



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 APRIL 10, 2019

PERSONS PRESENT:

Thomas I. Warman, President
Michael L. Thomas, Vice-President
Cara Beth Zortman, Commissioner
Daniel E. Rooney, Commissioner
John J. Luciani, Commissioner
Marcy L. Krum-Tinsley, Township Manager
Linda S. Keller, Dir. of Comm. Dev. & Planning

George J. Swartz, Chief of Police
Steven F. Smith, Public Works Director
Patricia R. Potter, Administrative Clerk
Daniel J. Hoff, Fire Chief, YAUFRR
Steven M. Hovis, Esq., Solicitor
David M. Davidson Jr., P.E., Engineer
B. J. Treglia, P.E., C. S. Davidson, Inc.
Grant Waltersdorf, Rec. Program Coordinator

Persons Absent:

Clifford W. Gordon, Codes Enforcement Officer

There were approximately 10 people in the audience.

President Commissioner Thomas Warman announced that the Board has not met for any Executive Sessions since the last regularly scheduled monthly Board of Commissioners' meeting which was held on March 13, 2019.

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, April 10, 2019. President Commissioner Thomas Warman called the meeting to order at 6:00 p.m.

Service Awards:

President Warman announced that all Service Awards will be consolidated to the November 2019 Board of Commissioners' meeting rather than at each regular monthly meeting.

Public Presentations:

Teena Curnow, Smith Elliott Kearns & Company, LLC gave the Board a concise overview of the Independent Auditor's Report for the year ending December 31, 2018.

Patrick Hickey and Mark Wojciehowski, York Composite Cycling Club, presented a proposal to the Board and requested the Board's consideration to allow York Composite Cycling Club the possibility of building bike riding trails on the Township owned property located at 1779 Mt. Rose Avenue for the purpose of creating a practice area for their club members, and eventually opening it to the public in the future. After much discussion, the Board's consensus was that it isn't feasible to pursue since there has been no decision and there is still the uncertainty of the direction for the property plus the possible liability for the Township.

Public Comments:

There were no public comments for this meeting.





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Approval of Minutes:

Motion (Rooney/Thomas) to approve the Board of Commissioners March 13, 2019 regular monthly meeting minutes as submitted.

There were no public comments

Vote: 5-0, motion carried.

Treasurer's Report:

Motion (Thomas/Zortman) to approve the Treasurer's Report as submitted and file for audit.

There were no public comments.

Vote: 5-0, motion carried.

Warrants for Payment:

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

There were no public comments

Vote: 5-0, motion carried.

Opening/Award of Bids:

Motion (Luciani/Zortman) to approve the following for 2019 paving:

Supply/Material – York Materials Group at a total cost not to exceed \$201,120

Placement – Yohe Paving at a total cost of \$27,405

Milling – Yohe Paving at a total cost of \$8,527.50

Microsurfacing – Stewart & Tate at a total cost of \$116,982.15

There were no public comments.

Vote: 5-0, motion carried.

Subdivision/Land Development Plans:

a. Patriot Richland Associates – 631 and 635 South Richland Avenue

Motion (Luciani/Rooney) to approve final subdivision to change lot line between two parcels previously subdivided in 2007 with the following waivers as recommended by the Spring Garden Planning Commission:

Waivers:

1. Preliminary Plan (275-9.B)
2. Sewer/water feasibility reports (275-22)
3. Utility locations, sizes and elevations (275-24.C(18))
4. Right of way dedication (275-29.C)
5. Stormwater management (275-36)

There were no public comments.

Vote: 5-0, motion carried.

b. Regents Glen – Rosecroft

Motion (Luciani/Zortman) to approve the reduction in surety in the amount of \$28,125.00 with security amount remaining being \$466,848.75.

There were no public comments.

Vote: 5-0, motion carried.

c. Regents Glen – Greenleigh

Motion (Luciani/Zortman) to approve the reduction in surety in the amount of \$21,500.00 with security amount remaining being \$177,090.05.

There were no public comments.

Vote: 5-0, motion carried.

d. Regents Glen – Box Hill Estates

Motion (Luciani/Zortman) to approve the reduction in surety in the amount of \$107,770.00 with security amount remaining being \$491,202.00.

