

Minutes of the Spring Garden Township Board of Commissioners Business Meeting
6:30 p.m. – August 22, 2024

Persons Present:

Daniel E. Rooney, President Commissioner (Teleconference)
David Detwiler, Vice President Commissioner

Anne Gray, Commissioner
Thomas Gwilt, Commissioner

I. **Call to Order / Pledge of Allegiance**

Vice President Commissioner Detwiler opened the meeting, led in the Pledge of Allegiance, and announced executive sessions on July 22nd, 23rd, and 26th and on August 8th and 22nd for the purpose of reviewing legal and personnel issues. He also stated the meeting is being live streamed on YouTube.

A. **Presentations**

1. **Pennsylvania Law Enforcement Accreditation Commission (PLEAC)**

Chief George Swartz (Ret.), acting as a Commission member of Pennsylvania Law Enforcement Accreditation Commission, recognized the Spring Garden Police Department and its staff for their re-accreditation and the attainment of premier agency status. The hard work by Kelley Sciangula and Lynette Eisenhuth made the achievement possible.

B. **Public Comment**

1. Beth Walp of 70 Elmwood Blvd. extended appreciation to Township staff. She indicated concerns with representation at the School Board and their fiscal responsibilities. A residential permit along the North side of Second Ave. would help to alleviate ballgame parking issues.
2. Ricky Dubbs of 545 S Ogontz requested a restricted residential permit parking area from E Maple St. to SW side of the 500 Block of Ogontz St. to the N point of 545 S Ogontz St. Monday to Friday 3:00 PM to 9:00 PM in front of residential properties. Parking has become an issue in this area for residents due to restaurant parking. He asked about refuse billing, sewer billing, and code enforcement concerns.
3. Mike Darrah of 839 S Albemarle St. asked about the reopening of Boundary Ave. and property assessment values.
4. Susan Bachant of 1749 Second Ave. noticed the new Elmwood Park parking lot and signs but indicated that the lot is not being utilized.

C. **Business Meeting Minutes**

1. **Motion** (Gwilt/Gray) to approve the July 10, 2024 Business Meeting Minutes. Discussion: none. Public comment: none. Carries 4/0.

D. **Finance**

1. **Motion** (Gray/Gwilt) to accept the July 2024 Treasurer's Report and Bank Transactions. Discussion: none. Public comment: none. Carries 4/0.

2. **2023 Municipal Audit**

The 2023 Municipal Financial Audit was completed with a clean, unmodified opinion. It will be advertised and posted on the website.

E. **Subdivision/Land Development**

1. **Security Reduction Request – York Logistcenter at I-83**

- i. **Motion** (Gray/Gwilt) to ratify the Acting Manager's authorization for the Engineer to proceed with the inspection of improvements at the York Logistcenter. Discussion: none. Public comment: none. Carries 4/0.
- ii. **Motion** (Gray/Gwilt) to approve the reduction of security for York Logistcenter to \$327,756.66 in accordance with the Engineer's recommendation. Discussion: none. Public comment: none. Carries 4/0.

2. **45-Day Waiver Request: Lot 78 - Inch & Company**
Motion (Gray/Gwilt) to approve the request for a 45-day time extension to September 28, 2024 for Lot 78. Discussion: none. Public comment: none. Carries 4/0.
3. **Zoning Hearing Board Counsel – Salzmann Hughes, P.C. Agreement**
This agreement has been Solicitor reviewed and executed by President Commissioner Rooney.
MOTION (Gwilt/Gray) to ratify the execution of the Salzmann Hughes, P.C. agreement.
Discussion: none. Public comment: none. Carries 4/0.

F. **Old Business**

1. **Comprehensive Plan Discussion Group “Advisory Committee” – FYI**
The next Advisory Committee Meeting will be scheduled in the near future.
2. **Country Club - Richland Intersection: Green Light Go**
Upon PennDOT application approval, the traffic detection system can be advertised for bidding.
Motion (Gwilt/Gray) to ratify the Acting Manager’s execution of the PennDOT application for intersection updates and approve the advertisement of the overhead traffic detection system.
Discussion: none. Public comment: Ricky Dubbs of 545 S Ogontz St. inquired about the issues with the intersection. Carries 4/0.
3. **Ordinance 2024-04 – Property Maintenance Code Amendment**
Will update the International Property Maintenance Code used to the 2018 version.
Motion (Gwilt/Gray) to approve Ordinance 2024-04 Property Maintenance Code Amendment.
Discussion: none. Public comment: Ricky Dubbs of 545 S Ogontz asked about certification of the code enforcement officer. Roll call: Gwilt-aye, Detwiler-aye, Rooney-aye, Gray-aye. Carries 4/0.
4. **Mill Creek Trail Feasibility Study – Update**
The Engineer is in the midst of the feasibility study. The concept would have a trail run from Mount Rose Ave. and some day connect to the Heritage Rail Trail around Route 30. First phase would be to start at the Mount Rose property and end at Market St.
5. **Elmwood Park**
Motion (Gwilt/Gray) to approve the purchase of three (3) park benches from George Ely Associates totaling \$6,270 and the purchase and installation of a fence and dugout roof from Security Fence totaling \$33,605. Discussion: none. Public comment: Mike Darrah of 839 S Albemarle St. asked about the cost. Carries 4/0.
6. **Graham Packaging Insect Issue**
Graham is having its vendor spray the bails of plastic prior to shipment to this facility. We have been tracking the bi-weekly spraying. The bugs are minimal upon initial spray, but after two weeks they are bad again. Graham Recycling has agreed to begin spraying weekly starting the week of 8/12/24. We will continue to monitor the situation.

