BOARD OF COMMISSIONERS

Tuesday, November 10, 2015

6:00 P.M.

Comm. Steele called the meeting to order at 6:00 pm with the following in attendance:

Comm. Granholm Elizabeth Heathcote Scott DePoe

Comm. Jones Lisa Frye Gary Milbrand

Comm. Kessler Carly Mercadante Neil Beach Comm. Knepper Steve Hovis Fred Krause

Other Township Employees: Adam Wolf; Kathy Dellinger and Jeff Grove, EMA; Joe Eberly, Recreation Commission; Glenn Myers, ZHB

Others: Cpl. Boyce and Officer McGee, YARP

Minutes On motion of Comm. Granholm, seconded by Comm. Jones, the minutes of October 13th and 15th, 2015 were approved as presented. Vote 4 yes. (Comm. Steele did not vote as he was not at the October meetings)

Payment of Bills

On motion of Comm. Granholm, seconded by Comm. Kessler, the following bills for October 2015 were approved for payment:

General Fund $1,794,779.85

Sewer Revenue Fund 406,431.43

Intermunicipal Sewer Fund 28,020.50

Stormwater Mgt. 37.88

Recreation Capital Reserve 71,766.03

General Capital Reserve 152,822.11

Sewer Capital Reserve 324,580.88

Street Light 226.86

Escrow Fund 1,502.03

Impact Fees 49,197.00

**TOTAL $2,829,364.57**

Professional Services

Non-Reimbursable $23,569.94

Vote 5 yes.

Presentation

of 2016

Budget Fred Krause presented the 2016 budget. Copy of his presentation is included in the minute book.

COMMISSIONER AGENDA

Comm.

Knepper I attended the YARP meeting on October 13th. I’d like to thank the folks that voted and affirmed me again. I’m truly honored to represent my neighbors.

I walked the paved trail at York Township Park, and it is a job well done. It will save money on maintenance.

Comm.

Kessler I have received a number of emails about the light at Chambers Road. We have been asked if the temporary light on Rt. 24 could remain, and the answer is no. Rep. Kristen Hill wrote to the Secretary of Transportation and was told that the light would be removed.

Comm. Jones and I have attended many meetings, with Rep. Saylor, Rep. Hill and Sen. Wagner. Originally PennDOT provided us with 5 ways to construct a light at Plymouth Road. Some of the options were off Heritage Hills Drive, coming through the condos, and through the golf course. We chose the option of connecting behind the ice cream shop and carpet store to get to Plymouth Road. We applied for a grant and it was granted with a 70/30 split, with the township having to contribute the 30%.

We came up with an alternate plan that was less costly and didn’t require taking any property. We attended a series of meetings and were told it would work. We left the meeting feeling good. Then we were told that the only light would be at Plymouth Road. We have $600,000 in the 2016 budget.

Comm.

Jones We have attended a number of meetings, and I have accumulated a large amount of information on this matter. The township has been diligent in how best the light can be done for the entire township and the residents of the area. The township has been the receiver of bad information. When we were given all of the alternatives, the township did not turn their back, we followed through. Comm. Kessler and I met with Matt DeRose and have received cooperation with our local legislator. Matt is prepared to make a substantial donation lessening the amount the township will need to spend.

Comm

Kessler I want to thank all Veterans for their service. I attended the Appreciation Dinner at Goodwill Fire Co. on Saturday. I am thankful for the volunteers. I want to thank those who voted for me, Comms. Steele and Knepper to serve another 4 years.

Comm.

Jones Recently we were in the mall and saw a young man with a tee shirt that read “Land of the Free – Thanks to the Brave”. That sums it up. Thanks to all Veterans.

I attended the budget workshop, the ZHB meeting, the Goodwill banquet. I appreciate the awards given out, our community has benefitted over the years from the years of service by some of their members. I attend the Fire Chief’s meeting and am constantly amazed at the number of calls they respond to and the number of calls that individuals respond to. I am thankful for their service.

I’d like to thank the members of the staff with their contributions to the United Way. We have exceeded our goals.

