



# SPRING GARDEN TOWNSHIP

558 SOUTH OGONTZ STREET  
YORK, PA 17403-5709  
PHONE NUMBER: 717.848.2858

## MINUTES OF THE SPRING GARDEN TOWNSHIP BOARD OF COMMISSIONERS MEETING MARCH 13, 2019

### Persons Present:

Thomas I. Warman, President	George J. Swartz, Chief of Police
Michael L. Thomas, Vice-President	Steven F. Smith, Public Works Director
Cara Beth Zortman, Commissioner	Patricia R. Potter, Administrative Clerk
Daniel E. Rooney, Commissioner (arrived 6:20 p.m.)	Jay Van Pelt, Battalion Chief, YAUFRR
John J. Luciani, Commissioner	Steven M. Hovis, Esq., Solicitor
Marcy L. Krum Tinsley, Township Manager	David M. Davidson Jr., P.E., Engineer
Linda S. Keller, Dir. Comm. Planning & Dev.	B. J. Treglia, P.E., C. S. Davidson, Inc.

### Persons Absent:

Daniel L. Hoff, Fire Chief, YAUFRR  
Clifford W. Gordon, Codes Enforcement Officer  
Grant Waltersdorf, Recreation Program Coordinator

There were 4 people in the audience.

President Commissioner Thomas Warman announced that prior to this evening's regular monthly Board of Commissioners' meeting, the Board met in Executive Session at 5:30 p.m. to discuss litigation, property, and personnel issues. The Executive Session adjourned at 6:04 p.m.

### Call to Order:

The Spring Garden Township Board of Commissioners opened its regular monthly meeting at the Township Municipal Building, 340 Tri Hill Road, York PA 17403, on Wednesday, March 13, 2019 at 6:04 p.m.

### Service Awards:

There were no service awards.

### Public Presentations:

There were no public presentations.

### Public Comments:

There were no public comments for this meeting.

### Approval of Minutes:

**Motion (Luciani/Thomas) to approve the February 13, 2019 workshop and regular meeting minutes, and the February 19, 2019 Spring Garden Township and York Township Board of Commissioners Joint Meeting as submitted.**

There were no public comments.

**Vote: 4-0, motion carried.**

### Treasurer's Report:

**The Treasurer's Report was approved as submitted and will be filed for audit.**

There were no public comments.

**Vote: 4-0, motion carried.**





# SPRING GARDEN TOWNSHIP

558 SOUTH OGONTZ STREET  
YORK, PA 17403-5709  
PHONE NUMBER: 717.848.2858

## **Warrants for Payment:**

**Motion (Thomas/Zortman) to approve the Warrants for Payment as presented.**

There were no public comments.

**Vote: 4-0, motion carried.**

## **Opening/Award of Bids:**

There were no bids to be considered.

## **Subdivision/Land Development Plans:**

a. Spring Garden Township Municipal Building Land Development Plan, 340 Tri Hill Road.

**Motion (Luciani/Zortman) to approve a 90-day time extension on the Final Land Development Plan for the Spring Garden Township Municipal Building Land Development Plan, located at 340 Tri Hill Road.**

There were no public comments.

**Vote: 4-0, motion carried.**

b. Timothy Pasch Final Subdivision, 910 Upland Road.

**Motion (Luciani/Zortman) to approve a 90-day time extension on the Timothy Pasch Final Subdivision Plan for 910 Upland Road.**

There were no public comments.

**Vote: 4-0, motion carried.**

## **Old Business:**

a. Status of design of Tri-Hill Municipal Complex

President Warman advised the Board the design team has notified the Township of a revised schedule for release to bid from March to early April. The design team is projecting mid-May for opening of the bids. This timeframe may necessitate a special Board of Commissioners' meeting or a continuation of the regular monthly Board of Commissioners' May meeting.

Board comments: Commissioner Thomas asked if there is a specific reason the design team is not ready and the need to postpone from March to April. President Warman replied there are revisions to the core details of the plan. Commissioner Luciani commented that the design team has had enough time to make sure the design was correct, and it should be relayed to the design team that the Board of Commissioners are not happy about the delay.

b. Request For Proposal Process

**Motion (Thomas/Zortman) approval to commence Request For Proposal process for bank financing with a March/April 2019 timeframe.**

There were no public comments.

