

**SPRINGFIELD TOWNSHIP
BOARD OF SUPERVISORS**

9211 SUSQUEHANNA TRAIL S. SEVEN VALLEYS, PA 17360
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May 8, 2023

The Springfield Township Board of Supervisors met at the Township Administration Building (9211 Susquehanna Trail S, Seven Valleys, PA 17360) on May 18, 2023, at 7:00 PM for the regular monthly meeting.

The members present were Mr. John Patrick Rieder (Chairman), Mr. Curtis L Ferree, Jr (Vice-Chairman), and Mr. Tommy L. Wolfe.

Attorney John D. Miller, Jr. (MPL Law Firm, LP – Township Solicitor), Mr. David M. Davidson, Jr. (CS Davidson, Inc. – Township Engineer), Mrs. Tammy L. Ream (Manager/Secretary / Treasurer), Mr. Lee Faircloth (GLB&A), Mr. Chris Krichten, Mr. Jeff Koons, and Mr. Earl Click (Jacobus Lions Ambulance) also attended the meeting at the Township Administration Building

Pledge of Allegiance

AGENDA

Attorney John Miller requested two items be added to tonight’s agenda. A letter received from York Water Company regarding the Lentz property at 234 Hess Farm Road and a request from Seneca Ridge HOA to change their By-laws. Mr. Curtis L Ferree moved, and Mr. Tommy L Wolfe seconded to amend the agenda as requested. The vote of the Board was unanimous.

MINUTES

Mr. Curtis L Ferree moved, and Mr. Tommy L Wolfe seconded to approve the minutes of the April 10, 2023, meeting as submitted. The vote of the Board was unanimous.

MT ZION CHURCH

Attorney Miller reported he has received, reviewed , and approved the legal descriptions that have been created for the Mt. Zion Church/Eric & Darla Lehman Subdivision. The plan just needs to be recorded.

JOHN & NANCY BEHRMANN SUBDIVISION

Mr. Lee Faircloth from Gordon L Brown & Associates was present to present the Behrmann subdivision. Mr. Faircloth explained this is a simple subdivision. John and Nancy Behrmann currently own 2 continuous parcels consisting of a 73-acre farm and a 5.8-acre wood lot that is adjacent east to the farm that is landlocked. In 1995, a Special Exception was granted to add a tenant house for the manager of the deer farm. The current subdivision is to now remove the tenant house along with 10 acres from the farm.

The Zoning Hearing Board approved 3 variances at a meeting on November 28, 2022. These included combining approximately 4.2 acres to the existing 5.8 acres for the tenant house making a 10-acre lot, allowing both houses to continue to use Highbourne Lane as a shared driveway, and allowing the 10-acre lot to be a flag lot giving road frontage to Dunkard Valley Road at less than the required minimum 50’ width.

JOHN & NANCY BEHRMANN SUBDIVISION-(cont'd)

Mr. Dave Davidson reported the Springfield Township Planning Commission (STPC) recommended approval for the subdivision with 5 waivers and a few conditions: owner's signature on the plan, engineer's signature on the plan, review of the consolidated deeds by the solicitor, review of the O&M agreement for the shared use driveway by the solicitor, the STPC agreed with increasing the restricted use area from 1.5 acres to 2 acres, well easement for the tenant house on the main parcel.

Attorney Miller requested large copies of the plan to review the deeds. Mr. Faircloth noted that Alex Snyder is the Behrmann's attorney and will be preparing the legal descriptions.

The following waivers were granted:

303-Concurrent Preliminary/Final subdivision plan was approved on a motion by Mr. Tommy L Wolfe and seconded by Mr. Curtis L Ferree Jr. The vote of the Board was unanimous.

403-Plan Scale was approved on a motion by Mr. Curtis L Ferree Jr and seconded by Mr. Tommy L Wolfe. The vote of the Board was unanimous.

508 Stormwater Management-no physical changes are being made. This waiver was approved on a motion by Mr. Curtis L Ferree Jr and seconded by Mr. Tommy L Wolfe. The vote of the Board was unanimous.

802 Sidewalks-There are no sidewalks within a mile of this property. This waiver was approved on a motion by Mr. Tommy L Wolfe and seconded by Mr. Curtis L Ferree Jr. The vote of the Board was unanimous.

803 Curbing-There are no curbs within a mile of this property. This waiver was approved on a motion by Mr. Tommy L Wolfe and seconded by Mr. Curtis L Ferree Jr. The vote of the Board was unanimous.

The Board conditionally approved the subdivision and authorized the Secretary to forward the Request for Planning Waiver & Non-Building Declaration to DEP on a motion by Mr. Tommy L Wolfe and seconded by Mr. Curtis L Ferree Jr. The vote of the Board was unanimous.

SCANDINAVIAN FORESTRY EQUIPMENT

The Sewage Planning Modules have been sent in. Nothing new at this time.

120 THEATRE ROAD

Mr. Tommy L Wolfe moved and Mr. Curtis L Ferree Jr seconded to table this matter to the June meeting until Shrewsbury Township has a chance to review the plans. The vote of the Board was unanimous.

OUTSTANDING ETHICS FORMS

The following Statement of Financial Condition (Ethics) forms are still outstanding: Brad & Lori Douts (STRB) and Cliff Tinsley (STPC).

AMENDED RESOLUTION 2022-25

Attorney Miller presented Resolution 2023-07 to amend Resolution 2022-25 due to a request by Mrs. Vickie Allison, Tax Collector to clarify verbiage. The corrected verbiage will be Face replacing Flat where the tax payment is explained. Mr. Curtis L Ferree Jr moved, and Mr. Tommy L Wolfe seconded to approve the change and approve Resolution 2023-07. The vote of the Board was unanimous.

