

BOARD OF COMMISSIONERS

December 11, 2001

7:00 P.M.

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

Emerson Knaper	Elizabeth Heathcote
Jim Phipps	Mark Derr
Robert Schindo	Mark Clark
Robert Steele	Steve Hovis
	Dennis Henry

MINUTES On motion of Commissioner Schindo, seconded by Commissioner Phipps, the minutes from November 13th, 14th and December 6th were approved.

PAYMENT OF BILLS

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

General Fund	\$278,879.69
Street Light	1,022.51
Sewer Revenue	299,264.79
Intermunicipal Sewer	34,375.91
York Twp Payroll	4,330.50
Stormwater Mgt.	5,341.52
Recreation Capital Reserve	4,193.76
Capital Reserve	45,534.52
Liquid Fuels	52,108.61
TOTAL	\$725,051.81

PRESENTATION

Emerson Knaper

The board presented a certificate of appreciation to Commissioner Emerson Knaper for 31 years of service. Commissioner Knaper expressed his appreciation to the board members, the solicitor, township managers, public works, recreation director, staff, and other boards of the township. He hoped that the load would be lighter for future commissioners, but it is not. When he came to the board there were 5000 people in the township, today close to 25,000. It is a great municipality to live in!

BUDGET

Commissioner Schindo made a point of order, that it was not his intent to prevent comments regarding the budget, but the presentation is time consuming and unnecessary, as it was already done at the budget workshop.

Mark Derr gave a presentation on the 2002 proposed budget. The budget reflects an increase in the real estate tax rate to .70 mills to meet current expenses and to support funding for the capital projects fund. Sewer rates reflect a 17.6% increase, which is \$12

per quarter for a residential sewer bill. The municipal building budget reflects costs for engineering and site work for the public works and police buildings. The fire protection and ambulance budgets do not reflect any increases for 2002. User fees for the community center have been increased to offset increased costs related to the programs offered at the center. The community center budget reflects elimination of the tennis staff. The capital reserve fund was established to pay for buildings, equipment and other capital items and to meet the future needs of the township. A portion of the capital reserve fund will be used to purchase the land for a public works building and the construction costs. \$69,000 of monies collected from developers will be spent for park improvements.

PUBLIC
COMMENTS

Cheryl Fritz Bought the property at 335 Green Valley Road, deposited \$4500 in an escrow account with the township, and would like to have her deposit returned. When she purchased the property she had a document signed by the property owner for a driveway. (packet of information passed out to board members)

Dennis Henry: The driveway does not meet the criteria of the driveway ordinance. It creates liabilities that should not be passed on to the township. There is stormwater that gets onto Green Valley Road.

Cheryl Fritz: What could I have done differently? This driveway is no more unsafe than others in the township or this country. Made one compromise after another. Gave money to township in good faith. Every time there is a meeting or resolution something else comes up. I have my life savings tied up in this house with the township. What could have I done to make things easier? She wants a resolution. What can be done to resolve the situation?

Comm. Briddell: We need some time to go through this information. We will take under advisement, and get back to you.

Cheryl Fritz: I feel like I have been in a battle. My future is in the hands of the township.

Charles
Rhoads

Questions about the costs of the building for public works and police. Presentation on the budget was very good. Proposed signal lights are good ideas.

Theresa
Lambert-Crisci

Have lived in township for 31 years, am now retired and living on a fixed income. The expenses you are proposing may be wonderful, but we are living in an economy where people are out of work. How will people be able to pay? Bankruptcies are at an all time high. When my household income shrinks I cut back. Go easy on the increases, we can't afford to pay them.

December 11, 2001

Page 3

Lou

Tateosian

We need to be spending more on recreation. In 2002 the expenditure per capita for recreation is \$20.84, the national average is over \$45.00. Benefits of recreation are mainly for young people and older people. The surgeon general came out with a report that obesity is the largest health problem. Other reports show that teens with good access to recreation delayed drug use and pregnancies. We need to try to spend more money on recreation than we currently do.

COMMISSIONER'S AGENDA

Comm. Steele We must try and think about tomorrow to provide services that the residents have come to expect, leaf collection, snow removal, etc. Look at the chart for a typical house assessed at \$131,000, if my mother lived in Dallastown School district, she would have to move if she depended on her monthly income to pay these bills. I read in the paper the tax situation in Dallastown Borough, how they listed their expenses. We need to make people aware of how money is being spent. We have 25,000 people in the township, but we do not have 25,000 here to discuss the budget. The school taxes – we can't do anything about it. Putting more people in the township does not help the school district. They do not pay the freight.

I would like to challenge the public works department to focus on the repair and maintenance of the sewer, roads and sidewalks instead of building new ones. Also a preventative maintenance program, respect what we have, know what we have that needs to be repaired or replaced.

Getting a lot of commentary from citizens on code enforcement. Our citizens are paying the bills, they deserve a professional staff and professional commissioners. I don't believe we should allow a code enforcement officer to make a unilateral decision to file charges. I believe that this board should decide if we are going to court.

I believe that we owe money to the fire companies, but I want to know what they are going to do with the money. They can show me what they are spending it on.

Line item budget calls for \$32,000 for a zoning ordinance, I don't believe that will happen.

The recreation budget is over \$400,000, we are spending a lot for salaries, wages and benefits. A lot of us in this room have children that have used the parks.

TOWNSHIP MANAGER'S AGENDA

Budget

Ord. 01-14

Comm. Schindo: How were the list of township goals established? It includes a rewrite of the zoning ordinance, I do not remember any discussion or a majority discussing that happening. On recreation and the community center, I believe that will be integrated once

the rec study is returned, and I believe that a majority of the board will vote to get rid of the community center. The recreation facilities around the township are not a significant benefit to the township. A majority of us have used the facilities and we cannot take the pruning shears to that part of the budget. We made no attempt to reduce our spending, we just raise taxes. Being a Libertarian, I would be opposed to raising taxes and cannot support this budget. I would be happy to make suggestions as to how we can cut spending. \$36 is not a lot of money unless you are on a fixed income. The Real Estate Transfer Tax, all that means is that the school will raise taxes to cover that deficit. Let the school district keep the money and not raise the taxes.

Comm. Knapser: It seems like each one of us have a different opinion. I think that the budget is unrealistic. Mark and Joe pulled together the budget showing the board members what was needed for the coming year. All of us are concerned with the increased costs, but don't think we got serious enough. Think there should have been workshops, we should have looked at the requests. The public works needs a facility that will take care of our needs. We have an option on property, but no satisfactory figure on what we are spending. I have a problem accepting this. Until we have something more concrete I will not support the budget at this time.

Comm. Phipps: I have a number of friends on fixed incomes, and we have talked about the budget. They are not happy, but they don't have a better solution. In the future, sweeping streets and snow removal will be mandatory. Great presentation by Mark and Joe. We had a budget workshop, but less than 25 citizens showed up. I do not believe that we are at a point where we can put a dollar amount on the public works building. When we held an open house at the public works building, less than 25 citizens showed up. I support the budget. I received a letter from a resident that wished that we had spread the increase over a number of years. I would like to pay a large compliment to the people working at the township. We have had one tax increase since 1970. We are providing the best services and have the best staff, I would put them up against any others in the county.

Comm. Steele: When I obtained this seat, there were early discussions about a capital reserve fund. I am in favor of this, in 15 years the residents will appreciate it. I have mentally been using a "cigar box" as township money. Mark Clark asks if we have money in the "cigar box" to do a project. In my childhood I was a newsboy and I ran my business out of a cigar box. At some point in the future our "cigar box" will be empty. I am in favor of the increase. I do believe we have to be prudent to maintain the level of service that the residents expect, and decide if we want to keep putting citizens in the township.

Comm. Briddell: I support the budget, it reflects a long term liability of the township. We encourage you to come to the meetings, read the newsletter. All of the township is growing. What kind of community do we want? We have budgeted \$30,000 for the zoning ordinance. We must see what the zoning ordinance will bring for the road system. The number of students in the school district comes back to us. The school must educate the number of residents that we have. We will be receiving the surveys for the transportation and recreation. Do we need more parks? What role does the community center play? We try to get as much information to the public as possible.

On motion of Commissioner Phipps, seconded by Commissioner Steele, Ordinance 2001-14 appropriating specific sums estimated to be required for the specific purposes of the municipal government during the year of 2002 was approved with the following voice vote:

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

Chestnut Run

Water District On motion of Commissioner Phipps, seconded by Commissioner Steele the solicitor was given approval to prepare an ordinance to establish a water district on Chestnut Hill Road, Forest Road and Castanea Court, and have the staff look at a bond to cover the water districts created over the last couple of years. Vote 5 yes.

Appeals

Board

On motion of Commissioner Phipps, seconded by Commissioner Schindo, Don Brenneman was appointed to the appeals board with a term that will expire 12/31/05. Vote 5 yes.

PaDOT

PaDot will be holding a meeting on Thursday, December 13, 2001 at Central York Middle School to discuss a proposed study of I-83, exits 16, 18 & 19 . The public is invited.

YCPC

Mark Derr advised that in recent correspondence from York County Planning on a rezoning request they advised that "township officials are in the process of updating the comprehensive plan and re-evaluating land uses through the township and will make a determination as to which areas will need to be rezoned. The update is proposed to be completed early in 2002. As a result, this and future proposed rezonings should be postponed until the update is completed and a future land use plan is approved". The staff's question is "Should we accept rezoning requests?" The board agreed that we would continue business as usual. We will not hold up development, and will consider rezoning applications.

PUBLIC WORKS

Street lights

Queen St.

Mark Clark advised that he had received information from GPU on replacing the street lights thru Spry. All of the poles will be replaced along Rt. 74 from Leader Heights Road to WPMT at the township line, and the incandescent street lights will be replaced with high pressure sodium lights. On motion of Commissioner Phipps, seconded by Commissioner Steele the board agreed to proceed with a resolution to replace the lights from Leader Heights Road to WPMT at the township line. Vote 5 yes.