EMA hosted Nadine Hubner, Sen Wagner’s office, and Rep. Kristen Hill. Several of the EMA staff were there and identified the area of service that they provide. Kathy also met with Dr. Doll from Dallastown Area Schools to discuss their Emergency Operation Plan.

On motion of Comm. Jones, seconded by Comm. Kessler, the board approved the distribution of the recruitment and retention money for the 3rd quarter to the five fire companies. Vote 5 yes.

Comm.

Granholm Thanks to all Veterans who have served so selflessly. If you run into one shake hands and thank them.

I attended the October YARP meeting. They will meet Wednesday and I believe we will adopt the 2016 budget. I have a matter of concern with the municipalities that are going to the State Police for coverage. This is a huge challenge to regional police forces. One of the contracting municipalities has sent a request to be let out of their contract early. It has not been considered by the YARP Commission. The State Police do not enforce ordinances. Contact your representative and let them know that this is a problem and may create a problem for the future of regional police departments.

On Wednesday, December 2nd at 7:00 pm York County Coroner Pam Gay will be giving a presentation on the heroin epidemic in York County. It is very eye opening. Tell your neighbors to come and hear her message. We have a huge problem here in York County.

Comm.

Steele Sorry to the board that I missed the October meetings. I think that’s the first one I’ve missed since 2001. Thank you for your support.

I see there is some progress between York Township and the developer for Fountainhead. I don’t want to see the developer walk away.

I attended the October YARP meeting and will attend the November meeting.

I appreciate the support of the township citizens, and plan to be here another 4 years, but I will not run for re-election in 4 years.

I sent a letter to Rep. Hill about the State Police. It is an issue that they need to address. Some of these boroughs look at the State Police as being ‘totally free’. Each of you sitting here is paying for the State Police to serve those areas.

Comm. Kessler: Recently there was a story in the newspaper about a State Police car hitting a County Commissioner. It was a domestic violence call in Chanceford Township, and the nearest State Police was going through York City.

Chambers

Road Comm. Kessler: I’d like to make a motion that the township proceed with plans to extend Chambers Road to Plymouth Road and install a traffic signal and sign the grant agreement so that PennDOT will know we are serious. Comm. Jones seconded the motion.

Comm. Knepper: Mount Rose is a state road. We don’t maintain it and don’t have much to say about it. It’s a shame that the state didn’t see the need for the Chambers light to remain. The township has gone to great lengths to solve the problem, and have spent lots of money and have not been able to resolve the problem. Eminent domain is something that we have not dealt with as a board. It is difficult to give a thumbs up. This benefits a very small percentage of York Township at a very high cost to the residents. If more grant money was available it could make sense. There are too many unanswered questions.

Comm. Jones: Yes, it is a small portion of the township, and over the years we have looked at small areas when we have put in sewer lines. The township is the receiver of the problem. To walk away complicates the matter for the citizens and the township. The bulk of the money will be paid by a grant. Heritage Hills will make a contribution, PennDOT will make a contribution. After attending meetings I believe that will be the plan.

Comm. Granholm: We will have to upfront the money. $2 million. We will go into debt to fund the project and then we will have debt service to pay. I am sympathetic to putting the road in, but one representative decided he was the arbitrator on this. What empowered Rep. Saylor? This would be a short term debt, and no doubt the funding was represented to be available. We have no state budget this year, and I think that will be on-going as we look down the road. When are we going to start building?

Comm. Kessler: The board at Springettsbury will obtain the HOP and maintain the signal once it is installed.

Comm. Granholm: If we could have done the alternative we could have finished the project in 18 months with the grant.

Comm. Kessler: Comm. Jones talked with Matt DeRose and he’s going to donate land to the township for the road. He estimates its worth about $450,000, and that can go towards our 30%. I don’t want to continue to tell people that it’s achievable. If this large land owner donates the land we wouldn’t have to take it. In 2002 we bought a house and spent $300,000 to put in the signal light. We are asking the board to go forward with this project.

