

YORK TOWNSHIP
BOARD OF COMMISSIONERS
190 Oak Road, Dallastown PA 17313
Tuesday, March 13, 2018
6:00 p.m.

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

Comm. Steele	Gary Milbrand	Steve Hovis
Comm. Granholm	Lisa Frye	Neil Beach
Comm. Jones	Scott DePoe	
Comm. Kessler	Carly Mercadante	
Comm. Knepper		

Other Township Employees or Board Members:

Adam Wolf, Public Works; Kathleen Dellinger, EMA; Jeff Grove, EMA; and Jacobus Mayor Greg Gruendler, EMA.

Others:

Chief Tim Damon, YARP; Barry Myers Yoe Fire Company and Bob Junkins, York Township Goodwill Fire Company.

Comm. Steele announced that the board met for an executive session on Tuesday, February 20, 2018, to talk about personnel matters and today March 13, 2018, from 5:30 pm - 5:58 pm to discuss personnel and litigation matters.

Minutes – February 13, 2018

On motion of Comm. Granholm, seconded by Comm. Knepper, the minutes of February 13, 2018, were approved. Vote 5 yes.

Payment of Bills

On motion of Comm. Jones, seconded by Comm. Granholm, the following bills for February 2018 were approved for payment:

General Fund	\$ 1,197,954.36
Sewer Revenue Fund	\$ 390,587.15
Inter-Municipal Sewer Fund	\$ 9,291.33
Storm Water Management Fund	\$ 2,868.27
Recreation Capital Reserve Fund	\$ 21,143.88
Liquid Fuels Fund	\$ 1,989.00
General Capital Reserve Fund	\$ 49,219.00
Sewer Capital Reserve Fund	\$ 21,977.38

Street Light Fund	\$ 263.36
Escrow Fund	\$ 1,996.96
EMA Fund	\$ 129.55

Total	\$ 1,697 ,420.24
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Vote 5 yes.

On motion of Comm. Jones, seconded by Comm. Granholm, the non-reimbursable portion of bills for February 2018 in the amount of \$10,613.80 were approved for payment.

Vote 5 yes.

2016 YARP Annual Report

Report presented by Chief Tim Damon. Copy of report filed with the minute book and is available on the YAPD.org website.

York County Convention and Visitors Bureau

Christina Smith gave a presentation on the York County Convention & Visitors Bureau(YCCVB). YCCVB has developed a new grant program as a result of the room tax increase and expects to have over \$700,000 available to entities for further promoting tourism. A Peter Greenberg “Live Like a Local” video was presented. More information can be found on the YCCVB web page at www.YorkPa.org.

Commissioner Agenda

Comm. Knepper – Reported he attended the executive sessions. He attended the March 8th YARP meeting. He was a guest speaker at the Red Lion Rotary Club meeting. He attended the February 27, 2018 Stock and Leader Municipal 101 presentation and thanked them.

Comm. Kessler – Reported he attended the February 27, 2018 Stock and Leader Municipal 101 presentation. He attended numerous meetings about public safety.

Comm. Jones – Reported he attended the February 27, 2018 Stock and Leader Municipal 101 presentation. He attended 4 meetings regarding Township issues.

The March 7th York County Science and Engineering Fair awards presentation was canceled due to weather. He thanked Molly Eck for judging for the Township awards. He congratulated Megan Williams(the senior award winner) and Ben Kenien(the junior award winner).

He responded to several calls from Township residents.

Station 19 Discretionary Funding

On a motion of Commissioner Jones, seconded by Commissioner Kessler, the Board put York Township Goodwill Fire Company (Station 19) on notice that the Township will not be providing the next quarter's discretionary funding, and directed the Township Manager to redirect those funds towards starting the process of providing other fire protection services within Station 19's coverage areas for the benefit of the residents and businesses of York Township. If the Township Manager, Commissioner Jones and Comm. Kessler receive a favorable response as determined by them by Tuesday, April 3rd, 2018, the Township may consider re-instating discretionary funding for the 2nd quarter of 2018.

