

BOARD OF COMMISSIONERS

February 12, 2002

6:00 P.M.

President Briddell called the meeting to order with the following in attendance:

Theresa Craley	Elizabeth Heathcote
Jim Phipps	Dennis Henry
Robert Schindo	Steve Hovis
Robert Steele	

President Briddell acknowledged the recent loss of Marlene Workinger, Windsor Township Manager, to cancer.

MINUTES On motion of Commissioner Schindo, seconded by Commissioner Phipps, the minutes from January 7, 2002 were approved. All were in favor.

PAYMENT OF BILLS On motion of Commissioner Phipps, seconded by Commissioner Steele the following bills were approved for payment:

General Fund	\$662,426.62
Street Light	1,014.13
Sewer Revenue	556,912.74
Intermunicipal Sewer	5,512.16
York Twp Payroll	10,875.25
Stormwater Mgt.	1,011.05
Recreation Capital Reserve	0.00
Capital Reserve	2,531.01
Liquid Fuels	00.00
Escrow Fund	0.00
TOTAL	\$1,240,282.96

Commissioner Craley expressed concern that by the time the bills get to the commissioners they have already been paid. There is no way as a commissioner to question what we are spending. Last year for association dues and meetings we budgeted \$7500, we paid over \$13,000. When does it trigger that we are over budget?

Comm. Briddell: We look to the township manager, it is his responsibility to manage the accounts.

Comm. Craley: He looks at the budget every 6 months, I would like to make a request that we meet every quarter to go over the budget amounts. The budget should be dealt with every day, not just once a year. We need a way to keep track of what and when money is being spent.

Comm. Phipps: I recommend that any charges, except what is originally budgeted, would have to come to the board before payment. Last year we were \$400,000 over budget, and all of the expenses were discussed here at the board. All of the road projects, studies, etc.

came before the board, Nothing was expended without going through the Board of Commissioners. Some areas were over budget, others under budget.

Comm. Briddell: I would like to hear from Mark Derr before we take some action.

Rezoning
Donna
Lane

On motion of Commissioner Schindo, seconded by Commissioner Phipps, an ordinance to rezone property of Craig Dallmeyer along Donna Lane was denied with the following voice vote:

Commissioner Craley	No
Commissioner Schindo	Yes
Commissioner Phipps	No
Commissioner Steele	No
Commissioner Briddell	No

Locust Street
Stormwater

Rick Bogart and Rick Resh, representing Dallastown Borough, discussed the willingness of Dallastown Borough to put in a basin and appropriate piping for the stormwater water problems along Locust Street. The conveyance system downstream gets smaller, and they requested that York Township improve downstream facilities. Resh advised that they are pursuing grants and obtaining land to construct a basin for a 50 year storm, and the water would be piped to the Yoe stormwater basin. This would be the top priority project for 2003. The businesses built in the 70s did not have stormwater facilities and now part of the borough and state highway water is coming down Locust Street.

Comm. Craley: Can you include the entire project in your grant application?

Rick Resh: If we do, the project may not be built for 3 years.

Steve Hovis: With respect to the 300' in York Township, will we need to obtain rights of ways?

Rick Resh: Yes, some are private properties. The borough will not do condemnation, either the home owners will give the rights of ways for a nominal fee or Dallastown will not do the project.

Comm. Briddell: We should have our engineer look at the cost of the pipe and the rights of ways.

Comm. Phipps: I would be in favor of the project. We have had people in here since last fall. This is the first step in getting the project done. It is worth looking at a study. This is the kind of project that puts us over budget.

Comm. Schindo: Why would we spend any money without knowing if the residents will grant the rights of ways?

On motion of Commissioner Phipps, seconded by Commissioner Craley, if Dallastown Borough comes up with the alignment of the line and presents to the homeowners and they are agreeable, we will have our engineer provide us with information as to the cost of the work needed in York Township. Vote 5 yes.

Jody
Paules

Lives on Belle Road, and would like to have public water available to her lot. The board suggested that she contact the York Water Company to see if their lines are available there and what the cost would be to provide water to her and neighbors.

Ms. Paules was also concerned about the traffic on Belle Road. She has had problems with a tractor trailer parking along the street on some weekends. A call to the police advised that unless the street is posted "No Parking" they would have no jurisdiction to make the truck move.

