION MUNICIBID RESULTS FOR TOWNSHIP VEHICLES AND EQUIPMENT. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into Agreement of Sale for the Purchase of Realty Property – 3195 North Sherman Street in an amount not to exceed \$120,000

MR. BISHOP MOVED TO AUTHORIZE ENTERING INTO AN AGREEMENT OF SALE FOR THE PURCHASE OF 3195 NORTH SHERMAN STREET IN AN AMOUNT NOT TO EXCEED THE APPRAISED VALUE OF \$120,000. MOTION UNANIMOUSLY CARRIED.

- C. Authorize Transfer of Storm Water Maintenance Agreement – Harley Davidson to YCIDA

MR. BISHOP MOVED TO AUTHORIZE TRANSFER OF STORM WATER MAINTENANCE AGREEMENT REGARDING T-837 FROM HARLEY-DAVIDSON TO YORK COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. LD-09-03 – Rail Trail Phase II – Plan Expires 12/17/12 (Action).

LIDDICK Ms. Liddick presented the Rail Trail Phase II plan, which was originally approved in April of 2011. This item had been presented to the board in a briefing memorandum dated December 13, 2012. It proposed a 2-1/2 mile pedestrian trail to be constructed as an extension of the Heritage Rail Trail. Ms. Liddick showed some PowerPoint overheads of the site plan and an aerial view. All permissions from land owners for access behind Sheridan Manor have been received for this extension. Planning Commission had recommended approval of Phase II at its meeting November 15, 2012.

MR. DVORYAK MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN-09-03, RAIL TRAIL PHASE II TO APPROVE THE FINAL PLAN WITH THE TWO CONDITIONS LISTED ON THE AGENDA. MOTION UNANIMOUSLY CARRIED.

- B. LD-12-05 – The Goddard School – Plan Expires (2/21/12 (Action).

LIDDICK Ms. Liddick presented The Goddard School plan, which was documented in the December 13, 2012 briefing memorandum. The Goddard School is a private day care school to be located in Market Street Commons area. She provided a PowerPoint overhead showing the site plan, location, parking lot area and landscaping. She noted that two waivers are requested on the plan: sidewalks and storm water, along with four conditions that are mainly administrative items.

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-12-05, THE GODDARD SCHOOL, TO APPROVE THE FINAL PLAN WITH THE TWO WAIVERS LISTED AND WITH THE THREE CONDITIONS LISTED ON THE BRIEFING REPORT. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck thanked the representatives of The Goddard School and congratulated them on a successful program. He indicated that it was a welcomed addition to the community.

C. LD-12-03 – Weir American Hydro – Plan Expires 1/26/13 (Action)

LIDDICK Ms. Liddick presented the plan for Weir American Hydro, which was documented in a December 13, 2012 briefing memorandum. The plan proposed an expansion of current use of office and manufacturing. The parcel is located in both Springettsbury and Hellam Townships. Ms. Liddick provided PowerPoint visuals of Phase I which encompassed the construction of office facilities of 20,000 square feet and a fabrication facility of 57,000 square feet. Phase II of the plan will be the manufacturing and testing facility. The main portion of the actual building is located in Hellam Township, and a portion is located in Springettsbury Township. Four conditions are listed in the briefing memo along with a waiver of installation of sidewalks. Planning Commission did not recommend approval of the waiver.

MR. BISHOP MOVED WITH REFERENCE TO LAND DEVELOPMENT LD-12-03, WEIR AMERICAN HYDRO, TO DENY THE WAIVER FOR SIDEWALKS. MOTION UNANIMOUSLY CARRIED.

MR. BISHOP MOVED WITH REFERENCE TO LAND DEVELOPMENT LD-12-03, WEIR AMERICAN HYDRO, TO APPROVE THE PRELIMINARY/FINAL PLAN WITH THE SIX WAIVERS ON THE BRIEFING MEMO AND WITH THE ADDITION OF A SEVENTH WAIVER CONDITIONING THE CREATION OF A DEVELOPMENT AGREEMENT ON THE SIDEWALKS AND FURTHER TO APPROVE THE FOUR CONDITIONS ON THE BRIEFING MEMO FOR THE PROJECT. MOTION UNANIMOUSLY CARRIED.

