

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**APRIL 11, 2013
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 11, 2013 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
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Thomas Hyers, Police Chief
Lt. Dan Stump, Police Department
Lt. Todd King, 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 led the Pledge of Allegiance.

B. Oath of Office – Patrolman John D. Lawton, III

SCHENCK Chairman Schenck stated that a new police officer and a new fire police officer would be sworn in. He asked Chief Hyers to introduce the new police officer.

HYERS Chief Hyers thanked the entire board and Mr. Holman for enabling the police department to get back to full strength. He introduced John D. Lawton, III, an experienced officer of 13 years with Lower Windsor Township along with his wife and two daughters. Chief Hyers noted his character, discipline, commitment and integrity had made him an outstanding candidate, along with his bachelor's degree and experience.

SCHENCK Chairman Schenck provided the Oath of Office.

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LAWTON Patrolman Lawton thanked his wife who had supported him through the process. He was certain that he had made the right decision to come to Springettsbury Township. He thanked Lt. Stump and Lt. King for their guidance and professionalism, as well as all the officers of the Police Department who made him feel at home and stated that he looked forward to serving the community.

B. Oath of Office – Fire Police Officer Scott Randall

SCHENCK Chairman Schenck introduced Don Eckert for the introduction of the new Fire Police Officer.

ECKERT Don Eckert, Captain of the Springettsbury Fire Police, introduced the newest, but returning Fire Police Officer, Scott Randall. Captain Eckert stated that Scott Randall had been a member since 2008 but left Pennsylvania. Since returning, he came back to serve the community.

SCHENCK Chairman Schenck provided the Oath of Office and welcomed him back.

ECKERT Captain Eckert presented his badge of authority.

RANDALL Mr. Randall thanked him.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. March 28, 2013 – 6:00 p.m. – Personnel

SCHENCK Chairman Schenck announced that on March 28th at 6 p.m. the board held a Executive Session to discuss personnel matters.

3. COMMUNICATION FROM CITIZENS

KAHLBAUGH Keith Kahlbaugh, 1700 Deamerlyn Drive, spoke about his receipt of a street light bill in the amount of \$123.48 for his property. He noted that he does not have street lights, and his property is located 250 feet from the street lights. He presented several exhibits/photographs of the property in question. He stated that his property is on a corner and down the street from the condos/townhouses and the student housing, which have the street lights on their street frontage. Mr. Kahlbaugh noted that he had discussed the issue with Mr. Holman, who had visited the area and provided measurements. He requested that the board review and amend the ordinance for street lights.

LANDIS Ms. Landis questioned Mr. Kahlbaugh if this was the first time a street light bill was received.

KAHLBAUGH Mr. Kahlbaugh responded that she was correct.

LANDIS Ms. Landis asked how many years he had lived at his property.

KAHLBAUGH Mr. Kahlbaugh responded that he had lived there 20 years.

LANDIS Ms. Landis asked Mr. Holman if he could provide some response.

HOLMAN Mr. Holman responded that when the condos were built they had not been put on the street light billing. Following a spot check it was discovered the properties within 250 feet were not placed in the street light tax billing system. He noted there would not be an ordinance change. The board was given the information to review for the next meeting. In the event an assessment would be inequitable because of the peculiar appointed shapes of lots or intersections, the supervisors may, at their discretion, provide an equitable reduction from the frontage of said lots.

SCHENCK Chairman Schenck commented that, having read the information he received, the supervisors could hold a hearing, hear some testimony, gain information and make a determination. He asked the board if they would agree to hold the matter as an agenda item for the next board meeting.

DVORYAK Mr. Dvoryak stated that he had spoken with Mr. Kahlbaugh and did some research on the ordinance. In the interest of full disclosure, it was Mr. Dvoryak's development that caused him to fall into the length of street lights. He noted that, following his review of the issue, the way the ordinance is written there could be other unintended consequences of individuals who are caught up in it that was not the intention of the ordinance. Mr. Dvoryak recommended the board review the ordinance for unintended consequences.

Consensus of the board was to place the matter on the next meeting agenda.

