

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

President Fullmer announced that the Board of Commissioners met in Executive Session at 6:15 p.m. this evening to discuss personnel, real estate and potential litigation issues. Executive Session was adjourned at 6:55 p.m.

**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 April 8, 2015. President Fullmer called the meeting to order at 7:00 p.m.

**PERSONS PRESENT**

John M. Fullmer, Jr., President	George Swartz, Chief of Police
Cara Beth Zortman, Commissioner	Gregory J. Maust, P.E., Township Manager
Matthew R. Shorb, Vice-President	Steven F. Smith, Public Works Supervisor
Thomas I. Warman, Commissioner	Clifford Gordon, Codes Enforcement Officer
Eric M. Lehmayer, Commissioner	David M. Davidson, Jr. P.E., Engineer
B.J. Treglia, C.S. Davidson, Inc.	Peter Ruth, Esq. Solicitor
Christine Y. Hartle, Recreation Director	Michelle K. Mullen, Fiscal Officer/ Benefits Coordinator
There were four people in the audience	

**A. SERVICE AWARDS:**

There were no service awards on the agenda for presentation.

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

Mr. Donald Brandl who resides at 496 Country Club Rd. in the 4<sup>th</sup> Ward has requested through the Manager that he be given the opportunity to present concerns to the Board concerning current tax collection procedures. Mr. Brandl has concerns with writing checks in the name of the Township Tax Collector and would prefer that his payment be made to Spring Garden Township. Mr. Brandl noted that he has concerns with making payment directly to the tax collector, especially when the Township has had past issues with a former tax collector who did not handle the tax collection responsibilities and miss-managed tax receipts. Attorney Ruth noted that the tax collector is bonded for the position. Attorney Ruth provided an overview of the current legislation which is in place for tax collection and the procedures for how the municipal tax collector is to receive tax receipts and the manner in which payments are made from property owners to the tax collector. The Board acknowledged that Mr. Brandl has legitimate points of concern and will look into possible changes which can be recommended to change current legislation.

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

**D. APPROVAL OF MINUTES:** Motion Lehmayer/Zortman to approve the **Minutes of the March 11, 2015** regular meeting as presented. There were no public comments. Motion carried. Yes-5, No-0.

**E. ACCEPTANCE OF TREASURER'S REPORT:** Motion Warman/Lehmayer 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/Zortman to **approve, the Warrants for Payment** as presented. There were no public comments. Motion carried. Yes-5, No-0.

G. OPENING/ AWARD OF BIDS: Public Works Supervisor, Steve Smith overviewed the 2015 bids which were received for the Township 2015 Paving Program. There were four (4) bids presented for Board consideration.

1. The first bid was for **Supplying Bituminous Materials**. The only bid submitted was from York Materials Group at a total cost of \$ 281,177.50. Motion Warman/Zortman to **accept the bid as submitted and award the 2015 contract for Supplying Bituminous Materials to York Materials Group**. There were no public comments. Motion carried. Yes-5, No-0.
2. The second bid was for **Placement of Bituminous Materials**. There were five (5) bids received with Kinsley Construction being the lowest at \$25,600.00. Motion Lehmayr/Zortman to **accept the bid submitted and award the 2015 contract for Placement of Bituminous Materials to Kinsley Construction**. There were no public comments. Motion carried. Yes-5, No-0.
3. The third bid was for **Milling of Township Roads**. The only bid submitted was from Kinsley Construction at a bid price of \$14,045.00. Motion Zortman/Warman to **accept the bid as submitted and award the 2015 contract for Milling to Kinsley Construction**. There were no public comments. Motion carried. Yes-5, No-0.
4. The fourth bid was for **Microsurfacing of Township Roads**. The only bid submitted was from Stewart & Tate at a bid price of \$51,895.50. Motion Warman/Lehmayer to **accept the bid as submitted and award the contract for Microsurfacing to Stewart & Tate**. There were no public comments. Motion carried. Yes-5, No-0.

