

**MINUTES OF  
SPRING GARDEN TOWNSHIP BOARD OF COMMISSIONERS MEETING  
July 8, 2015**

**CALL TO ORDER**

The Spring Garden Township Board of Commissioners held its regular monthly meeting at the Township Municipal Building, 340 Tri Hill Road, York, PA on Wednesday June 10, 2015. President Fullmer called the meeting to order at 7:00 p.m.

**PERSONS PRESENT**

John M. Fullmer, Jr., President  
Cara Beth Zortman, Commissioner  
Matthew R. Shorb, Vice-President  
Thomas I. Warman, Commissioner  
Eric M. Lehmayr, Commissioner  
B.J. Treglia, C.S. Davidson, Inc.  
There were seven people in the audience

George Swartz, Chief of Police  
Gregory J. Maust, P.E., Township Manager  
Steven F. Smith, Public Works Supervisor  
Clifford Gordon, Codes Enforcement Officer  
David M. Davidson, Jr. P.E., Engineer  
Steve Hovis, Esq. Solicitor  
Linda S. Keller, Director Community  
Development & Planning

**A. SERVICE AWARDS:**

There were no service awards on the agenda for presentation.

**B. REQUESTS FOR PRESENTATION BY THE PUBLIC:**

There were no public presentation requests received for tonight's meeting.

Chief Swartz introduced **Justin Woods as the new addition to the Township Police Department.** Justin lives in Manchester, PA, graduated from Northeastern High School and served in the U.S. Army, including a tour of duty in Afghanistan. Justin will be starting the next police academy class on Monday, July 13<sup>th</sup> and is scheduled to finish the academy on November 24<sup>th</sup>.

**C. PUBLIC COMMENT PERIOD:** There were no public comments.

**D. APPROVAL OF MINUTES:** Motion Shorb/Lehmayer to **approve the Minutes of the June 10, 2015** regular meeting as presented. There were no public comments. Motion carried. Yes-5, No-0.

**E. ACCEPTANCE OF TREASURER'S REPORT:** Motion Zortman/Warman to **accept the Treasurer's Report.** There were no public comments. Motion carried. Yes-5, No-0.

**F. APPROVAL OF WARRANTS FOR PAYMENT:** Motion Warman/Lehmayer to **approve, the Warrants for Payment** as presented. There were no public comments. Motion carried. Yes-5, No-0.

**G. OPENING/ AWARD OF BIDS:** There were no bids presented for Board consideration.

**H. SUBDIVISION/ LAND DEVELOPMENT PLANS FOR ACTION:**

There was one (1) plan submitted for Board action.

1. A plan for **John J. & Katherine V. Shorb- Final Subdivision Plan to create one new building lot at 1290 Oakdale Drive, located in the R-1 and OS zoning district.**

Linda Keller, Director of Community Development & Planning, provided an overview of the plan which is located at the end of Oakdale Drive. Mr. Jack Shorb's property is located to the right and the new building lot is on the left side of Oakdale Drive. The plan as presented before the Township Planning commission was recommended for Board of Commissioners approval with the following waivers and conditions:

**Waivers:**

- a. Waiver to requirement to extend Oakdale Drive and construct cul-de-sac
- b. Waiver to installation of curb and sidewalk at this time.

**Conditions:**

- a. Change notation on plan for Oakdale Drive Extended to be "Proposed Public Street of Oakdale Drive"
- b. Planning Module approval
- c. Payment of recreation Fee in lieu of providing land
- d. Correct street address for Lot # 4 to be 1300 Oakdale Drive.

Linda noted that the original address of the new building lot which is noted as 1290 Oakdale Drive was incorrect and the correct address reference is 1300 Oakdale Drive as reflected in Condition "d". Linda reported that all conditions have been met except for the Planning Module approval. Commissioner Lehmayr questioned how the recreation fee in lieu of providing land is established and where the funds are deposited. Linda explained how the current fee structure is administered and that the funds are deposited in a separate Recreation Escrow Fund. **Commissioner Lehmayr feels the current fee structure is too low and requested that staff consider changing the current fee as a consideration in preparing the Township 2016 Budget.** Motion Warman/Lehmayr to **approve the plan with two (2) waivers and one (1) condition, which is "b", Planning Module approval.** There were no public comments. Motion carried. Yes-4. No-0. Commissioner Shorb abstained from voting.

**I. OLD BUSINESS:**

**1. Status of Update to Township Comprehensive Recreation Plan:**

Recreation Director, Christine Hartle reported that the recreation survey has now been finalized and efforts are being made to obtain as much resident feedback as possible. A recent announcement was issued to all Township residents using the CodeRED communication software which was successful in increasing the number of responses received thus far, which now exceeds 100. The goal of the comprehensive plan update is to have information available for consideration in preparing the 2016 Township Budget. Commissioner Lehmayr, Board Liaison to the Recreation Commission felt the consultant is doing a good job and is interested in the "draft" consultant report

Christine and Commissioner Lehmayr overviewed a proposal which was been presented to the Recreation staff from Dustin and Lindsey Dohm, property owners at 1420 Mt. Rose Avenue and also business owners of Stylin" Strings Lax, Apparel, & Media. The proposal is identified as the "Spring Garden Township Community Garden & Youth Outreach Proposal", to address ongoing contention at the Mt. Rose Avenue Park that borders their property and develop a youth outreach program that will address the main issues of constant littering, rock throwing and vandalism at the park. The proposal as developed is focused on building a community garden in the park using organic materials and products. The mission of the program is to refocus the energy of many of the youth that currently use the park facilities and have the community garden centered around the kids and get them involved from the build to the harvest. The overall investment for the community garden as proposed is roughly \$ 1,500 to implement. Commissioner Lehmayr supports the program and with the consensus of the Commissioners, suggests that a follow-up be made with the property owners and provides

direction from the Township. As a starting point, Commissioner Lehmayr suggested that the park boundaries be verified and consideration be given to upgrading the perimeter fencing at the park, and requested that staff obtain an estimate for fencing upgrades and bring the cost estimate back to the Board for further consideration. There was Board consensus to move forward with further consideration of the Community Garden & Youth Outreach Program as recommended by Commissioner Lehmayr.

**2. Status of Municipal Complex Project & Upgraded Township Facilities:**

Manager Maust reported that the Township response to Pennsylvania Department of Environmental Protection (DEP) technical review comments for the technical portion of the Combined Risk Assessment & Final Report prepared by Herbert, Rowland & Grubic (HRG), Inc. for Township owned property at 1799 Mt. Rose Avenue continues Attorney Alex Chiaruttini continues to serve as the Township's coordinator for preparing the follow-up response. **The deadline to respond to DEP's review comments is July 12, 2015.** After reviewing the DEP's comments, Commissioner Lehmayr felt that HRG's submittal was not prepared as well as it could have been and a number of the regulatory review comments point to certain concerns with quality control checking by HRG of the submittal before being sent to DEP.

**3. Determination of Township Requirements for Building Permit vs. Zoning Permit.**

Linda Keller, Director of Community Development & Planning reported that the Board took action at the June meeting to "table" further action on adopting a proposed Zoning Permit Ordinance and to carry the issue forward to the July meeting. Linda pointed out that one of the reasons for establishing zoning permits is to make residents more accountable for projects which are undertaken by property owners and are reviewed for conformance with requirements of the Township's Zoning Ordinance. Commissioner Fullmer had concerns with establishing requirements for a permit but not having any follow-up inspections. Commissioner Warman questioned whether the zoning permits were needed at and if warranted, felt there is a need for inspection and enforcement. Commissioner Shorb believes some of the things which would be permitted are too erroneous and the amount of time for staff to monitor would be significant. Commissioner Lehmayr also questioned why there is a need to permit everything as proposed? Commissioner Warman suggested that the information as compiled and presented by Linda Keller be forwarded to both the York County Planning Commission and Township Planning Commission for review and comment. There was Board consensus to support Commissioner Warman's recommendation.

**4. Approval of six (6) Easement Agreements for the 2015 Sanitary Sewer Maintenance Project to repair a section of the Poorhouse Run Interceptor located north of Greendale Rd.**

B. J. Treglia overviewed the easements and reported that are two (2) easements for Phase I of the Poorhouse Run project and three (3) easements outstanding for Phase 2 of the project. Motion Warman/Zortman to **approve the easements as presented and authorizes signing by the Township Manager.** There were no public comments. Motion carried. Yes-5, No-0.

An update was provided by B.J. on the Poorhouse Run project and the outstanding work that needs to be completed to move the project forward for Board approval and to proceed with public bidding. Manager Maust recommended that the project not be approved for public bidding until all agreements and regulatory agency permits have been obtained.

