

Minutes of the Spring Garden Township Board of Commissioners Business Meeting
6:30 p.m. – April 9, 2025

Persons Present:

Daniel E. Rooney, President Commissioner
David Detwiler, Vice President Commissioner
Andrew Herrold, Commissioner

Anne Gray, Commissioner
Thomas Gwilt, Commissioner

I. Call to Order / Pledge of Allegiance

Executive Session was held on 04/09/2025 for the purpose of reviewing legal and personnel matters.

Suspend the Board of Commissioners Business Meeting

Motion (Herrold/Gwilt) to suspend the April 9th Board of Commissioners Business Meeting for the purpose of holding public hearings. Discussion: None. Public Comment: None. 5/0 Carries.

Open Public Hearing: Oakridge/Edgehill Sewer 3M Module Hearing

The Oakridge/Edgehill Road Area was investigated as part of this minor Act 537 Study Update. The plan proposes the continued use of On-Lot Disposal through the On-Lot Disposal Ordinance with a reevaluation of the study area as part of a Township-wide Act 537 plan update.

Motion (Herrold/Detwiler) to adjourn Oakridge/Edgehill Sewer 3M Module Hearing Discussion: None. Public Comment: None. 5/0 Carries.

A. Hearing Business

1. Resolution 2025-05 Oakridge-Edgehill 3M Sewer Module

Motion (Herrold/Gwilt) to approve Resolution 2025-05 Oakridge-Edgehill 3M Sewer Module. Discussion: None. Public Comment: None. 5/0 Carries.

B. Public Comment

1. Roberta Boffo of 1080 Grandview Rd addressed her concern about the intersection of Grandview and Hollywood due to bushes obstructing the line of sight when at the stop sign. Zoning Officer said they would have the Code Enforcement Officer look into it.
2. Patrice Foley of 1515 Second Ave inquired about the timing of street cleaning starting in April. It was addressed that in instances of snow in March, while uncommon, it can result in double the work for street cleaning.

C. Business Meeting Minutes

1. **Motion (Detwiler/Gray)** to approve the March 12, 2025 Business Meeting Minutes. Discussion: None. Public Comment: None. 5/0 Carries.

D. Finance

1. **Motion (Detwiler/Gray)** to accept the March 2025 Treasurer's Report and Bank Transactions. Discussion: None. Public Comment: None. 5/0 Carries.

E. Subdivision / Land Development

1. Regents Glen Lot 86 – Red Oaks – Land Development Plan Conditional Approval Request

The waiver for dead-end streets was not approved at the 03/12/2025 BOC Meeting.

Motion made (Detwiler/Gwilt) and retracted (Detwiler) to deny the Regent's Glen Lot 86 waivers for dead end streets.

Motion (Rooney) updating condition iii did not get a second.

Motion (Gray/Rooney) to update condition iii to require a second primary access via John Daly Drive at the dead-end street across the proposed emergency access cart path to White Oaks onto Jack Nicklaus Circle and from the Northern cul-de-sac at Masters Lane connecting to the emergency access running South to connect to Heritage Lane. These streets must be constructed to the same specifications as the proposed White Oaks and Red Oaks streets including a 24 foot street width and adhere to all stormwater requirements as approved by Township Engineer. Discussion: None. Public Comment: None. 3/1 Carries. Commissioner Herrold abstained.

Motion (Rooney/Gwilt) to approve the Final Land Development Plan with the following conditions:

- i) Name and seal of the registered professional engineer or surveyor responsible for the plan, attesting to the fact that survey data and plans are correct. (§275-24.C(5), SALDO)
- ii) Owner's notarized signature. (§275-24.C(22), SALDO)
- iii) Second primary access via John Daly Drive at the dead-end street across the proposed emergency access cart path to White Oaks onto Jack Nicklaus Circle and from the Northern cul-de-sac at Masters Lane connecting to the emergency access running South to connect to Heritage Lane. These streets must be constructed to the same specifications as the proposed White Oaks and Red Oaks streets including a 24 foot street width and adhere to all stormwater requirements as approved by Township Engineer. (§275-25.B., SALDO)
- iv) 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 (§275-52, SALDO).
- v) An agreement detailing the responsibility for the emergency access serving both Red Oaks and White Oaks should be detailed as either a note on the plan or as part of the Developer Agreement.
- vi) Declarations and Covenants should be provided to show how the "footprint" lots will be conveyed. (§275-6, SALDO) A declaration plan will be prepared and recorded after the recording of this Land Development Plan. This will show the portion of the property to be conveyed to each home buyer along with any portion of the property that will be a common element or limited common element.
- vii) Security for proposed improvements (sewers, landscaping, stormwater, streets, lighting, and erosion control) must be posted before final plan approval. (§275-24.D.5, SALDO)
- viii) Recreation fee-in-lieu shall be paid to the Township prior to the plan being recorded. (§275-38 SALDO).
- ix) Stormwater management approval. (§265 Stormwater Management)
- x) An approved E & S Plan shall be provided. (§275-23A, SALDO)

Discussion: There was discussion between the Commissioners, developers, and Engineer regarding the widths of current streets within the vicinity and the widths listed in the Final Land Development Plan and curbing requirements. It was clarified by the Solicitor that the things being discussed would be covered by engineer review. Public Comment: None. 3/1 Carries. Commissioner Herrold abstained.