*** AMENDED-ADDED * LENTZ PROPERTY – 234 HESS FARM ROAD**

Attorney Miller explained the York Water Company had condemned the property in 1966 due to a legal disagreement. The suit was settled that York Water Company would have the right to buy the property in the future. York Water Company is no longer interested in the Lentz property. Since Mrs. Lentz recently passed away, research was done, and it was noticed an error had been made where the Assessment office had added the parcel in question to an adjoining York Water Company property. This error has no impact on the

***AMENDED-ADDED * LENTZ PROPERTY – 234 HESS FARM ROAD-(cont'd)**

Township so, as long as the Board of Supervisors has no objection, the York County Assessment Office will correct the error. Mr. Curtis L Ferree moved, and Mr. Tommy L Wolfe seconded to have the Assessment Office make the correction. The vote of the Board was unanimous.

***AMENDED-ADDED * SENECA RIDGE HOA BYLAWS**

Attorney Miller explained the HOA must present all By-law changes to the BOS. The By-laws currently just state "maintain sufficient and adequate insurance". The amendment will be more specific as to the insurance the HOA will get and what it will insure and explain that the residents can get their own insurance. The Board of Supervisors had no objection and approved their amendment on a motion by Mr. Curtis L Ferree Jr and seconded by Mr. Tommy L Wolfe. The vote of the Board was unanimous.

ADDITION TO SHOP BUILDING

Midstate Mechanical presented an application for payment in the amount of \$12,254.87 for materials and labor to date. Mr. Tommy L Wolfe moved, and Mr. Curtis L Ferree Jr seconded to approve the request for payment. The vote of the Board was unanimous.

COMCAST

Attorney Miller reported Mike Roberts was to email an agreement to each municipality.

EMERGENCY SERVICES COMMITTEE

The Secretary stated she has not heard from anyone on the committee. Mr. Earl Click stated Mr. Sheldon told him he has reached out to get information from others including the Township and he hasn't received anything. The Secretary will send an email to check in with the committee.

HILLSIDE HEIGHTS STREAM RESTORATION

A letter was received from Dallastown Area School District. The staff who was responsible for monitoring and maintaining the Storm Water System has changed. The new staff had no knowledge of the requirement. The information will be forwarded to counsel.

Attorney Miller suggested the Township takes care of what needs to be done and forward the invoice to the school district if it's not completed in the next month.

Mr. Davidson stated we have been working on this since August 2021. He agrees with giving the school district until the next BOS meeting or the township will contact ECS, the geotechnical consultant that furnished a proposal to the school district, and have the work done at the Township's direction.

Mr. Rieder also explained the necessity of repairing the inlets along the access road behind the school where the roadway has settled.

Mr. Curtis L Ferree Jr moved, and Mr. Tommy L Wolfe seconded to follow up with a letter and pictures to address the inlet issues. The vote of the Board was unanimous.

Mr. Davidson stated the Consortium was contacted regarding any available grants. They stated they have approximately \$1,000,000.00 left and have received 2 applications that would take most of that \$1,000,000.00. The Consortium looks for shovel-ready projects. Immediate short-term funding is not likely. Does the BOS want to proceed with the permitting process?

The BOS talked about possibly using ARPA money to get the project shovel-ready since most grants are looking for that.

In response to a question, Mr. Davidson explained permitting, completing the design and DEP approval will likely take 6-8 months.

Attorney Miller reminded the BOS to take pictures if there is a significant rainfall.

MATTHEW & KATHERINE GRUVER

Upon the request of the BOS, Attorney Miller researched the question of whether a fence can be considered a structure. Attorney Miller stated he was not able to find anything. He explained a permit is needed to build a structure, but not a fence. Attorney Miller read a statute that he was able to find regarding a line fence which the fence in question seems to fall into this category and is legal. Attorney Miller stated per that information, he feels the BOS should not do anything regarding the fence.

Attorney Miller stated he received a letter from Krauss' attorney requesting a corrective action process be completed. Attorney Miller explained a corrective action process cannot be completed because it was a legally approved subdivision. A mistake in recording was not made. Attorney Miller explained a Reverse Subdivision will need to be done.

Mr. & Mrs. Gruver were present to speak to the BOS regarding the fence their neighbor, Marion Krauss, installed along the property line that was approved for a subdivision to bring their lot into conformity. The Gruver's understand according to the Zoning Ordinance that a fence can be considered a structure. Attorney Miller explained it is not a structure that requires a permit because a permit is not required to build a fence. It is considered a boundary fence and is allowed by statute.

Mr. Gruver stated the fence is not on the boundary line. It is approximately one foot off the line on the Krauss' property. The Gruver's consider the fence to be a "spite" fence and it is unsafe for the children to be playing next to it.

Attorney Miller advised the BOS that this is a boundary dispute that the Township should stay out of.

Mr. Rieder suggested reviewing the Ordinance to assure that it is clear.

Attorney Miller stated the statute can override the municipality's ordinance. Attorney Miller explained the under the Municipality Planning Code (MPC) and the Township Ordinance, the Gruver's have the right to bring enforcement against the Krauss but must give a 30-day notice.

RESIDENT COMMUNICATION

Mr. Rieder stated he was able to collect information regarding available resident communication tools while he was at the PSATS Conference. Some municipalities stated they had difficulty getting the residents to sign up for the program. He would like to table the discussion one more month to give time to review the information that he collected.

SALE OF F750 DUMPTRUCK

Th Secretary reported the reserve amount has been met. Mr. