

Minutes of the Spring Garden Township Board of Commissioners  
6:30 p.m. – April 10, 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 on 03/27/2024, 04/04/2024, 04/08/2024 and 04/10/2024 for personnel and legal matters.

A. Presentations

1. President Commissioner Rooney announced that 04/10/2024 was Chief Swartz's last day and that he served Spring Garden as the Chief of Police for over 23 years. President Commissioner Rooney detailed some of Chief Swartz's many significant accomplishments including the department receiving Premier Accredited Status in 2024 from the Pennsylvania Chief's of Police Law Enforcement Accreditation Program, Recognition from the PA State Senate, and receipt of a PA House of Representatives citation. President Commissioner Rooney announced Resolution 2024-04 to document and honor the public service of Chief Swartz and to extend the Township's sincere appreciation for Chief Swartz's dedicated and valued commitment to Spring Garden Township.  
**Motion** (Detwiler/Rooney) to approve Resolution 2024-04 Honoring the Public Service of Chief George J. Swartz, Jr. Discussion: none. Public comment: none. Carries 5/0.  
Chief Swartz indicated that none of the accolades would have been possible without the outstanding officers of the Department. He feels truly blessed and honored.
2. Police Chief Swartz presented awards of recognition:
  - a. Officer Tomas O'Brien received the Chief's Commendation for excellence in performance on 07/07/2022.
  - b. Officer Tomas O'Brien and Officer Richard Geiger received Letters of Commendation for their excellence in performance on 06/05/2023.
  - c. Officer Richard Geiger received the Chief's Commendation for excellence in performance on 05/21/2023.
  - d. Officer Robert Lusk and Officer Samantha Cumor received Letters of Commendation for their excellence in performance on 11/27/2023.
  - e. Officer Angel Rivera and Officer Justin Woods received Chief's Commendation for excellence in performance on 12/28/2023.

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

1. Mary Kinard of 528 Hillcrest Road indicated the church located at 525 Hillcrest Road has constant loud music from three to six hours most evenings where she cannot find any peace in her house, she cannot have her doors or windows open, and causes her headaches. When the police are called the music lowers but then it is eventually turned back up again.
2. Ken Kinard of 528 Hillcrest Road: when the police leave the music's volume goes back up.
3. Anna Diehl of 532 Hillcrest Road: there were no issues with prior occupants of the property for the past 40 years until the church moved in. The music is so loud that you cannot find a quiet place in your own home. There appears to be an issue with capacity because there is parking in the grass, the lot is filled, and there is parking at Crimson.
4. Larry Diehl of 532 Hillcrest Road: if they would turn the music down it would help. It seems to be more of a social gathering than a church.
5. Judy Lyons of 1868 Clover Lane: the noise is ridiculous, so is the littering and parking. The garbage from the parking lot is making its way into her yard. The music is being played in the parking lot too.
6. Jason Hollis of 524 Hillcrest Road: the soundproofing was added at his recommendation. He previously spoke with the property owner and the church about the volume. It helped for a short amount of time.

C. Approval of Minutes

1. **Motion** (Herrold/Gray) to approve the March 13, 2024 Business Meeting Minutes. Discussion: none. Public comment: none. Carries 5/0.

