

Minutes

York Township Board of Commissioners

October 8, 2002

The meeting was called to order at 6:00 p.m. with the following in attendance:

Phil Briddell	Mark Derr
Jim Phipps	Dennis Henry
Theresa Craley	Elizabeth Heathcote
Robert Steele	Mark Clark
Robert Schindo	Steve Hovis

Minutes On motion of Commissioner Schindo, seconded by Commissioner Steele the minutes of September 10, 2002 were approved as presented. Vote 5 yes.

PAYMENT OF BILLS

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

General Fund	\$357,495.09
Street Light	1,033.63
Sewer Revenue Fund	53,533.31
Intermunicipal Sewer	29,567.87
York Twp. Payroll	4,600.66
Stormwater Mgt. Fund	4,615.96
Liquid Fuels Fund	165,816.95
Capital Reserve Fund	33,538.75

TOTAL

\$ 650,202.22

Public Works Garage/Administration Building

Presentation by Rob Kinsley, LSC Design, describing the design and engineer plans for the complex for the public works garage/maintenance building and administration building. Mr. Kinsley provided the board with a time line schedule for the building design & permitting, bidding & negotiation, site design , permitting, and construction. The office building consists of two levels, bottom level for public works and the 2nd story for the administration staff. The vehicle maintenance building will house the sign shop, welding area, mechanics area, and wash bay. The storage building is where all of the vehicles and equipment will be housed. All of the garage doors will face into the inner court area. No vehicles will be housed outside.

PUBLIC COMMENTS

Mike Frey

YCMIS Mr. Frey provided information on the York County Municipal Information System, which connects the different municipalities in the county, through the internet, where they can share resources. Members would have access to taxes, documents, contacts, emergency equipment, demographics and purchasing.

Nancy

Taylor Representing Kaltreider Benfer library. We are very interested in knowing what your decision will be on the library contribution. All services provided at the library are free, you can check out a book, read magazines, use the computers, etc. We would also like for you to keep the same contribution of \$27,000 in the 2003 budget.

Solicitor Hovis: After reviewing the information and having several discussions with state librarian, certain funding is in jeopardy by the reduction in the contribution.

Comm. Craley: Asked for a print out of the contributions received by the library and there are some municipalities that don't contribute anything. Will you be contacting them to get more contributions? 14 municipalities do not contribute at all.

Comm. Briddell: York Township has been put in the hot seat. We did

not realize the implication of the reduction. The library will have to spend money to get local support and I don't think this is good use of time. Every two years you can have new board members. There must be some way to get the word out to insure the funding.

Comm. Craley: The previous board made a cut in the funds and the library was caught unaware. I make a motion that we give the additional \$18,500 for 2002 and caution the library system to be more proactive in the future on the contributions. The motion was seconded by Commissioner Phipps. Vote 3 yes, 2 no (Schindo, Steele)

Darrell Winters

I have lived 41 years at 300 Locust Hill Road. It would be quite expensive to extend Locust Hill Road. There is no reason why tax money should be used to do either of these things. Cul-de-sac- no reason. It is still a dead end. This sounds like you are helping people who own land. I don't want tax money spent for that. On my way here tonight I sat for 20 seconds

waiting to get out on Queen Street. We already have 2 ways out. We do not need a traffic light at Sunset Drive.

Pat Noll When the plan for Honey Valley Estates was reviewed there was talk about another access. Where is the board at on this?

Troy Harrold I don't want my money to go for personal gain. If you extend Sunset Drive it will be another Queen Street. Our children will be in danger because of the increase in traffic. We don't need another access to this development. When we sell or are ready to downsize, who will buy our homes? Younger families with smaller children.

Brendan Gegan

We already have roads in existence that need repairs. We have neglected existing roads. Why should we put in more roads when the ones in existence are not being taken care of?