**J. NEW BUSINESS:**

1. At the request of the Recreation Director, consideration to appoint Ms. Penny Ayers to serve as the 4<sup>th</sup> Ward representative on the Township Recreation Commission **was "tabled" for further consideration until the August Board meeting.**

2. Chief Swartz provided an overview of the proposed parking limitations to be established on Irving Road as recommend by staff and which have bene supported by the preparation of a traffic study. Motion Warman/Zortman to **adopt Ordinance No. 2015-03 establishing parking restrictions on Irving Road.** There were no public comments. Motion carried. Yes-5, No-0.

#### K. ENGINEER'S REPORT

1. Dave Davidson reported that C.S. Davidson staff has been working with Linda Keller to begin migrating existing zoning, building and occupancy historical data into CSDATUM.
2. There were no comments from the Board on the monthly Engineer's Report as presented.

#### L. SOLICITOR'S REPORT

1. The Solicitor's Report was presented with no additional comments. There were no comments from the Board on the Solicitor's Report.

#### M. POLICE CHIEF'S REPORT

1. Chief Swartz provided an overview of the Pennsylvania State Police, Commonwealth Law Enforcement Assistance Network (CLEAN) and the benefits for the Department to access criminal history information compiled by the State and connected to forty other networks. Chief Swartz requested approval to enter into an Agreement with the Pennsylvania State Police to enable the Township Police Department to use this resource for Department operations. Motion Warman/Zortman **to approve the Chief's request to enter into an agreement with the PSP CLEAN network as presented.** There were no public comments. Motion carried. Yes-5, No-0.

#### N. FIRE CHIEF'S REPORT

1. There were no comments from the Board on the Fire Chief's Report and was accepted as presented.

#### O. PUBLIC WORKS SUPERVISOR'S REPORT

1. Steve Smith provided a recap of the annual Safety at Work Competition held at the York Expo Center and sponsored by the Susquehanna Municipal Trust. **The Township Public Works Department finished 1<sup>st</sup> in the overall Team Competition, 1<sup>st</sup> in the Skid steer Obstacle Course Competition and 3<sup>rd</sup> in the Equipment Operator Skills.**
2. Steve gave an update on the paving program with street milling to start on July 20<sup>th</sup>. Steve reported that one of the streets to be micro surfaced is Rathton Road between Edgar St. and Queen St. Steve had notified Jim Gross, Director of Public Works for the City of York of this planned project in 2014 as a portion of Rathton Road to be resurfaced is within the City of York municipal boundary and with this advance notice, the City could consider this 2015 expenditure in the development of the 2015 Public Works Budget. In a July 2, 2015 letter from Jim Gross, the City does not have funding for their portion of Rathton Road which is scheduled for resurfacing and has requested Township funding for the full project, with the understanding that the City of York will provide reimbursement for their portion of the project in 2016. Motion Shorb/Zortman to **approve Township funding for the full scope of resurfacing on Rathton Road, from Edgar Street to Queen Street., Staff is to send a letter to the City of York stating that the Township will fund the project with the City of York to reimburse the Township for the City share of the project, estimated to be \$ 6,300 upon receipt of an invoice from Spring Garden Township in 2016.** There were no public comments. Motion carried. Yes-5, No-0

3. Commissioner Lehmayr questioned the procedures for curb and sidewalk replacement which is the responsibility of property owners to take care of after written notification is received from the Township. Steve provided an explanation of the procedures currently in place and which starts with a first written notification being issued several years in advance of when the street is to be improved as part of the Township annual paving program.
4. There were no further comments from the Board on the Public Work's Supervisor's Report.

P. RECREATION DIRECTOR'S REPORT

1. Christine Hartle reported she is working with Stambaugh Ness I.T. staff to prepare a three (3) year I.T. Plan for the Township. Part of this three year outlook is to establish improvements and redesign of the Township web-site. Christine is planning to have more details available for discussion in pulling together the 2016 Township budget.
2. There were no comments from the Board on the Recreation Director's Report as presented.

Q. ZONING OFFICER'S REPORT

1. There were no comments on the Zoning Officer's Report as presented.

R. CODES ENFORCEMENT OFFICER'S REPORT

1. There were no comments from the Board on the Codes Enforcement's Report.

S. MANAGER'S REPORT

1. The Manager's Report was presented with no additional comments. There were no comments from the Board on the Manager's Report.

ADJOURNMENT

With no further business to transact, Motion Zortman/Warman to adjourn the meeting at 8:10 p.m.

Respectfully submitted,

Gregory J. Maust, P.E.  
Township Manager/Secretary