

Minutes of the Spring Garden Township Board of Commissioners
6:00 p.m. – June 10, 2020

Persons Present:

Daniel E. Rooney, President
John J. Luciani, Vice-President
Thomas Gwilt, Commissioner
Annette Clark, Commissioner
Mike Thomas, Commissioner
Linda Keller, Zoning Officer
George J. Swartz, Chief of Police

Marcy L. Krūm-Tinsley, Township Manager
David M. Davidson, Jr., P.E., Engineer
B. J. Treglia, C.S. Davidson
Krista Gardner, Chief Financial Officer
Steve Smith, Public Works Director
Steve Hovis, Esq., Solicitor
Daniel Hoff, Chief, YAUF

1. Call to Order – Business Meeting

- A.** President Commissioner Rooney called the meeting to order and welcomed the attendees to the Zoom June Board of Commissioners Business Meeting. He explained the Zoom webinar ground rules. He led the Pledge of Allegiance.

President Commissioner Rooney announced that the Commissioners did have several Executive Sessions to discuss real estate acquisition and litigation issues.

B. Presentations

1. SEK – 2019 Audit

Ms. Teena Cunow presented the 2019 Audit results. She provided a review of the finances and noted it was a good clean audit opinion. There was nothing found that would require a modified opinion.

C. Public Comment

Mrs. Barbara Rooney, 127 Strathcona Drive South, spoke concerning questions she had regarding the exit on Indian Rock Dam Road. She noted that with the proposed White Oaks Plan there would be approximately 400 people exiting and entering the road onto Indian Rock Dam at different times. She commented on the ability for the fire engine to go on the golf path if needed.

Jonathan Gibson, 503 West Springettsbury Avenue spoke about what he could do to get more involved in the community. He asked if there was a need for volunteers.

Manager Krūm-Tinsley responded and directed him to email general@sgtwp with his contact information someone would be happy to reach out to him.

D. Board of Commissioners Meeting Minutes

1. **Action:** Motion to approve Board of Commissioners' business meeting – May 13, 2020
2. **Action:** Motion to approve Board of Commissioners' special meeting – June 1, 2020

MOTION (Luciani/Clark) to approve meeting minutes from May 13, 2020 Business Meeting with amendment. **MOTION CARRIED 5/0.**

MOTION (Clark/Luciani) to approve the Special Meeting Minutes from June 1st. **MOTION CARRIED 5/0.**

E. Treasurer's Report – May 2020

1. **Action:** Motion to accept the May 2020 Treasurer's Report/Bank Transaction

MOTION: (Gwilt/Thomas) to accept the report of the Monthly Bank Transactions. **MOTION CARRIED 5/0.**

F. Opening/Awards of Bids – None

G. Subdivision/Land Development

1. White Oaks and White Oaks Villas at Regents Glen, Ward 4, Spring Garden Township
FYI – May 28, 2020 denial letter from Zoning Officer.

Solicitor Hovis stated that The White Oaks project had been tabled with a request that it not be considered until July.

2. **Action:** Motion to approve sewage facilities planning module for 1435 Spahn Avenue for Shipley Energy Catering Facility pursuant to staff recommendation for approval.

Zoning Officer Keller indicated this is on the land development next on the agenda. They are proposing a catering facility building and the gallonage is 1,000 gallons per day, which needed planning module approval.

Scott DeBell of Site Design Concepts represented the proposed land development plan at 1435 Spahn Avenue. He responded to all the board's questions.

MOTION (Clark/Gwilt) to approve sewage facilities planning module. **MOTION CARRIED 5/0.**

3. **Action:** Motion to approve the Preliminary/Final Land Development Plan for a proposed catering facility at 1435 Spahn Avenue, located in the IP Zone subject to satisfaction of the conditions established at the June 2, 2020 Planning Commission meeting.

MOTION: (Luciani/Clark) to approve the Preliminary/Final Land Development Plan with the following conditions: waiver to stormwater management, conditions of engineers seal and signature, owner's notarized signature, York County Conservation District approval of the ENS control plan, approval of stormwater management, DEP approval of planning module and security for required improvements. **MOTION CARRIED 5/0.**

4. **Action:** Motion to approve a security reduction request for Box Hill Estates in the amount of \$14,520. Remaining balance will be \$326,617.

MOTION (Thomas/Luciani) to approve a security reduction request for Box Hill Estates in the amount of \$14,520. **MOTION CARRIED 5/0.**

H. Old Business

1. **Action:** Motion to authorize advertisement of ordinance for amending code chapter 220, parks and recreation areas regarding park rules and regulations.

MOTION (Thomas/Clark) to authorize advertisement of the ordinance amending Co-Chapter 220 Parks and Rec areas regarding Park Rules and Regulations. **MOTION CARRIED 5/0.**

I. New Business

1. **Action:** Motion to approve Resolution 2020-12 relating to offering support to Township Businesses for reopening.

Solicitor Hovis indicated the Resolution incorporated guidance from the District Attorney's office, which encouraged law enforcement not to issue citations for violations.

MOTION (Luciani/Clark) to approve the Resolution 2020-12 as provided.

