

Minutes of the Spring Garden Township Board of Commissioners Business Meeting
6:30 p.m. – December 11, 2024

Persons Present:

Daniel E. Rooney, President Commissioner
David Detwiler, Vice President Commissioner
Andrew Herrold, Commissioner

Anne Gray, Commissioner
Thomas Gwilt, Commissioner

I. Call to Order / Pledge of Allegiance

Executive Sessions were held on December 11th for the purpose of reviewing legal matters.

A. Presentations

1. Funding Consulting Services and Government Relations Services– Marie Holland of GMS

Funding Solutions and Denise Remillard of Saxton & Stump: Presentation on the use of funding consulting services and government relations services for funding of municipal projects including RACP funding for fire station 892 replacement.

i) Services would include several projects, including the replacement fire station, Mill Creek, public works facility, and sewer projects.

ii) Saxton and Stump works with legislators to prioritize projects to increase likelihood of funding.

iii) Commissioners discussed the fee structure of the services.

iv) The solicitor recommended an RFP to get comparisons from other firms.

v) Melissa Stuart of 1161 Hollywood Terrace inquired if there would be a single liaison between the firms and the Township or if it would vary by project. It was clarified that there would be project leads.

a) It was also requested to know what budget category it would be included in. Staff clarified that it would likely be included in 2025 unbudgeted/legal budget categories.

vi) Ricky Dubbs of 545 S Ogontz questioned the yearly cost for the services compared to the number of projects.

vii) Roberta Boffo of 1080 Grandview inquired about the lobby efforts, and it was clarified that currently they work on State lobbying efforts.

viii) **Motion (Herrold/Gray):** to direct staff to write an RFP for grant writing and grant procurement services. Discussion: None. Public Comment: None. Carries 5/0.

B. Public Comment

Commissioner Rooney reviewed public comment guidelines.

1. Roberta Boffo of 1080 Grandview inquired about an executive session.

2. Ricky Dubbs of 545 S Ogontz St comment on the Ogontz loading/unloading zone and residential parking.

C. Business Meeting Minutes

1. **Motion (Detwiler/Gwilt):** to approve November 13, 2024 Business Meeting and Workshop Minutes. Discussion: None. Public comment: Roberta Boffo of 1080 Grandview inquired about availability minutes. Carries 4/0. Commissioner Herrold was not present.

D. Finance

1. **Motion (Gray/Gwilt):** to accept the November 2024 Treasurer's Report and Bank Transactions. Discussion: None. Public comment: Carries 4/0. Commissioner Herrold was not present.

E. Subdivision / Land Development

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

A 45-day extension to February 10, 2025 to meet conditions of recording. This will be the ninth time-extension waiver request.

Motion (Detwiler/Gray): to approve a 45-day time extension for Lot 78 to February 10, 2025. Discussion: None. Public comment: Carries 4/0. Commissioner Herrold was not present.

2. Stormwater O & M Agreement for New Home Build – 1269 Brockie Drive

Motion (Detwiler/Gwilt): to approve the Stormwater Operations and Maintenance Agreement for 1269 Brockie Dr. Discussion: Commissioner Gray inquired about plans for erosion protection and water management. Dave Davidson stated the flow of water can be estimated and swales can divert flow. Public comment: Carries 4/0. Commissioner Herrold was not present.

F. Old Business

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

The next meeting will be a Public Open House held on December 16th. The Open House will be at the beginning of the evening and the second half will be a committee meeting. At this meeting the public survey results will be reviewed and array potential actions/recommendations for public feedback.

2. Mill Creek Trail and Greenway – Status Update

Dave Davidson of C.S. Davidson stated that there would be more information on the right-of-way in the next few days and Commissioner Rooney said that there was work being done regarding the easements.

3. Fire Station 892 on Indian Rock Dam Road

i) Architect’s Agreement with MW Studios

Motion (Detwiler/Herrold): to ratify the Township Manger’s execution of an Architect’s Agreement with MW Studios for the design, bidding, and construction phase services for Fire Station 892. Discussion: None. Public comment: None. Carries 5/0.

ii) Site Survey – Indian Rock Dam Road

Motion (Gray/Detwiler): to approve unbudgeted Building Improvement Funds not to exceed \$8,400.00 payable to MW Studios for a site survey at the Indian Rock Dam Road property conducted by HRG, Inc. Discussion: None. Public comment: Ricky Dubbs of 545 S Ogontz St commented on the cost of the survey. Commissioner Rooney clarified that it is a large property and was not included in the other service bids. Carries 5/0.

iii) Funding Consulting Services – GMS Funding Solutions - See Presentations A.1.viii.

iv) Government Relations Services – Saxton and Stump - See Presentations A.1.viii.

4. 902 Recycling Grant Award - FYI

The township has been awarded the PA Department of Environmental Protection 902 Recycling Grant in the amount of \$10,890 for the use of leaf collection equipment.

