

**Minutes of the Spring Garden Township Board of Commissioners
6:30 p.m. – May 10, 2023**

Persons Present:

Daniel E. Rooney, President Commissioner	Marcy L. Krūm-Tinsley, Township Manager
David Detwiler, Vice President Commissioner	George Swartz, Police Chief
Tim Purcell, Commissioner	Dan Hoff, YAUFRC Chief
Thomas Gwilt, Commissioner	Dawn Hansen, Zoning Officer
B. J. Treglia, Engineer (C.S. Davidson)	Craig Ruhl, Public Works Superintendent
David Davidson, Engineer (C.S. Davidson)	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 6:32 PM, lead the Pledge of Allegiance, and announced an executive session held at 5:30 PM prior to the meeting to discuss legal and personnel issues.

A. Presentations

B. Public Comment

President Commissioner Rooney presented time restraint guidelines for public comment .

- Roberta Boffo of 1080 Grandview Road inquired on planned development in the MRI Zone and asked about the make-up of the Comprehensive Plan Committee. The solicitor indicated the comprehensive plan process will be public.

C. Approval of Minutes

- **Motion** (Purcell/Gwilt) Approval April 12, 2023 Workshop and Business Meeting minutes. Discussion: none. Public comment: none. Motion carried 4/0.

D. Treasurer's Transactions

- **Motion** (Gwilt/Purcell) to accept the April 2023 Treasurer's Report / Bank Transactions. Discussion: none. Public comment: none. Motion carried 4/0.

G. Subdivision/Land Development

1. Spring Garden Township Planning Commission minutes from April 2023.
2. **Motion** (Detwiler/Purcell) to approve time extension request from Moove-In Partners (651 Richland Ave.) for a 45-day extension until June 16, 2023 to meet conditions of the final plan and to record the plan. Discussion: none. Public comment: none. Motion carried 4/0.
3. **Motion** (Detwiler/Purcell) to authorize Township Engineer to review Inch & Co.'s bond reduction request for 350 N Sherman Street Land Development Plan and proceed with the reduction based upon Township Engineer's recommendations. Discussion: none. Public comment: Amy Mitten of 653 Mulberry Street asked if the engineer's recommendations would be based on future proposed changes. The solicitor indicated it would not. Motion carried 4/0.
4. **Motion** (Detwiler/Purcell) for approval of the Stormwater Operation and Maintenance and Right-of-Way Agreement for the Tennis Courts at RG Golf Course LLC. Discussion: none. Public comment: none. Motion carried 4/0.
5. **Motion** (Detwiler/Purcell) to authorize Township Engineer to review the WellSpan-York Hospital Land Development Plan and to make comments on behalf of the township. Discussion: Commissioner Purcell noted that a waiver was not being granted. President Commissioner Rooney supports a waiver denial and would like our engineer to review the plans and to go through the normal process. Public comment: none. Motion carried 4/0.
Motion (Detwiler/Purcell) to deny the request for a waiver for the WellSpan-York Hospital land development plan submission requirements, but the waiver request may be resubmitted following Township Engineer's review of the plan. Discussion: none. Public comment: none. Motion carried 4/0.
6. **Motion** (Rooney/Purcell) to approve the E Boundary Avenue and S Albemarle Street Realignment Final Subdivision Plan based on the following conditions: the owner's notarized signature; a Development Agreement, prepared by the Township's solicitor, will be required, to define the timing and sequence of street adoptions and abandonments; the pervious pavement solution to the lot coverage issue will require an O&M agreement dealing with maintaining the porous pavement; and an R10-7 (Do Not Block Intersection) sign be placed on Boundary Avenue for eastbound traffic right before the intersection with Albemarle to keep traffic free flowing at the Boundary/Albemarle intersection.

Discussion: none. Public comment: Lynne Huddleston of 808 Clearmount Road asked how to get more information regarding plans. President Commissioner Rooney suggested reviewing the minutes from the planning commission and requesting to review after the release of the agenda. Commission Purcell suggested reaching out to your commissioner directly. Roberta Boffo of 1080 Grandview Road asked about the traffic study and expressed concerns with truck traffic. Motion carried 4/0.

7. 350 N Sherman Street Land Development Plan and 711 Olive St./700 N. Sherman Street Land Development Plan Amendments. Paul Minnick of Barley Snyder and Joe Eisenhower of Inch and Co presented the plan changes. There is an urgency to have these two land development plan amendments approved in order to receive a certificate of occupancy in order to convey 350 N Sherman Street to a buyer.

The Township Engineer found the amended plans to be lacking in necessary measurements. President Commissioner Rooney found the plans to be incomplete, indicated the submission was not in accordance with the township's timeframe policy which allows time for review, and recommends a full set of plans be submitted for approval at the next meeting.