Nancy
Taylor

Presented a petition from the residents along Blymire Road in opposition to the posting of "No parking" signs along their street. We have parking in our yard and it makes a mess on our yards. We haven't noticed any problem with parking except large events at the school, but that goes with living near the school. We have not observed any accidents. The landscaping would be beautiful, but create an area that whatever the kids throw out of their cars would be in the shrubs. If the school has to put this in they will have to maintain the bushes. Why now after all these years do we need "No Parking" signs.

Tom King

We have seen fender benders, but not from the cars parked along there, but speed. I agree with what Nancy said. Why should we create a problem that doesn't exist?

Deanna
Woolard

We have parked there for years. Why do we need it when there is not a problem?

Chief
Gross

Asked by staff for the number of accidents along Blymire Road. From Dartha To South Pleasant Ave there were 26 accidents since January 2000; 19 injuries, 37 vehicles, some speed related. There should be no parking on paved portion. That area is certainly not conducive to on street parking. Anybody can park anywhere on Blymire Road, there are no accommodations for pedestrians; there should be sidewalks around the school.

Lou Tateosian Presented a PowerPoint presentation on the importance of recreation programs. The presentation included statistics on drug, alcohol and tobacco usage among teenagers, and the costs associated with kids in trouble because they don't have something to do. Let's spend more money on recreation.

Public
Hearing

The board adjourned from the regular meeting to the public hearing for the rezoning request by Ken Stoltzfus for property along Camp Betty Washington Road. The meeting was reconvened at 7:15 p.m.

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Chief

Gross

We do not have an annual report yet, but want to report on York Township activity. There was a slight increase in Part 1 – serious crimes, and a decrease in Part 2 – less serious crimes.

In response to Lou Tateosian's presentation, we do participate with Communities That Care . We are addressing tobacco and alcohol issues regarding the sale to underage people. There is a study on 8th and 11th grade students for this area regarding drugs, tobacco and alcohol.

COMMISSIONER'S

AGENDA

Comm.

Craley

Yoe Fire Company sent information on upcoming events, new training, minutes, calendar and welcome anyone to participate. Met with Tom Landis and Joe Heggenstaller at Station 19, a very productive meeting.

Attended seminar for new commissioners, discussions about intermunicipal cooperation, funding available for comprehensive plans done jointly with other municipalities. Spoken with several council members and they would be interested in talking about working together.

Letter from Mark Clark advising that since the outdoor courts will not be used at the Community Center could stormwater pipe be stored there? He has projects in July and no where to put the pipe.

Letter from Denny Firestone. He purchased a tennis membership and now is not able to use it fully since the outdoor courts are being eliminated. Will refunds be available?

Planning Commission Appointment: Comm. Craley made a motion, seconded by Comm. Schindo to appoint Jody Grove to the Planning Commission. Comm. Schindo advised that generally the procedure had been that we interview for openings on the boards, and maybe we could table this action until we have an opportunity to interview Ms. Grove. Vote taken 1 yes (Craley) 4 no.

Comm.

Schindo

Approached by owner in township about the sewer increase. Apartment owners were negatively impacted by the sewer increase. They have yearly budgets, and they had no idea that we would be increasing the sewer bills, and thought that there should have been better notice to the residents.

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Comm.
Phipps

YARP
Alternate
Citizen At
Large

York Area Regional Police Commission is set up with a voting commissioner and an alternate. The alternate is not a voting member unless the voting commissioner is not available. There is one member at large, which is a citizen from the municipalities that buy services. I would like to make a motion that we change the charter to add an alternate citizen at large pending Windsor's agreement. Motion seconded by Comm. Briddell.

Comm. Schindo: How would this person be selected?

Comm. Phipps: That is not defined. We would have to work that out with the municipalities that we have contracts with. It will take both townships to approve.

Chief Gross: At some point it will require some changes to the charter.

Comm. Schindo: I would be opposed to the amendment unless chosen by the charter municipalities. I will vote no on the motion.

Vote: 4 yes, 1 no (Schindo)

Comm.
Steele

Planning
Comm.

We still have a vacancy on the Planning Commission from the 2nd Ward. We did interview for this position about 2 years ago, and Mike Noll has renewed his application and is a resident of the 2nd Ward. On motion of Commissioner Steele, seconded by Commissioner Phipps, Mike Noll was appointed to the Planning Commission to fill the term of Theresa Craley which expires April 11, 2002. Vote 5 yes.