Ray Shaffer Provided a petition with signatures of 44 residents. I object to the proposals. I have lived there 33 years, and we enjoy our quality of life how it is. It is my understanding that Mr. Burrows, former township manager, said that Sunset Drive would not be opened unless the residents want it. The intersection of Locust and Bradley

lies below the crest of the hill, it is a dangerous intersection. Locust Hill is not designed to be opened up. Strangers traveling the road would find it dangerous. We have a nice neighborhood, we don't want it changed. The light at Queen and Honey Valley has helped us. There is no advantage to open either road.

Joanne Schiavone

We catch all of the water from the development. It is a very spring rich valley and when we have rain it ends up at the end of Dallas Drive. It is a quiet street until 3:00 p.m. when school lets out. If Locust Hill Road goes through it will ruin the quality of life for people above and around it.

Judy Toms We lived on Nollyn Drive for 25 years and now live on South Franklin Street. Locust Hill extended would be a short cut to South Franklin Street. It would not be easy to exit from the development. It will not solve any problems. This road would come very close to our home. Where it would enter on South Franklin Street is at a very dangerous curb. Cars are already traveling too fast. The proposal for the cul-de-sac, who asked for the cul-de-sac?

Dennis Henry: The township inquired. A special exception request came in for two lots that do not have public street frontage. We asked the applicant to table the request to give us time to come before the board and make some final decision on extending the road. We had discussed Locust Hill Road before and tabled the idea because of the cost. If we extended the road we could receive liquid fuels to help maintain the road. This would provide a turn around for snowplows. We know that the grades are very steep and the expense would be very costly. When Dallas Acres was planned someone dropped the ball, the extension should have been put in then. The cul-de-sac would have to be 250' from the intersection.

Judy Toms: We would be opposed to any extension or cul-de-sac.

Glenn Rexroth

I don't see any need for Sunset Drive to be extended. The township should not invest any more in these ideas. Put the money in the new building, put in the regional detention pond. Complete one project. The township is spending too much money in studies, legal fees, engineering fees, etc. and getting nothing for it. Maybe you can look

at it again in 10-15 years and see what we need.

Tory Harvey Provided a letter to the board with opposition to any changes made to the development.

Keith Myers I have lived on Dallas Drive for 30 years and it has never been improved. If Locust Hill is extended the township will have to improve Dallas Drive. The only person to gain is the person who foolishly bought the two lots.

Harold Burger

We like the neighborhood the way it is. We hope you will not approve any changes.

Nick Sabold We have lived there 2 ½ years. Don't want any money spent for road improvements.

Jeff Kurek We like the enclosed neighborhood. Locust Hill Road extended would increase traffic to the middle and high schools.

Bob Massimore

I live on the abandoned stretch on Locust Hill Road. I still get the snow plowed and other services. The easement and driveway will be through my property for the lots that want to be developed. It is really dark at our property and we would like to keep it that way.

Dennis Henry: The right of way that is there, do you have a problem with the easement?

Bob Massimore: Yes. The easement was changed.

Comm. Schindo: Did the title company or your attorney lie to you about the easement?

Bob Massimore: The easement was explained to me on the day of settlement.

Comm. Schindo: Did you hire an attorney or title company to verify this information?

Comm. Craley: How close is the easement to your home?

Bob Massimore: 6' from the house.

Comm. Schindo: The easement exists. The gentlemen bought the lot and the board has nothing to do with that.

Mark Carr I am the landowner of the vacant lots. It was not my idea to open the street or put in the cul-de-sac. I know nothing about extending Sunset Drive. My interest is for the special exception for lots approved in 1987, which do not meet the lot width. I have had three builders approach me to buy the lots. I am opposed to all three ventures. I am not interested in a cul-de-sac. The three people most affected – Myers, Toms and myself, none of us want this. It may be nice for the township. I did not bring any of this up.

Steve Sleppy I can't add anything that hasn't already been said. Currently Honey Valley Estates is under construction. We have no way of knowing how many people this development will bring.

Comm.