G. **New Business**

1. **Personnel – Township Manager**
Motion (Gray/Rooney) to hire Elizabeth “Betsy” Logan on September 23, 2024, following an acceptable background screening, as the Township Manager at an annual salary of \$117,000 for a 60-day provisional period and then an annual salary of \$120,000 after an acceptable review.
Discussion: Commissioner Gray extended her appreciation to Luther and indicated the incoming manager has extensive experience. Public comment: Lynne Huddleston of 808 Clearmount Rd. asked if the incoming manager was local. Commissioner Gray indicated that she lives within the county. Carries 4/0.
2. **Website Security Service Agreement – Double Dog Communications**
Motion (Gwilt/Gray) to approve the Website Security Service Agreement with Double Dog Communications. Discussion: none. Public comment: none. Carries 4/0.

3. **Resolution 2024-20 PennDOT Municipal Winter Maintenance Service 5 Year Agreement**
Motion (Gray/Gwilt) to approve Resolution 2024-20 - PennDOT Municipal Winter Maintenance Service Agreement and to authorize Vice President Commissioner Detwiler to execute the agreement. Discussion: none. Public comment: none. Carries 4/0.
 4. **2022 Real Estate Municipal Tax Waiver – 644 Wheatlyn Drive**
Motion (Gray/Gwilt) to approve full 2022 municipal real estate tax relief for 644 Wheatlyn Drive. Discussion: none. Public comment: none. Carries 4/0.
 5. **Resolution 2024-21 Disposition of Records**
Motion (Gwilt/Gray) to approve Resolution 2024-21 Disposition of Records. Discussion: none. Public comment: none. Carries 4/0.
 6. **Station 892 Fire Station Replacement on Indian Rock Dam Road**
 Directed staff to distribute Request for Proposals for the design, public bidding, and construction phase services for Station 892 replacement and to create an 892 Replacement Committee.
 7. **Asset Disposal – Triple-Axle Deck-Over Trailer – General Funds**
Motion (Gwilt/Gray) to approve listing the triple-axle deck-over trailer for sale on Municibid. Discussion: none. Public comment: none. Carries 4/0.
 8. **WellSpan Employee Assistance Program (EAP) Renewal**
Motion (Gray/Rooney) to approve the WellSpan Employee Assistance Program Agreement. Discussion: Acting Manager indicated that there have been changes in the cost of the EAP. Krista Gardner, CFO, indicated an important benefit of the EAP is that it provides benefits to all staff as well as members of their household no matter the enrollment status in the health plan. Public comment: none. Carries 4/0.
 9. **Staff Function**
MOTION: (Rooney/Gwilt) to approve up to and not to exceed \$500 of unbudgeted funds for a staff function. Discussion: none. Public comment: none. Carries 4/0.
 10. **Multi-Municipal Comcast Cable Franchise Fee Audit**
 The estimated cost of the audit would be around \$6,000 and would be a 2025 expense.
 Directed staff to begin planning for a cable franchise fee audit in 2025.
 Comment: Lynne Huddleston of 808 Clearmount Rd sought clarification on the cost of the audit and sources of the franchise fee revenue. Ricky Dubbs of 545 S Ogontz inquired into the entities that collect the fee.
- H. **Commissioners Constituent Representation**
1. Commissioner Detwiler, Ward 1: Update on Rathton Rd. Bridge.
 2. Commissioner Rooney, Ward 2: Extended his appreciation to Luther for his work over the past several months.
 3. Commissioner Gray, Ward 3: Continuing to discuss issues with flooding with constituents and encourage those with flooding issues to reach out to her. Need a safe way to cross Hollywood Drive near Suburban High School; there is a need for a safe crosswalk. Crosswalk ideas discussed.
 4. Commissioner Herrold, Ward 4: Not present.
 5. Commissioner Gwilt, Ward 5: Shared that there was a devastating fire on Albemarle St. between Maple and Prospect. Commissioner Gwilt extended his appreciation for the fire fighters in the township.
- I. **Township Consultants, Contracted Services, and Departments**
1. **Township Consultant Reports**
 - i. **Solicitor** (Jason Sabol, Stock and Leader)
 - ii. **Engineer** (David Davidson, CS Davidson)
 - iii. **Fire Department/York Area United Fire and Rescue**