Vote 5 yes.

Comm. Granholm – Reported that he attended the March 8th YARP meeting. At the meeting, Peoples Bank made a presentation of a \$15,000 check to assist in the purchasing of personal protective gear for the officers and thanked them for their commitment to the community.

He met with Township staff and Neil Beach of JMT to discuss the Recreation multipurpose building concept plans and possible sites on February 13th and March 12th, 2018.

Comm. Steele – Reported that he is recovering from some personal matters. He attended the February 27, 2018 Stock and Leader Municipal 101 presentation.

Township Manager's Agenda – Gary Milbrand

Stormwater Authority

Mr. Milbrand asked the Board if they would consider creating a Stormwater Authority. He noted that stormwater and the MS4 permit program is and will continue to be a drain of funds within the Township. Given that we have the Water and Sewer Authority, it would be reasonable to consider extending their coverage to include Stormwater. He requested of the Board to advise staff if they would like to consider a Stormwater Authority and fee or continue to fund stormwater management through the general fund. He noted he was asking this of the Board now because if the Board wants to consider a Stormwater Authority there will be a significant undertaking on the part of the staff in 2018 to prepare for bringing a consultant onboard in 2019. He anticipated a fee study and possible implementation in 2019. He also pointed out that a Stormwater fee would also include fees for non-profits such as schools, churches and hospitals. He also noted that the County is considering a countywide Stormwater Authority.

A discussion was held and the Board advised the Township Manager that they may consider a Stormwater Authority.

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Public Hearing for Transfer of PA liquor License to Transfer of PA liquor License to Sheetz at 2068 S. Queen Street

At 7:00 pm Comm. Steele recessed the regular meeting to a Public Hearing to hear comments on a request for transfer of a PA liquor license to Sheetz at 2068 S. Queen Street.

Attorney Mark Kozar, Flaherty & O'Hara, presented the request for a liquor license to be transferred.

A stenographer was present and recorded the testimony during the hearing.

At 7:17 p.m. the public hearing was closed.

At 7:17 p.m. the regular meeting was called back to order.

Res. 2018- 5 Transfer of PA liquor License Rutter's at Sheetz at 2068 S. Queen Street

On motion of Comm. Granholm, seconded by Comm. Kessler, the Board approved Resolution 2018-5, the transfer of liquor license No. R-3924 into York Township from York City. Sheetz, Inc. will use the liquor license at 2068 S. Queen Street.

Vote 5 yes.

Township Manager's Agenda – Gary Milbrand(Continued)

York County Stormwater Authority Municipal Representation

On motion of Comm. Knepper, seconded by Comm. Jones, the Board appointed Gary Milbrand as the municipal representative and Lisa Frye as an alternate municipal representative to the Local Government Committee for the York County Stormwater Authority Implementation Plan study.

Vote 5 yes.

Pennsylvania Supreme Court's redistricting of York Township

On Tuesday, March 6th there was a York Daily Record article in the paper. This article identifies that York Township will be split between two districts. The article refers to a web map page that residents can go to determine what district they are in. This boundary line does not entirely follow voting wards or precincts within the Township. It follows census blocks and tracts. The proposed map specifically splits Ward 5 Precinct 3 into three parts.

On motion of Comm. Kessler, seconded by Comm. Granholm, the Board approved Resolution 2018-06 opposing the Pennsylvania Supreme Court draft Congressional Map dated February 19, 2018.

Vote 5 yes.

A discussion was held.

Monthly Report:

Monthly report is included in the minute book. From his report he would like to point out the following:

Ethics Statements

As a reminder to the Commissioners, ethics statements of financial interests are due by May 1st. Blank forms have been included in the Board packet for completion.