RECREATION

Dale Dalton advised that the minutes from the rec board are submitted to the board each month. If he is needed at the meeting, please call. We do not want to waste time for information provided in the minutes. I usually have programs that I run on Tuesday evenings.

SOLICITOR'S
AGENDA

Ord. 01-15

Tax rate On motion of Commissioner Phipps, seconded by Commissioner Steele, Ordinance 2001-15 approving the tax rate for real property was approved with the following voice vote:

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

Ord. 01-16

Sewer rent On motion of Commissioner Phipps, seconded by Commissioner Steele, Ordinance 2001-16 establishing the computation of sewer rentals was approved with the following voice vote:

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

Ord. 01-17

Tax certs On motion of Commissioner Phipps, seconded by Commissioner Steele, Ordinance 2001-17 providing for an additional charge for tax certifications requested to be provided in 24 hours or less was approved with the following voice vote:

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

December 11, 2001

Page 7

Ord. 01-18

Capital

Reserve

On motion of Commissioner Phipps, seconded by Commissioner Steele, Ordinance 2001-18 creating capital reserve funds was approved with the following voice vote:

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

Outdoor

Lighting

Please review the lighting ordinance and provide any comments to Solicitor Hovis and he will have an ordinance at the January meeting.

Cape Horn

Church

Shah Mathias presented a subdivision to the township in 1997 that created a two lot subdivision for the Cape Horn Road Church. It has been established that he was not the actual owner of the plan and the current owner, 1911 Enterprise, would like the board to rescind the subdivision and the conditions of the plan. 1911 Enterprise will be developing the lot, and if the board is willing to declare the plan null and void they will provide the township with a lot development plan that includes the 6 months statement for road widening, curb and sidewalk; stormwater controls; exterior lighting (new and existing); the buffer plantings; and parking provisions.

On motion of Commissioner Schindo, seconded by Commissioner Phipps, the board agreed to declare the plan null and void and accept the provisions offered by 1911 Enterprise. Vote 5 yes.

Waiver

Harry Cooper

Spartan Rd.

On motion of Commissioner Schindo, seconded by Commissioner Phipps the waiver to allow a fourth home on a private drive was approved subject to the comments of Dennis Henry's letter dated November 15, 2001. Vote 5 yes.

Reapprovals

On motion of Commissioner Schindo, seconded by Commissioner Phipps, the following plans were reapproved with the same conditions as previous approval: P01-11-3 Spring Ridge Phase I; P01-1-2 Laurino; and LD01-4-2 Gymnastics of York. Vote 5 yes.

Spry

Sidewalks

Res. 01-26

On motion of Commissioner Phipps, seconded by Commissioner Steele the board agreed to approve the agreement and Resolution 2001-26 with PaDOT for \$167,488 (estimate only) for the Spry SR 74 sidewalks. Vote 3 yes, 2 no.

December 11, 2001

Page 8

Wineka

Farm

Dennis Henry advised that a sketch plan for the Wineka farm has been reviewed by the staff. The staff's question is should the new development be connected to Sharon Ave.? Commissioner Phipps believes that 2 entrances should be available with the large number of lots being proposed. The board agreed that the connection should be pursued.

Coventry

Road

Dennis Henry showed the board the proposed connection of Coventry Road to connect at the signal on Queen Street at Honey Valley Road. The project is planned for early 2002.

East Locust

Street

Dennis Henry did not receive any response from C. S. Davidson's office after they met with Mr. Robinson.

Chambers Road

Signal

Dennis Henry was contacted by Dr. Nachigall, Niles Associates, regarding a contribution for the signal project at Chambers Road/East Prospect Road in the amount of \$38,872.00. On motion of Commissioner Phipps, seconded by Commissioner Steele the contribution was accepted by the board. Vote 5 yes.

Cheryl Fritz

Driveway

335 Green

Valley Rd.

Mark Clark advised there had been a washout reported by a neighbor. One worker slid down the road onto Green Valley Road, and there are stones around the inlets.

Dennis Henry: The driveway is unstable and does not meet our requirements. I made several suggestions to the contractor in the beginning about the construction of the driveway, he didn't want to do it, too expensive. We didn't issue a final on the driveway and didn't release the funds.

Solicitor Hovis: Ms. Fritz has indicated that when it snows she will stay in the house. If someone is hurt, the injured party could sue the township. I would rather have a court direct us to issue the certificate than issue it with the potential knowledge of a dangerous condition. The board has been made aware of a hazardous condition (private driveway) on Green Valley Road. We need to see a rain event if the driveway works and then contemplate giving the money back.

Dennis Henry: We haven't had enough rain to see if the catch basins work. The contractor agreed to monitor driveway on that basis and to see that it was managed properly.

Comm. Knaper: If we give the money back, would Ms. Fritz sign the agreement?

Solicitor Hovis: I do not think so.

December 11, 2001

Page 9

Comm. Schindo: I suggest that we give back the money if she agrees to pave up to the right of way, and that we will not issue a certificate of occupancy.

Solicitor Hovis: Based on quoted work, township should return the deposit.

ADJOURN The meeting was adjourned at 10:40 p.m.

Elizabeth T. Heathcote