PUBLIC COMMENT

Shawn Schlenz, 543 Lancaster Avenue, questioned whether the Resolution would allow businesses to open without fear of repercussions and whether it would offer any kind of protection for businesses.

Solicitor Hovis responded that Spring Garden Township is not creating a new law. This is a sign from the board saying it supports the businesses to open as soon as possible.

President Commissioner Rooney commented that the township does not regulate licensing of businesses; the state does. The township is supportive of the York County District Attorney's proposal in not to fine people for operating their businesses. **MOTION CARRIED 5/0.**

2. **Action:** Motion to enter in a proposed Construction Fund Agreement between the York City Sewer Authority and Spring Garden Township for 2020 Interceptor Master Plan with funding from the Sewer Transportation Fund to the extent available.

MOTION (Thomas/Luciani) to enter the proposed Construction Fund Agreement between York City Sewer Authority and Spring Garden Township for the 2020 interceptor Master Plan, the funding from the Sewer Transportation Fund to the extent available. **MOTION CARRIED 5/0.**

3. **Action:** Motion to approve York City Sewer Authority Workgroup Memorandum of Understanding workgroup costs and expenses; Spring Garden's administrative expense allocation at 26.42%.

MOTION (Luciani/Thomas) to approve the Memorandum of Understanding. **MOTION CARRIED 5/0.**

4. **Action:** A motion to approve the Agreement of Sale with Glen Gery Shale Brick Corp. for the purchase of its Spahn Avenue property for a price of \$230,000 and authorizing the officers of the Township to execute any and all documents for said purchase. **MOTION** (Thomas/Clark) to approve the Agreement of Sale with Glen Gery Shale Brick Corporation for the purchase of the Spahn Avenue property and authorizing the officers of the township to execute any and all documents for said purchase. **MOTION CARRIED 5/0.**
5. **Action:** Motion to approve the scope of services for a Phase 1 Environmental Investigation with Independence Environmental Consulting in the amount of \$2,400 for the Spahn Avenue property. **MOTION** (Luciani/Gwilt) to approve scope of services for the Phase 1 Environmental Investigation with Independence Environmental Consulting in the amount of \$2,400.

PUBLIC COMMENT

Shawn Schlenz questioned whether this is contingent with agreeing to purchase by the township. If the investigation reveals an issue, the seller then can remedy that before the township becomes liable.

MOTION CARRIED 5/0.

J. Spring Garden Township Municipal Building and Violet Hill Park Project

1. **Status Report**
 - i. Murphy & Dittenhafer Construction Meeting Minutes #21
 - ii. Capital Construction Management Report
 - iii. North Bay Mechanical's letter dated May 26, 2020 stated they will not be seeking compensation regarding COVID-19 related costs.

2. Change Orders

- i. **Action:** Motion to approve Change Order 12 from eciConstruction in the amount of \$6,525 for supplying all labor, materials & equipment for work relating to ceiling height revisions in the Police Wing for rooms 167, 168, 169, 170, 171, and 007 per SK-18, Door 008 wall section detail and attached proposals. **MOTION** (Luciani/Gwilt) to approve Change Order 12. **MOTION CARRIED 5/0.**

3. Requests for Payment

General Contractors:

Action: Motion to approve the following requests for payment:

- i. eciConstruction (General Contractor) in the amount of \$80,386.40
- ii. Lobar (Electrical Contractor) in the amount of \$58,882.81
- iii. North Bay Mechanical (Mechanical Contractor) in the amount of \$92,664.81
- iv. Vision Mechanical (Plumbing Contractor) in the amount of \$72,072.67

MOTION (Thomas/Luciani) to approve the following requests for payment: eciConstruction-\$80,385.40; Lobar-\$58,882.81; North Bay Mechanical-\$92,664.81; Vision Mechanical-\$72,072.67. **MOTION CARRIED 5/0.**

J. Commissioners' Comments

1. Commissioner Thomas, Ward 1 – no comments.
2. Commissioner Rooney, Ward 2 stated appreciation to all the emergency services work done to clear trees and branches off the roads due to the storm. Additionally, he had heard of interest from residents to use property in Ward 2 for recreation, mostly hiking trails. He added some thoughts as to its use but asked for the Board's direction.

Commissioner Thomas responded that not very long ago they had a very comprehensive approach to developing the Mt. Rose property, from which the board backed away. Additional discussion to be held.

3. Commissioner Clark, Ward 3 - no comments.
4. Commissioner Luciani, Ward 4 - enjoyed the tour of the police station and hoped to occupy it sooner than later.
5. Commissioner Gwilt, Ward 5 – enjoyed the tour of the police department's new building and commented on the availability of the fire department and residences' responses for the last few storms.

K. Township Staff Reports

1. Engineer – David Davidson, P.E./C. S. Davidson, Inc.
 1. **Action:** Motion to approve grinder pump application for 1770 Starcross Road Mr. Scott Debell and Mr. Adam Anderson of Site Design Concepts, Inc. and Mr. Dustin Myers, the property owner, to present the application.