2018 Residential Garbage and Recycling Collection Contract

The Bid packet was advertised on Thursday, February 22nd, and Friday, March 1st. A mandatory pre-bid meeting will be Thursday, March 15th, at 10:00 am. Bids are due by 10:00 am on Monday, March 26, 2018. Bids may be awarded at the Tuesday, April 10, 2018, Board of Commissioners meeting.

Recreation – Carly Mercadante

Monthly report is included in the minute book.

The Township's Big Yard Sale has been scheduled for Saturday, August 4th at the Dallastown High School parking lot.

The Recreation 2017 annual report was included in the Board packet and is available on the Township web page.

Public Works – Scott DePoe

Monthly report is included in the minute book.

Capital Project Purchase – 2018 Freightliner Cab with Palfinger Hooklift and Leaf Collection System

On motion of Comm. Jones, seconded by Comm. Granholm, the Board approved the purchase of the following COSTAR approved vendor quotes:

1. Proposal dated 2/14/2018 from Berman Freightliner for the 2019 tandem axle Freightliner cab and chassis with dual steering in the amount of \$123,000.
2. Proposal dated 3/1/2018 from EM Kutz for the upfitting (snow plow, 10 cy V Box spreader, Hooklift, controls, central hydraulics, etc.) in the amount of \$97,088.
3. Proposal dated 1/30/2018 from Old Dominion Brush CO. for the 20 cy leaf collection equipment in the amount of \$76,223.25.

For a total purchase price of \$296,311.25 to be allocated from the budgeted GF Capital Reserve (270k) and Liquid Fuels Equipment (50k) funds.

Vote 5 yes.

Municibid Auctions

Scott noted from his report that the Township auctioned 4 pieces of equipment on a Municibid Auction that ran from February 16th to March 2nd and that the Township got higher bids than anticipated. The 1999 Jeep Cherokee highest bidder was from New York State and requested to be relieved from his obligation. The Township decided to not pursue a legal course to recoup the high bid of \$1,650.00.

Engineer - Neil Beach and Director of Economic Development –Lisa Frye

Bridgewater Chestnut Hill Road Improvements

A request was presented by Todd Kurl of RGS Associates and Bill Briegel of Keystone Custom Homes to allow the Chestnut Hill Road improvement work identified in the Bridgewater improvement plan to be completed prior to the school district summer recess.

A plan was presented to detour traffic around Chestnut Hill Road in order to allow improvements to Chestnut Hill Road to be completed. The detour will primarily route traffic to Camp Betty Washington Road. Local traffic will be routed through Heather Drive and Primrose Lane.

They reported they have met or been in contact with Dallastown Area School District, Dallastown Bus Company, Yoe Fire Company, York County School of Technology, Penn Waste and the Post Office. The only requests they received was related to temporary postal delivery and trash collection for two residential properties on Chestnut Hill Road. All others were satisfied with the detour plan.

They reported they are working to get a schedule from the site work contractor, but are looking to get started with this work in early April.

A discussion was held.

The Board agreed to allow the improvements to Chestnut Hill Road to be completed prior to the school entering summer recess.

P2017-12-1 OSS Realty Company Lot Line Adjustment Plan

The plan was presented by Josh C. George- P.E., Snyder, Secary, & Associates.

On motion of Comm. Granholm, seconded by Comm. Jones, the P2017-12-1 OSS Realty Company Lot Line Adjustment Plan was approved with the following conditions or modifications:

1. All comments and conditions on the letter from Neil Beach, dated March 6, 2018, shall be met.
2. The York Township Engineering Department shall receive an electronic file prior to recording.

3. The York Township Engineering Department shall receive a check in an amount to be determined by the Assessment Office and the Recorder of Deeds Office prior to recording.
4. Waivers granted for the following with considerations:
 - a. Section 304.D.1- lot line Adjustment Plan (Plan Scale)
 - i. With consideration of the size and shape of the property to be shown on the plans and that all required information is visible at 60-scale.
 - b. Section 304.E - Lot Line Adjustment Plan (Plan Drawing Information)
 - c. Section 307 - Preliminary Plan Application Procedure
 - d. Section 308.E.3.g, 318.A - Phase-1 Environmental Site Assessment (PESA)
5. The final plan shall be accompanied by a completed development agreement, to be approved by the York Township Solicitor.
6. All invoices to be paid prior to recording.

