

Minutes of the Spring Garden Township Board of Commissioners
6:30 p.m. – August 9, 2023

Persons Present:

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

I. Call to Order / Pledge of Allegiance

President Commissioner Rooney announced the untimely passing of Ward 3 Commissioner Timothy Purcell on August 8, 2023. The Board held a moment of silence in remembrance of Commissioner Purcell. Out of respect, the Board is addressing time-sensitive agenda items and requests non-time-sensitive items to be brought to the Board at the September Meeting.

President Commissioner Rooney lead the Pledge of Allegiance.

A. Public Comment

B. Approval of July Minutes & Treasurer's Transactions

- **Motion** (Detwiler/Gwilt) to approve the July 2023 Business Meeting minutes and Treasure's Report/Bank Transactions. Discussion: none. Public comment: none. Motion carried 4/0.

G. Subdivision/Land Development

1. **Motion** (Gwilt/Detwiler) to approve a 45-day time extension for DPIF3 PA 6 Boundary Avenue LLC 1090 E Boundary Ave. August 17, 2023 to October 19, 2023 to meet conditions on the final plan for recording. Discussion: none. Public comment: none. Motion carries 3/0, Commissioner Herrold abstained noting conflict of interest.
2. **Motion** (Herrold/Gwilt) to approve a surety reduction for 350 N Sherman Street. pursuant to engineer's site inspection report, in the amount of \$87,899.73 with remaining surety in the amount of \$115,665.44. Discussion: none. Public comment: none. Motion carries 4/0.
3. Approve Operation and Maintenance Agreement for Stormwater Management:
Motion (Herrold/Gwilt) to approve the Operation and Maintenance Agreement for Stormwater Management for the property at 1240 Wyndham Drive for the construction of a 2.5 story addition, detached garage, and pool house as well as the White Oaks Villas in Regents Glen for the construction of 130 townhouse villas and accompanying improvements. Discussion: none. Public comment: none. Motion carries 4/0.
4. Warehaus, on behalf of WellSpan York Hospital for Critical Care Center, deferral of Final Development Plan Review requirements with conditions.
Motion (Herrold/Gwilt) to approve the WellSpan York Hospital Critical Care Center deferral of the final development plan review requirements with the following conditions: 1) developer responsible for providing as-built plans of all stormwater management BMPs include in the approved SWM Site Plan (§407.A); 2) Township Engineer shall inspect phases of the installation of the permanent stormwater management facilities deemed appropriate by the Township Engineer; 3) Stormwater Operation and Maintenance & Right-of-Way Agreement Long Form be signed/notarized by the owner that is in favor of both York City and Spring Garden Township; 4) approval of the encroachment agreement between the developer and the Township. Discussion: none. Public comment: none. Motion carries 3/1 President Commissioner Rooney voting nay.
5. Warehaus, on behalf of WellSpan York Hospital Cath Lab, waiver request from requirements of Chapter 265/Stormwater Management.
Motion (Herrold/Gwilt) to approve the waiver request from requirements of stormwater management for the WellSpan York Hospital Cath Lab with the following conditions: 1) developer responsible for providing as-built plans of all stormwater management BMPs include in the approved SWM Site Plan (§407.A); 2) Township Engineer shall inspect phases of the installation of the permanent stormwater management facilities deemed appropriate by the Township Engineer; 3) Stormwater Operation and Maintenance & Right-

of-Way Agreement Long Form be signed/notarized by the Owner that is in favor of both York City and Spring Garden Township. Discussion: none. Public comment: none. Motion carries 4/0.

H. Old Business

I. New Business

J. Commissioners Constituent Representation

1. Commissioner Detwiler, Ward 1: Has been receiving complaints from residents from the 1500 block of Clover Lane regarding water quality. Complaints have been that the water is slimy, discolored, and smells of chlorine and charcoal. The York Water Company has not been answering their phones; they do have a recording saying they are aware of the problem and are addressing it. Craig Ruhl, Public Works Superintendent, indicated Clover Lane water lines were replaced a month ago. The Solicitor advised that residents could file a complaint with the PUC (Pennsylvania Public Utility Commission) and that the Township could reach out to the York Water Company to let them know there appears to be an issue and residents are complaining that they have not been responsive. Jason Sabol, township resident, reported The York Water Company issued a press release regarding this issue and that the issue is county wide and the water is safe for consumption.
2. Commissioner Rooney, Ward 2
3. Vacant, Ward 3
4. Andrew Herrold, Ward 4
5. Commissioner Gwilt, Ward 5

K. Township Consultant and Departments

1. **Engineer**
 - **Motion** (Herrold/Gwilt) to approve Application for Payment #2 for Wexcon Inc. \$46,193.75 and Application for Payment #3 \$6,049.25 for Country Club Rod/Virginia Avenue Stormwater Improvements. Discussion: none. Public comment: none. Motion carries 4/0.
 - **Motion** (Herrold/Gwilt) to approve payment for 2023 Streets project invoice from Asphalt Maintenance Solutions \$208,439. Discussion: none. Public comment: none. Motion carries 4/0.
2. **Solicitor**
3. **Township Administration**
 - **Motion** (Herrold/Gwilt) to authorize Resolution 2023-20 to submit grant application on behalf of YAUFR for vehicle replacements and authorize the Twp. Manager and Assistant Secretary to execute all documents and agreements for the grant. Discussion: none. Public comment: none. Motion carries 4/0.

II. Continuation, Filling Ward 3 Vacancy

Motion (Herrold/Gwilt) to continue the meeting on August 29, 2023 at the Township Municipal Building at 3:30 PM.

Respectfully submitted,

Marcy L. Krūm-Tinsley
Township Manager/Secretary

lw