Motion (Detwiler/Purcell) to approve the 350 N. Sherman Street Land Development Plan and the 711 Olive St./700 N. Sherman Street Land Development Plan contingent on meeting the following conditions: 1. Plans be submitted and receive Township Engineer's approval; 2. A development agreement be issued that requires the improvements on Olive Street be completed fully by May 31, 2023 weather permitting and until such time those improvements are completed no certificate of occupancy will be issued for 350 N Sherman Street; 3. The garage on 711 Olive Street be demolished within the next four months; 4. The HOP work would be designed, permitted, and constructed within six months of plan approval; 5. That bonding be put in place to cover all standard public improvements, cost of building demolition, and PennDOT process which includes design, permitting, and construction. Discussion: none. Public comment: Amy Mitten of 653 Mulberry Street commented on requiring plans being submitted, truck traffic, and safe distance of traffic from quarry. Motion carried 3/1, President Commissioner Rooney opposed.

H. Old Business

1. Establishment of a Comprehensive Plan Subcommittee
To include a Planning Commission member, a Board of Commissioners member, and an at-large member. Joel Sears submitted interest in being an at-large member.
Motion (Detwiler/Purcell) to appoint Joel Sears as the member at large. Discussion: none. Public comment: Lynne Huddleston of 808 Clearmount Road inquired about the process of finding an at-large member. Township Solicitor suggested the Board devise a process to allow residents to submit letters of interest for the at-large member position. Commissioner Detwiler withdrew the motion.

I. New Business

J. Commissioners Constituent Representation

1. Commissioner Detwiler, Ward 1: Appreciated forgiveness of parking tickets during parking issue with the gas company work.
2. Commissioner Rooney, Ward 2:
3. Commissioner Purcell, Ward 3: Appreciated discussion with Chief Hoff.
4. Commissioner Herrold, Ward 4: Not present.
5. Commissioner Gwilt, Ward 5:

K. Township Consultant and Department Reports

1. **Engineer** (David Davidson, P.E./C.S. Davidson, Inc.)
 - **Motion** (Purcell/Gwilt) to pay Barrasso's Application #4, \$16,135.48. Discussion: none. Public comment: none. Motion carried 4/0.
BJ Treglia indicated the final payment application should be ready for the next meeting.
2. **Solicitor** (Attorney David Jones/Stock and Leader)
 - Expense associated with the J & K Salvage junk yard/shredder enforcement action
Commissioner Purcell asked if the township had any recourse regarding this matter. Township Solicitor indicated an intent to look into possible sanctions/recovering costs against J & K.
Motion (Detwiler/Purcell) to pay DJS Enterprises Invoice dated April 30, 2023 in the amount of \$7,790.45. Discussion: none. Public comment: none. Motion carried 4/0.

3. Township Administration

- Township Manager (Marcy L. Krūm-Tinsley)
 - Awaiting results on several grant applications: Keystone Community Projects Grant for Rathton Road, DCED for police radios, and MAP grant for comprehensive plan.
- Finance Department (Krista Gardner/SEK, Chief Financial Officer & Luther Wike, Jr., Finance Administrator)
 - 2023 budget: On target overall with our revenues and expenses to date.

4. Police Department (Chief George Swartz)

- **Motion** (Purcell/Detwiler) to enter into Memorandum of Understanding - U.S. Marshals Service Fugitive Task Force and to grant Chief Swartz the authority to sign agreement. Discussion: none. Public comment: none. Motion carried 4/0.
- The Board gave their support to Chief Swartz to make a conditional offer to a candidate to fill the vacant position. Chief Swartz indicated there is an officer that has expressed their intent to retire February 10, 2024.
- York Suburban School District School Resource Officer position
 - The school board expressed possible interest in a school resource officer. This would be a contacted position with the school for 1480 hours (185 school days) of the officer's annual 2088 hours. The agreement would be a percentage of the expense of the officer, about 70%.
 - The township would budget for the remaining expense of the officer when school is out and during the summer during which the officer would be working for the township.
 - This is still preliminary. Program documents including a memorandum of understanding and job description would need to be drafted and both parties would need to budget for the position.
 - The board expressed their support for the chief to continue his conversation with the school district and to continue to report back to the board.
- Lancaster Ave speed study complete.

5. York Area Fire United and Rescue (Chief Daniel Hoff)

6. Public Works Department (Craig Ruhl, Superintendent)

- Albermarle Street updates to be implemented to address traffic concerns.

7. Zoning/Code Enforcement Department (Dawn Hansen, Zoning Officer & Code Enforcement)

- **Motion** (Detwiler/Purcell) to grant an additional week of vacation to Bradley Wright. Discussion: none. Public comment: none. Motion carried 4/0.

L. Public Comment

- Amy Mitten of 653 Mulberry Street thanked Public Works for relocating the portable toilet and extended her appreciation to the new Codes Enforcement Officer, Bradley Wright. She sees him consistently around her community and he is doing a great job.
- Lynne Huddleston of 808 Clearmount Road encouraged Chief Swartz to encourage the school system to work with anti-bullying as opposed to a resource officer. She sees that being much more effective.
- Roberta Boffo of 1080 Grandview Road sought clarification on the budget. Expressed her support of a summer recreation program.
- Charles Mitten of 653 Mulberry Street requested a clock in the board room.

II. Adjourn

Motion (Detwiler/Purcell) to adjourn the meeting at 8:29 PM. Discussion: none. Public comment: none. Motion carried 4/0.

Respectfully submitted,

Marcy L. Krūm-Tinsley
Township Manager/Secretary
lw