

**Minutes of the Spring Garden Township Board of Commissioners**  
**6:00 p.m. – September 14, 2022**

Persons Present:

Daniel E. Rooney, President	Marcy L. Krüm-Tinsley, Township Manager
David Detwiler, Vice President	George Swartz, Police Chief
Tim Purcell, Commissioner	Dawn Hansen, Zoning Officer
Andrew Herrold, Commissioner	Craig Ruhl, Public Works Superintendent
David Davidson, Engineer (C.S. Davidson)	Steven Hovis, Solicitor (Stock & Leader)
B. J. Treglia, Engineer (C.S. Davidson)	Krista Gardner, CFO (SEK)
Dan Hoff, YAUFR Chief	

**I. Call to Order – Business Meeting**

President Commissioner Rooney called the meeting to order at 6:08 PM and lead the Pledge of Allegiance. Executive sessions held on July 13, 2022 and August 25, 2022 for the purpose of reviewing personnel and legal matters were announced. Commissioner Gwilt was absent.

**A. Presentations**

1. Holly Mayer of Mayer Wealth Advisory presented on laddering investments in the sewer investment account with Janney Montgomery Scott, LLC. The Board likes the concepts; Manager and Accounting/Benefits Coordinator are to work with the investment manager to enact CD laddering.

**B. Public Comment (3 minutes)**

1. Juanita Hoffman of 806 S Albemarle St. had an issue with Penn Waste not collecting recycling.  
**Motion (Herrold/Purcell) to authorize Manager to send noncompliance letter for imposing fines.**  
Discussion: none. Public comment: none. **Motion carried 4/0.**

**C. Public Hearing**

Request of Copper Crust Company, Inc. for intermunicipal transfer of liquor license into Spring Garden Township from Springettsbury Township.

**1. Adjourn public meeting and open public hearing at 6:22 PM.**

- Larry Heim of Barley Snyder presented on behalf of the applicant. Copper crust has run out of room in current location and plans to expand to allow for more space to grow business.
- It was advised the applicant should work with Zoning Officer for zoning compliance and building code compliance prior to passage of resolution.

2. Hearing closed; business meeting reopened at 6:30 PM.

**D. Board of Commissioners Meeting Minutes**

**Motion (Purcell/Detwiler) to approve the of Board of Commissioners' July 13, 2022 Business Meeting Minutes.** Discussion: none. Public comment: none. **Motion carried 3/0** (Abstention, Commissioner Herrold since he was not present and the July 2022 meeting).

**E. Treasurer's Report**

1. **Motion (Herrold/Purcell) to accept the July/August 2022 Treasurer's Report / Bank Transactions.**  
Discussion: none. Public comment: none. **Motion carried 4/0.**
2. Chief Financial Officer – Krista M. Gardner, CPA/SEK  
The preliminary 2023 budget with be presented at the October Budget Workshop, an additional Budget Workshop will be held in November.

**F. Opening/Awards of Bids**

**1. Refuse Contract bid award**

Responsive bidders, Penn Waste and Republic Services. Two options were bid upon: 2x/week and 1x/week collection. Both with low volume option, weekly recycling and large item collection, seasonal yard waste collection, and Christmas tree collection.

Dave Kopp of 363 Randolph Dr. asked about the survey – response was that it contained the cost of the service. Mr. Kopp supported the 2x a week collection.

Amy Mitten of 653 Mulberry St. raised concerns with the once-a-week collection.

**Motion (Herrold/Purcell) to accept the Penn Waste bid for twice a week collection.**

Discussion: none. Public comment: Juanita Hoffman inquired about fines if refuse is not picked up; Solicitor Hovis indicated the new contract includes increased fines. Amy Mitten expressed concerns

with pickups being missed and questioned how service complaints are handled. Commissioners Rooney and Detwiler discussed options for addressing service complaints. Joel of Penn Waste responded; he understands the residence frustrations and the biggest issue is the labor shortage and getting drivers. He will be taking the Township's concerns back to Penn Waste's supervisory staff. **Motion carried 4/0.**

2. **Sewer Projects Bid Award Using ARPA Funds**

BJ Treglia, engineer of CS Davidson, Inc. presented. Barrasso Excavation Inc. was the low bidder for the four 2022 Sanitary Sewer Maintenance Projects (Woodland Road, Randow Road, Crestlyn Road, Wyndham Drive) with a responsible and responsive bid of \$455,637.

