

Minutes of the Spring Garden Township Board of Commissioners
6:30 p.m. – March 08, 2023

Persons Present:

Daniel E. Rooney, President Commissioner
David Detwiler, Vice President Commissioner
Tim Purcell, Commissioner
Andrew Herrold, Commissioner
Thomas Gwilt, Commissioner
David Davidson, Engineer (C.S. Davidson)
B. J. Treglia, Engineer (C.S. Davidson)

Marcy L. Krūm-Tinsley, Township Manager
George Swartz, Police Chief
Dan Hoff, YAUFR Chief
Dawn Hansen, Zoning Officer
Craig Ruhl, Public Works Superintendent
David Jones, Solicitor (Stock & Leader)
Krista Gardner, CFO (SEK)

I. Call to Order and Pledge of Allegiance

President Commissioner Rooney called the meeting to order at 6:30 PM and lead the Pledge of Allegiance. An executive session on March 07, 2023 to discuss personnel matters was announced.

A. Presentations

- Sandy Gladfelter - Get Outdoors York Program, Summer 2023
The board extended their approval for WellSpan Health to use Violet Hill Park as part of their 2023 Get Outdoors York program. WellSpan is to work with the Public Works Superintendent to find a suitable location for their post.

B. Public Comment

President Commissioner Rooney presented guidelines for public comment.

- Roberta Boffo of 1080 Grandview Road re: purpose of PA One Call markings
- Toni Lane of 652 Mulberry Street re: no-right-turn (Sherman/Olive) traffic study and LDP

C. Public Hearing

- IP Zoning District – buffer-yard requirements

Opened 6:48 PM

Ordinance regarding industrial setbacks along residential uses.

Closed 6:49 PM

- AO Zoning District – use by special exception

Opened 6:49 PM

Ordinance to allow high-tech special assembly use by special exception in AO zone.

- Roberta Boffo of 1080 Grandview Road: Requested additional explanation.
- Ricky Dubbs of 545 S Ogontz Street: Sought additional clarification and reasoning.
- Patricia Mangan of 1112 Grandview Road: Inquired about AO zoning change.
- Amy Mitten of 653 Mulberry Street: Importance of meeting attendance. Comments on zoning.

Closed 7:01 PM

D. Approval of Minutes

- Motion (Gwilt/Purcell) to approve the February 8, 2023 Business Meeting minutes. Discussion: none. Public comment: none. Motion carried 5/0.

E. Treasurer's Transactions

- Motion (Herrold/Purcell) to accept the February 2023 Treasurer's Report / Bank Transactions. Discussion: none. Public comment: none. Motion carried 5/0.

F. Awards of Bids

- Motion (Herrold/Purcell) to award road project MS-944 Contract #1 to bidder Asphalt Maintenance Solutions, LLC in the estimated amount of \$208,776.15 for the supply and placement of estimated 22,329 S.Y. of ultra-thin bonded wearing course at \$9.35/S.Y. Discussion: none. Public comment: none. Motion carried 5/0.
- Motion (Herrold/Detwiler) to award road materials MS-963 Contract #2 to bidder York Materials Group, LLC to supply approximately 200 tons of 9.5 MM wearing course at \$73.25/ton FOB plant and/or delivered at \$81.25/ton, approximately 400 tons of 19 MM binder course at \$66.65/ton FOB plant and/or delivered at \$74.65/ton, approximately 400 tons of 25 MM binder course at \$61.90/ton FOB plant and/or delivered at \$69.90/ton, and the additional charge of \$115.00 per hour for tri-axle trucks onsite for more than 30 minutes. Discussion: none. Public comment: none. Motion carried 5/0.

- Motion (Detwiler/Purcell) to authorize the township manager to execute the road contracts #1 and #2 upon receipt of required documentation. Discussion: none. Public comment: none. Motion carried 5/0.

G. Subdivision/Land Development

1. Miller Farmland Development Corp. – 435 Indian Rock Dam Rd.
 - Motion (Gwilt/Detwiler) to approve a 45-day time extension to April 20, 2023. Discussion: none. Public comment: none. Motion carried 5/0.
2. Inch & Co. –700 N. Sherman St./ 711 Olive St.
 - Motion (Gwilt/Herrold) to approve a 60-day time extension to May 5, 2023. Discussion: none. Public comment: Amy Mitten of 653 Mulberry Street disagreed with a time extension to meet the requirements of the developer’s agreement as she feels the developer has had ample time. Motion carried 4/0, Commissioner Purcell stepped out of the meeting and did not vote.
3. Moove-in Partners – 651 S. Richland Ave.
 - Motion (Detwiler/Gwilt) to approve a 45-day extension to May 15, 2023. Discussion: none. Public comment: none. Motion carried 4/0, Commissioner Purcell stepped out of the meeting and did not vote.

