

Minutes of the Spring Garden Township Board of Commissioners Business Meeting
6:30 p.m. – October 9, 2024

Persons Present:

Daniel E. Rooney, President Commissioner (Remote) Anne Gray, Commissioner
David Detwiler, Vice President Commissioner Thomas Gwilt, Commissioner
Andrew Herrold, Commissioner

I. Call to Order / Pledge of Allegiance

Commissioner Detwiler called the meeting to order, led in the Pledge of Allegiance and announced Executive Sessions on September 16th and October 9th for legal and personnel issues.

A. Presentations

- 1. Roberta Boffo of 1080 Grandview Rd** – Referenced the slide from her presentation, provided a brief history, and the prior plans for the property. Ms. Boffo submitted a petition from a citizen’s group requesting 1799 Mount Rose be rezoned as open space/conservation, indicated the desire for the property to be used as a nature preserve, and requested that it be opened to the public.

B. Public Comment

1. None

C. Business Meeting Minutes

- 1. Motion** (Gwilt/Gray) to approve the September 11, 2024 Business Meeting and Workshop Minutes. Discussion: None. Public comment: none. Carries 5/0.
- 2. Motion** (Herrold/Gray) to approve Police Merger Meeting Minutes from September 16, 2024 and September 18, 2024. Discussion: Commissioner Gray expressed her appreciation for residents coming to the merger meetings. Public comment: none. Carries 5/0.

D. Finance

- 1. Motion** (Gwilt/Herrold) to accept the September 2024 Treasurer’s Report and Bank Transactions. Discussion: none. Public comment: none. Carries 5/0.

E. Subdivision / Land Development

1. 45-Day Waiver Request: Lot 78 - Inch & Company

Motion (Detwiler/Herrold) to approve a 45-day extension request to November 12, 2024 given ongoing litigation on the matter. Discussion: none. Public comment: Sandra Benedict of 310 Old Orchard Ln inquired about the location of lot 78. Carries 5/0.

F. Old Business

1. Comprehensive Plan Discussion Group “Advisory Committee” – FYI

The Advisory Committee will meet on October 21st. The meeting will be advertised. The public will have the opportunity to submit comments at upcoming meetings.

2. Mill Creek Trail and Greenway

The Engineer indicated phase one was from Victory Fire Co. to Elmwood Blvd. to King St. and this phase would place the Township in a better position for future recreation grant funds for the property. The grant requires a 50% match estimated to be \$14,750 which will be a 2025 budgeted expense.

Motion (Gwilt/Rooney) to ratify the Marcellus Shale Grant application for Phase one of the Mill Creek Trail and Greenway and use Recreation Funds for the 50% match.

Discussion: David Davidson clarified that the grant has not been awarded yet. Public comment: Tom Rhomberg of 371 Tri Hill Rd inquired if there was a map available. Rick Dubbs of 545 Ogontz St. expressed concerns with the cost of the grant match. Carries 5/0.

3. Victory Fire Company – 2024 Parking Lot Paving Project - FYI

The 2024 paving project has been expanded to take advantage of the \$120,000 grant award. The expansion will follow the unit cost of the bid and be fully covered by the grant.

4. Station 892 Fire Station Replacement on Indian Rock Dam Road - FYI

Proposals for the design, bidding, and construction phase services for Station 892 replacement are being reviewed.

5. Rathton Road Bridge

i) Change Order Request

Motion (Gray/Gwilt) to approve the Clear View Excavating change order for paving in the amount of \$43,850. Discussion: Craig Ruhl clarified that the additional funds fall within the budget. Public comment: none. Carries 5/0.

ii) Application for Payment

Motion (Gray/Gwilt) to approve payment in the amount of \$500,017.95 to Clear View Excavation Inc. per Application for Payment # 1. Discussion: None. Public comment: none. Carries 5/0.

6. Virginia Avenue Street and Stormwater Repair Project

i) Change Order Request

Motion (Gray/Herrold) to approve the JVI Group change order in the amount of \$7,401. Discussion: None. Public comment: none. Carries 5/0.

ii) Application for Payment

Motion (Gray/Herrold) to approve payment in the amount of \$334,722.50 to JVI Group, Inc. per Application for Payment # 1. Discussion: None. Public comment: none. Carries 5/0.

