

Minutes of the Spring Garden Township Board of Commissioners
6:30 p.m. – March 13, 2024

Persons Present:

Daniel E. Rooney, President Commissioner
Andrew Herrold, Commissioner
Thomas Gwilt, Commissioner

David Detwiler, Vice President Commissioner
Anne Gray, Commissioner

I. Call to Order

President Commissioner Rooney called the meeting to order, lead in the Pledge of Allegiance, and announced executive sessions held on 02/29/2024 and 03/13/2024 for personnel and legal matters.

A. Presentations

B. Public Comment – President Commissioner Rooney presented guidelines for public comment.

C. Approval of Minutes

1. **Motion** (Herrold/Detwiler) to approve the February 14, 2024 Business Meeting Minutes with a correction noted by commissioner Gray to the vote in Old Business Section V. Discussion: none. Public comment: none. Carries 5/0.

D. Treasurer's Transactions

1. **Motion** (Detwiler/Herrold) to accept the February 2024 Treasurer's Report and Bank Transactions. Discussion: none. Public comment: none. Carries 5/0.
2. Krista Gardner of SEK provided a preliminary 2023 year-end budget review. A final auditor's report will be forthcoming.

E. Subdivision/Land Development

1. Rutters #63/910 S. Richland Ave.– security release
 - a. **Motion** (Herrold/Detwiler) to ratify the Manager's authorization for the Engineer to inspect improvements and based on Engineer's report that the security be released in the amount of \$9,075. Discussion: none. Public comment: none. Carries 5/0.
2. Inch & Co., Lot 78 Regents Glen – time extension request for final plan approval
 - a. **Motion** (Detwiler/Herrold) a 45-day time extension request for the Lot 78 (Inch & Co.) Final Plan from March 31, 2024 to May 15, 2024 to meet the provisions of the ordinance for final plan. Discussion: Commissioners discussed limiting extensions. Public comment: Dr. Mark Frankel of 1030 Crest Way #303 indicated that he was advised that the proposed units were going to be rentals. He does not feel this would fit into the current community of Regent's Glen since the current multi-unit buildings are 50-and-over and resident owned. Additionally, he believes the developer does not care about maintaining the integrity of the Regents Glen community. He is concerned these rental units are going to be for the students of York College. President Commissioner encouraged Dr. Frankel and his neighbors to attend the Planning Commission Meetings. Commissioner Gray asked Dr. Frankel if the developer has requested approval from the HOA for passage through the private roads. He indicated they have not. Marsha Sousa of 1050 Crest Way # 301 asked where she should express her concerns related to parking. President Commissioner Rooney indicated those views can be taken to the Planning Commission. Carries 5/0.
3. Morehouse Instruments, Final Subdivision / Land Development Plan
 - a. **Motion** (Gray/Detwiler) to approve a 45-day time extension request for the Morehouse Instruments Final Subdivision/Land Development Plan to April 18, 2024 to satisfy the requirements of the conditional final plan approval. Discussion: none. Public comment: none. Carries 5/0.

President Commissioner Rooney announced that the Zoning Hearing Board will next meet on March 20, 2024 at 6pm for a hearing regarding a wedding venue use at Box Hill Mansion (The Court of Common Pleas remanded the determination appeal and variance be returned to the Zoning Hearing Board).

F. Old Business

1. Comprehensive Plan Discussion Group "Advisory Committee"
An Open House will be scheduled where residents and business owners will be able to attend and share their thoughts about what is most important for enhancing community quality of life in the coming decade. Spring Open House date announcement and more details will be forthcoming.

G. New Business

1. Hiring of Personnel

- a. **Motion** (Herrold/Detwiler) to endorse the hiring of Rebecca Nicklow as full-time Finance Assistant contingent on satisfactory background checks with an hourly rate of \$24 for a 90-day provisional period, and \$24.75 following acceptable review of provisional period. Discussion: none. Public comment: none. Carries 5/0.
- b. **Motion** (Detwiler/Herrold) to endorse the rehiring of part-time parking enforcement officer, Gordon Sprengle, starting on April 2, 2024 at \$24/hour. Discussion: none. Public comment: none. Carries 5/0.
- c. **Motion** (Gray/Herrold) to acknowledge, with regret, that April 10, 2024 will be the last day of (part-time) employment of Police Chief George Swartz. Discussion: President Commissioner Rooney extended a thank you to the chief for his service. Public comment: none. Carries 5/0.
- d. **Motion** (Gray/Gwilt) to approve the transfer of duty sidearm to Chief Swartz upon retirement from service. Discussion: none. Public comment: none. Carries 5/0.
- e. **Motion** (Herrold/Detwiler) to authorize the Manager and her designees to begin the recruiting and interview process for an interim Police Chief/Administrator. The purpose of an interim chief is to improve the department for the employees, the community, and the next chief of police. Discussion: none. Public comment: none. Carries 5/0.
- f. **Motion** (Herrold/Detwiler) to accept the resignation of Beth Barnes, part-time office support for the administrative office effective April 1, 2024. Discussion: none. Public comment: none. Carries 5/0.
- g. **Tabled** to authorize the hiring process of a full-time office support staff member at an hourly rate not to exceed \$22/hour.