- D. Treasurer's Transactions
  - 1. **Motion** (Detwiler/Herrold) to accept the March 2024 Treasurer's Report and Bank Transactions. Discussion: none. Public comment: none. Carries 5/0.
- E. Subdivision/Land Development
  - 1. Morehouse Instruments, Final Land Subdivision / Land Development Plan – Time Extension
    - a. **Motion** (Gray/Detwiler) to approve a 45-day time extension request for the Morehouse Instruments Final Subdivision/Land Development Plan to June 2, 2024 to satisfy the requirements of the conditional final plan approval. Discussion: none. Public comment: none. Carries 5/0.
- F. Old Business
  - 1. Comprehensive Plan Discussion Group "Advisory Committee"  
A mid-spring Open House date announcement and more details will be forthcoming. At the open house residents and business owners will be able to share their thoughts on what is most important for enhancing community quality of life in the coming decade.
  - 2. Virginia Avenue Street and Stormwater Repair Project – award and contract execution  
**Motion** (Herrold/Detwiler) to approve the bid for JVI Group and to execute contracts for the street and stormwater repair project at the amount of \$596,661.60. Discussion: none. Public comment: none. Carries 5/0.
  - 3. York Area United Fire and Rescue Equipment Purchase – Resolution 2024-05  
Equipment purchase is approximately \$5.6 million and will secure two Pierce Enforcer Custom Pumpers, a Pierce Enforcer Walk-In Heavy Duty Rescue, and a Sutphen Platform.  
**Motion** (Gray/Detwiler) to approve Resolution 2024-05 York Area United Fire and Rescue Equipment Purchase in the amount of \$5.6 million. Discussion: none. Public comment: Lynne Huddleston of 808 Clearmount Road request clarification on the percent needed for approval to pass. Carries 5/0.
  - 4. Appeal the Zoning Hearing Board's decision from the March 20, 2024 hearing.  
**Motion** (Herrold/Detwiler) to authorize the Solicitor to enter and proceed with the appeal. Discussion: none. Public comment: none. Carries 5/0.
- G. New Business
  - 1. SAFER Grant – Resolution 2024-06  
The Staffing for Adequate Fire and Emergency Response (SAFER) Grant is a grant program that provides funding directly to fire department to enhance local fire departments to meet staffing, response, and operational standards established by the National Fire Protection Association.  
**Motion** (Detwiler/Herrold) to endorse Resolution 2024-06 to support the application for the SAFER Grant. Discussion: Commissioner Gray asked the term of the grant. Chief Hoff indicated all wages and benefits are covered for three years with the exception of training. Public comment: none. Carries 5/0.
  - 2. Personnel
    - a. **Motion** (Detwiler/Gray) to endorse the hiring of Andrew Parker as full-time Code Enforcement Officer contingent on satisfactory background checks with an hourly rate of \$24 for a 60-day provisional period, and \$24.60 following acceptable review of provisional period. Discussion: none. Public comment: none. Carries 5/0.
    - b. General Order - Chain of Command: to be revisited
    - c. **Motion** (Gray/Herrold) to hire Sergeant Adam Zimmerman as Acting Chief of Police, contingent on satisfactory review of terms and conditions by legal counsel of with a prorated annual salary of \$133,079 effective April 11, 2024. Discussion: President Commissioner Rooney indicated with Chief Swartz retirement, we need an acting chief in place and are looking at the possibility of merging with another department. This is a step needed while we work through that process. Commissioner Herrold indicated it is his understanding this is required for accreditation. Public comment: none. Carries 5/0.
    - d. Resolution 2024-07: Job Description of Office Assistant I & II  
**Motion** (Herrold/Detwiler) to approve Resolution 2024-07. Discussion: Commissioner Gray inquired about the part time position. Public comment: none. Carries 5/0.
    - e. **Motion** (Herrold/Detwiler) to proceed in the hiring process of the fulltime Office Assistant II position not to exceed \$22.00 an hour. Discussion: none. Public comment: none. Carries 5/0.

3. Street Excavation Ordinance Amendment Advertisement  
Amendment update that includes a one-year expiration date and Public Works inspection.  
**Motion** (Gray/Herrold) to authorize the advertisement of the Street Cut Ordinance Amendment following satisfactory review by the solicitor. Discussion: none. Public comment: none. Carries 5/0.
4. Resolution 2024-08: Police Performance Evaluation Policy  
**Motion** (Detwiler/Gray) to approve Resolution 2024-08 Police Performance Evaluation Policy. Discussion: none. Public comment: none. Carries 5/0.

**H. Commissioners Constituent Representation**

1. Commissioner Detwiler, Ward 1
  - a. Several roads have been temporarily closed due to York Water and Columbia Gas updates and work at the intersection at York Logistics Center.
2. Commissioner Rooney, Ward 2
  - a. Mill Creek Clean-Up: Scheduled 9:00AM to 11:30AM on 05/11/2024 with a rain-date of 05/12/2024. The flyer on the Township site. Several donations have been made to support the effort.
3. Commissioner Gray, Ward 3
  - a. Concerns have been expressed regarding the safety of the intersection of Tri Hill and Violet Hill Park for pedestrians. Cars are not coming to a full stop at the intersection. The park is inviting and well used, which has increased the amount of foot traffic.  
**Motion** (Gray/Detwiler) to authorize Police and Public Works to complete a crosswalk assessment at the Tri Hill / Violet Hill Park intersection. Discussion: none. Public comment: none. Carries 5/0.
  - b. Check-in on the option to provide remote access to Board meetings.
  - c. Residents are requesting that zoning rules be clarified regarding gardening, composting, bee keeping, and raising chickens. President Commissioner Rooney and Commissioner Gray will work together to review ordinances.
4. Commissioner Herrold, Ward 4
  - a. Congratulations to Chief on appointment and retirement.
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  
Extended a thank you to the Board for their support and to the Township Manager for her help with the grants.
    1. A \$120,000 grant was awarded for Victory Fire Company.
    2. YAUFRR will receive \$163,000 in grant funds for response vehicles.
    3. Received notice of a grant award for 10 thermal image cameras.
2. Township Administration (departments)
3. Public Comment

**II. Adjourn**

**Motion** (Herrold/Rooney) to adjourn the meeting at 8:07 PM. Discussion: none. Public comment: none. Carries 5/0.

Respectfully submitted,

Luther C Wike Jr.  
Assistant Secretary