

Minutes of the Spring Garden Township Board of Commissioners
6:00 p.m. – October 14, 2020

Persons Present:

Daniel E. Rooney, President
John J. Luciani, Vice-President
Thomas Gwilt, Commissioner
Annette Clark, Commissioner
Victoria Woods, Esq., Solicitor
George J. Swartz, Chief of Police
Daniel Hoff, Chief, YAUFRR

Marcy L. Krūm-Tinsley, Township Manager
David M. Davidson, Jr., P.E., Engineer
B. J. Treglia, C.S. Davidson
Krista Gardner, Chief Financial Officer
Linda Keller, Zoning Officer
Steve Smith, Public Works

1. Call to Order – Business Meeting

President Commissioner Rooney welcomed everyone to the meeting and reviewed the Ground Rules. He led the Pledge of Allegiance. The meeting was held via Zoom.

President Commissioner Rooney announced that an Executive Session was held prior to this meeting this date for discussion on litigation issues.

A. Presentations - None

B. Public Comment

C. Board of Commissioners Meeting Minutes

1. **Action:** Motion to approve Board of Commissioners' business meeting – September 9, 2020
2. **Action:** Motion to approve Board of Commissioners' hearing – September 14, 2020

Motion (Clark/Luciani) to approve the Board of Commissioners' September 9, 2020 meeting and the Board of Commissioners hearing held September 14, 2020. **Motion Carried 4/0.**

D. Treasurer's Report

1. **Action:** Motion to accept the September 2020 Treasurer's Report / Bank Transactions:
Motion (Luciani/Clark) to approve the Treasurer's Report as submitted. **Motion Carried 4/0.**

E. Opening/Awards of Bids – None

F. Subdivisions/Land Development

1. **Action:** Motion to approve request for reduction in surety for Rosecroft at Regents Glen in the amount of \$16,070. Remaining balance: \$318,246.75

Motion (Luciani/Clark) to approve the Reduction in Surety for Regent's Glenn Rosecroft in the amount of \$16,070. **Motion Carried 4/0.**

G. Old Business

1. YSM Online Opinion Survey proposal regarding recreation planning - \$3,930

President Commissioner Rooney expressed the need for additional information and research into the need for recreation in the township.

Public Comment

Molly Harbert (727 Dogwood Circle) noted she is a new resident of Spring Garden Township. She expressed her observation of the need for additional recreation. In addition, she indicated her availability to provide some volunteer work for the township. She agreed to send her contact information to the Township Manager.

Action on the YSM Online Opinion Survey was tabled.

H. New Business

1. **Action:** Motion to approve proposal for engineering and planning services for future use and/or sale of 1799 Mt. Rose Ave. (\$3,000)
Motion (Luciani/Gwilt) to spend \$3,000 on the mapping of that existing parcel so we can use it as a planning tool for both zoning, future use, and future sale, if needed. **Motion Carried 4/0.**

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

1. Status Report

- a. Murphy & Dittenhafer Construction Meeting Minutes #29 and #30
- b. Capital Construction Management

Greg Koussis presented a status report. He stated that there is some progress but the schedule continued to slip. The punch list walk through is tentatively scheduled for the beginning of November; however, that may move back some. Mr. Koussis reviewed the Change Orders.

2. Change Orders

- a. **Action:** Motion to approve PCO20 for the modification of Masonry stone sizes (-\$5,050)
- b. **Action:** Motion to approve North Bay Mechanical CO3 (\$4,242) for added work for the extension of the clean agent system in room 164 – NO ACTION
- c. **Action:** Motion to approve eciConstruction CO (\$700-\$1,000) for relocation of impound yard plus fencing
- d. **Action:** Motion to approve modifications and relocation of high-density shelving in evidence storage room 163 (\$7,197.90)
- e. **Action:** Motion to approve Lobar CO13 for an additional data outlet and one power receptacle per unit prices from the contract (\$595)
- f. **Action:** Motion to approve Vision Mechanical CO#9 for the addition of six isolation valves to the domestic cold water and hot water loop lines (\$3,340.53)
- g. **Action:** Motion to add two 5ft. gates to the west end of the police yard to facilitate maintenance and snow plowing \$800
- h. **Action:** Consideration for approving hardware changes

President Commissioner Rooney noted that with regard to the Change Orders, they are being scrutinized closely. They are looking for ways to establish responsibility and to pursue those avenues.

