

YORK TOWNSHIP BOARD OF COMMISSIONERS
OCTOBER 9, 2001
6:00 P.M.

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

Jim Phipps
Robert Schindo
Robert Steele
Emerson Knaper

Mark Derr
Elizabeth Heathcote
Mark Clark
Dennis Henry
Steve Hovis

Minutes On motion of Commissioner Schindo, seconded by Commissioner Phipps, the minutes of September 11th, 2001st 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	\$293,716.55
Street Light	1,022.51
Sewer Revenue	235,253.56
Intermunicipal Sewer	11,816.79
York Twp. Payroll Fund	5,374.07
Stormwater Mgt. Fund	10,591.54
Recreation Capital Reserve	00.00
Capital Reserve	40,774.12
Liquid Fuels	216,085.38
Escrow Fund	5,362.50
TOTAL	\$819,997.02

Emergency Mgt. John Tucker advised that the county is ready for emergencies should they arise. The table top drill date conflicts with the open house for the transportation group and Mr. Tucker advised that he is willing to change the date of the drill. He agreed to the second Thursday in November.

PUBLIC
COMMENTS

Stewart Robinson Mr. Robinson provided a history of stormwater problems at 460 East Locust Street. He advised that he has been to Dallastown Borough and they agree there is a problem and have asked C. S. Davidson to provide details on a basin and channels to get the water to the basin. Mr. Robinson requested that Dallastown Borough be required to keep them informed of what affect the basin would have on York Township residents, and he suggested that an underground piping system be looked at where the existing ditch lies.

Dennis Henry advised that he was at a meeting to discuss the problems with Dallastown Borough, but was not in a position to make any recommendations to the board. After we receive the new study the township should urge the borough to follow through with the recommendations.

Solicitor Hovis advised that the properties causing the problems are in Dallastown Borough, and this board will try to apply pressure on the borough to enforce their stormwater regulations, but this board has no legal ability on the property owners in Dallastown Borough to control their stormwater. You may have to look at some civil action.

Deb Hunter
Wyngate Dr.

Ms. Hunter advised that she would like to get public water. In a conversation with Dallastown-Yoe Water Authority they advised the board of commissioners would have to direct them to do a feasibility study before they could establish a water district.

Sherry Bosserman
128 Jonathan

Ms. Bosserman complained about the zoning ordinance allowing sheds in side yards instead of always being in the rear yard. They fit better in neighborhoods in back yards.

Tom Traina
Forest Rd

Chestnut Hill Water District: Will he be allowed to decide where the water connection is made.? Yes, the water company will provide a stake so he can mark the connection line.

Brian Bower
Chestnut Hill Rd.

Why was the line stopped where the map shows? Dennis Henry advised that this was the most economical plan, and may have been the limits of the water pressure.

Steve Eppley

Concerned about the amount of taxes he is paying. What can I do to get taxes stopped? Commissioner Schindo advised that he go to the school board meetings, since that is where the tax increases are coming from.

Mr. Eppley also expressed concerns with the township owning and operating a business, and he would like to see the community center sold and the money rebated to the residents.

COMMISSIONER'S AGENDA

Comm. Knaper

Complaint about dumpster on Annette Dr.

Would like us to consider safety issues during hunting season.

October 9, 2001

Page 3

- Comm. Schindo I'm in total agreement with Mr. Eppley on ownership of the community center, I also would like to see it sold.
- Comm. Phipps I would like to make a motion that we ask Dallastown-Yoe Water Authority for a feasibility study for water on Green Valley Road, Wyngate and Annette Drive. Motion seconded by Commissioner Schindo. Vote 5 yes.
- Comm. Steele In response to Mr. Eppley's comments on taxes. There was an article in the last newsletter identifying what the taxes are. Most residents are confused by taxes because they come here to pay their bills for the county and school. Citizens want to scream about taxes. When we look at the budget, we'd better be ready to strike some things out of the budget. I've been told my nickname is "One Term Bob". We still have to fix roads and plow snow. Perhaps we should say you rake your own leaves and get rid of them. Frankly I like the service of leaf collection. Maybe we should sell some of the equipment, no new trucks, no more employees. When we make these decisions people will be screaming. When we look at the budget, we must decide can we afford it or can't we afford it. Some of you folks are not going to like the decisions.
- Comm. Briddell The school district is responding to the township's growth. We are a growing township. Want to invite everyone to the York Township Community Meeting on October 18, 2001 at 7:00 p.m. at the York County School of Technology. We will explain the growth in the township and how your tax dollars are spent.