**Motion (Herrold/Purcell) to award the bid to Barrasso as recommended by the engineer.**

*Discussion: none. Public comment: none.* **Motion carried 4/0.**

**Motion (Rooney/Detwiler) to authorize to Township Manager to execute the contact upon engineer's review and approval of the bid document.** *Discussion: none. Public comment: none.*

**Motion carried 4/0.**

G. **Subdivision/Land Development**

**Motion (Purcell/Herrold) to authorize Township Manager to sign all developer's agreements and surety documents for land development.** *Discussion: none. Public comment: none.* **Motion carried 4/0.**

**Motion (Herrold/Detwiler) to authorize Township Manager to sign any and all Operation & Maintenance Agreements and Right of Way Agreements.** *Discussion: none. Public comment: none.* **Motion carried 4/0.**

1. **Moove In Partners** – Final land development plan (IP Zone) to expand a self-storage facility at 651 Richland Avenue.

▪ **Motion (Herrold/Purcell) extension retroactive to August 16, 2022 to expire September 15, 2022.** *Discussion: none. Public comment: none.* **Motion carried 4/0.**

2. **York College** – Final land development plan to expand the Naylor Eco Sciences Building at 441 Country Club Rd. in the AO (apartment-office) and R-1 (residential-suburban). No discussion.

3. **York Country Day School** – Final land development plan to add temporary trailers for additional classrooms at 1000 Indian Rock Dam Road in the AO (apartment-office).

4. **Inch & Co.** - Final land development plan (IP Zone) for a motor freight terminal located at 350 N Sherman Street.

▪ **Motion (Detwiler/Herrold) for the approval of the Stormwater Operation & Maintenance and Right-of-Way Agreement for Inch & Co. at 350 N Sherman St.** *Discussion: none. Public comment: Amy Mitten asked what the motion was for. The engineer explained that the owner is responsible for the maintenance repair of the stormwater BMP to keep it operational as designed. The solicitor indicated remedies if the property owner failed to keep the BMP operational.* **Motion carried 4/0.**

5. **711 Olive St, Inch & Co** – Public hearing request and ordinance for the vacation of Hudson Street. The applicant indicated any and all expenses for the advertisement, public hearing, and recording would be paid by the applicant.

▪ **Motion (Purcell/Detwiler) for the advertisement for a public hearing and ordinance for the vacation of Hudson Street.** *Discussion: none. Public comment: Amy Mitten commented on the property development's effects on the surrounding community. Tori Lane of 652 Mulberry St. additionally expressed her frustration with the property development's effects on community's quality of life.* **Motion carried 4/0.**

6. **York Logisticenter at I-83** – Final land development plan (IP Zone) conditional approval to build a Logistics Center at 1090 Boundary Avenue was granted January 12, 2022.

▪ **Motion (Purcell/Detwiler) to grant a time extension request retroactive from July 11 through October 9, 2022.** *Discussion: none. Public comment: none.* **Motion carried 4/0.**

7. **325 S Belmont St** - The Apartments at Belmont - Final land development/subdivision plan (AO Zone) for 96-unit multi-family complex and professional offices located at 325 S Belmont Street list of waivers and conditions for conditional approval.

▪ **Motion (Herrold/Purcell) to advertise for a public hearing for the adoption of an ordinance declaring a portion of Third Avenue a public right of way.** *Discussion: none. Public comment: none.* **Motion carried 4/0.**

- Consideration for Parking Access and Pedestrian Easement Agreement.  
Township Manager provided the following comments on the Agreement draft: Met-Ed may not allow a trail and may need a fee-in-lieu option and concern with trail being drawn over parking lot (safety issue); winter maintenance is an issue since the Township does not provide winter maintenance (plowing, cinders, salt) to parks parking areas.
  - Consideration for time extension until November 25, 2022. Review at the October 2022 meeting.
  - Waiver requests. Review at the October 2022 meeting.
  - Conditions for plan approval. Review at the October 2022 meeting.
8. **Approval of the O & M Agreement for Brillhart Station** – York Water Company; no discussion.
  9. **Red Lion Controls** – 1750 Fifth Avenue
    - Consideration to authorize petition to be sent to York County and Spring Garden Township Planning Commissions for review and comment and authorize a public hearing regarding a proposed Zoning Map Amendment (AO-Apartment Office to IP-Industrial) and preparation of draft ordinance.  
Describe light assembly (need definition) and a possible text amendment to the Zoning Ordinance vs rezoning the property. The developer indicated they would be doing limited-scale light assembly. Keep request for October 2022 (Rezoning or Text Amendment).

#### G. Old Business

1. Committee for the Mt. Rose Avenue property  
Land use was reviewed. Solicitor Hovis indicated conditions of sale can address traffic concerns.
2. Restaurant Liquor License Transfer: Revisit at the October 2022 meeting.
3. Spring Garden Township parks – hours for use of parks  
No change in the hours for the parks, they will remain open from Dawn to Dusk.
4. Paper Shredding Event, October 1, 2022 from 10am to 1pm. SGT Municipal parking lot.

