

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 8, 2018  
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, March 8, 2018 at 7:00 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Mark Swomley, Chairman  
George Dvoryak, Vice Chairman  
Kathleen Phan, Assistant Secretary/Treasurer  
Blanda Nace  
Charles Wurster

**ALSO IN**

**ATTENDANCE:** Benjamin Marchant, Township Manager  
Charles Rausch, Solicitor  
Teresa Hummel, Finance Director  
John Luciani, Civil Engineer  
Dennis Crabill, Environmental Engineer  
Dori Bowders, Manager of Administrative Operations  
Jessica Fieldhouse, Director of Community Development  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Nitza Sanchez-Bowser, Director of Human Resources  
Dan Stump, Chief, Police Department  
Dan Hoff, Chief, YAUFRR  
Andy Hinkle, Manager, Information Systems  
Jean Abreght, Stenographer

**1. CALL TO ORDER**

A. Opening Ceremony

**SWOMLEY** Chairman Swomley called the Regular Board of Supervisors meeting to order and led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS**

- A. February 22, 2018
- 1) MOD Pizza, 2401 East Market Street
  - 2) Lopez vs Springettsbury Lawsuit
  - 3) Collective Bargaining – Teamsters
  - 4) Personnel Matter

**SWOMLEY** Chairman Swomley announced that an Executive Session was held on February 22, 2018 to discuss MOD Pizza, Lopez vs Springettsbury Lawsuit, Collective Bargaining and a Personnel Matter.

**3. COMMUNICATION FROM CITIZENS**

There were no citizen comments.

**4. ENGINEERING REPORTS**

**A. Environmental Engineer – Buchart Horn, Inc.**

**CRABILL** Dennis Crabill had provided his monthly report. He had one update to report regarding the East York Interceptor. York County Conservation District enacted a Cease and Desist until their list of items on the sedimentation control issues are completed. The contractor had put two crews to work on the project and was moving forward. However, the Cease and Desist order came through and made it official. Everyone was working on the erosion sedimentation controls, which must be inspected. Mr. Crabill stated that if the Conservation District is shutting down the project, then there will be a cost, and he will have a discussion with them. Mr. Crabill added that Buchart-Horn provided all the major modification information. York County Conservation then changed six other things they wanted. Buchart-Horn then sent the modified plan in; however, they have yet to respond.

**SWOMLEY** Chairman Swomley asked that Mr. Crabill provide their response to him by way of the Manager as soon as it is received.

**WURSTER** Mr. Wurster indicated an interest in that as well.

**CRABILL** Mr. Crabill responded that he would do so and will advise the Manager.

**SWOMLEY** Chairman Swomley added that the Manager should distribute it to all the board members.

**B. Civil Engineer – First Capital Engineering, Inc.**

**LUCIANI** John Luciani had provided a monthly report and updated the board on several Land Development Projects.

- The board reviewed the MOD Pizza project during which they indicated a hope to get an access through Taco Bell. Staff meeting was held with Taco Bell, and their plan is to scrap the Taco Bell and rebuild, which must be close to Market Street. In addition, they purchased the land behind it where they had access on to Memory Lane. Their plan is to put an additional building there, which is in the Town Center Overlay, which means it must be close to Memory Lane. It does not appear that there will be an opportunity for MOD Pizza to use their access drive.

**WURSTER** Mr. Wurster requested information on the Apple Nissan expansion and the next step/discussion on the roadway access issue.

**LUCIANI** Mr. Luciani responded that Apple Nissan is under review. They are moving through some stormwater items. During the evaluation of Apple Nissan, it was discovered that the trucking facility has access right next to Apple Nissan. The

trucking facility is across the road from LCBC. Next to the trucking facility is a driveway that goes back to a Met Ed substation. Accessing that road might solve some of the issue.

Mr. Luciani discussed the problems involved with PennDOT's plan for a median on North Hills Road. He noted that one of the big losers from a traffic standpoint is the Volvo dealer. Customers who want to go from Volvo to Lancaster can't do so. Also, customers from Market Street won't be able to turn left into Volvo. The roadway from the trucking facility would allow Volvo's customers to get out to Whiteford and Route 30. The township could create a road and place it on an official map. Mr. Luciani mentioned the distribution facility, which will be right-in, right-out. With regard to the church, coming from Lancaster, exit onto Haines Road and make a right in to LCBC Church. He noted that the hotel will lose critical traffic movements either direction. They will suffer big time. The smaller businesses will experience an inconvenience. He added that the traffic movements are a matter for discussion about long-term with Master Planning, or as PennDOT brings the plans forward to try to placate some of the disappointed property owners.