H. SUBDIVISION/ LAND DEVELOPMENT PLANS FOR ACTION:

There were two (2) plans submitted for Board action as part of tonight's meeting.

1. The first plan to be considered was **Popeye's Louisiana Kitchen Restaurant: Final Land Development Plan for a proposed fast food restaurant at 1095 Mt. Rose Avenue**. Linda Keller, Director of Community Development & Planning, reported that the plan as presented is **"tabled" until the May Board meeting**.
2. The second plan was **the Final Land Development Plan for Shipley Energy to create a lease area at 1451 Spahn Avenue**. Linda Keller, Director of Community Development & Planning, provided an overview of the plan with 2 waivers for stormwater management and curb and sidewalks. Motion Lehmayr/Shorb to **approve the plan as presented based on all conditions being met and two (2) waivers approved as presented**. There were no public comments. Yes-5. No-0.

I. OLD BUSINESS:

1. **Status of Update to Township Comprehensive Recreation Plan:**  
Recreation Director, Christine Hartle reported that the next recreation meeting is scheduled for Monday, April, 27th. There has been a public notice advertised that announces this next meeting as the first public meeting to gather public input for the Comp Plan Update.
2. **Status of Municipal Complex Project:**  
Manager Maust reported that the Pennsylvania Department of Environmental Protection (DEP) and Army Corps of Engineers continue with their respective regulatory reviews. More information is expected for the May Board meeting.

3. **Consideration to Transition Township Sanitary Sewer Billing and Collection Responsibilities to the York Water Company:**

Manager Maust reported that the recent 2<sup>nd</sup> quarter sewer billing was prepared by Township staff. This may be the last billing prepared by Township staff. The target date for the first billing to be prepared and issued by York Water is the 3<sup>rd</sup> quarter billing period which is scheduled for early July of this year.

4. **Status of Environmental Quality Assessment of Township Municipal Building:**

Chief Swartz reported that the environmental report by High Environmental Health & Safety Consulting Ltd. was complete and there were no significant concerns. The report had several minor recommendations. Chief Swartz requested further direction from the Board as related to the manner in which the published report should be made available to those having interest in the assessment. Commissioner Warman commented that the completed report is now a public document. Attorney Ruth confirmed that the report is public information at this point. Commissioner Fullmer stated that because of concerns which certain staff had raised concerning the condition of the Municipal Building, a copy of the completed report should be available for public review at the Municipal Building. A suggestion was made to also have a copy of the report available for viewing at the Administration Building. Motion Zortman/Warman **to have staff follow through and address the concerns which are mainly maintenance related issues. For other report recommendations, a list of suggested improvements and associated costs should be brought back to the Board for further consideration and formal action.** There were no public comments. Motion carried. Yes-5, No-0.

J. NEW BUSINESS:

1. Motion Zortman/Warman to Approval of **Resolution # 2015-03, Police Department Policies.** There were no public comments. Motion carried. Yes-5, No-0.

K. ENGINEER'S REPORT

1. B.J. Treglia, C.S. Davidson, Inc. provided an overview of the concept plan developed for Administration Building parking and additional parking which could be created between the Administration Building and the former Township Tax Office. The Township has historically shared parking with Victor's Restaurant. The use of the common parking area and responsibilities for managing the parking areas during winter storm events has been an issue of recent discussion between Township staff and the owners of Victor's Restaurant. Expanded on-site parking at 558 S. Ogontz St. for Township use would be beneficial to both employees and the public who does business at the Administration Office. With the potential growth in business for Victor's Restaurant, looking at options to create independent parking for the Township is considered a "pro-active" measure to explore at this time. The Board requested that C.S. Davidson continue with development of a detailed plan which would provide further information for Board review and would also be prepared in adequate detail for submission to the Township Zoning Hearing Board. There were no comments from the Board on the Engineer's Report.