Water &
Sewer
Authority

There has been a vacancy on the Water & Sewer Authority since George Christine asked not to be reappointed. Commissioner Steele made a motion to appoint Timothy O'Donnell to the Water and Sewer Authority. Comm. Phipps seconded the motion.

Comm. Craley: I thought interviewing for a position on a board was done by the board, not by 2 commissioners, who they believed a good filler. The other commissioners were not advised of the meeting. Last month the Water and Sewer did not have a quorum, now I understand that Mr. O'Donnell will not be able to attend the February meeting, will he be able to make the other meetings? I assumed that the boards were for the general public, not just for people with degrees. I'm against this appointment since the board will not be able to interview this person.

Comm. Schindo made a motion to table this appointment, which was seconded by Comm. Briddell. Vote 3 no, 2 yes (Craley, Schindo)

Vote on appointment: 3 yes, 2 no (Craley, Schindo)

Dumping Comm. Steele is concerned about the amount of fill being dumped along Course Road. Dennis Henry advised that we do not have control over this. We do require compaction tests before new buildings are constructed on areas where fill dirt has been brought in.

Comm.
Briddell

250th
anniversary Committee meeting to make plans for the 250th anniversary of the township.

TOWNSHIP MANAGER'S AGENDA

2001 Per Capita Tax Exonerations

On motion of Commissioner Schindo, seconded by Commissioner Craley, Diane Berkheimer was exonerated from further collection of the unpaid 2001 Per Capita Taxes. They will now be turned over to the York Area Earned Income Tax Bureau for collection. Vote 5 yes.

Green Valley Water

Surveys returned from the residents: 45 mailed out, 36 returned; 24 in favor, 12 opposed. The township received an agreement from York Water Company that the township would pay \$6,000 to cover the estimated construction costs of extending the water mains into the Green Valley Water District. The water company would give an advanced customer credit of \$141,200. Randal Creager and Dave Watkins questioned the surcharge and wondered why they were not advised of the fee.

Comm. Steele: Is the money in the budget for this project?

Steve Hovis: We had been asked to look into a bond to cover all of these projects. You cannot have a bond cover this unless the lines were owned by the township.

Comm. Craley: Where would this come from in the budget?

Comm. Schindo made a motion to table this project. Comm. Craley seconded the motion. Vote 5 yes.

Comm. Phipps: The township manager should contact the York Water Company and ask them to send a letter to the residents explaining the amount of the surcharge, and perhaps we need to send out a second survey letter.

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Appt. to

ZHB

On motion of Commissioner Schindo, seconded by Commissioner Phipps, Paul Knepper was reappointed to the Zoning Hearing Board for a term to expire February 12, 2005.

Comm. Craley: Concerned about the number of variances approved by the Zoning Hearing Board and would like to see the number brought down.

Comm. Schindo: ZHB doing a great job in reviewing the requests for variances.

PUBLIC WORKS

Bid

Award

On motion of Commissioner Schindo, seconded by Commissioner Phipps, the bid for the 1987 jeep for \$1010 by Charles Barrett was accepted. Vote 5 yes.

On motion of Commissioner Schindo, seconded by Commissioner Phipps, the bids for the 1984 jeep and computer equipment were rejected, and will be rebid. Vote 5 yes.

SOLICITOR'S AGENDA

Blymire Road

No Parking

Dennis Henry: The board needs to decide if the county study is enough evidence to warrant "No Parking" along Blymire Road. If you decide that it is not a good idea we have an approved plan for Dallastown Schools that shows the plantings go in along Blymire Road, and you will not be able to park along the street. If the decision is not to go with no parking, the school will have to resubmit an amended land development plan. The recorded plan has the 6 months statement for road widening, curb and sidewalk.

Comm. Briddell: It is time for the school to fulfill the land development plan of 1997. We have heard about the situation on Blymire Road, the accident reports, and questions if the plantings are necessary. The ordinance says that when a parking lot is across from residential zoning that it needs to be screened from headlights into the house. We have submitted to the county for safety problems and they are recommending no parking on both sides. By mitigating the safety problem we may be creating a larger problem.

Comm. Schindo: We should make them widen the road, install curbs and sidewalks.

