

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

Persons Present:

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 June 26, 2025 and July 9, 2025 to discuss legal and personnel matters.

Suspend the Board of Commissioners Business Meeting

MOTION (Herrold/Gray) to suspend the Business Meeting for the purpose of holding a public hearing. Discussion: None. Public Comment: None. 4/0 – Carries.

Public Hearings:

Public Hearing – Vacate of Roadway

-Open the Hearing

Vacate portions of East Boundary Avenue and South Albemarle Street

- Public Comment

- Conclude Hearing

MOTION (Herrold/Gray) to resume the Business Meeting. Discussion: None. Public Comment: None. 4/0 – Carries

A. Presentations

1. **Mount Rose Property** – Roberta Boffo of 1080 Grandview presented on the 1799 Mount Rose Property. She gave her understanding of the Township's history with the property including DEP assessments. She requested more information regarding remediation, public access, and placement of no trespassing signs.

B. Public Comment

Josh Munson of 1421 Mt Rose Ave - inquired about the best way to communicate with the Commissioners.

Grant Waltersdorf of 1110 Greendale Rd – Commented on uniform public access to the Mount Rose property for everyone.

Karen Greengard of 1113 Hollywood Terrace commented on no trespassing signs at the 1799 Mount Rose Property and public access to public lands.

C. Business Meeting Minutes

1. **MOTION (Herrold/Gray)** to approve June 11, 2025, and June 27, 2025 Meeting Minutes. Discussion: None. Public Comment: None. 4/0 – Carries.

D. Finance

1. **MOTION (Gwilt/Herrold)** to accept the June 2025 Treasurer's Report and Bank Transactions. Discussion: None. Public Comment: None. 4/0 – Carries.

E. Subdivision / Land Development

1. 711 Olive Street, Final Land Development Plan

- i) **Waivers:** Recommended for approval by Planning Commission.

MOTION (Gray/Gwilt) to approve the following waivers for the 711 Olive Street Final Land Development Plan:

- a) A waiver for preliminary plan approval has been requested. (275-21 SALDO)
- b) A waiver for maximum water depth for above ground storage facilities has been requested. (265-306.K & 265-306.R(1) SWM)

- c) A waiver for minimum top embankment width has been requested. (265-306.R(2), SWM)
- d) A waiver for maximum side slopes has been requested. (265-306.R(3), SWM)
Discussion: Dave Davidson of C.S. Davidson made note that three of the four waivers are related to stormwater. Public Comment: None. 4/0 – Carries.

ii) Final Plan Approval with Conditions:

MOTION (Gray/Gwilt) to approve the 711 Olive Street Final Land Development Plan with the following conditions:

- a) Work with the zoning officer to relocate the dumpsters and outside storage. This will require an enclosed dumpster facility with a 6' screening to the rear of the property. (275-40.1.D(5)(a), SALDO).
- b) An approved E & S plan and NPDES Permit are required. (275-24.D(4), SALDO)
- c) Security for proposed improvements (sewers, landscaping, stormwater, erosion control) must be posted before final plan recording. (§275-24.D.5, SALDO)
- d) 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.
- e) Stormwater management approval. (§276 Stormwater Management)
- f) Owner's notarized signature (§275-24.C(22), SALDO) This should match the Deed that has been recorded.
- g) A note added to the plan that the owner will install concrete curbing within 6 months' notice from the Township.

Discussion: Dave Davidson of C.S. Davidson stated that most of the conditions are met, and three are outstanding without foreseeable issues. Public Comment: Melissa Stuart of 1161 Hollywood Terrace asked for clarification of what three outstanding; Security, Development Agreement, and Owner's signature. 4/0 – Carries.

2. 711 Olive Street – Land Development Plan – Time Extension Waiver

MOTION (Gray/Herrold) to approve a 45-day time extension waiver to August 14, 2025, for recording the 711 Olive Street Land Development Plan. Discussion: None. Public Comment: None. 4/0 – Carries.

3. Regents' Glen Lot 86 – Red Oaks – Time Extension Waiver

MOTION (Herrold/Gwilt) to approve a 45-day time extension waiver to August 14, 2025, for recording conditionally approved Regents' Glen Lot 86 Land Development Plan. Discussion: None. Public Comment: None. 4/0 – Carries.

F. Old Business

1. Comprehensive Plan – FYI

On July 1st the Planning Commission voted to recommend the plan to the Board of Commissioners.

2. Mill Creek Trail and Greenway – FYI – Dave Davidson, of C.S. Davidson stated that the Township is waiting on grant updates, and the Township Manager stated responses should be received in August and November for Phase 1 and Phase 2 respectively.

