

Minutes of the Spring Garden Township Board of Commissioners  
6:30 p.m. – July 10, 2024

Persons Present:

Daniel E. Rooney, President Commissioner  
David Detwiler, Vice President Commissioner  
Anne Gray, Commissioner

Andrew Herrold, Commissioner  
Thomas Gwilt, Commissioner

I. Call to Order / Pledge of Allegiance

President Commissioner Rooney called the meeting to order at 6:33 PM, led the Pledge of Allegiance, and announced an executive session held on 07/10/2024 for the purpose of reviewing legal and personnel issues.

A. Presentations

1. Resolution 2024-14 Commissioners' Award of Distinction – Michael Palmer
2. Resolution 2024-15 Commissioners' Award of Distinction – Gordon Sprenkle
3. Resolution 2024-16 Commissioners' Award of Distinction – Marcy Krum-Tinsley

President Commissioner Rooney read the Resolutions aloud indicating the Township's appreciation for the dedicated service of the individuals. Gordon Sprenkle said it has been an honor to work with the Spring Garden Township Police Department and you could not find a better group of people.

**Motion** (Detwiler/Rooney) to approve Resolution 2024-14 honoring the public service of Michael Palmer with the Commissioners' Award of Distinction, to approve Resolution 2024-15 honoring the public service of Gordon Sprenkle with the Commissioners' Award of Distinction, to approve Resolution 2024-16 honoring the public service of Marcy Krum-Tinsley with the Commissioners' Award of Distinction. Discussion: none. Public comment: none. Carries 5/0.

B. Public Comment

President Commissioner presented guidelines for public comment.

1. Lynne Huddleston of 808 Clearmount Road would like to publicly extend her appreciation to the administrative staff for their responsiveness and efforts.
2. Albert Miller of 300 Old Orchard Lane expressed concern that the right to know information received regarding plans for 1799 Mt. Rose Avenue is not accurate. Vice President Commissioner Detwiler indicated that nothing will be done with the Mt. Rose property until the comprehensive plan has been completed and to approach the Comprehensive Planning Committee to participate in the process. Commissioner Gray indicated that the requested information may not exist.
3. Roberta Boffo of 1080 Grandview Road suggests 1799 Mt. Rose Avenue be zoned as open space nature wilderness preserve which would have significant benefits for the community. She finds the amount of recreation in the Township insufficient based on population density. Commissioner Gray indicated a plan for the property will not be finalized until the comprehensive plan is complete.

C. Business Meeting Minutes

1. **Motion** (Gray/Herrold) to approve the June 12, 2024 Business Meeting Minutes. Discussion: none. Public comment: none. Carries 5/0.

D. Treasurer's Transactions

1. **Motion** (Gwilt/Herrold) to accept the June 2024 Treasurer's Report and Bank Transactions. Discussion: none. Public comment: none. Carries 5/0.

E. Subdivision/Land Development

1. 501 Windsor Steet– Pilgrim Car Care  
Final Land Development Plan conditional approval to build an automotive repair station.

**Motion** (Detwiler/Gray) to approve the 501 Windsor Street Final Land Development Plan with the following waivers and conditions:

- i. Preliminary Plan Review Requirements (§275.21 SALDO) The scope of this project will not create any new subdivisions, streets, or any other intensive plat modification or parcel creation or other creative development.
- ii. Sidewalks and gutters on Windsor St. and Broad St. (§275-43.A SALDO) There are no sidewalks in the area and Broad St. is a shared private thoroughfare.
- iii. Curbing on Windsor St. and Broad St. (§275-43.A SALDO) The existing curbing and driveway apron currently along Windsor St will be used. Existing utility pole placement would leave the poles outside of the curb and within the perceivable roadway at this intersection.
- iv. Street trees right-of-way-offset distance along Windsor St. (§275-40.1.H(2-C) SALDO) Due to the Met-Ed Easement need to move trees back to avoid the easement.
- v. Update the dumpster location out of the easement throughout the plan. (completed).
- vi. The Owner's notarized signature is required (§275-24C(22), SALDO).
- vii. Existing and proposed corner markers should be noted on the plans (§275-41, SALDO). The plan should indicate "IP TBS" for missing corners (completed).
- viii. The Engineer's name, seal and signature are required (§275-24C(5), SALDO) (completed).
- ix. Proposed light fixtures and a plan showing lighting intensity should be provided for review. Select an option. (§310-19.E., Zoning) (completed).
- x. Erosion and sedimentation control plan approval is required prior to final plan approval (§275-23A, SALDO) (completed).
- xi. Stormwater management approval (§265 Stormwater Management). Prior to final approval of the SWM site plan, the property owner shall sign and record an operation and maintenance (O&M) agreement (§265-602.A., Stormwater Management) (completed).
- xii. Security for proposed improvements must be posted before final plan approval (§275-24D(5), SALDO). Improvements requiring security include E&S controls, sanitary sewers and pump station, stormwater, curbing, landscaping, lighting, and street restoration.
- xiii. A Development Agreement prepared by the Township's solicitor shall be executed and recorded by the Township prior to the release of the Plan for recording. This should include provisions for the maintenance and operation of the sewage system being installed.  
Discussion: none. Public comment: none. Carries 5/0.

2. 1000 Indian Rock Dam Road - York Country Day School Developer Agreement

The agreement would allow for three (3) temporary trailers to be used as classrooms for a soon-to-be submitted Land Development plan to expand the school. These trailers would be removed in 3 years (July 30, 2027) unless an extension is requested by the applicant. This is similar to the earlier Developer Agreement for the other trailers put on site in 2022.

**Motion** (Detwiler/Herrold) to approve the York Country Day School Developer Agreement for temporary trailers. Discussion: none. Public comment: none. Carries 5/0.

3. Stormwater O & M Agreement – 1651 Starcross Road

**Motion** (Herrold/Detwiler) to approve the stormwater O & M agreement for 1651 Starcross Road. Discussion: none. Public comment: none. Carries 5/0.

F. Old Business

1. Comprehensive Plan Discussion Group "Advisory Committee" – FYI

The comprehensive plan coordinator will be providing survey ideas to Advisory Committee members. The next Advisory Committee meeting will be scheduled in late July. This is a committee meeting and will not be an open house meeting.

Raeann Waltersdorf of 1558 Hollywood Parkway asked who the Comp. Plan Coordinator was and about the survey questions.

Roberta Boffo of 1080 Grandview Road asked about the statistics in the survey.

2. Personnel

i. Handbook Update: Resolution 2024-17 Sick Leave

**Motion** (Detwiler/Gwilt) to approve Resolution 2024-17 Employee Handbook Sick Leave Policy and to make it retroactively effective on 05/01/2024. Discussion: none. Public comment: Raeann Waltersdorf of 1558 Hollywood Parkway inquired why it was retroactive. Carries 5/0.

3. Country Club - Richland Intersection: Green Light Go - FYI

Approval from PennDOT to add additional lane guidance and an overhead traffic detection system will be requested.

4. Ordinance Amendment - International Property Maintenance Code

Update the property maintenance code from the 2009 version to the 2018 version.

**Motion** (Gray/Herrold) to authorize advertisement of the 2018 International Property Maintenance Code Ordinance Amendment. Discussion: none. Public comment: none. Carries 5/0.

5. Asset Disposal-1995 Wacker RD880V Roller.

**Motion** (Herrold/Detwiler) to award the Municibid bid in the amount of \$3,700 to York Tractor for the 1995 Wacker roller and to deposit the funds into Liquid Fuels. Discussion: none. Public comment: none. Carries 5/0.