F. Old Business

1. Comprehensive Plan – FYI

Progress provided by Zoning Officer.

2. Mill Creek Trail and Greenway

i) Updated Phasing Plan – FYI

Commissioner Rooney reviewed project phasing. Engineer indicated this is part of a larger plan to connect to the Heritage Rail Trail.

ii) Easement agreements follow-up.

iii) Ordinance 300 Parking Amendments – S Belmont Street, 2nd Avenue, Wheaton Street Ordinance to address parking issues and accommodate public street bike lanes.

Motion (Gray/Herrold): to direct staff to work with Solicitor to create and advertise an amendment to parking Ordinance 300 to create no parking zones, time limited parking, and an overtime parking permit area surrounding Elmwood Park. Discussion: None. Public Comment: Melissa Stuart of 1161 Hollywood Terrace and Susan Bachant of 1749 Second Avenue inquired about how overtime parking would work and be enforced. 5/0 Carries.

3. Ordinance 2025-04 Special Purpose Parking Zones Amendment.

Motion (Herrold/Gray): to approve Ordinance 2025-04 Special Purpose Parking Zones

Amendment. Discussion: None. Public Comment: Ricky Dubbs of 545 S. Ogontz St. commented on loading zone use and enforcement. Detwiler: Aye. Rooney: Aye. Herrold: Aye. Gwilt: Aye. Gray: Aye. 5/0. Carries.

4. Fire Station 892 on Indian Rock Dam Road

i) Request for Payment – MW Studios Invoice 24-156-04

Motion (Gray/Gwilt): to approve payment in the amount of \$20,584.70 to MW Studios using unbudgeted funds from the Building Improvement Fund. Discussion: None. Public Comment: None. 5/0 Carries.

ii) Request for Payment – Saxton and Stump Invoice 126211

Motion (Detwiler/Gray): to approve payment of \$4,700 to Saxton and Stump using unbudgeted funds. Discussion: None. Public Comment: None. 5/0 Carries.

5. Victory Fire Company – 2025 Parking Lot Paving Project (Phase II) Bidding

Grant funds were awarded in the amount of \$75,000. Victory Fire Co. has allocated \$20,000. The initial project scope was reduced due to the limited funds awarded.

Motion (Gray/Detwiler): authorize the advertisement of the 2025 Victory Fire Company Paving Project for bids. Discussion: None. Public Comment: None. 5/0 Carries.

6. York County Regional Police Department (YCRPD) Merger

i) Assignment of the Memorandum of Understanding between the York College and Spring Garden Township Police Department to YCRPD

Motion (Detwiler/Gray): to authorize entering into an agreement with the York County Regional Police Department and the York College of Pennsylvania Department of Campus Safety assigning the Memorandum of Understanding between the Township and York College to York County Regional, in the form attached. Discussion: Commissioner Rooney questioned the timing of the MOU. Public Comment: None. 5/0 Carries.

ii) Ordinance to Disband Spring Garden Township Police Department

Motion (Detwiler/Gwilt): to direct staff to work with legal counsel to draft and advertise an ordinance disbanding the Spring Garden Township Police Department. Discussion: None. Public Comment: None. 5/0 Carries.

7. Windsor Street Guide Rail Repair

Motion (Gray/Herrold): to accept the insurer's claim amount of \$1,805.68 for the Windsor Street guide rail repair. Discussion: None. Public Comment: None. 5/0 Carries.

8. Recreation Commission Appointees Needed - Announcement

G. New Business

1. Resolution 2025-06 York County Construction Code Board of Appeals Participation Reaffirmation and Adjustment to Criteria for Membership to the Board

Motion (Herrold/Gray): to approve Resolution 2025-06 York County Construction Code Board of Appeals Participation Reaffirmation and Board Membership Criteria Adjustment. Discussion: None. Public Comment: None. 5/0 Carries.

2. 2025 Stormwater Project – Liquid Fuels

Motion (Gray/Gwilt): to approve advertisement to seek bids for the 2025 Ludlow Stormwater Project. Discussion: None. Public Comment: None. 5/0 Carries.

3. Resolution 2025-07 PA Small Water and Sewer Grant Application for Brookway Drive Relining

The cost of relining was quoted at \$376,500. The grant application requests \$320,000 in funding assistance, includes a matching commitment of \$56,500 by the Township in unbudgeted funds, and assigns authorized signers.