2. 2024 Road Materials Bid – Award – Liquid Fuels

The 2024 Road Materials Contract is for the supply of various paving materials from March 2024 through March 2025. Bid opening, via PennBid occurred on March 11, 2024, at 10am. The low bid submitted by York Materials Group was \$76,705.00 based on estimated quantities and indicated unit cost for 9.5mm wearing course at \$84.05/ton, 19mm binder course at \$77.20/ton, and 25mm base course at \$72.25/ton.

- a. **Motion** (Detwiler/Gray) to award and execute the 2024 Road Materials contract to York Materials Group and execute contracts following submission of required documentation. Motion amended by Commissioner Detwiler to include total estimated cost of \$76,705.00 Discussion: none. Public comment: Lynne Huddleston of 808 Clearmount Road asked about the frequency of the expense and material quantities. Carries 5/0.

3. Project advertisement request

Virginia Avenue Street and Stormwater repair project will primarily consist of 367 linear feet of 48" diameter plastic corrugated pipe to increase volume and capacity of stormwater from Virginia Avenue and Country Club Road. Bids information is available via PennBid.net.

- a. **Motion** (Herrold/Detwiler) to advertise the Virginia Avenue Street and Stormwater repair project. Discussion: none. Public comment: none. Carries 5/0.

4. Post-Traumatic Stress Injury Bill (SB 365)

Update from April 2023: SB365 was updated and continues to place a massive mandate on local governments. The bills (SB 365 and HB 1632) are written with such broad language that they create a fiscally irresponsible and uninsurable program. These bills lack reasonable and commonsense provisions that would help control costs to taxpayers. We support our first responders and acknowledge that PTSI is a serious illness and should be treated, but the bills continue to place an undue financial hardship on municipalities and taxpayers. As such, a letter was drafted to our representatives requesting the General Assembly to work with local governments on a balanced compromise because it is possible to provide our hardworking first responders with the benefits they deserve without handicapping local governments in the process.

H. Commissioners Constituent Representation

1. Commissioner Detwiler, Ward 1
 - a. Extends his thanks to the Chief of Police
2. Commissioner Rooney, Ward 2

- a. Mill Creek Clean-Up – May 11, 2024; request for supply expenditure. Stauffer’s will be donating snacks and drinks, Penn Waste is donating a dumpster, and seeking a scrap metal dumpster donation. Additional information will be provided through Savvy Citizen.
Motion (Rooney/Herrold) to approve costs up to \$1,000 to support the clean-up effort of Mill Creek on May 11, 2024. Discussion: none. Public comment: none. Carries 5/0.
 - 3. Commissioner Gray, Ward 3
 - a. GloFiber is installing fiber through the Township and is doing a nice job minimizing road surface disturbance.
 - b. Water and gas line replacement will affect Rathton Road, Clover Lane, Hillcroft Lane, Pine Hill Lane, Old Orchard Lane, Sleepy Hollow Road, Highland Road, Arlington Road, Lancaster Avenue, Westwood Road, Edgehill Road, and Greendale Road.
 - 4. Commissioner Herrold, Ward 4
 - a. Thanked the Chief of Police for his many years of service. The Township was lucky to have him and will certainly miss him. We wish him well.
 - 5. Commissioner Gwilt, Ward 5
 - I. Township Consultants, Contracted Services, and Departments
 - 1. Township Consultant Reports
 - a. Solicitor
 - b. Engineer
 - c. Fire Department/York Area United Fire and Rescue
 - 1. Equipment Purchase: YAUFRR Commission recently approved the purchase of four pieces of equipment at a cost of nearly \$5.65 million. This topic will be brought back to the Spring Garden Township Commissioners in the near future.
 - 2. Township Administration (departments)
 - a. Administrative Office Business Hours
Table discussion to update Administration lunch business hours.
 - b. Chief of Police - MCSAP Letter of Understanding
Motor Carrier Safety Assistance Program letter of understanding provides procedures to be followed when conducting motor carrier safety inspections.
Motion (Gray/Gwilt) to enter into the Motor Carrier Safety Assistance Program letter of understanding with the Pennsylvania State Police and authorize the police chief to sign the letter of understanding. Discussion: none. Public comment: none. Carries 5/0.
 - J. Public Comment
 - 1. Dr. Mark Frankel of 1030 Crest Way #303 asked if the light on Country Club Road going into Regents Glen could be assessed. Commissioner Herrold indicated the light and flow of traffic options is continuing to be assessed. Public Works Supervisor indicated that updates to the intersection are being reviewed and are in process.
Dr. Frankel said that Chief Swartz has been terrific for the Township and deserves to be commemorated.
 - 2. Melissa Stuart of 1161 Hollywood Terrace asked if the polling location for the residents on Rosecroft in Ward 4 could be reviewed. It is believed that they are assigned to the wrong polling site. Ms. Stuart said she reached out to the York County Elections Office, and they advised that the request must come from the Township to have a street reassigned to a different polling site. The Township Manager indicated we will verify the boundaries for Ward 4 and Ward 5 and act accordingly. Ms. Stuart asked if the polling locations can be provided through Savvy Citizen. Commissioner Gray suggested providing a link to vote.pa.gov.
- II. Adjourn
Motion (Herrold/Detwiler) to adjourn the meeting at 7:37 PM. Discussion: none. Public comment: none. Carries 5/0.

Respectfully submitted,

Marcy L. Krūm-Tinsley
Township Manager/Secretary
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