There were no public comments.

Vote: 5-0, motion carried.





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Old Business:

a. Status of design of Tri-Hill Municipal Complex:

President Commissioner Warman reported that the project is ready to go out for bids. A pre-bid meeting has been scheduled for April 15, 2019 at 9:00 a.m. at Tri Hill Municipal Building. Bids are due no later than 2:00 p.m. on May 15, 2019 and are to be submitted to the Police Department at 340 Tri Hill Road. The bid opening will occur shortly after 2:00 p.m. on May 15, 2019 at 340 Tri Hill Road. The Board will meet to consider all bids on May 22, 2019 at 7:00 a.m. at the Tri Hill Municipal Building, 340 Tri Hill Road.

Commissioner Luciani recommended that Solicitor Hovis review all bid packets prior to consideration by the Board.

b. Consideration to extend the Penn Waste refuse contract for 2020-2021-2022:

Motion (Luciani/Zortman) to approve the extension of the Penn Waste refuse contract as proposed for 2020, 2021, and 2022 with the same terms and conditions as current contract.

There were no public comments.

Vote:5-0, motion carried.

New Business:

There was no new business to discuss at this meeting.

Comments from Commissioners:

Ward 1 – Vice-President Commissioner Thomas announced he will be running for Commissioner again in Ward 1. Vice-President Commissioner Thomas extended a Thank You to Steve Smith and the Public Works Department for repairing the pot holes in the roads throughout the Township.

Ward 2 – Commissioner Rooney proposed changing the Garage/Yard Sale Ordinance to allow two sale events per year; each sale event being no more than two consecutive days.

Solicitor Hovis advised the Board the amendment to the Ordinance would need to be advertised and the Fee Resolution would need to be changed should the Board decide to change the current cost of the permit.

Motion (Rooney/Zortman) to authorize Solicitor Hovis to prepare and advertise the amendment to the Garage/Yard Sale Ordinance allowing two sale events per year; each sale event being no more than two consecutive days with no change to the current cost of the permit.

There were no public comments.

Vote: 5-0, motion carried.

Ward 3 – President Commissioner Warman – Nothing to report.

Ward 4 – Commissioner Luciani – Nothing to report.

Ward 5 – Commissioner Zortman – Nothing to report.

Township Staff Reports:

Engineer's Report:

Engineer Treglia advised the Board that the fill area at the property on Westwood Road is viable for use and clean material from the municipal construction site can be transported there. President Commissioner Warman commented this should be part of the bid for the complex.





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Solicitor's Report:

Solicitor Hovis reported the Binding Arbitration Reform Act 111 has not been updated for approximately 50 years. The House of Representatives is seeking co-sponsors to update the legislation which would allow the arbitration hearings open to the public and warrant changes to make Act 111 a more fair and balanced process.

Solicitor Hovis requested the Board authorize Manager Krum-Tinsley to reach out to legislators and request they co-sponsor the bill.

Motion (Luciani/Rooney) to authorize Manager Krum-Tinsley to contact legislators and encourage them to co-sponsor the Act 111 bill.

There were no public comments.

Vote: 5-0, motion carried.

Police Chief's Report:

Motion (Thomas/Zortman) to approve Resolution 2019-09: Police Department Policies regarding Domestic Violence and Property/Evidence Control, and Body-Worn Cameras.

There were no public comments.

Vote: 5-0, motion carried.

Motion (Zortman/Rooney) to approve the Memorandum of Understanding (MOU) with York College of Pennsylvania which outlines the respective responsibilities of both York College security and Spring Garden Township, including law enforcement response to those properties beyond the campus.

There were no public comments.

Vote: 5-0, motion carried.

Chief Swartz advised the Board he received an email from a resident expressing concern with fireworks being set-off this year for July 4th. Apparently, one of the neighbors was setting off some loud fireworks which was very troublesome. Chief Swartz said he will make sure the Police Department and YAUFRR are better educating our residents on what is permissible and what is a violation of the statute.

Solicitor Hovis commented that fireworks cannot be set-off within 150 feet of a structure; this law is regulated by the state of Pennsylvania.