1. **LSA Grant Funds – Emergency Vehicles**

Motion (Gray/Gwilt) to approve the purchase of three (3) 2024 Ford F-150 trucks at \$52,631 each and two (2) truck caps at \$2,792.50 each. Discussion: none. Public comment: none. Carries 4/0.
2. Township Administration (departments)
 - i. **Manager**
 - ii. **Zoning and Codes Enforcement**
 1. **Code Enforcement Officer**

Congratulations to Code Enforcement Officer, Andrew Parker, for passing his Building Code Official Exam. He will be the backup Building Code Official for the township. Dawn Hansen, Zoning Officer, is the current Building Code Official. Andrew is doing a fantastic job, and we are grateful to have him as Code Enforcement Officer. He is an asset to the Township.
 - iii. **Public Works**
 1. **Rathton Road Construction – Traffic Detour Update**
 - iv. **Police**
 1. **Police Merger Consideration**

Following the retirement notice of Chief Swartz, the township began the process of reviewing the financial sustainability of the organization, considered the cost of joining a regional department, and explored what challenges may arise from regionalization.

 - a. **MOU: Spring Garden Township Merger Authority**

Motion (Gray/Gwilt) to approve MOU: Spring Garden Township Merger Authority between Spring Garden Township and Spring Garden Township Police Association. Discussion: none. Public comment: none. Carries 4/0.
 - b. **York County Regional Police Intergovernmental Cooperation Agreement (ICA)**

An Intergovernmental Cooperation Agreement, ICA, would provide the township a more accurate cost estimate and provide insight on what to consider with department merging.

Motion (Gray/Gwilt) to authorize the Township to proceed to negotiate the terms of a merger with York County Regional Police Department. Discussion: none. Public comment: none. Carries 4/0.
 - c. **Public Meeting Announcement - Merger Consideration**

The Township will be hosting a public meeting at Victory Fire Co. at 6:30 PM on Monday September 16th and a public meeting at Indian Rock Dam Elementary School on Wednesday, September 18th at 6:30 PM to the provide information and the opportunity for the public to ask questions and submit commentary regarding the consideration of a merger between Spring Garden Police Department and York County Regional Police Department.
 2. **Policy Updates**
 - a. **Towing Priority List Update**

Motion (Gray/Gwilt) to remove Criswell’s Towing and J&K Salvage and add Unlimited Towing to the Towing Priority List. Discussion: none. Public comment: none. Carries 4/0.
 - b. **Resolution 2024-22 Police Policy: Motor Vehicle Towing and Impoundment**

The police policy update has been reviewed by the solicitor.

Motion (Gwilt/Gray) to approve Resolution 2024-22 Police Policy: Motor Vehicle Towing and Impoundment. Discussion: none. Public comment: Mike Darrah of 839 S Albemarle St. asked what was included in the update. Carries 4/0.
 - c. **Potential Policy Updates: Uniforms and Equipment Policy and Rules of Conduct Policy**

Potential changes to Rules of Conduct Policy and Uniforms and Equipment Policy discussed and compared. Comments: James Hott a Spring Garden Township Police

Officer and the President of the Spring Garden Township Police Officer Association indicated that the Association has been asking for facial hair and visible tattoos for quite some time and feels the officers would continue to conduct themselves with the same level of professionalism if permitted. The Association fully agrees to the changes. Directed staff bring the proposed changes back to the Board for approval.

3. Resolution 2024-23 Bureau of Justice Assistance Grant – Body Worn Cameras

Our current body and in-car camera system will be obsolete the end of 2024. The upfront replacement cost of a new system will be \$114,401 (2025 budgeted expense), installation is estimated at \$5,400 with an annual subscription fee of \$5,915. The grant would allow us to apply for up to a 50% match toward a new body worn camera system. This is a retroactive approval request since the deadline for application was July 24, 2024

Motion (Gray/Gwilt) to provide retroactive approval to apply for the Bureau of Justice Assistance Grant and to approve Resolution 2024-23 Bureau of Justice Assistance Grant – Body Worn Cameras Application. Discussion: none. Public comment: none. Carries 4/0.

J. Public Comment

II. Adjourn

Motion (Gwilt/Gray) to adjourn at 8:13 PM. Discussion: none. Public comment: none. Carries 4/0.

Respectfully submitted,

Luther C Wike Jr.
Secretary

APPROVED