Comm. Steele: The story of Chambers Road intersection begins in the early 2000s when we installed a traffic light on Rt. 124 for the safety of the general public for right and left turns. We purchased a residential property so that the traffic light could be installed with turn lanes. The cost to the citizens is estimated to be near $300,000. Then at a public meeting November 2008 PennDOT stated that the Chambers light would be removed during the Rt. 124/24 upgrade.

In early 2014 PennDOT removed the light. The township considered several alternatives to connect Chambers Road to Rt 124. We filed for a grant application and were awarded $1.2 million. The staff came up with an alternate connection and believed it to be a win-win for all concerned. We proceeded believing that PennDOT had agreed with our plan and then are told that PennDOT and Rep Stan Saylor are insisting that the traffic light be moved to Plymouth Road in Springettsbury Township with service to an entrance to Heritage Hills. Considering the PennDOT alternative that requires York Township to install a traffic light in Springettsbury Township and then develop a road across several private properties, consider the taking land by eminent domain, and then provide access to a private land owner, I cannot support such action as the cost for such a plan would be placed on 27,000 citizens of York Township to correct the design issues created by PennDOT. My opinion on this issue: PennDOT cannot place the burden on citizens of York Township to establish traffic control devices on Pennsylvania State Roads. If PennDOT wants to install a traffic light at Plymouth Road in Springettsbury and provide access to a private developer, have at it.

Comm. Granholm: We have a commitment of $600,000 in the 2016 budget, assuming that the budget is passed. I’d like to have some answers to some of these questions. I’m just trying to find some middle ground. We have shown commitment, we have the money in the budget. We need some more engineering to see if we can do it this way. We need at least a couple of months. We need more than an email. Will we have to take land? Can we take a little more time to get some more concrete answers?

Comm. Kessler: The grant can only be used to take the road to Plymouth Road.

Comm. Jones: Thank you. Is your idea to withdraw the motion for a couple of months to get the total cost of the project and have the land donation brought to the table?

Comm. Granholm: We need some cap on this cost. We have worked hard over the last 4 years and have not exceeded our costs on any projects that we budgeted.

Comm. Jones: There are several entities in this cost – PennDOT, York Township and now the donation of land.

Comm Kessler withdrew his motion knowing that he can bring it up again. Comm. Jones withdrew his second to the motion.

Comm. Steele: One of the main concerns is that PennDOT has not been forthright in our discussions. I don’t see how York Township can put a light in Springettsbury Township.

Comm. Kessler: One man has made the decision.

Comm. Knepper: That same person doesn’t represent York Township, but he holds the purse strings. York Township is not able to vote him out. I think it’s wise to get some letters of commitment.

Brad

Hengst Malfunctioning septic system on the Clair and Joanne Spangler property located on Water Street. The back of their property has a grade over 25%. There are two flat areas, but the soil is not suitable in either location. A small flow treatment facility will work. Currently the septic runs into the spring water and ends up in the Codorus. The facility will pump the water to a bed on a liner of gravel, sand and soil, the lower bed will collect the wastewater to a chlorine tank, catch the bacteria and discharge to the pipe and back to the Codorus.

Attorney Hovis: How much on-going maintenance?

Brad Hengst: It requires inspections 2 times a year, which I can do. It has to be cleaned every 3 years and reports and certification submitted to the Township and DEP. It requires chlorine tablets to be put in the chlorinator.

Comm. Knepper: Are you able to bring in soil?

Brad Hengst: Yes, but it has to sit 4 years before it can be tested. Brad also expressed his concern with the agreement, #8 that if the owner does not proceed with repairs, the township shall enter upon the property to abate the nuisance created thereby with costs and expenses incurred to be paid by owner. He provided an amended agreement that was more agreeable to the solicitor and board.

TOWNSHIP MANAGER - Elizabeth Heathcote

Res. 15-12

Rec Comp

Plan On motion of Comm. Knepper, seconded by Comm Jones, Resolution 2015-12, adopting the Recreation Comp Plan was approved. Vote 5 yes.