TOWNSHIP MGR'S AGENDA

- Employee manual Comm. Schindo: I would be opposed to mandatory drug testing. Mark Clark and Solicitor Hovis advised this is a federal requirement for all CDL drivers and therefore applies to all the individuals working at the public works department with a CDL license.
- Commissioner Briddell: I never saw the old personnel manual what changes are there from that manual?
- Mark Derr: There was a change in the attendance policy and the holidays. The new manual identifies Martin Luther King Day and Election Day as holidays.
- Comm. Steele: Thought it was a pretty good document. A great help for a new employee. I assume that this booklet will cover the employees at the community center? Answer yes.
- Commissioner Phipps made a motion to approve the manual for all employees. Motion seconded by Commissioner Steele.
- Commissioner Briddell asked for an amendment to the manual to remove the 2 additional holidays. Motion seconded by Commissioner Schindo. Vote 3 yes 2 no.

The vote on the employee manual was 4 yes, 1 no.

Employee
Evaluations

Comm. Steele: The evaluation is a 5 page document, which appears to be very time consuming. The staff will have the burden to fill out not the employee. I suggest that the employees should be provided an opportunity to provide goals. The township management should have measurable goals reflected by the commissioners. We need to hold the employees accountable to do their job. I think the document could be shorter and more direct.

Resolution 2001-23
Transportation
Committee

On motion of Commissioner Schindo, seconded by Commissioner Steele, Resolution 2001-23 accepting the resignation of Bob Kinsley and appointing Ray Fertig to the transportation group was approved. Vote 5 yes.

Water Districts

Any developments within the growth boundary area without public water are coming to the township and asking us to pay up front for water. The citizens on Wyngate that need water will be paying a front foot assessment. When residents have water problems they become the township's problem. Have you considered that any development within the growth boundary area must have public water and sewer?

Comm. Briddell: If you have a large parcel and the owner wants to subdivide off 1 lot for a family member, should they have to bring in water?

Comm. Schindo: We shouldn't restrict someone from developing. If they have 100 lots then he will have to drill 100 wells. You can't restrict the development just because you think there isn't enough water. If a farmer has 100 acres and wants to take off 5 lots, he should not have to bring in public water. The wells must be tested at the same time, and tighten up the ordinance.

Comm. Phipps: How much money has been spent for water districts? We can have the staff look at the ordinance for recommendations, contact other municipalities to see what ordinances they enforce, lot size before they require public water, etc.

Dennis Henry: We went through this about a year ago, so we have some background information. It will require technical assessments, and may run into some costs.

On motion of Commissioner Briddell, seconded by Commissioner Phipps the staff should bring some suggestions on the water issues to the board next month. Vote 3 yes, 2 no.

October 9, 2001

Page 5

Tennis Instructor
Policy

Comm. Schindo: I will not vote in favor of this policy, I don't know how to run a tennis club.

Comm. Steele: I cannot support a tennis instructor agreement. I will vote to close the club before I will vote for this policy. I cannot support non township residents using the club for personal gain. If we are going to keep the community center it should be available to all. We need to get more people over there, and not allow someone to charge a fee and pocket the money. We have a manager and staff, they can do what needs to be done.

Comm. Briddell: The staff cannot do the tennis instruction. This will make it clear what we require.

Mark Derr: If we do not implement the policy, there will be no tennis instruction except by the staff. A significant amount of revenue from the tennis pros court rental will be lost.

Solicitor Hovis: If the commissioners don't implement this policy, they will still have to deal with how to handle people renting courts and using them for tennis instruction because the money will still be put into someone's pocket.

Comm. Schindo: We can't manage it.

Comm. Briddell: I think that the rec committee could manage it. I don't hear any problems about the parks.

Comm. Phipps: The rec study will show us how the center should be used.

The agreement presented should be effective November 1st and is non-negotiable.

Vote 3 yes, 2 no.

PUBLIC WORKS

Open House

Mark Clark will hold an open house at the public works building on Fitzkee Lane on Saturday, October 13, 2001.

RECREATION

Newsletter

Dale Dalton advised that the newsletter will be mailed within the next 10 days.

SOLICITOR'S
AGENDA

Ord. 2001-7
Road adoptions

On motion of Commissioner Phipps, seconded by Commissioner Steele, Ordinance 2001-7 adopting Bayberry Lane, Knob Hill Road, Chronister Farm Road, Lanie Court, Natalie Drive, May Apple Drive was approved with the following voice vote:

Commissioner Phipps	Yes
Commissioner Steele	Yes
Commissioner Briddell	Yes
Commissioner Schindo	Yes
Commissioner Knaper	Yes

Ord. 2001-8
Rezoning
Cape Horn
Road

William Thompson: When this request was put before the Planning Commission we did not know the use, now I understand that it is to be converted to a Bingo hall. I don't think that is a good use. The fire companies raise money thru Bingo and this should not be encouraged.