#### H. New Business

1. **2023 MMO**
  - **Motion** (Herrold/Detwiler) to approve Resolution 2022-20, Act 600 pension contributions. Discussion: none. Public comment: none. **Motion carried 4/0.**
  - **Motion** (Detwiler/Purcell) to approve Township Manager to sign and submit the 2023 MMO for the Uniform (\$423,636) and Non-Uniform (\$144,058) pension plans. Discussion: none. Public comment: none. **Motion carried 4/0.**

#### I. Commissioners' Comments

1. Commissioner Detwiler, Ward 1
2. Commissioner Rooney, Ward 2
3. Commissioner Purcell, Ward 3
4. Commissioner Herrold, Ward 4
5. Commissioner Gwilt, Ward 5

#### J. Township Staff Reports

1. **Engineer** – David Davidson, P.E./C.S. Davidson, Inc.
  - a. Watershed study of Virginia Avenue  
Preliminary findings suggest the addition of storm sewers to collect stormwater in the roadway along VA Avenue (traveling southbound up the hill). Mr. Davidson will provide more information to Board at a subsequent meeting.
  - b. Regents Glen – Stonegate/Royal Oaks improvements  
Contract Kinsley, utilizing the existing paving contract, to do the milling and final paving estimated at \$145,992. General funds would be used, and a possible portion reimbursed to general funds with any remaining 2022 ARPA funds at the end of the year.  
**Motion** (Herrold/Purcell) to expend unbudgeted general funds for street paving in Stonegate  
Discussion: none. Public comment: none. **Motion carried 4/0.**
2. **Solicitor** – Attorney Steven Hovis/Stock and Leader  
Many of the local townships are having the same refuse pick-up difficulties as Spring Garden which seem to be due to labor issues, but that does not justify inferior service.
3. **Police Chief** – Chief George Swartz

- **Motion (Purcell/Herrold)** to appoint Thomas Warman as alternate Civil Service Commissioner for a 6-year term. Discussion: none. Public comment: none. **Motion carried 4/0.**
  - **Motion (Purcell/Herrold)** to approve the Agreement for Law Enforcement Services/Mutual Aid. Discussion: none. Public comment: none. **Motion carried 4/0.**
  - Consideration of a resolution regarding police policies.  
Commissioner Rooney would like to have time to review the mission and values and revisit at the October 2022 meeting.
  - Community Day was well attended and would like to extend a thank you to St. Andrews Church and Commissioner Rooney.
  - Acquired \$5,000 in grant funds for evidence processing camera equipment.
4. **Fire Chief – Chief Daniel Hoff**
- Fire code update
  - Fireworks amendment Act 74 of 2022, HB 2157 (Signed July 11, 2022).
  - Joint budget meeting is upcoming.
  - The Board gave their approval for Fire Chief Hoff, Police Chief Swartz, and Solicitor Hovis to review legislation and Township Ordinance and draft amendment regarding the fire code.
5. **Public Works Superintendent–Craig Ruhl**
- Violet Hill Park – fence status: Waiting for materials.
  - **Motion (Purcell/Detwiler)** to ratify Manager’s action to expend unbudgeted funds to repair an emergency stormwater pipe failure at Wyndsong for approximately \$4,000. Discussion: none. Public comment: none. **Motion carried 4/0.**
  - Working with the property insurance company in an attempt to recoup the expense for the repair of 100’ of guard rail due to damage caused by uninsured motorist.
  - Our GPS fleet tracking services currently used by the Township will become obsolete by the end of the year. We are researching pricing to upgrade to 4G network or selection of a different vendor.
6. **Zoning Officer –Dawn Hansen**  
Extended her thanks for the support she received during the loss of her father.
7. **Code Enforcement Officer – Robert Peña**  
Nothing additional.
8. **Township Manager – Marcy L. Krüm-Tinsley**
- Accounting/Benefit Coordinator & Manager reports
  - **Motion (Detwiler/Purcell)** for approval of Resolution 2022-21, changing the reporting structure of the Code Enforcement Officer. Discussion: none. Public comment: none. **Motion carried 4/0.**
  - Delinquent sewer accounts – process for water shut-off for nonpayment of sewer bills and liens  
Generally shutoffs at \$75, a lien would be placed of the property if the balance was above \$500 and go to sheriff sale at a balance of \$1,500. Township Manager will work with Solicitor Hovis and provide a list to the board of delinquent accounts.

**II. Adjourn**

**Motion (Rooney/Purcell)** to adjourn at 8:50 PM. Discussion: none. Public comment: none. **Motion carried 4/0.**

Respectfully submitted,

Marcy L. Krüm-Tinsley  
Township Manager/Secretary

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