

**Minutes of the Spring Garden Township Board of Commissioners
6:30 p.m. – September 13, 2023**

Persons Present:

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

I. Call to Order / Pledge of Allegiance

Vice President Commissioner Detwiler opened the meeting at 6:30 AM with the Pledge of Allegiance.

A. Presentations

- Raeann Waltersdorf of 1558 Hollywood Parkway, on behalf of Concerned Township Citizens, presentation regarding the 2016 park/recreation designation for 1799 Mt. Rose Avenue.
 - The neighborhood coalition would like to see the Township’s Mt. Rose property turned into a wildlife preserve and park with natural trails. Compared the Spring Garden park space to the amount outlined in the 2016 recreational plan and to two adjoining townships.
 - Ted Waltersdorf of 1558 Hollywood Parkway described the current wildlife. He finds the Township lacking open space and indicated the wildlife and habitat lost if the Mt. Rose property is developed.
 - Josh Munson of 1421 Mt. Rose Avenue would like the property turned into a park and adjoined with other local parks. A video presented regarding the Mt. Rose property.
 - Roberta Boffo of 1080 Grandview Road indicated to the importance of identifying unique and endangered aspects of the property for grant funding.
 - Lynne Huddleston of 808 Clearmont Road recognized the importance of residents holding their commissioners accountable and encouraged everyone to read the 2016 recreational plan.
- Vice President Commissioner Detwiler indicated the Township would not be making any decisions regarding the Mt. Rose property until the upcoming comprehensive plan has been completed. Commissioner Herrold indicated the importance of residents getting involved and keeping their commissioners aware of what is important to them.

B. Public Comment

- Steve Lentz of 1502 Old Farm Lane – regarding refuse service and lot size at 915 S Albermarle Street.
 - Had issue with paying for trash service when a property is vacant and that a lien can be placed on the property if the refuse bill is not paid.
 - Upset that the adjoining property, which used to have a house on it, now cannot be built because of zoning changes. Said he did not receive anything regarding the change in zoning, and he is frustrated with the costs to request zoning changes.
- Amy Mitten of 653 Mulberry Street would like to bring the disrepair of 711 Olive Street to the attention of the Board. The property is dilapidated, unmaintained, and there appears to be questionable activities occurring on the property. Zoning Officer stated the Inch & Co.’s response to the written complaint submitted earlier is that they will be working on cleaning up the property, replacing dead trees, and erecting a fence.
- Charles Mitten of 653 Mulberry Street questioned the ordinances being enforced at 711 Olive Street.
- Vie Meyers of 3111 of East Market Street shared information on how land development contributes to the accelerated loss of biodiversity and the value she places on green space in her community.
- Toni Lane of 652 Mulberry Street requested an update on the scuttle fly infestation in Windsor Park. The Zoning Officer reported that a pooling of stormwater was discovered between RG Group and Graham Packaging and that both parties will be working on treating the area.

C. Approval of Minutes – August 9 Business Meeting (continued on August 29, 2023)

Motion (Gwilt/Herrold) to accept the August Business Meeting Minutes. Public comment: none. Carries 5/0.

D. Treasurer's Transactions - August 2023 Bank Transactions

Motion (Herrold/Ports) to accept the August 2023 Bank Transactions. Public comment: Roberts Boffo of 1080 Grandview Road asked how to find out what was in the transactions and if COVID money was included. Commissioner Herrold advised submitting a Right-to-Know request to view the bank transactions. Carries 5/0.

G. Subdivision/Land Development

1. Planning Commission minutes from August 1, 2023 acknowledged.
2. **Motion** (Rooney/Gwilt) to approve a 45-day time extension request for Moove-in Partners, from September 14, 2023 to October 29, 2023. Public comment: none. Carries 5/0.
3. **Motion** (Herrold/Ports) to deny the surety release for 350 N Sherman St. pursuant to engineer's site inspection report. Public comment: none. Carries 5/0.

H. Old Business

1. Rathton Road grant funding update
 - If accepted, the PennDOT funding in the amount of \$711,000 requires a 30% match which cannot be ARPA funds, broadens the scope of the project, requires additional inspections, prolongs the bidding processes, increases the project's engineering costs by approximately \$100,000, increases construction costs, and will significantly prolong the project completion. Additionally, the prolonged project schedule could jeopardize some DCED grant project funding already accepted and budgeted for.
 - The Township Engineer advised that the plan without accepting the PennDOT funds would be more cost effective for the township assuming ARPA funds were used.
 - The Commissioners advised the Township Engineer to move forward with the original plan using the DCED grant funding and ARPA funds and to not accept the PennDOT grant funds.

Gregory Dale of 1264 S Ogontz Street sought clarification on the grant funding.