3. Fire Station 892 on Indian Rock Dam Road

i) Request for Payment – MW Studios Invoice 24-156-07

MOTION (Gray/Herrold) to approve payment in the amount of \$41,269.90 to MW Studios using unbudgeted funds from the Building Improvement Fund. Discussion: None. Public Comment: None. 4/0 – Carries.

ii) Reimbursement Resolution

PFM Financial Advisors suggested adoption of a reimbursement resolution.

MOTION (Herrold/Gray) to direct staff to work with Solicitor to draft a reimbursement

resolution. Discussion: Commissioner Gray clarified that this Resolution will allow the Township to keep the option for reimbursement open to the Township. Public Comment: None. 4/0 – Carries.

4. York County Regional Police Department (YCRPD)

i) Leased Police Server Buy-out

This server was part of Spring Garden Township's capital contribution.

MOTION (Herrold/Gwilt) to approve the Stambaugh Ness lease buy-out of the police server in the amount of \$2,275 and to authorize the Township Manager to execute the agreement. Discussion: The Township Manager clarified that the server was transferred to York County Regional and this amount will buy out the remaining lease. Public Comment: None. 4/0 – Carries.

5. Chapter 300 Vehicles and Traffic Ordinance Update

MOTION (Herrold/Gray) to direct staff to work with Solicitor to draft and advertise amendments to Chapter 300 to include a no-truck-parking area outside Regents' Glen, restrict use of brake retarders on Hudson Street, remove parking restrictions on Sharon Drive, make Ness Alley one way heading West, restrict parking on the South side of Ness Alley, remove time restricted parking along 1700 block of 2nd Avenue, remove 1700 block of 2nd Avenue from the parking permit exemption list, restrict non-compliant vehicles parked on public streets, remove fine amounts and add them to the fee schedule, update fines to be in-line with those of York County Regional's municipalities, add Chapter 300 fines to the fee schedule. Discussion: Commissioner Herrold noted that he recommended the no trucking parking outside of Regents' Glen, and the remaining updates are common sense updates. Commissioner Gray suggested reviewing Sharon Drive for consideration for an update. Public Comment: Ricky Dubbs of 545 S Ogontz St asked what is considered a non-compliant vehicle and the Township Manager clarified that currently that is not outlined in the Ordinance and the update will clarify that information. 4/0 – Carries.

6. Ordinance 2025-07 Peddling, Soliciting, and Transient Retail Sales Amendment

MOTION (Herrold/Gwilt) to approve Ordinance 2025-07 Peddling, Soliciting, and Transient Sales Amendment.

Discussion: The Solicitor noted that this Ordinance is to correct aspects of the Ordinance that required action from the Chief of Police. Public Comment: None. Herrold-Aye, Detwiler-Aye, Gray-Aye, and Gwilt-Aye, Rooney-Absent. 4/0 – Carries.

7. Ordinance 2025-08 Vacating Portions of E Boundary Ave. and Albemarle St.

MOTION (Gray/Herrold) to approve Ordinance 2025-08 Vacating Portions of E Boundary Ave. and Albemarle St. Discussion: None. Public Comment: None. Herrold-Aye, Detwiler-Aye, Gray-Aye, and Gwilt-Aye, Rooney-Absent. 4/0 – Carries.

8. 2025 Streets Paving Project Payment – Liquid Fuels

The project is complete and ready for payment; it came in \$11,000 under budget.

MOTION (Gray/Herrold) to approve payment to Asphalt Maintenance Solutions in the amount of \$318,578.13 from the Liquid Fuels Fund for the 2025 Streets Paving Project. Discussion: None. Public Comment: None. 4/0 – Carries.

9. Recreation Commission Appointees

Following initial staggered appointments, future appointments will be for five-year terms. The first meeting will be scheduled and advertised.

MOTION (Herrold/Gwilt) to appoint the following to the Recreation Commission: Aaron Hall of Ward One to a 2025 term, Leah McQuillis of Ward Two to a 2025-2026 term, Corey Willard of Ward Three to a 2025-2027 term, Andrew Ruth of Ward Four to a 2025-2028 term, and

Missy Stuart of Ward Five to a 2025-2029 term. Discussion: Commissioner Herrold extended his appreciation to those that volunteered to serve as members of the Commission. Public Comment: None. 4/0 – Carries.

G. New Business

1. Personnel

i) Resolution 2025-16 Job Description Amendments – Administrative Assistant and Office Assistant I & II

MOTION (Gwilt/Gray) to approve Resolution 2025-16 Job Description Amendments – Administrative Assistant and Office Assistant I & II. Discussion: None. Public Comment: None. 4/0 – Carries.

2. 2025 Sanitary and Stormwater Sewer Maintenance Projects

The Hoffman Road Sanitary Sewer Project was budgeted for 2025 at \$1 million. This project will be moved to 2026 due to delays in geotechnical bore testing. Staff propose other sanitary sewer projects for 2025 to prevent a delay in our sanitary sewer maintenance schedule. Annual sanitary sewer maintenance projects are budgeted at \$350,000 annually. The Tri Hill Sanitary Sewer Project would be in conjunction with a stormwater sewer project.