**Vote: 4-0, motion carried.**

c. Bond Counsel for Spring Garden Township

**Motion (Zortman/Luciani) to appoint Solicitor Steven M. Hovis, Esq. as bond counsel for Spring Garden Township; with a separate invoice for services rendered as bond counsel.**

There were no public comments.

**Vote: 4-0, motion carried.**

## **New Business:**

a. Penn Waste Refuse Contract

The Board discussed the pros and cons of extending the existing Penn Waste contract until 2022. The discussion included the number of times per week for pick-up; concerns regarding service; the possibility of putting the contract out for bid, and what happens if the Township rejects other bids, is it feasible to go back to the current contract.





# SPRING GARDEN TOWNSHIP

558 SOUTH OGONTZ STREET  
YORK, PA 17403-5709  
PHONE NUMBER: 717.848.2858

Solicitor Hovis advised the Board that the extensions proposed by Penn Waste are for the current contract with the same terms and conditions. Receiving other bids would nullify the current contract. President Warman directed Manager Krum-Tinsley to get a complain list from Penn Waste for the Board's review.

The Board agreed to postpone further discussion and action until a later meeting.

## Comments from Commissioners:

- **Ward 1 – Vice-President Commissioner Thomas** - nothing to report.
- **Ward 2 – Commissioner Rooney** – Very disappointed with the number of snow removal violations in Ward 2 noted on the Code Enforcement Officer's Report.
- Commissioner Rooney reported he rode in the truck with Craig Ruhl, Public Works, on a snow removal run and appreciates even more the good job the department is doing in keeping the roads cleared and safe for the residents.
- **Ward 3 – President Commissioner Warman** – nothing to report.
- **Ward 4 – Commissioner Luciani** – Expressed his concerns regarding the slow process of the improvements on North and South 83, and Mt. Rose Avenue. Many of the issues on Mt. Rose Avenue are on Springettsbury Township side.
- **Ward 5 – Commissioner Zortman** – Another great job by the road crew from Public Works with the last snow storm.

## Township Staff Reports:

- **Engineer's Report:**

Engineer Davidson reported all comments have been addressed regarding the public sewer connection for the two properties located on South Beaver Street. Engineer Davidson requested the Board's approval of a public Right-Of-Way Agreement for the South Beaver Street properties. Engineer Treglia commented that the two property owners will need to post bond prior to construction.

**Motion (Zortman/Thomas) to approve a public Right-Of-Way for the two South Beaver Street properties subject to review and approval by the Township Solicitor.**

There were no public comments.

**Vote: 5-0, motion carried.**

- **Solicitor's Report:**

Solicitor Hovis reported there has been no action taken by the person who reported falling in the Township earlier this year. Solicitor Hovis advised the Board that the Springettsbury Board of Supervisors authorized their Township Manager to notify the York County Planning Commission they are rejecting the proposed York County Storm Water Authority.

There were no comments from the Board.

- **Police Chief's Report:**

Chief Swartz requested the Board's consideration and approval of Resolution 2019-5 which Amends the Civil Service Rules and Regulations.

**Motion (Rooney/Zortman) approval of Resolution 2019-5: Amends the Civil Service Rules and Regulations.** There were no public comments.

**Vote: 5-0, motion carried.**

Chief Swartz requested the Board's approval of Resolution 2019-6 which provides for a drug policy for screening of police applicants and gave an overview of the content of the proposed Resolution. Chief Swartz reported the new policy will include synthetic and medical marijuana





# SPRING GARDEN TOWNSHIP

558 SOUTH OGONTZ STREET  
YORK, PA 17403-5709  
PHONE NUMBER: 717.848.2858

and will be considered the same as regular marijuana.

Commissioner Rooney questioned what happens if a candidate has a Doctor's prescription for medical marijuana or was required to take it in the past several years before completing an application? Chief Swartz replied that medical marijuana could still have the same effects and cause impairment of judgement; it is also not recognized by Federal statute.