7. 2024 Sanitary Sewer Maintenance Project – Change Order

Motion (Gwilt/Herrold) to approve the Barrasso Excavating change order in the amount of \$9,380. Discussion: Commissioner Herrold remarked that the Township will seek reimbursement from the homeowner because it was an unapproved drainpipe. Public comment: none. Carries 5/0.

8. Graham Packaging Insect Issue

Graham Packaging is spraying weekly with a new treatment to see if it will be effective. We will continue to monitor. Tom Mitten of 653 Mulberry St stated that the bugs are still an issue.

G. New Business

1. Personnel

i) Township Manager

Motion (Gwilt/Gray) to ratify the agreement to appoint Luther C Wike Jr as the Township Manager at an annual salary of \$105,000 effective October 7, 2024. Discussion: none. Public comment: Ricky Dubbs of 545 S Ogontz St inquired about the previous offer and Commissioners Herrold and Gray responded. Carries 5/0.

ii) Resolution 2024-28 Job Descriptions Amendments

Updates to the Finance Administrator and Administrative Assistant job descriptions.

Motion (Gwilt/Gray) to approve Resolution 2024-28 Job Descriptions Amendments Discussion: none. Public comment: None. Carries 4/0. Commissioner Herrold stepped out.

iii) Positions

Motion to appoint Rebecca Nicklow as the Finance Administrator effective October 9, 2024, at an hourly rate of \$28.00/hour and to appoint Eryn Arnold as an Administrative Assistant effective October 9, 2024 at an hourly rate of \$25/hour. Discussion: none. Public comment: None. Carries 4/0. Commissioner Herrold stepped out.

iv) Appointments

Motion to appoint Dawn Hansen as Primary Representative and Luther Wike as Alternate Representative to the York County Stormwater Consortium Regional Committee. To

appoint Rebecca Nicklow as Alternate Representative to York Adams Tax Bureau to complete the remaining 2024-2025 2-year term. To appoint Eryn Arnold as Primary Right-to-Know Officer and Recycling Coordinator. Discussion: none. Public comment: None. Carries 5/0.

2. Resolution 2024-29 YAUFR Radios Statewide LSA Grant Application and Signing Authority

Application for a statewide Local Share Account Grant on behalf of York Area United Fire and Rescue for fire radios and to provide the Township Manager and Commissioner Detwiler signing authority.

Motion (Herrold/Gwilt) to approve Resolution 2024-29 YAUFR Radios Statewide LSA Grant Application and Signing Authority. Discussion: none. Public comment: none. Carries 5/0.

3. Victory Fire Company – Project LSA Grant Application for the 2025 Parking Lot Paving

An application for Local Share Account (LSA) Category 4 Grant funds was submitted on behalf of Victory Fire Company to assist with 2025 paving costs estimated at \$190,000.

Motion (Gwilt/Gray) to ratify the submitted LSA Grant Application for the 2025 Victory Fire Company Paving. Discussion: Luther clarified this project was broken into smaller pieces to best utilize grant funding. Commissioner Gray indicated that the Local Share Account , LSA, is an account by which gambling funds are reallocated to projects to serve the public. Public comment: Tom Rhomberg asked if this was the same as the action from page one of the agenda. Carries 5/0.

4. Resolution 2024-30 YAUFR 2025 Annual Budget

The York Area United Fire and Rescue 2025 Budget is \$10.8 Million which is an 11.8% increase. Spring Garden Township's allocation is \$2.4 Million which is a 6.6% increase.

Motion (Herrold/Gray) to approve Resolution 2024-30 YAUFR 2025 Annual Budget. Discussion: none. Public comment: none. Carries 5/0.

5. Public Works Access Points Software Renewal

A three (3) year renewal for Wi-Fi security access point software at the Public Works facility.

Motion (Gray/Gwilt) to approve the Wi-Fi access point software renewal through Stambaugh Ness for a total of \$880.56 for three (3) years and authorize the Township Manager to execute the agreement. Discussion: none. Public comment: none. Carries 5/0.