MOTION (Gray/Gwilt) to direct staff to work with Engineer to pursue a 2025 sanitary sewer maintenance project schedule to include Ludlow Point Repair (\$5,550), Wyndsong Wet Well Lining (\$8,864), Tri Hill Repair (est. \$50,000), and Mt Rose Lining (est. \$245,700). Discussion: None. Public Comment: None. 4/0 – Carries.

MOTION (Herrold/Gwilt) to direct staff to work with Engineer to pursue a 2025 Tri Hill Stormwater Sewer Repair Project at an estimated cost of \$200,000 using Liquid Fuel funds. Discussion: None. Public Comment: None. 4/0 – Carries.

MOTION (Gray/Herrold) to approve the USG sanitary sewer repair quotes for Wyndsong Wet Well Lining at \$8,864 and Ludlow Point Repair at \$5,550. Discussion: None. Public Comment: None. 4/0 – Carries.

MOTION (Gray/Herrold) to approve the Abel Recon sanitary sewer lining quote for South side of Mount Rose Avenue at \$245,700. Discussion: None. Public Comment: None. 4/0 – Carries.

3. Cable Television Franchise Fee Audit

The 2025 Budget included \$6,000 for a Comcast cable television franchise fee audit. Since the previous quote, the audit fee has increased. A group rate (\$6,750) is available if five or more municipalities participate in the audit.

MOTION (Herrold/Gray) to approve the Cohen Law Franchise Fee Audit at an amount not to exceed \$7,500. Discussion: Commissioner Herrold clarified that this audit would cover a five-year period and ensure the Township is paid what it is owed by the franchise. The Solicitor stated that the audits usually find underpayments. Public Comment: Ricky Dubbs of 545 S Ogontz St asked if that is the fee on the bill, and it was clarified that the fee on the bill is what would be audited to ensure the Township is receiving the correct amount. 4/0 – Carries.

4. Public Works Network Hardware Install

MOTION (Gray/Herrold) to approve the agreement with Stambaugh Ness for the network cleanup project in the amount of \$3,290.32 using unbudgeted funds and authorizing the Manager to execute the agreement. Discussion: None. Public Comment: None. 4/0 – Carries.

5. Support Letter for Minimizing Local Service Tax (LST) Restrictions

LST is a \$1 per week tax for individuals that work in the Township.

MOTION (Gray/Herrold) to direct staff to execute a letter to State Representative Hill-Evans

on behalf of the Board of Commissioners supporting an update to LST restrictions allowing for municipalities to have more autonomy over taxation. Discussion: The Township Manager clarified that there is currently a \$1.00 per week limit on anyone that works in the Township, and is restricted by State regulation. The proposed changes would allow for an upwards of \$3.00 per week option that would allow more flexibility for the Township. Public Comment: Melissa Stuart of 1161 Hollywood Terrace asked how much the tax currently brings in. The Township Manager estimated it at \$300-\$400k per year. Lynne Huddleston of 808 Clearmount asked about the letter. 4/0 – Carries.

H. Commissioner Constituent Representation

- 1. Commissioner Detwiler, Ward 1** - None
- 2. Commissioner Rooney, Ward 2** - Absent
- 3. Commissioner Gray, Ward 3** – Thanked Dawn for work on the flooding solution in her Ward. Reminded residents about Fourth Friday, and thanked Katie for her efforts putting it together. Expressed concern about the Comprehensive Plan timeline and she has had requests from residents to have a meeting during the review period.
- 4. Commissioner Herrold, Ward 4** - None
- 5. Commissioner Gwilt, Ward 5** – Noted that there are ongoing issues with rental property maintenance in his neighborhood.

I. Township Consultant, Contracted Services, Departments

1. Township Consultants

- i) Solicitor** - None
- ii) Engineer** - None
- iii) Fire Department / York Area United Fire and Rescue** - None
- iv) Police Department / York County Regional Police Department** – National Night Out is August 6th.

2. Township Administration

- i) Manager** - None
- ii) Zoning and Codes Enforcement** - None
- iii) Public Works** - None
- iv) Recreation** – Noted about registration for Art Classes at Violet Hill park being open.

J. Public Comment

- 1.** Roberta Boffo of 1080 Grandview - requested to be included in conversations about zoning and commented on the opening of the Mount Rose Property.
- 2.** Amy Mitten of 653 Mulberry St – inquired if property maintenance requirements apply to all properties within the Township because there are many property maintenance issues and a porta potty at Hudson & Olive St that need addressed.

II. Adjourn

MOTION (Herrold/Gwilt): to adjourn at 7:59pm.

Respectfully submitted,

Luther C Wike Jr.
Township Secretary

EA