Comm. Craley: When vehicles are parked there they are not in the way of sight. If you put in bushes you will not be able to see. I do not go there when school is let out. No one obeys the 25 mph speed limit. These people have rearranged their lives to not go in and out during that time of day. Widening the road and putting bushes there will not fix this problem. Chief Gross said that posting no parking signs would not help. We should leave this alone. If there are rutting problems, let the residents and school fight it out.

Niles Morton: The township directed the plantings be put along the road. If we spend money on the plants, someone will drive on it. We can use the plantings somewhere else, we can push the snow under a fence. The school does not want the plantings, we are following up with the township requirements.

Dennis Henry: The ordinance requires plantings. If the board chooses to eliminate, you need to put on record that it has been waived. Is parking permitted in the right of way by right? Where does the liability come in if the residents park on school property?

Comm. Phipps: If we allow parking along Blymire Road and they are hit, are we responsible?

Steve Hovis: Failure to adopt no parking along Blymire Road does not create a claim against the township.

Comm. Steele: We have a lot of people with opinions. The police chief is concerned about the parking. We have people parking on someone else's property. The plan was approved with trees and bushes where people are using for parking. Trees, shrubs and bushes are a waste of money. I don't see how we can walk away from this. The residents are unhappy. We are not following our police chief and York County Planning Commission recommendations. I do not feel that the school will allow them to continue to park there.

Comm. Craley: The only time anyone is parked on the road is during a major event. If a car is hit, it is a civil problem. People should not have to find other parking spaces.

Tom King: The safety hazard is speeding. We have called the police and we were told it is a "shift change" and they can't do anything about it.

Nancy Taylor: What are we going to do if there is no parking? There has to be some compromise. We want the life we had for 40 years.

Comm. Briddell: We need to improve the sight lines, allow some parking, so it is not so muddy get some stone for stabilizing, work with the school district for selective planting, and some screening, maybe not the whole way.

Comm. Steele: We will need a revised land development plan. The school district has not finished the plans. Perhaps a representative from the school district, a township representative and a resident can work out a fair and equitable solution.

Niles Morton: Who's going to pay for the improvements and a new plan?

Mike Noll: If the road was widened, would that help with parking?

Steve Hovis: Would the residents be willing to give extra right of way?

Dennis Henry: Maybe the school would allow parking in their parking lot, but again you have the issue of liability.

Comm. Craley: Would like to be part of any discussions.

Denitrification

Agreement On motion of Commissioner Phipps, seconded by Commissioner Craley the denitrification agreement for Alfred Devono was approved. Vote 5 yes.

Res. 02-2

Watershed

Map

On motion of Commissioner Phipps, seconded by Commissioner Steele, Resolution 2002-02 adopting the watershed district map was approved. Vote 5 yes.

Res. 02-3

Transfer

Stormwater

Fees

On motion of Commissioner Phipps, seconded by Commissioner Craley, Resolution 2002-03 transferring stormwater fees from District 4 to District 7 was approved. Vote 5 yes.

Ord. 2002-04

Road

Adoption

On motion of Commissioner Phipps, seconded by Commissioner Steele, Ordinance 2002-4 adopting as public roads, Wind Rush Drive and Willetta Court, was approved with the following voice vote:

Commissioner Schindo	Yes
Commissioner Phipps	Yes
Commissioner Steele	Yes
Commissioner Briddell	Yes
Commissioner Craley	Yes

Ord. 2002-05

Rezoning

Stoltzfus

On motion of Commissioner Schindo, seconded by Commissioner Craley, Ordinance 2002-05, rezoning an area from Farming Open Space (F-O) to Low Density Residential (RL-3) on property located along Camp Betty Washington Road was approved with the following voice vote:

Commissioner Phipps	Yes
Commissioner Steele	Yes
Commissioner Briddell	Yes
Commissioner Craley	Yes
Commissioner Schindo	Yes

Lighting

Ordinance

Please provide any comments or updates to the lighting ordinance.

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ENGINEER'S
REPORT

Waiver

80 Tyler Run

Road

On motion of Commissioner Schindo, seconded by Commissioner Craley the waiver to allow a second driveway for Robert and Gloria Kramer at 80 Tyler Run Road was approved. Vote 5 yes.

Waiver

400 Waters

Road

On motion of Commissioner Schindo, seconded by Commissioner Craley, the waiver to allow a second driveway for Walter Eiler at 400 Waters Road was approved. Vote 5 yes.