H. Old Business

1. Motion (Herrold/Detwiler) to approve Resolution 2023-04, Spring Garden Twp. Authentication and Identification Policy which provides for multi-factor authentication for accessing the township network. Discussion: none. Public comment: Raeann Waltersdorf of 1558 Hollywood Parkway asked what multi-factor authentication was. Commissioner Detwiler indicated it is a requirement of our insurer. Motion carried 4/0, Commissioner Purcell stepped out of the meeting and did not vote.
2. Motion (Herrold/Gwilt) to approve Resolution 2023-05, Fee Schedule amendment regarding athletic field rentals. Discussion: none. Public comment: none. Motion carried 4/0, Commissioner Purcell stepped out of the meeting and did not vote.
The fee change represents a decrease in the field rental fee provided 50% or more of the team participants reside in Spring garden Township.
3. Motion (Gwilt/Detwiler) to adopt Ordinance 2023-04, IP Zoning Amendment. Discussion: none Public comment: Tom Mitten of 653 Mulberry Street inquired as to when a newly adopted ordinance would apply to unsigned agreements. The solicitor clarified. Amy Mitten of 653 Mulberry Street questions when a newly adopted ordinance would apply to a previously submitted plan. Roll call vote: Rooney-yea, Herrold-yea, Gwilt-yea, Detwiler-yea, Purcell-yea. Motion carried 5/0.
4. Motion (Detwiler/Purcell) to adopt Ordinance 2023-05, AO Zoning Amendment based on the York County Planning Commission’s recommendations on 02/07/2023. Discussion: none Public comment: Tom Mitten of 653 Mulberry Street inquired as to when a newly adopted ordinance would apply to unsigned agreements. The solicitor clarified. Amy Mitten of 653 Mulberry Street questions when a newly adopted ordinance would apply to a previously submitted plan. Roll call vote: Rooney-yea, Herrold-abstained as he is a co-worker of the requestor’s counsel, Gwilt-yea, Detwiler-yea, Purcell-yea. Motion carried 4/0 and one abstention.
5. Advertisement for public hearing and ordinance regarding Mount Rose Interchange Zone.
 - The definition of safe haven was given and the ordinance was read aloud.
 - Motion (Gwilt/Purcell) to advertise for public hearing and ordinance amendment regarding the creation if a Mount Rose Interchange Zone. Discussion: none. Public comment: Ted Waltersdorf of 1558 Hollywood Parkway questioned what was being advertised and why. Dave Eshelman of 1100 Hollywood Terrace sought clarification on the location of the zone. Grant Waltersdorf of 1110 Greenhill Road inquired as to the amount on undeveloped or park land owned by the township, expressed concern about the loss of open land to development, and asked the board to take that into consideration for the Mount Rose Zone. Recreation fee-in-lieu was discussed. Patricia Mangan of 1112 Grandview Road expressed concern with commercial projects not required to designate recreation space. Ted Waltersdorf of 1558 Hollywood Parkway stated concern with the continued development of open space. Motion carried 5/0. Written comment submission discussed.

I. New Business

1. Motion (Herrold/Purcell) to approve Resolution 2023-06, H2O grant application for Virginia Avenue stormwater project. Discussion: none. Public comment: none. Motion carried 5/0.
2. Motion (Purcell/Gwilt) to endorse Resolution 2023- 07, support YAUFR in the submission of a SAFER grant application for hiring of three firefighters. Discussion: none. Public comment: none. Motion carried 5/0.

3. Motion (Purcell/Gwilt) to approve Resolution 2023-08, Police Department Policies. Discussion: none. Public comment: none. Motion carried 5/0.

J. Commissioners Constituent Representation

1. Commissioner Detwiler, Ward 1: Meeting scheduled for March 22nd – Albermarle traffic discussion.
2. Commissioner Rooney, Ward 2
3. Commissioner Purcell, Ward 3
4. Commissioner Herrold, Ward 4
5. Commissioner Gwilt, Ward 5

K. Township Consultant and Department Reports

1. **Engineer** (David Davidson, P.E./C.S. Davidson, Inc.)
 - Sewer degradation quotes for repair (Hydrogen Sulfide). The County Club has apparently taken corrective measures and the readings are now zero. Motion (Detwiler/Gwilt) to authorize unbudgeted expense of \$27,075 for the repair of degraded sewer manholes. Discussion: none. Public comment: Tom Mitten of 653 Mulberry Street referred to OSHA confined space regulations for employee safety. Commissioner Purcell indicated the Country Club has caused a dangerous situation and created an expense for the township. Motion carried 4/1 with Commissioner Purcell in opposition.
 2. **Solicitor** (Attorney David Jones/Stock and Leader)
 3. **Township Administration**
 - Township Manager (Marcy L. Krūm-Tinsley)
 - Reminder to commissioners that their PA State Ethics Commission's Statement of Financial Interest Statement Forms for the filing year 2022 are due no later than May 1, 2023.
 - a. The joint application with York Township for the DCED MAP Grant for the municipal comprehensive plan is soon ready for submission.
 - Finance Department (Krista Gardner/SEK, Chief Financial Officer & Luther Wike, Jr., Finance Administrator)
 4. **Police Department** (Chief George Swartz)
 - Motion (Herrold/Gwilt) to amend the agenda to accept resignation of police officer. Discussion: none. Public comment: none. Motion carried 4/0, Commissioner Purcell not present.
 - Motion (Gwilt/Purcell) to accept resignation of police officer. Discussion: none. Public comment: none. Motion carried 4/0, Commissioner Purcell not present.
 5. **York Area Fire United and Rescue** (Chief Daniel Hoff)
 6. **Public Works Department** (Craig Ruhl, Superintendent)
 - Yard Waste collection for 2023 schedule change discussed which would include all-year collection.
 7. **Zoning/Code Enforcement Department** (Dawn Hansen, Zoning Officer & Code Enforcement Officer)
 - Welcomed the new Codes Enforcement Officer, Bradley Wright.
- L. Public Comment**
- Grant Waltersdorf of 1110 Greenhill Road inquired about the location of the brush drop off collection is the Mount Rose property is no longer owned by the Township. Commissioners Rooney and Purcell both indicated it has been discussed and another location would be provided.

II. Adjourn

Motion (Gwilt/Purcell) to adjourn at 8:17 PM. Discussion: none. Public comment: none. **Motion carried 5/0.**

Respectfully submitted,

Marcy L. Krūm-Tinsley
Township Manager/Secretary

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