

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 22, 2024
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, February 22, 2024 at 7:00 p.m. at the Municipal Complex, 1501 Mt. Zion Road, York PA in person and by Zoom.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak, Vice Chairman
Charles Wurster, Assistant Secretary/Treasurer
Don Bishop (via Zoom)
Bob Cox

ALSO IN

ATTENDANCE: Mark Hodgkinson, Township Manager
James Sanders, Solicitor
John Luciani, Township Engineer
Diana Young, Environmental Engineer
Dori Bowders, Director of Administrative Operations
Nitza Sanchez-Bowser, Human Resources Director
Todd King, Chief of Police
Daniel Hoff, Chief of YAUFRR
Angel Diaz, HR Coordinator
Sue Sipe, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SWOMLEY Chairman Swomley called the Regular Meeting to order and led the Pledge of Allegiance.

B. Recognition of Charles A. Rausch, Esq. – Resolution No. 2024-30

MR. DVORYAK MOVED TO APPROVE RESOLUTION NO. 2024-30 IN RECOGNITION OF CHARLES A. RAUSCH, ESQ. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY PASSED.

SWOMLEY Chairman Swomley read the resolution in recognition of Charles A. Rausch, Esq., who recently retired as Township Solicitor. He was appointed as Township Solicitor January 7, 2002 and continued in the position as lead counsel for the Board of Supervisors until December 31, 2023. He served the citizens of Springettsbury Township for 21 years with dedication and faithful service. The Board of Supervisors wishes to express sincere gratitude and appreciation for his

years of dedication and faithful public service and wishes him and his wife Toni much happiness and good health. Adopted this 22nd day of February 2024, signed by the Board of Supervisors.

RAUSCH Mr. Rausch stated it has been an honor and privilege to serve the Board and spoke about some of the many accomplishments of the Board over the years. He acknowledged Don Bishop and Bill Schenk who he indicated were instrumental in hiring him in 2002.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SWOMLEY Chairman Swomley announced there were no Executive Sessions since the last meeting.

3. COMMUNICATION FROM CITIZENS

There were none.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

YOUNG Ms. Young stated she had no updates to her report. She offered to answer any questions.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated he had no updates to her report. He offered to answer any questions.

5. CONSENT AGENDA

A. Acknowledge Receipt of November 21, 2023 York Area United Fire and Rescue Commission Meeting Minutes

B. Acknowledge Receipt of January 31, 2024 Treasurer's Report

C. Regular Payables as Detailed in Payables Listing of February 22, 2024

D. Frey Lutz Corporation - Springettsbury Township Building Renovation and Expansion Project - Application for Payment No. 25 in an amount not to exceed \$72,464.35

MR. DVORYAK MOVED TO APPROVE ITEMS A THROUGH D ON THE CONSENT AGENDA. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Bid the Annual Multi-Municipal Traffic Line Painting and Pavement Marking Contract

MR. WURSTER MOVED TO AUTHORIZE THE TOWNSHIP MANAGER TO BID AND ADVERTISE THE ANNUAL MULTI-MUNICIPAL TRAFFIC LINE PAINTING AND PAVEMENT MARKING CONTRACT. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into Agreement with CODY Systems to Upgrade to CODY Pathfinder in an amount not to exceed \$54,573 (Sole Source)

MR. WURSTER MOVED TO AUTHORIZE THE TOWNSHIP MANAGER TO ENTER INTO AGREEMENT WITH CODY SYSTEMS TO UPGRADE TO CODY PATHFINDER IN AN AMOUNT NOT TO EXCEED \$54,573. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. SD-2022-0001 - Jason E. & Lindsay J. Shields, 3534 Druck Valley Road
Ben Kirk, Burget Associates
Joe Burget, Burget Associates

KIRK Mr. Kirk stated this is a 2-lot subdivision on a 12+ acre property. There is an existing dwelling serviced by private well and public sewer, with an existing 12-ft. wide sewer line. They are proposing to create proposed Lot 3 – 1.1 acres in with access onto Druck Valley Road. It will be tied into public sewer with a proposed 30 ft. wide sanitary sewer easement into the existing manhole on reconfigured lot 2. He noted they received recommendation of approval from the Planning Commission. They are requesting seven waivers and six deferrals which are covered by a 6-month note should the Township request curbs, sidewalks and streetlights. The deferrals are for stormwater, E&S and driveway size to be calculated when the house is built.