B. J. Treglia stated the need for installation of a Grinder Pump for 1770 Starcross Road. A design for construction of a residential home with a grinder pump for sewer service was presented by Site Design Concepts. The property owners have agreed to the maintenance responsibilities for upkeep, as well as a waiver of liability holding the township harmless. He recommended approval of the application and authorization for signature of the waiver of liability form.

MOTION (Luciani/Thomas) to approve the grinder pump application as recommended by the engineer.

President Commissioner Rooney requested any comments from Messrs. Scott DeBower or Adam Anderson of Site Design Concepts.

Adam Anderson, Site Design Concepts stated that Mr. Treglia had covered it thoroughly.

PUBLIC COMMENT

Dustin Myers stated for the record that he acknowledged he is responsible for the maintenance, repair and operation for his property to 10 feet outside the sewer main.

MOTION CARRIED 5/0.

Zoning Officer Keller stated that a signature or a Motion was needed on the Waiver of Liability form.

MOTION (Luciani/Clark) to approve the signature on the Hold Harmless Agreement.

MOTION CARRIED 5/0.

- ii. Hoffman Road sanitary sewer main replacement cost estimates

B. J. Treglia spoke concerning the need for a sewer lateral for Hoffman Road due to faults, cracks and leaks. Following are estimated construction costs:

Alternative #2 consisting of two shallow sewer mains: \$487,000

Alternative #3 consisting of shallow sewer main and grinder pumps: \$429,690

Due to price constraints and administrative costs, Township Manager Krüm-Tinsley indicated that it would be necessary to revisit this in July.

- 2. Solicitor – Attorney Hovis/Stock and Leader

- i. York City Sewer Authority Intermunicipal Agreement

Solicitor Hovis provided background and an update on the York City Sewer Authority Intermunicipal Agreement. He noted the city is considering the sale of the Wastewater Treatment Plant. It is anticipated that the township will be approached about finalizing the updates to the intermunicipal agreement. In addition, the York City Sewer Authority has put together a working group to review the Intermunicipal Agreement. Solicitor Hovis did not believe any action would be necessary immediately.

- 3. Chief Financial Officer – Krista M. Gardner, CCPA/Stambaugh Ness

She noted that during July they will be doing an analysis of budget versus actual, watching over the cash flow.

- 4. Police Chief – Chief Swartz

- i. **Action:** Motion to approve the Memorandum of Understanding by and between Spring Garden Township and the York City School District. **MOTION** (Clark/Luciani) to approve the Memorandum of Understanding. **MOTION CARRIED 5/0.**

- 5. Fire Chief – Chief Hoff

Fire Chief Hoff noted that during the storm response YAUFR handled 36 calls for service within a two-hour period. He added that Steve Smith and his staff did a great job helping them, as well as the community. One of the biggest trees that they encountered was on East Market Street at Belmont. The entire tree was cleaned up by the citizens.

6. Public Works Superintendent – Steven Smith
 - i. Brush drop off at the Mount Rose Avenue site scheduled for June 20 from 8 a.m. to noon in response to the storm from Jun 3. The July 4 date has been rescheduled to July 11, 8 a.m. to noon.

Public Works Superintendent Smith indicated that all those dates should be put on the website. He added that they will start doing some micro-surfacing in the scheduled streets weather permitting.

7. Zoning Officer – Linda Keller
 - i. Planning Commission meeting Agenda, June 2, 2020
 - ii. Zoning Hearing Board Agenda, June 15, 2020

Zoning Officer Keller reported that she is working on a memo to the board regarding recent meetings. The memo will include mention to White Oaks' older plans and development history.

- White Oaks developer and his team are reviewing and revising some of their plans.
- Memorial Hospital/YAUFR/Dave Davidson meeting regarding proposed redevelopment. Several text amendments and zoning variances will be necessary.

8. Code Enforcement Officer – Clifford Gordon stated he had nothing to add.

9. Township Manager – Marcy L. Krūm-Tinsley
 - i. May 2020 Recreation Commission meeting minutes
 - ii. YCBAA Basketball Program – Meeting date June 16 at 6:30 p.m.
 - iii. Payroll and Time/Attendance Plan – Paylocity has been chosen as the payroll provider based on budget cost, efficiencies, and capabilities
 - iv. York City Sewer Authority Workgroup
 - Minutes – May 15, 2020 meeting
 - Concept Development Report from HRG

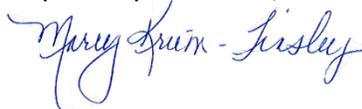
Township Manager Krūm-Tinsley reported that a decision was made on a payroll provider, Paylocity. They had been interviewing vendors and a new provider was budgeted. She hoped for better efficiencies, HR document storage, better onboarding, enhanced time and attendance features, and improved customer service. That will transition in July/August timeframe.

II. Adjourn

MOTION (Clark/Gwilt) to adjourn the meeting. MOTION CARRIED 5/0.

President Commissioner Rooney adjourned the meeting at 8:18 p.m.

Respectfully submitted,



Marcy Krūm Tinsley
Township Manager, Secretary

ja