D. York County Industrial Development Authority Flex Overlay Request (Action).

LIDDICK Ms. Liddick presented the plan requesting a Flexible Overlay for the West Campus of the Harley-Davidson tract subdivided on SD-10-02 and requested by the York County Industrial Development Authority. Background documentation, which included Procedural Requirements for the F-O request, was provided to the board in a briefing memorandum dated December 13, 2012. Ms. Liddick provided a PowerPoint overview of areas in question.

MR. BISHOP MOVED TO APPROVE THE REQUEST BY THE YCIDA FOR A FLEXIBLE DEVELOPMENT OVERLAY TO BE APPLIED TO LOT 2 OF SD-10-02. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATIONS FROM SUPERVISORS

BOWMAN Mr. Bowman reported that the leaf pick up this fall seemed to be a bit early. He had noticed residents putting leaves out after the last pickup date, as well as some leaves still remained on the trees at that time. Fortunately, the leaves were picked up even after the last pick up date. He suggested that the pickup be scheduled a bit later during 2013.

HOLMAN Mr. Holman noted that he would discuss that with Mr. Lauer and review the schedule for 2013.

SCHENCK Chairman Schenck reported that a resident of the Stonewood neighborhood had personally visited him with his concern. He noted that he regularly walked his dog at Stonewood Park and apparently residents had neglected to pick up after their dogs in the park. He thought another station with bags could be placed in another location with a note or sign to pick up after the dogs.

HOLMAN Mr. Holman responded that he would ask Mr. Wendel to visit the park and investigate.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that he had nothing to add to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman requested an Executive Session following adjournment this date to discuss personnel matters and collective bargaining contracts.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2012-50 – Authorizing the Transfer of Funds from One Account to Another Account Within the General Fund (2012 Budget Year End Closing Transfers).

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2012-50. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2012-51 – 2013 Budget Adoption

MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 2012-51, 2013 BUDGET ADOPTION. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 2012-52 – 2013 Tax Levy

MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 2012-52, 2013 TAX LEVY. MOTION UNANIMOUSLY CARRIED.

D. Resolution No. 2012-53 – Approval of 2013 YAUFRR Budget.

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2012-53. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

HOLMAN Mr. Holman stated that he had been requested to investigate the costs and technical issues with providing audio/visual of the board meetings. He had provided that

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information to the board. He had some additional thoughts regarding some social media and public engagement and suggested that an ad-hoc committee be formed to review and work on the issues. He noted that with Facebook, the website, Pinterest and other items had doubled the web hits and encompassed individuals between the ages of 25 and 40. He would like to form this ad-hoc committee of citizens, board members and others to gather different ways to communicate and assure hitting the target audience. His initial thoughts were provided to the board members.

SCHENCK Chairman Schenck thought it was a great idea personally.

B. YorkCounts Public Safety Task Force Update.

BISHOP Mr. Bishop stated he had nothing new to report.

SCHENCK Chairman Schenck stated that he had been approached by Steve Hovis to have a conversation with him concerning the Task Force, and he had agreed to do so. He was unsure as to what the conversation concerned.

BISHOP Mr. Bishop commented that they might be making decisions as to what to do at this point.

13. NEW BUSINESS

A. Authorization to Approve Tax Refund Request for Tax Years 2007-2012 as follows:

- 1) Allen and Elizabeth Shue (Parcel #46-IJ-1B-C0013) in the amount of \$168.72.

MR. BISHOP MOVED TO AUTHORIZE APPROVAL OF TAX REFUND FOR TAX YEARS 2007-2012 TO ALLEN AND ELIZABETH SHUE IN THE AMOUNT OF \$168.72. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Approve Transfer of Industrial Wastewater Discharge Permit (Cloister Carwash being sold to CWP West Corp.).

MR. DVORYAK MOVED TO AUTHORIZE APPROVING THE TRANSFER OF THE INDUSTRIAL WASTEWATER DISCHARGE PERMIT. MOTION UNANIMOUSLY CARRIED.

C. Motion to Accept Steve Bartkowski's Resignation from the Parks and Recreation Board.

MR. BOWMAN MOVED TO ACCEPT STEVE BARTKOWSKI'S RESIGNATION FROM THE PARKS AND RECREATION BOARD. MOTION UNANIMOUSLY CARRIED.