6. Special Purpose Parking Zones Ordinance 300-31 Amendment

Draft Ordinance 300-31 Amendment loading/unloading zones on Ogontz St. and N. State St.

Motion (Herrold/Gray) to direct staff to work with Solicitor to draft and advertise an amended Ordinance 300-31 Special Purpose Parking Zones Established to include a loading/unloading zone to a section of Ogontz St. and a section of North State St. Discussion: Commissioner Gray stated that this is just to create a draft, not passing an ordinance at this time. Commissioner Herrold clarified that this directive is to clean up special purpose parking zones issues that have come up within the Township. Public comment: Ricky Dubbs of 545 S Ogontz St expressed that he does not think there should be a loading zone and requested a residential parking only section on Ogontz St. Mark Sindicich of 554 S Ogontz St stated that in 2007 loading zone was an accommodation for larger trucks, and they have only gotten larger. He was never notified about potential changes or changes to the status and requested that the ordinance recognizes the zone as loading. Carries 5/0.

7. Loucks Mill Road Tax Claim Repository Bid (Parcel 44800001000200)

The Loucks Mill Road property went to Upset and Judicial Tax Sale for unpaid back taxes and received no bids; it then moved to the Repository List where offers may be submitted. An offer was submitted by Samson Snelbaker in the amount of \$1,100. The Township would not receive any back taxes, but the property would move back into good standing with the expectation that future taxes will be paid.

Motion (Herrold/Gray) to accept the Tax Claim Repository bid in the amount of \$1,100 from

Samson Snelbaker for the Louck Mill Road Property. Discussion: Commissioner Herrold said it would be good to have the property back on the tax roll. Public comment: none. Carries 5/0.

H. Commissioner Constituent Representation

- 1. Commissioner Detwiler, Ward 1:** Glad about appointments and thanked the staff and police.
- 2. Commissioner Rooney, Ward 2:** Extended a thank you to Commissioner Detwiler for running the meeting while he was remote. He also extended a welcome to Luther in his appointment as Township Manager.
- 3. Commissioner Gray, Ward 3:** Made note of, and provided the correct date that was printed in error in the fall/winter newsletter. Noted that there are some possible changes that could be reviewed for chickens and plans to work with President Commissioner Rooney on beekeeping.
- 4. Commissioner Herrold, Ward 4:** Thanked Craig and Public Works for their prompt attention to trash that was dumped on the Township line and looking forward to fire truck Santa.
- 5. Commissioner Gwilt, Ward 5:** Remarked on the Traffic Controller related to street sweeping, and paving progress between Boundary and Dallas. Ricky Dubbs of 545 S Ogontz St asked when paving had to stop. Roberta Boffo of 1080 Grandview asked about road ownership.

I. Township Consultant, Contracted Services, Departments

1. Township Consultants

- i) Solicitor**
- ii) Engineer**
- iii) Fire Department / York Area United Fire and Rescue**
 - a)** Thanked the Commissioners for the budget approval and grant applications. He also noted that there is more information in the lobby about the department.

2. Township Administration

- i) Manager**
- ii) Zoning and Codes Enforcement**
- iii) Public Works**
- iv) Police**
 - a) Public Meeting – Merger Consideration FYI**

The Township hosted public meetings September 16th and 18th regarding the consideration of a merger with York County Regional Police Department.
 - b) Police Updates**

Motion (Gwilt/Gray) to approve Resolution 2024-31 Police Policy: Performance Evaluation. To approve Resolution 2024-32 Police Policy: Physical Fitness / Wellness. To approve Resolution 2024-33 Police Policy: Unusual Occurrences and Critical Incidents. Discussion: none. Public comment: none. Carries 5/0.

J. Public Comment

- 1.** Ricky Dubbs of 545 S Ogontz St. inquired about park bathrooms. Commissioner Gray stated the administration bathrooms are available during regular business hours.

II. Adjourn

Motion (Gwilt/Gray) to adjourn. Discussion: none. Public comment: none. Carries 5/0.

Respectfully submitted,

Luther C Wike Jr.
Township Secretary

EA