Mr. Kirk stated they show a driveway on the plan with the table sight distance which does meet the requirements. He noted obtaining an HOP now would be under the Shields name, with conditional approval good for a year. If the house were not constructed in that time frame, they would have to transfer the name. They are seeking a deferral of the HOP to be in time with the development to have it under the correct owner's name.

Mr. Kirk indicated discussion was held at the Planning Commission and they indicated since they were proposing only one residential lot, it would be difficult to cross sewer easements and create an agreement between a neighbor's private driveway.

Discussion was held regarding the Ordinance requirement to not allow additional accesses to Druck Valley Road. Mr. Luciani indicated his letter stated if reasonable access is needed the engineer could recommend it.

**JASON
SHIELDS**

Mr. Shields, the owner referred to the drawing pointing out the request via waiver to install a driveway directly onto Druck Valley Road from the proposed building lot. He noted if he were required to share access, he would have to bring a driveway from east to west across the open field and across a right-of-way established with the Township to provide access to the sewer. He noted that reasonably it would make sense to enter Druck Valley Road directly from Lot 3.

KIRK

Mr. Kirk stated they are increasing the size of the sewer main to 30 ft. at the request of the Planning Commission.

JOE

BURGET

Mr. Burget stated they are only developing one lot which will be a private right-of-way. He noted PennDOT 441 allows two driveways for 600 ft. of frontage.

SHIELDS

Mr. Shields provided background on the lot, noting the property has been in his family since they were tenant farmers in the 1800's, purchasing the property in 1902. He purchased it from his great-uncle in 2015. The purpose of the lot is to allow his brother to share the family property. He noted there is no intent to subdivide the property any further.

BISHOP

Mr. Bishop voiced his concern about when the subdivision is done, the owner can do anything he wants with the property including making connections to Druck Valley Road. He also noted once it is subdivided, the owner could sell the property.

SHIELDS

Mr. Shields reiterated he is not moving or selling the property. He offered to put a deed restriction on the property.

DVORYAK

Mr. Dvoryak stated he personally is in favor of the driveway being added to the plan.

COX

Mr. Cox asked for clarification on the PennDOT allowance for two driveways on 600 ft. frontage.

LUCIANI

Mr. Luciani confirmed in PennDOT publication 441 a residential lot is entitled to one access point, however, the department may allow an additional driveway if the frontage exceeds 600 ft.

COX Mr. Cox agreed he believed it was a reasonable request for the second driveway. He pointed out the way the property is subdivided, extending the property all the way to the east to tie into the existing driveway did not make sense to him.

KIRK Mr. Kirk stated Mr. Shields would be willing to put a deed restriction on the property which indicates if the property were ever to be developed, all driveways would come out to one location.

SANDERS Solicitor Sanders stated this could be added as a note on the plan.

WURSTER Mr. Wurster stated as indicated it is a dense area and while it is in the northeast quadrant and the effort is to add some improvements to the property, he agreed with the additional driveway as proposed.

BISHOP Mr. Bishop asked for clarification on the reason for the waiver for HOP.

KIRK Mr. Kirk noted it is listed as a deferral on the plan.

BISHOP Mr. Bishop asked how that is different from a waiver.

KIRK Mr. Kirk stated they will defer it to the time of the stormwater E&S plan that the new owner will apply for the driveway permit.

HEILMAN Mr. Heilman stated as a point of clarification he provided it as a waiver on the plan summary stating it is like the deferral in the sense the owner will still need to obtain it, but not as part of this subdivision plan. When they file another E&S and stormwater management plan, it will be contingent upon obtaining the approval from PennDOT for the additional driveway.

MR. WURSTER MOVED WITH REGARD TO SD-2022-0001 TO APPROVE THE FOLLOWING WAIVERS/MODIFICATIONS:

- 1. § 289-10. – Preliminary Plan**
- 2. § 289-11.C(1),(2),(5) & (7). – Preliminary Plan Specifications**
- 3. § 289-11.C(5). – Drawing of all Grades for Stormwater Drainage and Supporting Drainage**
- 4. § 289-11.C(7). – Erosion and Sedimentation Control Plan to be Submitted to the York County Conservation District**
- 5. § 289-12.A(2)(f). – Traffic Impact Study**
- 6. § 289-12.A(5)(b). – Highway Occupancy Permit**
- 7. § 289-13.B(3). – Sanitary Sewer Profile**
- 8. § 289-31. – Curbs and Gutters**
- 9. § 289-32. – Sidewalks**
- 10. § 289-36. – Streetlights**
- 11. § 289-41.A(4). – Direct Access onto an Arterial/Collector Road**

MR. COX WAS SECOND.