**NACE** Mr. Nace mentioned an alternative in a 1921-22 study that has the right-of-way being used for an exit ramp from 83 across the wetlands and come out at Nissan with an added traffic light.

**LUCIANI** Mr. Luciani mentioned a 1980 township road Comprehensive Plan that was created by a former Public Works Director. He noted it was pretty amazing and it included Concord Road and Davies Drive. He will provide that for the board to review.

**5. CONSENT AGENDA**

- A. Board of Supervisors Public Hearing Minutes – February 22, 2018
- B. Board of Supervisors Regular Meeting Minutes – February 22, 2018
- C. Regular Payables as Detailed in Payable Listing of March 8, 2018

**MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH C. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS**

- A. Authorization to Advertise Bids for 2018 Annual Road Materials and Resurfacing Projects

**MR. WURSTER MOVED TO AUTHORIZE ADVERTISING BIDS FOR THE 2018 ANNUAL ROAD MATERIALS AND RESURFACING PROJECTS. MS. PHAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Authorization to Advertise Bids for Line Painting Contract

**MR. WURSTER MOVED TO AUTHORIZE ADVERTISEMENT BIDS FOR THE LINE PAINTING CONTRACT FOR 2018. MS. PHAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Authorization to Award Bid to Hooper, Inc. for a 2018 Knight Biosolids Spreader in an amount not to exceed \$58,059.20

**MR. WURSTER MOVED TO APPROVE THE PURCHASE OF A NEW 2018 BIOSOLIDS SPREADER FOR AN AMOUNT NOT TO EXCEED \$58,059.20. MS. PHAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- D. Authorization to Purchase Six Siemens Flow Meters and CS21 EAGLEi Data Collection Units through Control Systems 21 in an amount not to exceed \$38,000 (COSTARS)

**MR. WURSTER MOVED TO APPROVE THE PURCHASE OF SIX SIEMENS FLOW METERS AND CS21 EAGLEI DATA COLLECTION UNITS THROUGH CONTROL SYSTEMS 21 FOR \$38,000 THROUGH PA COSTARS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- E. Authorization to Enter into Mobile Data Computer Service Agreement with County of York for the Period April 1, 2018 through March 31, 2023

**MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO THE MOBILE DATA COMPUTER SERVICE AGREEMENT WITH THE COUNTY OF YORK FOR THE PERIOD APRIL 1, 2018 THROUGH MARCH 31, 2023. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- F. Authorization to Enter into Marketing Agreement with Utility Service Partners Private Label, Inc. (Endorsed by the National League of Cities Service Line Warranty Program)

**SWOMLEY** Chairman Swomley provided a summary explanation for the residents. This is a program involving a break or problem with the water lines/sewer lines coming to the house. The citizens own the piece from their house to the street, and it can be very expensive to repair any issues. This is a voluntary program to enter into to pay a small fee to have the homeowner's cost covered.

**MR. WURSTER MOVED TO ENTER INTO THE MARKETING AGREEMENT WITH UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. MR. NACE WAS SECOND.**

**PHAN** Ms. Phan requested that the local business people be solicited to help with this product. She wanted to make sure that Springettsbury's businessmen be included.

**MARCHANT** Mr. Marchant responded that he had researched her request. Utility Service Partners take Springettsbury's Master Plumber list and use that to meet their quality standards, and they have a pool that if one is busy they can provide another.

**PHAN** Ms. Phan asked how the residents would be solicited.

**MARCHANT** Mr. Marchant responded that it is done through mailings.

**DVORYAK** Mr. Dvoryak commented that it might be beneficial to put an article in the newsletter to advise the residents.

**MARCHANT** Mr. Marchant indicated he would do an article in the summer newsletter.

**PHAN** Ms. Phan thanked Mr. Dvoryak because the residents will benefit so much, and it is a great idea to get the message out in the newsletter.

**MOTION UNANIMOUSLY CARRIED.**

G. Acknowledge Receipt of Arbitration Award – Collective Bargaining Agreement between The Township of Springettsbury and The Springettsbury Township Police Officers Association for the Period January 1, 2017 through December 31, 2020

**DVORYAK** Mr. Dvoryak questioned if there was an oversight in the agreement. He asked if it would be correctable or if it will stand.

**MARCHANT** Mr. Marchant responded there are two options. There was one oversight that was found, which he did not believe has merit. In the award the compensations for the Sergeants and the Corporals were not explicitly stated. In the regular agreement, it has a separate paragraph addressing it. The solution is they can either go back and issue a new award with that addition in the award, or they can do an MOU side-by-side agreement to address that one issue. In addition, they can look at the contract and decide if it is adequately covered.