Oraley The intersection of Locust Hill with Bradley is very dangerous, and it has its own challenges. Connecting with Dallas Drive would be very costly. Sunset has challenges as well. People already drive fast on Honey Valley Road, this would not be good with the s curve, there is no sight distance. The residents are telling us they do not want anything done.

The board should allow the Planning Commission to do their job and look at the special exception. We do not have the answer to any of the problems. I have reservations about the special exception being approved. I hope that the Planning Commission will consider the safety issues as well as the technical issues.

Comm.

Schindo I urge the Planning Commission to keep in mind that private property owners have rights to develop their property as long as it meets the ordinance.

Comm.

Phipps Regarding the special exception, I hope that the Planning Commission keeps the safety issues in mind. I see no need to do anything else at the present time.

Comm.

Steele

The whole purpose of the meeting was to start a discussion and let the citizens know that something is going on and they can let the officials know how they feel. While we have had a number of people here, the comments have all been negative.

A small section of Locust Hill Road from Nollyn Drive is not currently an accepted dedicated street. I think that Mr. Noll may claim that. The two lots may not have access, or the only way to get to the lots is through an easement through Mr. Massimore's property. Mr. Noll may own the right of way. I don't think that the board is ready to spend money for Locust Hill to extend to South Franklin Street.

If we go back and look at the original plans (Gable plan 1959) Sunset Drive comes over to Honey Valley Road. One of the things that Mr. Sleppy said - Honey Valley Estates we don't know how many people that will bring. When the plan for Honey Valley Estates came in the Planning Commission looked for another way out from the development. If we could do everything right we would provide access from Honey Valley Estates to Honey Valley Road. The township ought to obtain right of way from Sunset Drive to Honey Valley Road. Someday there may be a need to have a right of way there.

Dennis Henry: It is physically possible to make the connection from Honey Valley Estates to Honey Valley Road, but the developer did not own the land.

Comm.

Briddell

Historically we have subdivided along main street. We have now forced everyone onto Queen Street. All neighborhoods are forced to Queen Street. The PennDOT improvements made a difference, but the problems will not go away. You folks don't want any change.

Question from audience: Where do we stop development?

Comm. Briddell: If a plan comes in and meets the ordinance we must approve the plan. The ability to expand streets is not there. We need to get people around the township without using Queen Street. What is going to impact you is all of the land across the street from you can be developed. Things are going to change. The timing may not be right now. You folks will be impacted by how the township grows.

You will all be impacted.

Dennis

Henry If the board is going to let things alone, how do we treat the street?

Comm.

Briddell What obligation do we have to maintain?

Mark Clark We have been maintaining for more than 21 years.

Dennis

Henry The people have driven onto the grass area and the end of Locust Hill Road. Maybe we need some signs to show it is a dead end. Mr. Carr will be obligated to use the private access. We have other places in the township that have private access. The cul-de-sac will not work for the residents.

Comm.

Craley We need to look at options for connecting Honey Valley Estates to Honey Valley Road.

Dennis

Henry We can look at that, but the property owner was adamant about not giving land.

Unidentified

Resident When will you make a decision?

Comm.

Briddell There is no intention of the board to make any decision.

Unidentified

Resident Will you just do something and we won't know?

Comm.

Schindo We meet every 2nd Tuesday. You have elected 5 people to represent

you. There will be no changes to your development. We welcome you to come to all of our meetings.

ENGINEER'S AGENDA

P02-8-1

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

1. All conditions of the letter from Dennis Henry dated September 30, 2002 must be met.

2. Waiver granted for the following:

Section 602.A.7 road widening with 6 months notice on plan.

Section 602.B sidewalks with 6 months notice on plan

Section 603.C curbs with 6 months notice on the plan

Section 609.A.5 street trees upon issuance of a building permit

Section 402.E.3d. wetland report

Section 402.C.1 contours

3. 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.