5. 2025 Tax Levy Ordinance, Ordinance 2024-06

The municipal real estate tax for 2025 remains unchanged from 2024, 4.29 mils for municipal real estate tax and an additional 0.086 mils for real estate fire tax.

Motion (Herrold/Gwilt): to approve Ordinance 2024-06, 2025 Tax Levy. Discussion: none. Public comment: none. Roll call: Gwilt-aye, Detwiler-aye, Gray-aye, Rooney-aye, Herrold-aye. Carries 5/0.

6. 2025 Budget

i) 2025 Budget Ordinance, Ordinance 2024-07

Motion (Gray/Detwiler): to approve Ordinance 2024-07, 2025 Budget. Discussion: none. Public comment: none. Roll call: Detwiler-aye, Rooney-aye, Herrold-aye, Gwilt-aye, Gray-aye. Carries 5/0.

ii) 2025 Budget Agreements

Motion (Gray/Herrold): to approve agreements with Klugh Animal Control Services, Stambaugh Ness, NRG, SPCA of York County, Water Treatment by Design, and Signal

Services and to authorize the Township Manager to execute the agreements. Discussion: None. Public comment: None. Carries 5/0.

7. 2024 Sanitary Sewer Maintenance Project

i) Change Order Number Three (3), Final

Motion (Gwilt/Detwiler): to approve the Barrasso Excavating change order number three (3) in the amount of \$10,865.00. Discussion: None. Public comment: None. Carries 5/0.

ii) Application for Payment Number Two (2), Final

Motion (Herrold/Detwiler): to approve payment in the amount of \$107,399.00 to Barrasso Excavation, Inc. per application for payment number two (2). Discussion: None. Public comment: None. Carries 5/0.

iii) Remaining ARPA Funds

The Rathton Road Bridge Project came in under budget therefore the township still has \$137,000 in ARPA funds. The funds must be used in 2024 based on federal guidelines. Staff proposes applying these funds to the 2024 Sewer Maintenance Project.

Motion (Detwiler/Herrold) to direct staff to apply any remaining ARPA funds to the 2024 Sewer Maintenance Project. Discussion: None. Public comment: Lynn Huddleston of 808 Clearmount inquired on how the funds would be applied. Carries 5/0.

8. Virginia Avenue Stormwater Sewer Project and the 2024 Liquid Fuels Paving Project

i) Change Order Number (2), Final

Motion (Herrold/Detwiler): to approve the JVI Group, Inc. change order number two (2) in the amount of \$14,865.00. Discussion: None. Public comment: None. Carries 5/0.

ii) Application for Payment Number Two (2), Final

Motion (Gray/Herrold): to approve payment in the amount of \$284,103.00 to JVI Group, Inc. per application for payment number two (2). Discussion: None. Public comment: None. Carries 5/0.

9. Country Club - Richland Intersection: Green Light Go

i) The Township's signal light service provider is a COSTARS vendor and can install the traffic detection system.

Motion (Herrold/Gwilt): to authorize entering into an agreement with Signal Services to install an overhead traffic detection system at the intersection of Richland Ave. and Country Club Rd. in the amount of \$29,112.00. Discussion: None. Public comment: None. Carries 5/0.

ii) Lane Guidance - FYI

Payment in the amount of \$3,596.10 was issued to DE Gemmill for lane guidance. The amount was less than the original quote of \$4,030.10. While the project required additional thermoplastic markings, the sign work was completed by Township Public Works which brought this portion of the project in under budget.

10. Victory Fire Company – 2024 Parking Lot Paving Project – LSA Cat. 4 Grant

i) Change Order Number One (1), Final

The project was expanded to take full advantage of the awarded grant funds.

Motion (Herrold/Detwiler): to approve Kinsley change order number one (1) for the 2024 Victory Fire Company Paving Project in the amount of \$11,051. Discussion: None. Public comment: None. Carries 5/0.

ii) Contractor's Application for Payment Number One (1), Final

The cost will be reimbursed through the Local Share Account Category 4 grant award.

Motion (Gray/Detwiler): to approve payment in the amount of \$104,151 to Kinsley Construction for the 2024 Victory Fire Company Paving Project. Discussion: None. Public comment: None. Carries 5/0.

11. Police Merger with York County Regional Police Department (YCRPD)

The township has been in merger negotiations with YCRPD and is at a point where it is ready to proceed with merging the Spring Garden Township Police Department with YCRPD. To begin the merging process the township needs to adopt an Intergovernmental Cooperation Agreement ordinance which contains the YCRPD Charter Agreement.

Motion (Gray/Detwiler): to direct staff to work with appointed counsel to draft and advertise an ordinance adopting an Intergovernmental Cooperation Agreement Ordinance to merge the Spring Garden Township Police Department with the York County Regional Police Department. Discussion: Commissioner Herrold stated that he would prefer to postpone until next month as there are ongoing matters that need to be resolved before proceeding. It was discussed amongst the Commissioners and the Solicitor that the Ordinance does not need to be advertised if the issues are not resolved; and the vote can be postponed until the February meeting. Public comment: Lynne Huddleston of 808 Clearmount asked about determining when the ordinance is ready for advertisement and who makes that determination. Carries 5/0.