Motion (Luciani/Clark) to approve A, C, D, E, F, and a change to G, which would go to a value of not to exceed \$1,000. **Motion carried 4/0.**

3. Requests for Payment

Action: Motion to approve the following requests for payment:

- a. *eciConstruction (General Contractor) in the amount of \$452,527.82*
- b. *Lobar (Electrical Contractor) in the amount of \$246,776.46*
- c. North Bay Mechanical (Mechanical Contractor) in the amount of \$14,511.38
- d. ECSD (Testing Services) in the amount of \$2,454.50

Motion (Luciani/Clark) to approve the request for payment a through d on the Agenda for eci, Lobar, North Bay Mechanical, and ECS. **Motion Carried 4/0.**

4. Other

J. Commissioners' Comments

- 1. Commissioner Thomas, Ward 1: Township Manager Krūm-Tinsley reported that a letter had been received from Commissioner Thomas indicating his resignation from Ward 1 effective following the November board meeting. His term expires the end of 2023.

President Commissioner Dan Rooney regrettably accepted his resignation and thanked him for his years of service on the board. He added that there will be a need to appoint an individual for Ward 1 for the remainder of Commissioner Thomas' term (2023).

Solicitor Woods indicated that the individual would fill the office until the next regular election in 2023. She offered to clarify her statement.

- 2. Commissioner Rooney (Ward 2) stated he had spent some time at the new building. He thanked the staff, especially Township Manager Krūm-Tinsley and the Public Works personnel who have been providing feedback regarding changes to be made prior to completion. It is beginning to feel like a structure the township can be proud of for many years.

Township Manager Krūm-Tinsley thanked him and thanked Police Chief Swartz for his help as well.

3. Commissioner Clark (Ward 3) wanted to mention something happening in Ward 5. She has a relative who lives on Bonbar who reported to her that there was a hunter at the end of the cul-de-sac. When questioned the hunter stated he had permission from the landowner to hunt. Commissioner Clark thought it was something the board should know.

Police Chief Swartz commented that there had been some shooting. He asked Commissioner Clark to send him the information and stated he would follow up.

4. Commissioner Luciani (Ward 4) stated that archery season is in at this time; however, doves are the only thing that is legal. He noted with regard to Ward 4, he appreciated the effort the board had taken to satisfy the community's need for J&K Salvage. The board continues to work with the community to provide adequate recreation. On Monday, the 19th, the Zoning Hearing Board will make a formal decision on the Memorial Hospital plan conversion to residential properties. He thanked the board for support in sending legal counsel from Stock and Leader to present opposition to that plan. He had done a very good job.
5. Commissioner Gwilt (Ward 5) noted there had been an item that was quickly handled, which will make the neighborhood safer.

K. Township Staff Reports

1. Engineer – David Davidson, P.E./C.S. Davidson, Inc.

- a. Tapping Fees proposal

Motion (Luciani/Clark) to approve the Tapping Fee Study as indicated in our documents for the amount stated, \$7,400. **Motion Carried 4/0.**

- b. Hill Street Sanitary Sewer Repairs and Schedule

Motion (Clark/Gwilt) to approve these funds. **Motion Carried 4/0.**

- c. Virginia Avenue/Colonial Avenue Storm Sewer Project

Derek Arnaldo provided an updated summary of the Virginia Avenue project. He presented the history going back to 2014, Phase 1 which was completed in 2015, replacement of a large junction box at the northwestern corner of Country Club and Virginia. A Highway Occupancy Permit was submitted; following receipt test pits can be reviewed with township crew. There are a number of utilities that will need review for conflicts. The Commissioners will be given an update at that time. He will work with Township Manager Krūm-Tinsley for a budget placeholder

President Commissioner Rooney thanked him for a good update.