4. The York Township Engineering Department shall be provided with an electronic file of the plan prior to recording.

5. In accordance with the requirements of the York Township Traffic Impact Ordinance, a fee in the amount of \$1000 per each new vehicle trip during the peak PM hour to and from the proposed subdivision is required to be paid to York Township upon application for a building permit. The fee for a single family dwelling lot is based on one (1) peak hour trip for a fee of \$1000.00

6. All engineering bills to be paid prior to recording.

Vote 5 yes.

P02-8-2

Blossom Hill West

Resubdivision

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

1. All conditions of the letter from Dennis Henry dated September 30, 2002 must be met.
2. 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.
3. The York Township Engineering Department shall be provided with an electronic file of the plan prior to recording.
4. All engineering bills to be paid prior to recording.

Vote 5 yes

P02-8-3

Reheard At the request of the property owner the plan was tabled until November.

Hantz Enterprise

P02-9-2 On motion of Commissioner Schindo, seconded by Commissioner Phipps the plan was approved with the following conditions or modifications:

1. All conditions of the letter from Dennis Henry dated September 30, 2002 must be met.
2. The York Township Engineering Department shall be provided with an electronic file of the plan prior to recording.
3. 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 before recording of the plan.

4. All engineering bills to be paid prior to recording.

Vote 5 yes.

Reapprovals On motion of Commissioner Schindo, seconded by Commissioner Phipps the following plans were reapproved with all conditions in place from the previous approvals: P02-2-4: Chestnut Ridge Phase II; LD01-1-1 Haven at Springwood; LD02-4-1 Springwood Overlook; and LD00-6-2 Campbell Siebert. Vote 5 yes.

COMMISSIONERS

AGENDA

Comm.

Steele Questioned if alternates could be appointed to the various boards. The MPC does not provide for the appointment of alternates.

Comm.

Craley On motion of Commissioner Craley seconded by Commissioner Phipps the board approved the execution of the grant for the emitters in the township's name on behalf of the Dept of Fire and Rescue. Vote 4 yes, 1 no (Schindo)

Res. 2002-23

COG On motion of Commissioner Craley, seconded by Commissioner Phipps, Resolution 2002-23 authorizing York Township to enter into further discussion with other municipalities concerning the formation of a council of governments was approved. Vote 5 yes.

TOWNSHIP MANAGER'S AGENDA

Res. 2002-24

General Obligation

Bond Issue Mark Derr advised that he, Joe Robinson and Steve Hovis had met with Brad Remig with Public Financial Management, Inc., regarding options to finance a new public works/administration building along

with other capital projects. On motion of Commissioner Schindo, seconded by Commissioner Phipps the board approved Resolution 2002-24 authorizing the administration to work with Public Financial Management, Inc. as Financial Advisor and Stock and Leader as Bond Counsel and Solicitor to proceed with the General Obligation Bond Issue for the new public works/administration building project and other Township capital projects in an amount not to exceed \$7,000,000. Vote 5 yes.

Ralumac

Contract Mark Derr advised that he had been contacted by PennDOT about repaving on Camp Betty Washington Road with ralumac. York Township does not have any contract for ralumac, but Springettsbury does and they would just continue the paving of Camp Betty Washington Road from York Township into Springettsbury.

Comm. Craley: Why are they putting money on a road that is going to be changed?

On motion of Commissioner Phipps, seconded by Commissioner Steele the board authorized an agreement to be made with Springettsbury for ralumac not to exceed \$23,864.70 for the repaving of the section of Camp Betty Washington Road in York Township. Vote 5 yes.

Transfer

Tax Mark Derr received a letter from Countess Gilbert & Andrews, who represent the school district, regarding the waiving of the transfer tax on the purchase of the Markey tract. They would prefer to restrict their waiving of the transfer tax to just the Larkin property. The board discussed this and will view each purchase made by the school district and decide then if they will waive the transfer tax

Coventry

Road The township would like to realign Coventry Road and improve the intersection at the time of the construction of the new building. In a conversation with George Michael, he is willing to sell a lot at \$42,000. On motion of Commissioner Steele, seconded by Commissioner Phipps the board authorized an agreement of sale to be executed by the Chairman or Vice Chairman for a lot on Oak and Coventry Road from George Michaels. This lot would be purchased

out of the capital account. Vote 5 yes.