D. Motion to Set Regular Meeting Dates for January 2013 Board of Supervisors Meetings.

Consensus was approval of the board to set the January 2013 meeting dates as follows:

- **Monday, January 7th at 5 p.m. for the Reorganization, as well as to conduct regular business of the board.**
- **Thursday, January 24th at 7 p.m. for the second Regular Meeting of the Board of Supervisors for January.**

HOLMAN Mr. Holman stated that he would advertise the meetings as required.

SCHENCK Chairman Schenck brought forward an item with regard to the Manager's evaluation. He stated that Mr. Holman is an Accredited Manager, and part of the accreditation is that he needed to be evaluated. The accreditation organization has provided a document useful for such evaluations. He provided the document to the board and requested that they be turned back in during the January 24th meeting.

14. ADJOURNMENT

SCHENCK Chairman Schenck reminded the board of the Executive Session to be held immediately following adjournment. He adjourned the meeting at 8:15 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
WORK SESSION**

**DECEMBER 13, 2012
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, December 13, 2012 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
George Dvoryak
Mike Bowman

MEMBERS NOT

IN ATTENDANCE: Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Thomas Hyers, Police Chief
Lt. Dan Stump, Police Department
Lt. Todd King, Police Department
Sgt. Brian Wilbur, Police Department
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jim Baugh, Director of Community Development
Robert McCoy, YAUFRR Chief
Angela Liddick, Community Development Coordinator
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Bill Schenck called the work session to order. He stated the purpose of the work session was a review of the proposed new logo branding of the new police vehicles.

2. PRESENTATION

HYERS Chief Thomas Hyers stated that a review had taken place of the branding for the Springettsbury Township Police Department. He presented PowerPoint visuals of the core changes being suggested. They included:

Patch – The design was changed to a unique shape and the core values of Fidelity, Integrity and Service, which will be listed within the seal. Springettsbury Township will be listed in blue and gold with the inception as a police department in 1958. It will include not only the colors and the crest but also the county name. Chief Hyers hoped to bring that on board January 1, 2013 with the board’s approval.

New Vehicle Colors - The three new vehicles currently on site are black and white, which is the national trend for increased visibility. The colors had been approved during the budget process. However, Chief Hyers brought forward the matter of branding and markings on the vehicle. He explained that the word police would appear with the words Springettsbury Township under it. The back would have the township crest and the value, the seal will go on the front and the accreditation patch on the back. The car number will appear on the driver’s side bumper, and across the back will be a reflective shield for night visibility. In addition, the car will show the Springettsbury Police Department’s email address and website address on the back.

Website - Chief Hyers discussed the department’s website which had been implemented approximately two months ago and had over 13,000 hits, which he thought would be very positive for the department.

SCHENCK Chairman Schenck asked whether the color of the lettering would be in blue or black.

HYERS Chief Hyers responded that it would be both blue and black where Springettsbury Township Police is shown. The township name is outlined in gold.

DVORYAK Mr. Dvoryak questioned whether the police force itself was supportive of the patch.

HYERS Chief Hyers responded that the force was extremely supportive.

BISHOP Mr. Bishop stated that the Police Department should not have a different domain name on the web than the township.

HYERS Chief Hyers responded that there is a link from the township website to the police department site.

- BISHOP** Mr. Bishop indicated that he thought the police department's website was fine. However, from a branding perspective the township had invested in Springettsbury.com. He suggested that it should be accessed by Police.Springettsbury.com so that it's all the same.
- HYERS** Chief Hyers indicated he would discuss it with Mr. Bishop and receive his advice and direction on the matter.
- SCHENCK** Chairman Schenck commented that it was worth consideration. He noted that he thought they had done a great job on the patch creation.
- HYERS** Chief Hyers responded that Sgt. Bryan Wilber did most of the design with input from the men. He noted they are very excited to get their new patch.
- BOWMAN** Mr. Bowman commented that no other department will suggest that their patch was copied.
- HYERS** Chief Hyers noted that they had researched the patches in Pennsylvania and the new one will be excellent.
- SCHENCK** Chairman Schenck thanked Chief Hyers, Lt. Stump and Lt. King for their presentation.

3. ADJOURNMENT

- SCHENCK** Chairman Schenck adjourned the Work Session at 6:55 p.m.

Respectfully submitted,

John Holman
Secretary
ja