Ord. 15-7

Floodplain

Mgt. On motion of Comm. Jones, seconded by Comm. Kessler, Ordinance 2015-7, adopting the Floodplain Management Update was approved with the following voice vote:

Comm. Knepper Yes

Comm. Kessler Yes

Comm. Granholm Yes

Comm. Steele Yes

Comm. Jones Yes

Res. 15-13

Appt.

Floodplain

Administrator

On motion of Comm. Jones, seconded by Comm. Granholm, Resolution 2015-13, appointing Gary Milbrand as Floodplain Administrator was approved. Vote 5 yes.

Res. 15-14

Act 537

Spangler On motion of Comm. Knepper, seconded by Comm. Granholm, Resolution 2015-14, amending the Act 537 plan with a planning module for Clair and Joanna Spangler, Water Street, was approved. The agreement accompanying the planning module is approved with an executed agreement containing the new language. Vote 5 yes.

Jake

Brakes We were advised by Windsor Township that the approval for the jake brake restrictions was for the south bound lane of Rt. 24, which is in York Township. Windsor asked if York Township would be willing to erect the sign in York Township and they would pay half of the ordinance preparation, advertising and sign costs. The board took no action on this request.

Louise

Ave There was a water pit located on this lot on Louise Ave that was used to fill up the sweeper years ago. The water pit was removed and now the township has no need to keep the lot. On motion of Comm. Kessler, seconded by Comm. Jones, the board voted to put the lot up for sale. Vote 5 yes.

Pam

Gay York County Coroner Pam Gay will make a presentation on the heroin epidemic in York County on Wednesday, December 2nd at 7:00 pm at the Township Building.

RECREATION – Carly Mercadante

Monthly report is included in the minute book.

Cocoa and cookies with Santa, tree lighting, and choirs will be held Friday, December 4th at 7:00 pm at the township building.

PUBLIC WORKS – Scott DePoe

Monthly report is included in the minute book.

Salt

Shed On motion of Comm. Jones, seconded by Comm. Kessler, the board approved the spending of budgeted funds for the engineering work associated with the design of the 70’ x 120’ salt shed to be constructed on the Municipal Campus. Included will be the design drawings from Advanced Storage Structures and development of the site plan including the subsurface geotechnical work from JMT. Vote 5 yes.

ENGINEER & ZONING OFFICER – Neil Beach and Lisa Frye

Suzanne

Bozart On motion of Comm. Knepper, seconded by Comm. Steele, the board granted a second driveway for property located at 98 Churchill Drive. Vote 5 yes.

P2015-9-1

Living Word

Church

Plan presented by Craig Smith, RGS. On motion of Comm. Kessler, seconded by Comm. Jones, P2015-9-1 subdivision plan for lot line adjustment for Living Word Church was approved with the following conditions or modifications:

1. All comments on the letter from Neil Beach, JMT, dated November 2nd, 2015 shall be met.

2. The York Township Engineering Department shall receive an electronic file prior to recording.

3. A check in an amount to be determined by the Assessment Office and the Recorder of Deeds Office shall be received by the York Township Engineering Department prior to recording.

4. All invoices to be paid prior to recording.

Vote 4 yes, 1 abstain (Comm. Knepper abstained, conflict of interest form included in minute book.

P2015-8-1

Living Word

Church Plan presented by Craig Smith, RGS. On motion of Comm. Kessler, seconded by Comm. Jones, LD2015-8-1, Living Word Church was approved with the following conditions or modifications:

1. All comments on the letter from Neil Beach, JMT, dated November 2nd, 2015 shall be met.

2. The York Township Engineering Department shall receive an electronic file prior to recording.

3. A check in an amount to be determined by the Assessment Office and the Recorder of Deeds Office shall be received by the York Township Engineering Department prior to recording.