Vote 5 yes.

LD2017-12-1 OSS Realty Company Final Land Development Plan for Parking Expansion

The plan was presented by Josh C. George- P.E., Snyder, Secary, & Associates.

On motion of Comm. Granholm, seconded by Comm. Jones, the LD2017-12-1 OSS Realty Company Final Land Development Plan for Parking Expansion was approved with the following conditions or modifications:

1. All comments and conditions on the letter from Neil Beach, dated March 6, 2018, shall be met.
2. The York Township Engineering Department shall receive an electronic file prior to recording.
3. The York Township Engineering Department shall receive a check in an amount to be determined by the Assessment Office and the Recorder of Deeds Office prior to recording.
4. Waivers granted for the following with considerations:
 - a. Section 307 - Preliminary Plan Application Procedure
 - b. Section 308.E.3.g - Phase-1 Environmental Site Assessment (PESA)
 - i. With consideration the plan provides the Township an environmental liability note absolving York Township of any liability, as well as requirements if unsuitable conditions are found during construction.
 - c. Section 509.D - 5-Foot Radius of Curvature within Parking Compounds

- i. With consideration that the requested waiver is for the curb radii located under the parking deck.
 - d. Section 509.E - 10-foot Back-Up Area for Dead End Parking
 - i. With consideration that the waiver request is to provide appropriate parking lot screening and sufficient room for street trees between the parking lot and Powder Mill Road, the waiver is for the reduction of the backup area length from 10-feet to 5-feet. The waiver only applies to the proposed south-eastern parking lot, directly adjacent to Powder Mill Road, to accommodate the installation of the required landscaping.
 - e. Section 609 - Street Trees
 - i. With consideration that the necessary number of trees have been provided.
 - f. Section 303 & 905- Volume Controls and Volume Control BMPs (Stormwater Management Ordinance)
5. The final plan shall be accompanied by a completed development agreement, to be approved by the York Township Solicitor.
6. All invoices to be paid prior to recording.

Vote 5 yes.

Time Extensions

On motion of Comm. Knepper, seconded by Comm. Jones, time extensions were granted for LD2017-7-2 - Taco Bell Preliminary and Final Land Development Plan – 90 days

Vote 5 yes.

Solicitor – Steve Hovis

Fair Valley Official Map Notice

Solicitor Hovis advised the Board that with the submitted letter from Stacey MacNeal of Katherman, Heim & Perry, dated February 27, 2018, the Township is put on notice that they have one year to take action on the link shown on the Township's official map across the Fair Valley development. The Township is given this notice because per article 4 of the Municipal Planning Code the developer is proposing to develop the property inconsistent with the official map and is seeking a special encroachment permit. The Board can:

1. Grant the Special Encroachment Permit with a plan review.
2. Refer the request to the Planning Commission for review and comment.
3. Wait the one year and decide if the Township wants to undertake eminent domain proceedings.

A discussion was held and the Board decided to forgo any decision at this time.

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WellSpan Specialty Services and WellSpan Properties, Inc. settlement agreement

Solicitor Hovis advised the Board that WellSpan has reached a settlement agreement with Dallastown School District and as part of that agreement WellSpan will not require York Township to refund taxes paid to the Township during the appeal. The Board must also agree to the settlement agreement.

On motion of Comm. Knepper, seconded by Comm. Jones, the Board approved the settlement agreement dated January 25, 2018, between WellSpan Specialty Services and WellSpan Properties, Inc. and York Township identified as case number 2013-SU-004046-26 and authorized the Township solicitor to execute the agreement on behalf of the Commissioners.

Vote 5 yes.

Public Comments

None.

Adjourn

The meeting was adjourned at 8:41 pm.

Secretary