**DVORYAK** Mr. Dvoryak requested Mr. Marchant to review it and make sure it was intentional and not an oversight. He added that the Post Retirement Insurance Benefit on page 23 deals with an individual who goes off the plan and comes back. The earlier contract created two classes of post-retirement benefits. This section only identifies one, and he would like clarification of whether there are two different benefits.

**MARCHANT** Mr. Marchant responded that he would review and respond with an answer. He was aware that an effort was made to curtail some of the liabilities with long-standing retirees of more than 15 years ago. If they leave and come back, rather than it being on a 20% or 30% schedule, there is a compromise of 25%.

**SWOMLEY** Chairman Swomley asked Mr. Marchant how the board should proceed.

**MARCHANT** Mr. Marchant responded that he had not received any further communication as to whether it actually is an issue. If the award is accepted, it will stand, and he could bring it back to the board for acceptance with an updated one.

**MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF THE ARBITRATION AWARD FOR THE COLLECTIVE BARGAINING AGREEMENT BETWEEN SPRINGETTSBURY TOWNSHIP AND THE SPRINGETTSBURY TOWNSHIP POLICE**

**OFFICERS' ASSOCIATION FOR THE PERIOD JANUARY 1, 2017 THROUGH  
DECEMBER 31, 2020. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY  
CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT**

There were none for action.

**8. COMMUNICATION FROM SUPERVISORS**

**DVORYAK** Mr. Dvoryak stated that recently he had attended several public meetings throughout York County. He wanted everyone to know that a lot of good things are being said about what is happening in Springettsbury Township, the employees and the quality of work. He noted that there were many of the employees present and wanted them to know that, not only does the board think highly of them, but also they are being noticed around York County. He thanked everyone for all that they do.

**WURSTER** Mr. Wurster echoed Mr. Dvoryak's sentiment. The Manager's Report highlights some very good successes, and none of those successes would be possible without all the hard-working people in Springettsbury Township and the professionals that are used in order to accomplish a lot of those things on the Manager's list. He thanked all the Springettsbury employees who make things happen.

**SWOMLEY** Chairman Swomley asked that Mr. Marchant would read through the list because there had been a lot of great activities over the past year. He would like everyone to know about them.

**NACE** Mr. Nace commented about the discussion on traffic improvements on 2019, 2021 and 2022. He had forwarded an email showing the consultant's two or three alternatives for all of the interchange improvements. The choices have been narrowed down. He noted that Mark Hodgkinson had been attending the meetings. It is a long-term project with a schedule in the future, but it is not that far out. This relates to interchanges at Market Street, 83 and 30 plus 83 and North George Street, and there are some pretty dramatic interchange improvements. He provided the board, the engineers and Mr. Marchant with the information for review and information.

**9. COMMITTEE REPORTS**

There were no Committee Reports

**10. SOLICITOR'S REPORT**

**A. Solicitor's Report**

**RAUSCH** Solicitor Rausch requested the board's direction on what to do about 1759 Wallace Street. He summarized the background of the property.

- Township demolished the structure as unsafe in 2012; a \$21,000 lien was placed on the property.
- Owner passed away; estate did not pay taxes; purchased by an individual in an upset sale.
- New owner learned of the township's lien and stopped paying taxes.
- Property is scheduled for Judicial Sale; township's lien would be eliminated; worth stopping the sale and going through execution, getting property back and putting up for auction. Back taxes are approximately \$3,300.

**Consensus of the board was to proceed with execution to get control of the property.**

## **11. MANAGER'S REPORT**

### **A. Manager's Report**

**MARCHANT** Mr. Marchant reported that there is a lot of good news to report. There are two new hires in the Community Development Department, which will bring that department to full complement. In addition, a meeting is scheduled for Tuesday, March 27<sup>th</sup> with the supervisors to interview a respondent for the RFQ for a Transportation Planning Consultant.