4. All invoices to be paid prior to recording.

5. Waivers approved for the following:

a. Section 904.A.1 methods of calculation of runoff

b. Section 906.E.9 & 906.E.9 (e) fore bays – embankment top width and side slopes

Vote 4 yes, 1 abstain (Comm. Knepper abstained, conflict of interest form in minute book)

LD15-8-2

Sheetz Plan presented by John Luciani, First Capital Engineering, Mike LaCesa, Brian Soyka, P.E., and Attorney Ron Lucas. On motion of Comm. Jones, seconded by Comm. Kessler, LD2015-8-2, Sheetz final land development plan was approved with the following conditions or modifications:

1. All comments on the letter from Neil Beach, JMT, dated November 4th, 2015 shall be met.

2. The York Township Engineering Department shall receive an electronic file prior to recording.

3. A check in an amount to be determined by the Assessment Office and the Recorder of Deeds Office shall be received by the York Township engineering Department prior to recording.

4. All invoices to be paid prior to recording.

5. Waivers granted for the following:

a. Section 307 preliminary land development plan

b. Section 506.F.3 intersection leveling areas & grades

c. Section 506.F.8.a clear sight triangles

d. Section 508.B & 508.A.4 curbs and reinforced shoulders

e. Section 512.H.4 intersection radii

f. Section 512.H.6 centerline separation distance

g. Section 522 steep slopes

h. Section 611.B.3 parking lot landscape design, planting islands

i. Section 905 SWM volume control

Vote 5 yes.

Attorney Ron Lucas, on behalf of Sheetz, asked the board to consider allowing the net new pm peak hour trips at the current store, located at 2721 South Queen Street, be transferred to the relocated store to be constructed along Leader Heights Road. After some discussion the board failed to get a motion on the table for this request. When the building permit is issued for this construction the township will expect payment of the Traffic Impact Fee for 79 trips at a total cost of $125,373.00.

Time

Extensions On motion of Comm. Kessler, seconded by Comm. Jones, the board granted 90 day extensions for the following plans:

P2011-5-1 Fair Valley Reverse Subdivision

LD2015-5-1 IVRI Land Development

Vote 5 yes.

SOLICITOR - Steve Hovis

Village

Realty

Stormwater

Agreement On motion of Comm. Granholm, seconded by Comm. Jones, the Village Realty Stormwater Agreement was approved. Vote 5 yes.

PUBLIC COMMENTS

Kelly

Paraskevakos

3102 Skylight Drive. I know you are tired of us talking about the light. It is not going to end. We understand the position you are in and we ask for the same respect. When we leave on East Prospect Road there are 5 lanes, the speed is posted 35 mph, but most are driving 55-60 mph. I was here and spoke for the first light, the one that PennDOT took down. It is more dangerous than it was 8-10 years ago. I would love to vote Stan Saylor out of office, but I can’t. You say we are a small part of the community, I’m sorry that you feel that way. Comms. Kessler and Jones we thank you for your efforts, but we are not done and are not going away. I thought we were paying to extend Chambers Road, I didn’t consider us buying a light for Springettsbury. If we have officials that put township citizens in danger is there any way to hold them accountable? I am terrified. I hope that no one is ever here reporting that someone has died. We need your help. We are important.

Tina

Cooper 827 Solarlight Drive. When we met during the summer, PennDOT’s Mike Keiser was willing to draw up imbursement payments. PennDOT said they have additional money and would help us at that point. We all pay taxes and you have budgeted $600,000. We’ve compromised. What more do you want us to do to help you? If it comes up for a vote again, is it going to be a no vote? Give us a time line. Will you have more information next month?

Bob

Stoolmaker 2860 Heavenlight Circle. Understand the frustration we have as a community. Who is driving the results? We need to have results. We have to reroute our roads, and get traffic off the residential streets. At the end of the day you have to fix it. Invite Stan Saylor here to answer our questions.

John

Slatky I want to thank York Township. I understand Chambers Road. The problem is not you, it’s Stan Saylor. This is not a York Township problem. With new light technology the lights can be timed by seasons, time of day, etc. He’s the hold up. Springettsbury, how do you get him out? Where will the parking spots that will be lost at the hotel be relocated?

Executive

Session The board was in executive session to discuss pending litigation and a personnel issue.

Adjourn The meeting was adjourned at 10:50 pm.

Secretary