MRI of York

Township

LD01-12-1

Plan presented by Jeremy Haines, Richard D Poole, Inc. On motion of Commissioner Schindo, seconded by Commissioner Craley the plan was approved with the following conditions or modifications:

1. Conditions of the letter from Dennis Henry dated February 7, 2002 must be met.
2. Waivers granted for the following:
 - a. wetland study
 - b. traffic study
3. All engineering bills must be paid prior to recording of the plan.
4. The York Township Engineering Department shall be provided with an electronic file of the plan prior to recording.
5. A check in an amount to be determined by the Tax Assessment Office and York County Recorder of Deeds office must be provided to the York Township Engineering Department for recording of the plan.

Vote 5 Yes.

Gordon L Brown

LD01-12-2

Plan presented by Laymon Mortorff. In review of the plan, Mr. Mortorff asked if curbing is required, who will pay for the stormwater conveyance that may cost \$5000. How are you going to manage stormwater? When it comes out of pipe someone has to manage, and it is not us.

Dennis Henry: If the curbing is required by the board the installation of stormwater collection inlets and storm sewer conveyance piping will also be required to control and manage existing accelerated stormwater run off from South Queen Street and tributary area

to same. The board will need to consider if the township is responsible for the installation of the required storm sewer system as a result of the required curbing. This work must be coordinated with PaDOT for the pending construction to widen and resurface South Queen Street from I-83 to Dew Drop Road which is scheduled to begin this year.

Dennis Henry on Traffic Impact: Chad Dixson, Traffic Planning & Design recommends that for existing, established businesses, not proposing an increase in business operations, staff or physical building, the existing trip generation should not be assessed an impact fee.

On motion of Commissioner Schindo, seconded by Commissioner Phipps the plan was approved with the following conditions or modifications:

1. All comments of the letter from Dennis Henry dated February 7, 2002 must be met.
2. Waivers granted for the following:
 - a. parking compound
 - b. access drive pavement radii
 - c. access drive 2 way drive width requirement
 - d. landscaping in parking compound
 - e. sidewalks with 6 months note on plan
 - f. curbing, (depressed curbs with the PaDOT project by developer)
 - g. parking compounds entrances and exits lighting
3. The right of way, inlets and pipes will be identified on the plan for the stormwater work to be done by the township.
4. The York Township Engineering Department shall be provided with an electronic file of the plan prior to recording.
5. A check in an amount to be determined by the Tax Assessment Office and York County Recorder of Deeds office must be provided to the York Township Engineering Department for recording of the plan.
6. All engineering bills to be paid prior to recording.

Vote 5 yes.

Reapprovals On motion of Commissioner Schindo, seconded by Commissioner Craley the following plans were reapproved with the same conditions:

1. Chestnut Ridge Phase I, P01-8-2
2. Hogg Farm, P01-9-2
3. Paul Knepper LD00-5-6
4. Springwood Memories LD98-11-1

Vote 5 yes.

Chambers Road

Signal Dennis Henry reported that we are moving ahead with the permits needed for the signal at Chambers Road.

Barry Myers

Preemptions Barry Myers told the board that he believed they had voted last year to upgrade all signals with preemption devices. A review of the minutes from February 13, 2001 indicates the following: "Commissioner Phipps made a motion, seconded by Commissioner Knaper to work with future developers to have preemption devices placed on signal lights that would allow emergency response vehicles the ability to change the lights to green for quicker response to the emergency situation. He further indicated that the hardware installed with the devices should be able to track who is activating the preemption device".

At 10:10 p.m. Commissioner Steele left the meeting.

Speed limit

Request/Barry

S Franklin Dennis Henry advised that the staff had been asked if another traffic study from York County Planning Commission could be requested to further reduce the speed limit on South Franklin Street. The need for the reduction to 25 mph is the only way that the driveway will meet the township ordinance requirements. The board indicated that no request is to be made to reduce the speed limit.

Coventry

Road

In the plan to realign Coventry Road the initial thought was to abandon the section of Coventry Road from South Queen Street to Ark Drive. We have now been contacted by Del Miller who advises that he has tractor trailers that cannot get to the back of his building for deliveries. He has been in business there for 30 years. He wants the road to remain open. Would the board consider the road remaining open with right in and right out onto Queen Street? Dennis Henry will contact PaDOT to see if this is a workable solution.

Adjourn The meeting was adjourned at 10:29 p.m.