6. Victory Fire Company – 2024 Parking Lot Paving Project (Grant Funds)

**Motion** (Detwiler/Gray) to authorize the advertisement of the Victory Fire Company Parking Lot Paving Project. Discussion: none. Public comment: Roberta Boffo of 1080 Grandview Road inquired about the award amount and the scope of the project. Carries 5/0.

7. Graham Packaging Insect Issue

Bails are being sprayed prior to shipment to the facility. According to complainants the issue improves immediately following a spray treatment. Weekly spraying would be more effective. Amy Mitten of 653 Mulberry Street indicated that the issue is not as bad as it was last year and extended her appreciation to everyone's efforts because she is starting to see it pay off. She said it needs a little bit more to get it to where it needs to be. She sees RG Group suffering significantly from the infestation.

G. New Business

1. Personnel

**Motion** (Herrold/Detwiler) to approve a compensation rate of \$24.00/hr. effective 07/01/2024 for Lynette Eisenhuth, a compensation rate of \$24.47/hr. effective 07/01/2024 for Arlene Grada, and a compensation in the amount of \$60,000 on an annual basis effective 07/01/2024 for Dawn Hansen. Discussion: Commissioner Gray indicated there is a continued effort to ensure compensation is adequate. President Commissioner Rooney extended his appreciation to Dawn and all of her hard work. Public comment: Amy Mitten of 653 Mulberry acknowledged the great job Dawn is doing. Carries 5/0.

2. Fleet Replacement – Police Vehicles

Approved starting the ordering process with Enterprise for two (2) 2025 Chevy Tahoes for the Police Department. Raeann Waltersdorf of 1558 Hollywood Parkway asked about the vehicles if we were to merge with another department.

3. US Semiquincentennial America250PA: Resolution 2024-18

The resolution affirms support for America250PA and York County events over the next four years commemorating the 250<sup>th</sup> anniversary of the signing of the Declaration of Independence and the Articles of Confederation, and York County's 275<sup>th</sup> birthday.

**Motion** (Herrold/Detwiler) Motion to approve Resolution 2024-18 US Semiquincentennial

America250PA. Discussion: none. Public comment: Roberta Boffo of 1080 Grandview Road asked about our involvement. Commissioner Herrold indicated the purpose is to express our support. Carries 5/0.

4. Mill Creek Trail Feasibility Study

To examine the section along Mill Creek from Mount Rose Avenue to East Market Street.

**Motion** (Detwiler/Gray) to direct the Township Engineer to complete a Mill Creek Trail Feasibility Study at a cost not to exceed \$19,600. Discussion: Commissioner Gray indicated this may eventually connect with the Rail Trail. Public comment: Roberta Boffo of 1080 Grandview Road commented on prior studies and indicated she would like to see the scope of the trail expanded to Sherman. The Engineer indicated, when compared to the previous studies, the feasibility study would provide more detail to allow for cost estimates to apply for grants. Melissa Stuart of 1161 Hollywood Terrace asked budgeting the cost. President Commissioner Rooney indicated the funds would come out of reserve. Carries 5/0.

5. Appointments – Right to Know Officer and Recycling Coordinator

**Motion** (Herrold/Gray) to appoint Rebecca Nicklow as the Recycling Coordinator and the Right to Know Officer. Discussion: none. Public comment: none. Carries 5/0.

H. Commissioners Constituent Representation

1. Commissioner Detwiler, Ward 1

a. Indicated significant need to replace the Grantley Fire Company building and possible future plans to do so. Requested staff work with YAUFR and CS Davidson to find grant funding. Solicitor indicated that a construction manager / architect for the project would not need to go out to bid since it would be considered professional services. Lynne Huddleston of 808 Clearmount Road asked about the future relationship with Grantley Fire Company. President Commissioner Rooney indicated it would need to be determined.

2. Commissioner Rooney, Ward 2

a. Extended a thanks to staff.

3. Commissioner Gray, Ward 3

a. Discussed a private stormwater issue.