Motion (Detwiler/Gray): to approve Resolution 2025-07 PA Small Water and Sewer Grant

Application and Signing Authority for the Brookway Drive Stormwater Sewer Relining Project and to approve the unbudgeted General Fund expense of \$56,500 in unbudgeted matching funds. Discussion: None. Public Comment: None. 5/0 Carries.

4. Public Hearing for Liquor License Transfer - Scheduled for next meeting.

5. Loader Purchase – 2025 Caterpillar 920

Motion (Gray/Gwilt): to approve the purchase of a 2025 Caterpillar 920 loader from Cleaveland Brothers in the amount of \$179,400 and to expense \$89,700 to the General Capital Fund and \$89,700 to the Sewer Capital Fund. Discussion: None. Public Comment: None. 5/0 Carries.

6. Asset Disposal – 1998 Kawasaki Loader

Motion (Herrold/Detwiler): to approve the sale of the 1998 Kawasaki loader on Municibid to the highest bidder that meets the reserve amount of \$8,000 and to authorize the Public Works Superintendent to execute any and all sale documents. Discussion: None. Public Comment: None. 5/0 Carries.

7. Stambaugh Ness New Workstation Set-up Expense

Motion (Gray/Detwiler): to approve unbudgeted funds in the amount of \$1,144.09 payable to Stambaugh Ness for the set-up of a new workstation. Discussion: None. Public Comment: None. 5/0 Carries.

8. Pre-1997 Uniform Pension Contribution Distribution.

Motion (Gray/Gwilt): to direct the Township Manager to work with the uniform pension administrator, actuary, and recordkeeper to distribute the pre-1997 pension contributions to Chief Zimmerman, Sgt. Grada, and Ofc. Eisenhart. Discussion: None. Public Comment: None. 5/0 Carries.

9. Doceo eStudio 5516 ACT Buyout

Motion (Gwilt/Detwiler): to proceed with the buyout option from Doceo of the current copier at an amount not to exceed \$2,000 and to authorize the Manager to execute all documents. Discussion: None. Public Comment: None. 5/0 Carries.

10. Legal Services

i) Saxton and Stump Legal Services Engagement Letter.

ii) Solicitor Appointment

iii) Stock and Leader File Transfer Authorization

Motion (Herrold/Gray): to ratify Manager's execution of Saxton and Stump Engagement Letter for legal services; and to appoint Saxton and Stump represented by Jason Sabol as Township Solicitor; to ratify the Manager's execution of a Stock and Leader file transfer authorization to Saxton and Stump. Discussion: None. Public Comment: None. 5/0 Carries.

H. Commissioner Constituent Representation

1. Commissioner Detwiler, Ward 1 – Expressed disappointment with lack of volunteers for the Recreation Commission.

2. Commissioner Rooney, Ward 2

i) Mill Creek 2025 Clean-Up – April 5th – Displayed pictures along with a summary of how the clean-up went. The total cost for the cleanup was \$274. Expressed thanks to everyone who participated.

3. Commissioner Gray, Ward 3: Addressed the possibility of updated signs with rules and hours for parks after receiving complaints about late night basketball players at Violet Hill.

4. Commissioner Herrold, Ward 4: Acknowledged work being put into the Fun Fest for April 12th.

5. Commissioner Gwilt, Ward 5: Provided an update on the water line installation in his ward and praised the progress being made. He also provided an update on the trees he has ordered.

I. Township Consultant, Contracted Services, Departments

1. Township Consultants

i) **Solicitor:** Thanked the Board for working with Saxton & Stump and appointing him as Township Solicitor.

ii) **Engineer:** None

iii) **Fire Department / York Area United Fire and Rescue**

a) **YAUFR Charter Agreement – Proposed Changes**

Motion (Gray/Herrold): to direct staff to work with Solicitor to draft and advertise an updated YAUFR Charter Agreement Ordinance. Discussion: None. Public Comment: None. 5/0 Carries.

2. Township Administration

i) **Manager:** None

ii) **Zoning and Codes Enforcement:** None

iii) **Public Works:** None

iv) **Recreation**

a) **Spring Fun Fest – April 12th 11:00 AM to 2:00 PM**

Our first Recreation Department event will be Spring Fun Fest at the Municipal Building and Violet Hill Park on Tri Hill Rd. There will be a ribbon cutting, an open house, the Easter Bunny, bounce houses, face painting, and food trucks.

v) **Police:** None

J. Public Comment

1. Lynn Huddleston of 808 Clearmount Rd complimented the details that are provided in the agenda.

2. Roberta Boffo of 1080 Grandview Rd stated that she was pleased with her ward representative discussing the trees and suggested a tree commission.

II. Adjourn

Motion (Detwiler/Gray): to adjourn. **Adjourned at 8:21 p.m.**

Respectfully submitted,

Luther C Wike Jr.
Township Secretary

EA