Chief Swartz reported that the Police Department has met all the requirements required by the Bureau of Justice Assistance/PCCD and have been awarded \$24,432 to purchase the cameras. With this grant off-setting the cost of the body worn cameras and including purchasing seven new in-car video cameras, we will be under budget by approximately \$5,000. Chief Swartz requested the Board's approval to accept this grant.

Motion (Thomas/Luciani) to accept the grant in the amount of \$24,432 to purchase the body worn and in-car video cameras.

There were no public comments.

Vote: 5-0, motion carried.

Chief Swartz advised the Board and staff that Mr. Darrah from J&K Salvage contacted four out of the five residents who had complaints, and all were satisfied.

Chief Swartz asked that we all keep the families of the two Marines who recently died in our thoughts and prayers. Both men had ties to York County.





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Fire Chief's Report:

Chief Hoff invited the Board to the York County Fire School for their last night of training on May 8, 2019. There will be two sessions; 1:00 p.m. to 5:00 p.m. and 6:00 p.m. to 8:00 p.m. The Board thanked Chief Hoff for the invitation.

Public Works Supervisor Report:

Motion (Rooney/Luciani) to approve Resolution 2019-10 which pertains to prohibiting the placement of utilities three feet behind a street curblin.

There were no public comments.

Vote: 5-0, motion carried.

Steve Smith reported there is construction on Country Club Road at Fairway Drive; the crews are working seven days per week, and everyone has been notified of the construction.

Recreation Program Coordinator:

Motion (Zortman/Thomas) to appoint, with appreciation, Mindy Godfrey from Ward 5 to fill the vacant seat on the Recreation Commission.

There were no public comments.

Vote: 5-0, motion carried.

Motion (Luciani/Zortman) to uphold the recommendation from the Recreation Commission to postpone construction at Elmwood and Grantley parks for DCNR Grant due to Summer Parks Programming.

There were no public comments.

Vote: 5-0, motion carried.

Grant Waltersdorf requested the Board consider amending the Special Event Ordinance time frame application from two to three business days approval to 14 to 45 days with not more than 180 days in a calendar year.

Solicitor Hovis recommended the Board consider amending the Ordinance with the time frame beginning upon completion of the application. Solicitor Hovis commented any amendment to the Ordinance will need to be advertised.

After some discussion, the Board felt the 45-day approval was too long and prohibitive; the consensus was that 14 days to 30 days for approval is sufficient timeframe.

Motion (Rooney/Zortman) to authorize Solicitor Hovis to draft and advertise the amendment to the Special Event Ordinance stating the approval timeframe will be changed from two to three business days to 14 to 30 business days.

There were no public comments.

Vote: 5-0, motion carried.

Zoning Officer's Report:

Linda Keller reported she received two letters of resignation; one from Earl Quance, Ward 1, who has served on the Zoning Hearing Board for five years, and the second from Douglas George, Ward 4, who has served on the Planning Commission for 20 years. Mr. Quance's resignation will be effective, June 1, 2019; Mr. George's resignation is immediate. Linda Keller requested the Board's acceptance of both resignations.

Motion (Luciani/Rooney) to accept, with regret, the resignations of Earl Quance from the Zoning Hearing Board, effective June 1, 2019, and of Douglas George from the Planning Commission, effective immediately.

There were no public comments.

Vote: 5-0, motion carried.





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Zoning Officer's Report (continued):

Linda Keller advised the Board the Beaver Street sewer agreement will need signatures.

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 reported that the prototype for the new Township website is scheduled for May.

Manager Krum-Tinsley announced that Customer Service Training for the Administrative Staff has been scheduled for May 14, 2019 at the Tri Hill Municipal Building.

Manager Krum-Tinsley commented that Docuware has been selected as the vendor for the Document/Content Management program, with implementation sometime this Summer.

Adjournment:

With no further business to be brought before the Board, **Luciani/Thomas motioned to adjourn The Board of Commissioners meeting at 7:49 p.m.**

Respectfully submitted,
Marcy L. Krum-Tinsley
Township Manager/Secretary

Prepared by: P.Potter