4. Commissioner Herrold, Ward 4

a. A thank you to Public Works for addressing the stormwater issue during the heavy rains.

5. Commissioner Gwilt, Ward 5

a. Provided a current status report for the Boundary-Albemarle intersection.

I. Township Consultants, Contracted Services, and Departments

1. Township Consultant Reports

i. Solicitor

1. The deed for the Indian Rock Dam property is to be recorded.

2. Update on a PA Supreme Court gun regulation ruling that upheld a municipal ordinance.

ii. Engineer

1. 2024 Sanitary Sewer Maintenance Project

**Motion** (Herrold/Detwiler) to award the 2024 Sanitary Sewer Maintenance Project to Barrasso Excavation in the amount of \$159,030.00 and give the Acting Township Manager authority to execute any and all necessary contract documents. Discussion: none. Public comment: none. Carries 5/0.

iii. Fire Department/York Area United Fire and Rescue

1. Chief Hoff extended his appreciation to the Commissioners, Solicitor, and any staff that were instrumental in getting us to the step we reached today.

2. Township Administration (Departments)

i. Manager

1. PEG is scheduled to begin video equipment installation shortly.
- ii. Public Works
  1. Rathton Road Construction – Traffic Detour Update

iii. Police

1. Policy Updates

a. MOU: Spring Garden Township Merger Authority

A Memorandum of Understanding between Spring Garden Township and Spring Garden Township Police Association to grant Spring Garden Township the authority to consider merging with York County Regional Police Department.

**Motion** (Herrold/Rooney) to disapprove the MOU in the current form and direct outside counsel to reengage the Association to make reasonable and appropriate changes and bring it back to the Board. Discussion: President Commissioner Rooney indicated that we could come to an agreement with a few minor changes. Public comment: Chris Hertig of 1350 Ruxton Road inquired as to what the York County Regional Police Department is. Lynne Huddleston of 808 Clearmount Road requested clarification on the involved parties. Roberta Boffo is 1080 Grandview Road asked about fire service. Failed 2/2/1 with Commissioner Gwilt abstaining.

**Motion** (Detwiler/Herrold) to table the MOU between Spring Garden Township and the Spring Garden Township Police Association. Carries 4/0/1 with Commissioner Gwilt abstaining.

b. Resolution 2024-19 Police Policy: Legal Process

**Motion** (Detwiler/Gray) to approve Resolution 2024-19 Police Policy: Legal Process. Discussion: none. Public comment: none. Carries 5/0.

c. Proposed Uniforms and Equipment Policy update and Rules of Conduct Policy Update

The Commissioners discussed concerns with making changes to the policies at this time. Commissioners directed the Solicitor to compare the proposed changes to other local departments.

J. Public Comment

President Commissioner Rooney indicated that public parking for Elmwood Park will be available at a lot off of 3<sup>rd</sup> Avenue and that it should help reduce parking and traffic issues on 2<sup>nd</sup> Avenue.

1. Susan Bachant of 1749 2<sup>nd</sup> Avenue requested clarification on the location of the new Elmwood Park parking lot and indicated that the lot regularly gets filled with swimmers.
2. Roberta Boffo of 1080 Grandview Road asked if the new fire station would be our responsibility.
3. Melissa Stuart of 1161 Hollywood Terrace requested an update on the Township Manager and Police Chief positions. The commissioners indicated that we are currently not seeking a Police Chief but will soon be interviewing applicants for the Township Manager position.
4. Amy Mitten of 653 Mulberry Street indicated that she would like to see Luther, the current Acting Township Manager, apply for the Manager's position. She has noticed an increase in the level of communication from the Board and it is greatly appreciated. She appreciated the PA Supreme Court information.

II. Adjourn

Motion (Detwiler/Rooney) to adjourn at 8:34 PM. Discussion: none. Public comment: none. Carries 5/0.

Respectfully submitted,

Luther C Wike Jr.  
Secretary