Comm. Knaper: I was not here for the hearing, but I read the transcript, and am prepared to vote.

On motion of Commissioner Schindo, seconded by Commissioner Knaper, Ordinance 2001-8, rezoning a portion of property located along Cape Horn Road owned by Peoples Bank and Sunrise Holdings was approved with the following voice vote:

Commissioner Steele	No
Commissioner Schindo	Yes
Commissioner Knaper	Yes
Commissioner Phipps	Yes

Commissioner Briddell filed a conflict of interest statement and did not vote on this ordinance.

ENGINEER'S
REPORT

Chestnut Hill
Road

Comm. Schindo: Why are the lots on Twin Lane not being included in the water district?

Dennis Henry: They are being included with the Chestnut Ridge development.

On motion of Commissioner Phipps, seconded by Commissioner Steele the staff will send out surveys and have the results to the board at their December meeting. Vote 5 yes.

Jerry Jacobs: I have spent thousands of dollars on wells, why should people with beautiful wells and lots of ground be required to connect? If the development is at the bottom of the hill, why are we being considered?

Mike Page: I have been in the water business for 27 years. None of our area is being served by public sewer. Your aquifer is being supplied by your sewer. Your water may not be what you want to drink. What the water company is offering is a good deal. There are quite a few wells that are not good. If we pass up this opportunity we may not have another chance. You may have good water now, but you may not in the future.

Jan Burke

Ms. Burke requested a waiver from the board for property located at 32 Oak Street. She would like to subdivide the property, and the ordinance requires that public sewer be brought to the new subdivision. She would like that provision waived.

Commissioner Schindo made a motion that the board grant the waiver to waive the sewer connection and if the system fails the property owner would be compelled to connect to public sewer. Commissioner Steele seconded the motion.

William Thompson: You should make people come through us or just get rid of us.

Comm. Schindo: An individual should have the right to petition this board for an answer without spending a lot of money.

Theresa Craley: It is your decision what you want to do. No channels, no expense. Should they come in through the Planning Commission?

Comm. Schindo: We are attempting to give a citizen an answer. We should not require a citizen to spend \$5000-7000 for some small plan. We are saving a couple of weeks of time.

Comm. Phipps: We have protocol to follow.

Comm. Schindo: Okay so we are going to tell her to go to the Planning Commission next week, and then come back here in November and we can tell her then what our vote will be?

Vote 1 yes, 4 no.

Gene Waltemyer
P01-7-3

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 October 5, 2001 must be met.
2. Waivers granted for the following:
 - a. existing contour interpolation from USGS mapping
 - b. road widening, with 6 months statement on plan
 - c. curbs and sidewalks, with 6 months statement on plan
3. All engineering bills to be paid prior to recording.
4. 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.
5. The York Township Engineering Department shall be provided with an electronic file of the plans prior to recording.

Vote 5 yes.

Wilfred Markey
P01-7-1

Plan presented by Laymon Mortorff. On motion of Commissioner Phipps, seconded by Commissioner Steele the plan was approved with the following conditions or modifications:

1. All comments of the letter from Dennis Henry dated October 5, 2001 must be met.
2. Waivers granted for the following:
 - a. contours
 - b. road widening
 - c. curbs and sidewalks
 - d. public sewer availability for all lots
 - e. public water service availability for all lots
 - f. plan scale
 - g. preliminary/final subdivision plan submittal
3. All engineering bills to be paid prior to recording.
4. 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.

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

Vote 5 yes.

Reapprovals

On motion of Commissioner Phipps, seconded by Commissioner Steele the following plans were reapproved with all of the same conditions from previous approvals still in place:

P01-3-1 DSBP; LD01-3-1 Peoples Bank; LD01-4-4 Towson; LD00-11-2 Heffner; P00-7-1 Hogg Farm; Ld00-12-1 Hogg Farm, Lot 2; LD01-1-1 The Haven at Springwood; P99-12-2 Glenlyn Enterprises; P01-5-2 Orpha Markey; and P00-12-1 Red Lion Borough.

Vote 4 yes, 1 no.