G. New Business

1. Personnel

i) Vacation Accrual – Karen Smeltzer

Motion (Herrold/Detwiler): to amend Karen Smeltzer annual vacation accrual to three (3) weeks a year beginning in 2025. Discussion: None. Public comment: Ricky Dubbs of 545 S Ogontz inquired about the vacation accrual. Roberta Boffo of 1080 Grandview indicated, to be fair, it should be applied across the board. Carries 5/0.

2. No Parking Ordinance 300-28 Amendment

An ordinance amendment to designate a no parking zone along the north side of 2nd Ave. and the west side of Wheaton St. from 1749 2nd Ave. to 210 Wheaton St.

Motion (Rooney/Detwiler): to table at this time. Discussion: None. Public comment: None. Carries 5/0.

3. Alarms Ordinance 100 Amendment

An ordinance amendment to update the Alarms Program including removing the need for annual registration and an annual registration fee.

Motion (Herrold/Detwiler): to direct staff to work with Solicitor to draft and advertise an Alarms Ordinance 100 Amendment. Discussion: Commissioner Herrold expressed it was a good idea to remove the outdated portions of the ordinance. Public comment: None. Carries 5/0.

4. Sewers and Sewage Disposal Ordinance 250 Amendment

This ordinance is outdated and will require updating as we progress with the Act 537 Plan.

Motion (Gray/Detwiler): to direct staff to work with Solicitor and Engineer to draft and advertise an amended 250-Sewers and Sewage Disposal Ordinance. Public comment: None. Carries 5/0.

5. Ordinance Establishing a Recreation Commission

Motion (Detwiler/Herrold): to direct staff to work with Solicitor to draft and advertise an ordinance re-establishing the Recreation Commission. Discussion: None. Public comment: Roberta Boffo of 1080 Grandview suggested having the commission be self-contained and can vote. Carries 5/0.

6. YorkLogistics/Dermody – E Boundary & S Albemarle Ave.

It has been determined that the township cannot allow use of any sections of the roadway without full adoption. The Developer Agreement prevents roadway adoption until the HOP work at the Mt. Rose Ave. / Boundary Ave. intersection is complete.

H. Commissioner Constituent Representation

1. Commissioner Detwiler, Ward 1 – Public Works is doing a great job with leaf clean up.

2. **Commissioner Rooney, Ward 2**
 - i) **Tri Hill Municipal Building Open House** – would like to work on doing something early next year since COVID didn't allow for it when the building first opened.
 3. **Commissioner Gray, Ward 3** – Mentioned the last day for leaf pick-up. Discussed the parking issues on Sharon Dr and suggested reviewing the situation and consider permit parking.
 4. **Commissioner Herrold, Ward 4** - Public Works is doing a great job with leaf clean up, thanked YAUFR for the Santa Run on the 14th, and thanked the police department for their assistance with porch pirates in his neighborhood. It has been suggested that there is a need for lane guidance at the George – Country Club intersection.
 5. **Commissioner Gwilt, Ward 5** - expressed that Public Works is doing a great job with leaf clean up. Discussed ongoing issues with stop sign runners.
- 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
 2. **Township Administration**
 - i) **Manager** - None
 - ii) **Zoning and Codes Enforcement** – Welcome David Zurn, who is the new codes enforcement officer.
 - iii) **Public Works**- None
 - iv) **Police**
 - a) **Pennsylvania House of Representatives Certificate of Appreciation**
A congratulations to the Spring Garden Township Police Department for receiving a Certificate of Appreciation from the Pennsylvania House of Representatives.
- J. Public Comment**
1. Melissa Stuart of 1161 Hollywood Terrace suggested solar powered blinking light stop signs for the intersections with stop sign runners. She also inquired about the procedure for road closures for construction because recently both sides of Hollywood Terrace were closed by construction crews. Craig Ruhl said that is not something that should occur and if it were to happen in the future to call public works and he will investigate and resolve the issue.
 2. Amy Mitten of 653 Mulberry St. extended holiday well wishes to everyone.
 3. Ricky Dubbs of 545 S. Ogontz St. inquired about the status of the traffic study for a residential parking zone on his street. Chief Zimmerman informed him the study was still in progress.
 4. Roberta Boffo of 1080 Grandview Rd. commented on consistency on merit based accruals in policy. She also inquired about a sign-in sheet for the comp plan meeting, and meeting streaming. She also suggested cameras catch stop sign runners and the solicitor clarified that they would not be allowed.

II. Adjourn

Motion (Gwilt/Gray): to adjourn. Adjourned at 8:27 p.m.

Respectfully submitted,

Luther C Wike Jr.
Township Secretary

EA