2. **Motion** (Gwilt/Ports) to authorize advertisement of ordinance amendment for yard sales. Public comment: none. Carries 5/0.
3. **Motion** (Gwilt/Herrold) to approve advertisement and a public hearing for the zoning amendments §310-12.C – fences, §310-12.E(9)- Home Occupation, §310-12.G(4) & (5)-Family day-care homes, and 310-13(H)-Garage and yard sales. Public comment: Roberta Boffo of 1080 Grandview Road sought clarification on the fence amendment. Carries 5/0.
4. Green Light Go – Richland Avenue/Country Club Road Intersection Preliminary Concepts and Alternatives Chris of TRG discussed four concepts. The Commissioners feel Option 3 (concrete island with divisor) would have the most impact. **Motion** (Gwilt/Herrold) to authorize TRG to proceed with the Option 3 design and submission to PennDOT. Public comment: none. Carries 5/0.
5. Regional Law Enforcement.

Status: Department of Community and Economic Development has been commissioned, at no cost to the Township, to prepare a police management, and staffing and department assessment study to determine if it is feasible for the Township to maintain a stand-alone department or if it is recommended to move into a regional direction.

I. New Business

1. **Motion** (Herrold/Rooney) to approve Resolution 2023-22 YAUFR annual 2024 Budget. Public comment: none. Carries 5/0.
2. **Motion** (Gwilt/Ports) to approve Resolution 2023-23 Act 600 member contributions to Police Pension Plan. Public comment: none. Carries 5/0.
It was noted the plan actuaries indicated the contributions were necessary to keep the plan funded.
3. **Motion** (Herrold/Gwilt) to ratify the 2024 Uniform and Non-Uniform Minimum Municipal Obligations (MMO). Public Comment: none. Carries 5/0.
4. **Motion** (Herrold/Gwilt) to approve Resolution 2023-24 Police Policies related to use of force, transportation of prisoners, & traffic accident investigation. Public comment: Jason Langheine of 1324 S Ogontz Street asked where to get information about the resolution. Carries 5/0.
5. **Motion** (Ports/Herrold) to renew MAXxess door access software support for 3 years at \$150/yr. and authorize Police Chief to execute the agreement. Public comment: none. Carries 5/0.

J. Commissioners Constituent Representation

1. Commissioner Detwiler, Ward 1: York Water Co. have many roads under construction related to water line replacement. A thank you was extended to YAUFR for their fire hydrant donation.

2. Commissioner Rooney, Ward 2: Will return in person next month.
3. Commissioner Ports, Ward 3: Would like some police presence at Clover, Lambeth Walk, and Old Garden Lane due to stop signs being run.
4. Commissioner Herrold, Ward 4:
5. Commissioner Gwilt, Ward 5: Stop signs being run through at Lancaster, South, and Maple Streets.

K. Township Consultant and Departments

1. **Engineer** (David Davidson, P.E./C.S. Davidson, Inc.)
Motion (Herrold/Ports) to amend the agenda to add the authorization to bid the Rathton Road Project.
 Public comment: none. Carries 5/0.
Motion (Herrold/Ports) to authorize the Township Engineer to put out to bid the Rathton Road Project.
 Public comment: none. Carries 5/0.
2. **Solicitor** (Sarah Doyle/Stock and Leader)
3. **York Area United Fire & Rescue**
4. **Township Administration**
 - Township Manager (Marcy L. Krūm-Tinsley)
 - Draft Comprehensive Plan Member-at-Large application process
 - Requested that the Commissioners individually submit any public comments they have received regarding the comprehensive plan member-at-large application process.
 - The Township, along with York Township, was awarded \$46,950 in DCED MAP Grant funds to split between the two municipalities to help cover the cost of a comprehensive plan.
 - **Motion** (Herrold/Gwilt) to approve Resolution 2023-25 Comprehensive Plan DCED MAP Grant and authorize Township Manager to execute any and all documents necessary for the grant.
 Public comments: Roberts Boffo of 1080 Grandview Road questioned the processes of selecting the firm overseeing the comprehensive plan process. Carries 5/0.
 - **Finance Department** (Luther Wike, Jr., Finance Administrator)
 - **Police Department** (Chief George Swartz)
 - **Public Works Department** (Craig Ruhl, Superintendent)
 - **Zoning/Code Enforcement Department** (Dawn Hansen, Zoning Officer)

L. Public Comment

1. John Cassett of 425 W Jackson Street presented on his women’s self-defense classes offered with the Spring Garden Township Police Department.
2. Amy Mitten of 653 Mulberry Street requested directions on how to get help with the ongoing issues in her community. She expressed her concerns with a change in the value of her property, traffic, and her health due to the ongoing issues associated with the local development. She would appreciate anything anyone can do to help.
3. Steve Lentz of 1502 Old Farm lane would appreciate any help or direction he can get.
4. Roberts Boffo of 1080 Grandview Road asked about scuttle flies and help for those with refuse liens.

II. Adjourn

Motion (Ports/Herrold) to adjourn the meeting at 8:31 PM. Motion carries 5/0.

Respectfully submitted,

Marcy L. Krūm-Tinsley
 Township Manager/Secretary

lw