L. SOLICITOR'S REPORT

1. Attorney Ruth reported that legal review of York Water Company documents are being finalized which consist of agreements to use water shut-off as a means to assist with collection of delinquent accounts and also the agreement establishing terms and conditions for York Water to provide sewer billing services. Collection efforts continue to resolve outstanding delinquent accounts and Regents Glen has paid most of their delinquent accounts. There were no comments from the Board on the Solicitor's Report.

#### M. POLICE CHIEF'S REPORT

1. Chief Swartz reported that the Department is preparing for the Department's on-site accreditation review which is scheduled for the end of the month. The upcoming review is the second cycle for the Department's accreditation renewal. Chief Swartz also provided an overview of the recent Fulton Bank robbery located at the corner of Richland Avenue and Indian Rock Dam Road. Two individuals were arrested with no injuries. There were no comments from the Board on the Police Chief's Report.

#### N. FIRE CHIEF'S REPORT

1. Chief McCoy reported that work continues to bring Manchester Township into York Area United Fire & Rescue. A review of Collective Bargaining Agreements is in progress and one condition of bringing Manchester Twp. into YAUFAR would be that the defined benefit pension for Manchester Twp. firefighters would be handled similar to Springettsbury Twp. Any unfunded liability would stay with Manchester Township and not be a YAUFAR responsibility to fund. There were no comments from the Board on the Fire Chief's Report.

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

1. Motion Warman/Zortman for Approval **to sell the Public Works Department 1990 Dump Truck using Munici-Pay.** There were no public comments. Motion carried. Yes-5, No-0
2. Public Works Supervisor reported that the Township owned property will be affected by the 1<sup>st</sup> phase of work for the I-83, Exit 18 Interchange Improvement Project. The new access road to serve the existing Commerce Center will be built across Mill Creek and extend to an intersecting point with Greenhill Rd. and Mount Rose Avenue. During this construction period, Steve is looking for an alternative yard waste drop-off site. Use of the Glen-Gery site which the Township currently rents for equipment and materials storage could be a possible site to be used while the Township site is inaccessible due to the I-83 construction. Currently, there is no formal lease with Glen-Gery. **The Township Solicitor will work with Steve Smith to further look into the feasibility of using the site as an alternate drop-off location for residents to dispose of yard waste materials.**
3. Steve Smith reported that residents have started to place leaves along the curb line for Township collection. The Township is not equipped to collect leaves in the spring of the year and residents who have leaves which accumulated on their properties over the winter can bag the leaves for pick-up with regular Penn Waste trash collection. The Township street sweeper does not have the capability to collect leaves placed at the curb. Steve requested everyone's help by communicating this to residents. There were no comments from the Board on the Public Works Supervisor's Report.

#### P. RECREATION DIRECTOR'S REPORT

1. Christine Hartle reported that the Department has surplus baseball equipment which is not being used by the Township and was asking for Board direction on how to dispose of this equipment. The Board suggested that efforts be made to **give the unused equipment to a not-for-profit group or to make the equipment available to another local government group.** There were no comments from the Board on the Recreation Director's Report.

#### Q. ZONING OFFICER'S REPORT

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

#### R. CODES ENFORCEMENT OFFICER'S REPORT

1. Clifford Gordon asked Chief McCoy for clarification on carbon monoxide monitors. There were no comments from the Board on the Codes Enforcement Officer's Report.

#### S. MANAGER'S REPORT

1. Manager Maust recognized Commission Warman as one of the speakers at the recent Stormwater Summit held at the National Conservation Training Center in Shepherdstown, W. Va. The conference highlighted successful approaches to improving stormwater management across the state of Maryland and the entire Chesapeake Bay watershed.
2. Manager Maust reported that Stambaugh Ness who provides auditing services for the Township will be attending the May Board meeting to provide an overview of the recently completed 2014 Township audit.
3. The Manager noted that he would be attending continuing education training on April 13<sup>th</sup> & April 14<sup>th</sup> in Valley Forge, PA.

There were no comments from the Board on the Manager's Report.

#### ADJOURNMENT

With no further business to transact, Motion Warman/Shorb to adjourn the meeting at 8:15p.m.

Respectfully submitted,

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