SANDMEYER Robert Sandmeyer, 2625 Kingston Road, provided an update on the speed hump on Kingston Road. He stated it was ineffective, and the speeding traffic seems to have increased. He noted that the signs that had been posted are too close to the hump and should be placed farther back to give the motorists time to slow down. He asked when the line painting would be done as it would provide additional warning. He noted that Chief Hyers offered to direct some speed traps in the area.

SCHENCK Chairman Schenck responded that the painting contract had just been approved during the last board meeting. He thanked Mr. Sandmeyer for the update.

CRUMLING Larry Crumling, 108 Lorenzo Court, presented a complaint concerning the gate that the board had approved. As President of the Boulevard Commons Condominium Association, he had approached the board in October of 2012 and presented his request to erect a gate to close a township street that actually accessed private property. He had followed the process. This week he had a contractor arranged to dig four holes and place the posts. He came in to get a Building Permit and learned that an inspection was necessary. He had been advised that the inspector could not

inspect the holes on the requested date because there was no vehicle available. He had rescheduled the contractor and the inspector, and on that specific date the inspector did not show up. The contractor called the township and gained a verbal approval to go ahead. He questioned why this had been such an issue.

BISHOP Mr. Bishop stated that the purpose of citizen comments is to understand what the issues are, and while the board may not have the answers, they could review the matter and get answers.

CRUMLING Mr. Crumbling commented that the board was tap dancing around the issue that it took seven months to get a gate.

BISHOP Mr. Bishop noted that everything the board does takes a long time, but their objective is to do things right.

CRUMLING Mr. Crumbling stated that these are the types of issues that cause residents to be upset with the township. It appears that they don't care.

BISHOP Mr. Bishop stated that they do care. His question to people who are upset with the township is, what have they done to understand why things are done the way that they're done.

CRUMLING Mr. Crumbling stated that he had followed the procedure to a T, made sure he dotted the I's and crossed the T's. He felt that at the end of the process the township dropped the ball. He understood he wouldn't get any answers and thanked the board.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated that he had provided a written report. He had several updates to add:

- The supervisors had been provided an updated plan holders list from the fire company. There are good responsive bids coming in with 12 General Contractors, nine Electrical and seven Plumbing/HVAC.
- Exit 8 off I83 project is moving forward. Buchart-Horn submitted a draft affidavit and a study to PennDOT, showing that in the corridor where they are doing the work, the township needs to stay there because there is no logical or financial way to get out. PennDOT and the Federal Highway Administration responded and approved the recourse. This response took nine months.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated he had provided a written report, and he added a few updates.

- A pre-construction meeting was held with Buchart-Horn for the new firehouse. The erosion control approval had been received. Plans have been submitted to

the Planning Commission for their review. The goal is to have a recorded, final Land Development Plan because Lot 19 had been laid out for storage units and that switch is being made.

- Re/Commons Drive plan adjustment, a re-submittal was received, which is close to the design plan. Those issues are being worked through and moving forward with utility work and street work in the next month or so.
- A kick off meeting was held for the Mt. Rose Avenue construction, and PennDOT is moving ahead with the next phase of construction, which had stopped at Hartford. It will progress from Hartford to Chambers followed by the third phase at the intersection of Longstown going north and south, which will present additional congestion.

BOWMAN Mr. Bowman asked about the item he reported regarding the U-Gro Child Care. He noted a comment that “the storm water design for this facility was not fully constructed or implemented some years ago.”

LUCIANI Mr. Luciani stated that the property was constructed in 1992, and the consulting engineer did a review of the storm water. Mr. Luciani did not know if there had been inspections at that time. A basin is shown on the approved Land Development Plan, but he was not certain if it ever was booked. Based on the consulting engineer’s discussion, he did not believe the basin was ever constructed. It was explained to him that if not, it had been approved that way, and coming in with a new plan, they would have to correct the wrong, which he understood.

4. ENGINEERING REPORTS

- A. Board of Supervisors Regular Meeting Minutes – March 28, 2013
- B. Regular Payables as Detailed in the Payable Listing of April 11, 2013

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

6. SUBDIVISIONS AND LAND DEVELOPMENT

There was nothing for action.

7. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

There was nothing for action.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis stated that she had received a recent issue of the PSATS Township News. She noted that it mentioned that May had been designated National Trust Month urging the townships to highlight historic places. With the recent demolition

of the Long barn and other properties, she thought it would be appropriate to focus on what Springettsbury is doing collectively to review the highlighted historical areas and buildings. She wondered whether the board was forming a committee or contracting an individual to come in and survey the area to act on some of the PSATS recommendations.

SCHENCK Chairman Schenck responded that he had read the PSATS newsletter.

LANDIS Ms. Landis asked what the board should do to move on some of the recommendations made by PSATS. She expressed concern with the recent demolitions and wanted to see additional preservation efforts of the historical heritage in the township. She questioned why the house by the park had been removed but the garage remained. She asked why the house could not be used.

HOLMAN Mr. Holman responded that demolition had been planned for years. A study had been done, which revealed it would not be functional as a recreation center. Handicap accessibility would have been very costly. Mold was found in the basement, as well as the fact that the basement was flooding and the basement walls were problematic. The house was not habitable any longer. As for the garage, it will be rehabbed into a pavilion closer to the children's playground, also part of the long-term plan.

LANDIS Ms. Landis continued her comments and thoughts to the board with regard to historical properties, which are summarized.

- Should residents/volunteers who want to participate be engaged to compile photos and archives from the past, and should a committee be formed.
- Interested citizens are encouraged to meet with the existing Historic Preservation Committee for participation.
- The Historic Preservation Committee has existed for many years and is active in preservation efforts, and they are always looking for help. The board had acted upon nearly every recommendation they had made. They have photos and archives and documentation in place as a result of their efforts.
- A current historical list exists of buildings, areas and structures, which had been provided to the board members. Having a property documented on that list does not prevent demolition. There are additional steps to be made, which include the National Trust of Historical Preservation and which involve additional funding.
- Demolition of the stone home on Route 30 took place at the owner's discretion. In order to preserve that property it would have involved a private group of citizens donating a sum of money to purchase the property to preserve it. In some cases an entity like the National Park Service will step up, or as Springettsbury Township did in the purchase of 130 acres in order to preserve the land for recreation and open space.

LANDIS Ms. Landis stated that she would move forward to see what she could do with the Historic Preservation Committee. She reiterated that May was the month that PSATS encouraged the townships to engage some steps in preservation.

SCHENCK Chairman Schenck commented that the board does what it can toward preservation.

DVORYAK Mr. Dvoryak stated that he had received a letter from the Galleria Mall regarding some concerns that they had. He had spoken with their General Manager, and since then Mr. Holman had met with them to discuss the fire codes ordinance, how it was adopted, etc. Mr. Dvoryak shared with the board his sense that came from the Galleria issue was that, from their first encounter with the township, it was not a business-friendly township. Mr. Dvoryak assured the General Manager that he would pass the comments along to the board.

BISHOP Mr. Bishop added that he had heard numerous things in the last four or five months that supported that position; that the township seems to have come down a few notches in terms of how businesses perceive the whole process of dealing with this township. He stated it was an issue that must be dealt with, and he thought there were some things being done to take care of it to some extent.

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 he had nothing to add to his written report. He requested a Executive Session following adjournment to discuss a personnel matter and Collective Bargaining.

Consensus of the board was to meet in Executive Session following adjournment.

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 to report.

13. NEW BUSINESS

A. 2013 Proposed PSATS Resolutions

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SCHENCK Chairman Schenck noted that the board had received the proposed resolution for the state convention of township supervisors. He stated that the board typically authorized the voting delegate to represent the township board and vote on the issues.

BOWMAN Mr. Bowman questioned an item in the documentation regarding item 13-15 for supporting the legislation to increase Pennsylvania's 911 Emergency Fund Surcharge. He questioned why the need for increase and where the funds would be directed.

HOLMAN Mr. Holman responded that he would research the item and get back to him.

SCHENCK Chairman Schenck indicated that in the past the board had given the voting delegate a lot of latitude as far as their vote.

HOLMAN Mr. Holman added that had been the board's policy in the past.

Consensus of the board was that the Delegate, Don Bishop, should vote representing his and the board's views on the issues.

B. Request for Hearing on Petitioned Street Lighting Tax – 1700 Deamerlyn Drive.

This item had been acted upon earlier during the agenda.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7:55 p.m.

Respectfully submitted,

John Holman

Secretary

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