Solicitor Hovis stated the Civil Service Commission would notify the candidate and inform him/her why he/she did not qualify; the candidate then has the right to appeal the decision.

**Commission Rooney made a motion to exclude medical marijuana from the drug policy and Resolution 2019-6.** There was no second motion, therefore, the motion did not pass.

**Motion (Thomas/Zortman) to approve Resolution 2019-6: Provides for a drug policy for the screening of police applicants.** There were no public comments. **Vote: 4-1, motion carried.**  
**Commissioner Rooney voted nay.**

**Motion (Zortman/Rooney) to approve Spring Garden Family Practice, located at 924 Colonial Avenue, York, PA 17403, and Rost & Associates, located at 807 South George Street, York, PA 17403 as the medical professionals to be used when a conditional offer of employment is extended to a police applicant.** There were no public comments. **Vote: 5-0, motion carried.**

Chief Swartz advised the Board there are currently 25 police applicants; he is hopeful of having a viable candidate to announce at the April meeting.

Chief Swartz reported he had been contacted by the York County Motor Fund. There is a law enforcement bicyclist cross country ride that will be taking place in May during Police Memorial Week and they are requesting a motorcycle escort which would pick up the group in Reading and escort them to Washington, D.C. Chief Swartz said he has an officer who would like to escort the group. The expenses for the officer's participation, other than salary, will be paid by the York County Motor Fund.

The Board is supportive.

- **Fire Chief's Report:**

Chief Hoff requested the Board's consideration and approval of Resolution 2019-7 which accepts the York County 2018 Hazard Mitigation Plan as Spring Garden Township's hazard mitigation plan.

**Motion (Thomas/Zortman) approval of Resolution 2019-7: Accepts the York County 2018 Hazard Mitigation Plan as Spring Garden Township's hazard mitigation plan.**

There were no public comments. **Vote: 5-0, motion carried.**

Chief Hoff reported the 2015-2017 Compliance Audit from the Auditor General for the Spring Garden Township's Volunteer Firefighters' Relief Association has been completed. The only Recommendation was to keep better logs of the equipment.

There were no Board comments.

- **Public Works Supervisor Report:**

Steve Smith advised the Board his department is flushing the main sewer lines; addressing some of the pot holes on the roads in the Township, and doing some maintenance in the Township parks. There were no Board comments.





# SPRING GARDEN TOWNSHIP

558 SOUTH OGONTZ STREET  
YORK, PA 17403-5709  
PHONE NUMBER: 717.848.2858

---

- **Recreation Program Coordinator:**  
The Recreation Program Coordinator's report was presented with no additional comments. There were no Board comments.
- **Zoning Officer's Report:**  
Linda Keller reported that ENT has met all conditions; Board signatures are needed. There were no Board comments.
- **Code Enforcement Officer's Report:**  
The Code Enforcement Officer's Report was presented with no additional comments. There were no Board comments.
- **Township Manager's Report:**  
Manager Krum-Tinsley requested the Board's approval to offer part-time employment, not to exceed 29 hours per week, to a qualified candidate for the Accounting/Benefits Coordinator position. **Motion (Zortman/Thomas) to approve and authorize Manager Krum-Tinsley to offer part-time employment, not to exceed 29 hours per week, to a qualified candidate to fill the position of Accounting/Benefits Coordinator.**  
There were no public comments. **Vote: 5-0, motion carried.**

Manager Krum-Tinsley advised the Board a new digital time keeping policy will be in place sometime in April; this will take the place of the time clocks.

**Motion (Zortman/Thomas) approval of Resolution 2019-8: Emergency Operation Plan.**  
There were no public comments. **Vote: 5-0, motion carried.**

## **Adjournment:**

With no further business to be brought before the Board, **Motion (Warman/Luciani) to adjourn the regular monthly Board of Commissioners meeting at 7:12 p.m.**

Respectfully submitted,

Marcy L. Krum-Tinsley  
Township Manager/Secretary