Taxes

Mark Derr noted that the school district eliminated the \$5.00 per capita tax. He suggested that the township eliminate the \$5.00 occupation tax and up the per capita to \$10.00.

Comm. Schindo: Can we eliminate both taxes? And if we do would we have to increase the millage to cover the difference?

Comm. Craley: I am not in favor of raising taxes the same time as the building is being constructed.

Comm. Schindo: We don't know at this time if we would have to raise the taxes.

Mark Derr: We can look at the real estate rather than the two taxes. It is very difficult to keep track of the people moving in and out of the township. The negative side is forcing all tax on the real estate owner, and the renters pay nothing.

Comm. Craley: Can we absorb \$130,000?

Mark Derr: With the new building, library contribution and increase in salary wages, we may have to look at raising taxes.

Comm. Briddell: How will Diane feel about this?

Mark Derr: It makes sense to put it in the real estate. A large property owner may see a slight increase in the taxes.

On motion of Commissioner Schindo, seconded by Commissioner Steele the board agreed to eliminate the per capita and occupation tax effective January 1, 2003. Vote 4 yes, 1 no (Craley)

Animal Control Rescue League

On motion of Commissioner Schindo, seconded by Commissioner Phipps the board approved the shelter agreement with the Animal Control Rescue League. Vote 5 yes.

Transfer of Funds

On motion of Commissioner Phipps, seconded by Commissioner Craley the board approved the transfer of excess money from the Cable TV line item to cover the \$18,500 contribution to the library,

approved earlier in the evening. Vote 5 yes.

Florence Kotek: Have you thought about what will happen next year with the library?

Comm. Craley: We tried to put them on notice that they need to contact other municipalities. There are no guarantees for next year.

Florence Kotek: They need to work harder for themselves. This has gotten out of hand.

Mark Derr: They have to provide the services for free.

PUBLIC WORKS

Chambers Road

The contractor will start next week, and hopefully the signal will be in by next month's meeting.

Eckart Property

Mark Clark advised that he has a verbal agreement to purchase the right of way on the Mark Eckard property located at the intersection of Leader Heights and Powder Mill Road. On motion of Commissioner Phipps, seconded by Commissioner Craley, Mark Clark is authorized to proceed with obtaining the right of way on the Eckart property. Vote 4 yes, 1 no (Schindo)

SOLICITOR'S AGENDA

Tax Collector Check charge

Diane Berkheimer notified the solicitor that there is no ordinance covering the charge for a check returned for insufficient funds. On motion of Commissioner Craley, seconded by Commissioner Steele the solicitor was authorized to prepare an ordinance covering the check charge fee. Vote 5 yes.

Lot 91 Colonial Park

On a plan approved for Colonial Park lot 91 was designated to be in York Township. A building permit was issued by Dallastown Borough. On motion of Commissioner Schindo, seconded by Commissioner Craley the board agreed to execute an agreement to identify the lot

as a Dallastown Borough lot. Vote 5 yes.

Deed of Dedication

Res. 02-25

On motion of Commissioner Schindo, seconded by Commissioner Steele, Resolution 2002-25 accepting the deed of dedication from Larry Mitzel along Vireo Road was approved. Vote 5 yes.

Letter of Credit Oasis Car Wash

On motion of Commissioner Craley, seconded by Commissioner Phipps the letter of credit for Oasis Car Wash is authorized to be called if the work is not completed prior to October 24, 2002. Vote 5 yes.

EXECUTIVE

SESSION The board went into executive session from 9:35 to 9:50 p.m.

ADJOURN The meeting was adjourned at 9:51 p.m.

Elizabeth T. Heathcote, Secretary