Mr. Marchant noted that the township had fantastic growth and development, along with a lot of good trends. He wanted the public to know how much work and effort not only the staff has put in, but also the Board of Supervisors, the Planning Commission and many volunteers on their own time and with their own resources to pitch in to their community and make a difference. For the purpose of these minutes, the list is summarized:

- Post Cereal Distribution Center next to Harley-Davidson
- Rutters Store – in progress at Mt. Rose Avenue; ground-mounted sign announcing “You are arriving in Springettsbury” coming off 83 or in from Spring Garden.
- Springettsbury Castle Park Playground is getting phenomenal use, especially on warm days. The pickets will be coming in in a few weeks and will be installed for playground season.
- Market/Mt. Zion Rezoning Project – A lot of work and effort to get that done. It is ready for development and lots of activity and interest expressed.
- Pleasant Valley Tract - 80 new apartment/condo units with a strip retail center; is pending Building Permit review.
- Triplet Springs - 120 new single-family homes; age targeted.
- Trout Run Road was reconstructed; big project, residents have been very appreciative.
- Quattro approval will have a Lidl grocery store and Royal Farms gas station on the corner of Concord and Mt. Zion.

- East York Interceptor Sewer Line is a multi-million-dollar partnership project with Windsor Township, and that is going really well.
- EMS Service - There was a lot of agony in negotiating over the disposition of the township's EMS service several years ago. There has been a smooth transition from public ownership and operation to private with White Rose Ambulance Service. Residents rave about the customer service.
- Heistand School – the Adaptive Reuse Project is a great application to rehab the old school building.
- Police Department's exceptional performance going through the Department of Justice Review in implementation of procedural justice, community policing. That was evidenced last month. Very proud of the department.

**MARCHANT** Mr. Marchant noted that the residents have a lot to be proud of in Springettsbury Township. He thanked everyone for their support. He invited Chief Stump to recap the experience of working with Central York School District.

**STUMP** Chief Dan Stump provided a recap of all the events that took place surrounding the perceived threats against the Central York School District. Chief Stump and the Springettsbury Township Police Department and Task Force, along with Northern Regional Police Department and several Detectives, District Attorney's office, the Federal Department of Justice, all York County Detectives, Pennsylvania State Police, Central York's Dr. Snell and the York Community all came together to solve this threat. He noted that old-fashioned detective work was instrumental. Chief Stump issued thanks to the local restaurants that supplied breakfasts, lunches and dinners throughout the investigation.

**RAUSCH** Solicitor Rausch asked Chief Stump if he thought that the experience had enabled the department to have a learning curve.

**STUMP** Chief Stump responded that they had learned a lot. He will be getting together with the other Chiefs within the jurisdiction and share the full experience of what was done well and what could have been improved. It was the first time he could recall of enacting a Task Force. A debriefing is scheduled to go through it, and in addition a meeting is scheduled for March 15<sup>th</sup> at Central York High School at 6:30 p.m. for parents. It will be an educational session on watching children's social media and what that means, what to look for and how to do it. It will be a great educational session for everyone.

**SWOMLEY** Chairman Swomley noted that he and Chief Stump had a number of discussions throughout the entire process. He wouldn't tell him anything that he wasn't telling on the cameras. Chairman Swomley appreciated that. He commented that right after the Florida shootings he and Chief Stump had discussed putting an event together to address shooting incidents. He thanked Chief Stump for all his hard work and the entire department.

**12. ORDINANCES AND RESOLUTIONS**

- A. Ordinance No. 2018-03 – Amending and Restating Chapter 99 “Alarm Systems” of the Code of Ordinances

**MR. NACE MOVED TO ADOPT ORDINANCE 2018-03 AMENDING AND RESTATING CHAPTER 99 RELATED TO ALARM SYSTEMS IN THE CODE OF ORDINANCES. MS. PHAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Ordinance No. 2018-04 – Amending Chapter 105 “Animals” of the Code of Ordinances by Adding a New Article III, “Barking Dogs”

**MR. NACE MOVED TO ADOPT ORDINANCE 2018-04 AMENDING THE CODE OF ORDINANCES, ADDING A NEW ARTICLE III RELATED TO BARKING DOGS. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS**

- A. Resolution No. 2018-29 – Ratifying Collective Bargaining Agreement between the Township of Springettsbury and Teamsters Local 776 for the Years 2018, 2019, 2020, 2021 and 2022.

**MR. NACE MOVED TO APPROVE RESOLUTION 2018-29 RELATED TO THE TEAMSTERS LOCAL 776 FOR CALENDAR YEARS 2018, 2019, 2020, 2021 AND 2022. MS. PHAN WAS SECOND. MOTION CARRIED 4/1. MS. PHAN, MESSRS. NACE, WURSTER AND SWOMLEY VOTED IN FAVOR; MR. DVORYAK VOTED OPPOSED.**

**14. NEW BUSINESS**

There was no New Business.

**15. ADJOURNMENT**

**SWOMLEY** Chairman Swomley adjourned the meeting at 7:50 p.m.

Respectfully submitted,

Doreen K. Bowders  
Secretary

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