Chestnut Ridge
P01-8-2

Plan presented by Laymon Mortorff, Vito Spagnola, and Attorney Charles Caulkins. After much discussion this plan was tabled until the township is able to come up with some idea as to the costs involved with upgrades to the intersection at Springwood Road and Chestnut Hill Road. On motion of Commissioner Phipps, seconded by Commissioner Steele the board voted that York Township and Vito Spagnola would split 50/50 the cost of the application for the highway occupancy permit. This permit would be submitted in the township's name. Vote 5 yes.

Spring Ridge
Phase II & III
P01-8-1

Plan presented by Laymon Mortorff and Shah Mathias. 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 October 5, 2001 must be met.
2. The board will accept \$11,205.00 for monetary contribution required from the developer for participation in replacing the Mill Creek bridge. The money must be received before the plan is recorded.
3. Legal issues as outlined in Dennis Henry's letter of October 5, 2001 item #1 shall be worked out between Solicitor Hovis and Mr. Mathias' attorney.
4. Recreation land is to be reviewed by rec commission to see if the land should be accepted as recreation lands and we will waive the recreation fee when building permits are issued.
5. All engineering bills must be paid prior to recording of the plans.

6. All pages of the plan to be recorded.
7. The York Township Engineering Department shall be provided with an electronic file of the plans prior to recording.
8. Per Section 505 of the York Township Subdivision and Land Development Ordinance, Inspection during construction, a schedule shall be submitted to the Township Engineering Department prior to recording of the final plan.
9. A check in an amount to be determined by the Tax Assessment Office and York County Recording of Deeds office must be provided to the York Township Engineering Department for recording of the plan.
10. A construction improvements estimate, in York Township format, shall be provided for review by the Township Engineering to establish amount of surety to be posted with York Township prior to recording of the final subdivision plans.

Vote 5 yes.

Ron Crull

This plan was submitted to York Township as a courtesy review for a final subdivision in Yoe Borough and a minor portion within York Township. On motion of Commissioner Schindo, seconded by Commissioner Phipps the plan was approved with the condition that stormwater management design for any increase in impervious cover and resultant accelerated stormwater run off shall be in accordance with the requirements of the York Township Subdivision and Land Development Ordinance. Vote 5 yes.

Spry Sidewalks

Dennis Henry advised that the last estimate received from PaDOT for the work along South Queen Street is \$167,488. On motion of Commissioner Phipps, seconded by Commissioner Steele the board agreed to go ahead with the sidewalk project in Spry. Vote 3 yes 2 no.

Comm. Phipps: We should also try and apply for any grant money that may be available.

Comm. Briddell: Since Spry and the mobile home park have been designated blighted areas, we may now qualify for block grant money for the sidewalk project. They have been looking for some way to get money to York Township.

Site Imp.
Agreement

On motion of Commissioner Knaper, seconded by Commissioner Phipps the Site Improvement Agreement between York Township and Blossom Hill Phase III was approved. Vote 5 yes.

October 9, 2001

Page 11

Sarah & Ed
Knisely

Mrs. Knisely believes that the letter that was sent to the Wagmans did not include some of the items they had mentioned. Solicitor Hovis advised that if the Kniselys are not happy with the process by the township they can file a civil suit against the Wagmans. On motion of Commissioner Schindo, seconded by Commissioner Phipps if the Wagmans have not complied with the letter sent by Solicitor Hovis by November 15, 2001 that he is to file a complaint with the magistrate's office. Vote 5 yes.

Green Valley
Sewer

On motion of Commissioner Briddell, seconded by Commissioner Steele, Solicitor Hovis is to proceed with charges against Neil Lutz, Green Valley Road for not connecting to the public sewer. Vote 5 yes.

Croll School
Water

On motion of Commissioner Steele, seconded by Commissioner Phipps, Solicitor Hovis is to proceed with charges against Craig and Nancy Poff; Justin Wagner & Tina Lauer; Kevin & Brenda Smith; and Stanley & Belinda Butcher for not connection to the public water. Vote 5 yes.

Executive Session

The board went into executive session to discuss the police contract from 11:18 to 11:30 p.m.

Wilfred Markey
P01-7-2

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

1. All comments of the letter from Dennis Henry dated October 5, 2001 must be met.
2. Waivers granted for the following:
 - a. contours
 - b. road widening
 - c. curbs and sidewalks
 - d. wetland report
3. The York Township Engineering Department shall be provided with an electronic file of the plans prior to recording.
4. 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.
5. All engineering bills must be paid prior to recording.

Vote 5 yes.

October 9, 2001

Page 12

Adjourn

The meeting was adjourned at 11:30 p.m.

Elizabeth T. Heathcote