Discussion was held regarding the deferral requests as to how they will be represented. It was stated the word deferral would be identified as waiver. The applicant agreed they were in favor of having the deferrals referred to as waivers. Solicitor Sanders agreed with the wording change.

MOTION CARRIED (1 NAY – MR. BISHOP)

SWOMLEY Chairman Swomley stated he was displeased about not following the Ordinance and the implication that PennDOT has a reason for prohibiting multiple driveways within a 600-foot range. He noted this decision has permitted that subdivision which reduces the size, but forces PennDOT to provide it.

MR. WURSTER MOVED WITH REGARD TO SD-2022-0001 TO APPROVE THE FOLLOWING CONDITIONS:

- 1. § 289-38.B. – Guarantee**
- 2. § 289-13.A.(17) & § 289-41.A(1)**
- 3. § 289-13.B(3)**
- 4. § 289-49.L**
- 5. Amendment to the plan to remove the word “deferral” replacing it with “waiver” relative to the Highway Occupancy Permit.**
- 6. The owner shall enter into a deed restriction forever restricting any additional subdivision of the lots.**

MR. COX WAS SECOND. MOTION UNANIMOUSLY PASSED.

8. COMMUNICATION FROM SUPERVISORS

DVORYAK Mr. Dvoryak indicated the Springettsbury members on the YAUFR Board, heard at the meeting this week that Chief Hoff met with Mr. Hodgkinson and Ms. Hummel regarding the financing options for the apparatus order which is not anticipated for delivery until 2027. Mr. Dvoryak indicated at the meeting another financing option was presented which Chief Hoff will discuss with the Township managers providing for a yearly contribution from the municipalities until the balance is provided by a loan.

Mr. Dvoryak commented from his perspective he believed if the funds are available for Springettsbury Township, instead of obtaining a loan, Springettsbury Township’s share should be paid upfront.

HODGKINSON Mr. Hodgkinson confirmed he met with Chief Hoff and was aware there is an option for the Township to pay upfront.

COX Mr. Cox thanked Mr. Hodgkinson and Chief King for providing a tour for his son's father-in-law who was visiting from out of town.

9. COMMITTEE REPORTS

There were none.

10. SOLICITOR'S REPORT

SANDERS Solicitor Sanders stated he had nothing to report.

WURSTER Mr. Wurster asked about the meeting policy for Condition F – as to if everyone could be virtual for a meeting.

SANDERS Solicitor Sanders affirmed yes but noted two-way communication would need to be established for the public to hear what is being said in open dialogue. He confirmed the meeting room would need to be available for the public for those who may not have internet connection. He noted this can be added to the policy.

MR. BISHOP MOVED TO ADOPT THE MEETING POLICY AS AMENDED TO INDICATE THE MEETING ROOM WILL ALWAYS BE AVAILABLE IN THE EVENT OF THE NECESSITY FOR A VIRTUAL MEETING TO BE HELD. SECONDED BY MR. WURSTER. MOTION UNANIMOUSLY PASSED.

11. MANAGER'S REPORT

HODGKINSON Mr. Hodgkinson reminded the Board of the Conditional Use Hearing to be held Wednesday, February 28, 2024 at 6:00 PM.

12. ORDINANCES AND RESOLUTIONS

- A. Resolution No. 2024-29 - Designation of Benjamin McCue as Zoning Officer and John Luciani, P.E. Deputy Zoning Officer

MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 2024-29 - DESIGNATION OF BENJAMIN MCCUE AS ZONING OFFICER AND JOHN LUCIANI, P.E. DEPUTY ZONING OFFICER FOR THE 2024. SECONDED BY MR. WURSTER. MOTION UNANIMOUSLY PASSED.

13. OLD BUSINESS

A. Springettsbury Township Volunteer Fire Company – Bylaws Regarding Audit

Discussion – It was noted since there has not been an audit in several years, Mr. Hodgkinson is looking into providing additional information. A question was raised as to how long a director had to be a member prior to assuming an office. There were several other sections in the amended bylaws. It was noted there was a time when it was not sure there were enough members available to fill all the necessary slots to keep it as an organization, which is why some changes were made.

B. Traffic Calming - Tenth Avenue, Eleventh Avenue and Whiteford Road – no report

B. Sidewalks - Eleventh Avenue and Whiteford Road – no report

C. York Area United Fire and Rescue Governance – no report

D. Springettsbury Township 2022-2026 Strategic Plan – a work session will be scheduled later in June.

13. NEW BUSINESS

There was none.

14. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 8:07 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary
ses