2. Solicitor – Attorney Hovis/Stock and Leader

Solicitor Woods confirmed the earlier question with regard to filling Commissioner Thomas' seat for Ward 1. She stated that there are 30 days from the date of the acceptance of the resignation to appoint someone new to fill the opening. That individual will fill the spot until the next regular municipal election in 2021, at which time that individual can run for election or someone else can run for election. Whoever is elected will be the person who serves out the remainder of the term.

Consensus of the board was to defer accepting the resignation until the next board meeting in November.

Commissioner Luciani noted that deferring the acceptance of his resignation would take the 30 days into December to fill the spot. He noted there could be a Special Meeting to fill the vacancy.

President Commissioner Rooney questioned whether the Board of Vacancy is active; Township Manager Krūm-Tinsley stated that the Citizen Member is John Flinchbaugh.

Solicitor Woods reported that the Board of Vacancy includes the Board of Commissioners plus one registered elector who is appointed by the Board at the first meeting each year.

3. Chief Financial Officer – Krista M. Gardner, CPA/Stambaugh Ness
Chief Financial Officer Krista M. Gardner stated she had nothing specific to report. She offered to respond to questions, but there were none.
4. Police Chief – George Swartz
 - a. **Action:** Motion to approve the 2021 Klugh Animal Control Services Contract
Motion: (Luciani/Gwilt) to approve the 2021 Klugh Animal Control Services Contract on the Agenda. **Motion Carried 4/0.**
5. Fire Chief – Daniel Hoff
Fire Chief Hoff stated he had nothing to add to his report. He encouraged Commissioner Gwilt to fill in for Commissioner Thomas on the YAUFR Board until someone is appointed.
6. Public Works Superintendent – Steven Smith
Superintendent Smith reported that there had been some issues on Hollywood Drive by Suburban School. PennDOT wants to do the paving project, but there are some storm pipes that need to be replaced. Mr. Smith is attempting to get PennDOT to replace the pipes; however, they say they are township pipes. They will replace the one that goes across the roadway, but the township is working on the solution. Derek Rinaldo (EIT of CS Davidson) is working with Mr. Smith. He noted that Leaf Pickup will start soon. Last day for brush drop off is first Saturday of November.
7. Zoning Officer – Linda Keller
 - a. Planning Commission Agenda
 - There was no Planning Commission Meeting in October 2020
 - b. Zoning Hearing Board
 - September 21, 2020 – Variance request hearing from Burkentine Builders & Sons regarding 325 South Belmont for multi-family luxury apartments. Zoning Hearing Board to render decision on October 19, 2020 at 6 p.m. (Virtual)
8. Code Enforcement Officer – Clifford Gordon
A written report had been provided.
9. Township Manager – Marcy L. Krüm-Tinsley
 - a. York City Sewer Authority Workgroup
 - Minutes – September 8 and 17, 2020 meetings
 - b. Virtual PennDOT Meeting regarding SR462/Market St./Bridge Replacement, October 21 at 9 a.m.
 - c. York County Stormwater Consortium Management Committee, October 28, 2020 at 10 a.m.
Township Manager Krüm-Tinsley stated that she will be out of the office during the above time period. She stated she was not a voting delegate; however, she requested that a representative from Spring Garden Township attend. It will be a virtual meeting.
Commissioner Luciani responded that he would attend. President Commissioner Rooney noted that Commissioner Clark is the alternate.

Township Manager Krüm-Tinsley thanked everyone for patience and understanding during the unplanned event during the recent office closure.

II. Adjourn

Motion (Clark/Gwilt) to adjourn. **Motion Carried 4/0.** President Commissioner Rooney adjourned the meeting at 7:59 p.m.

Respectfully submitted,



Marcy Krüm-Tinsley
Township Manager/Secretary

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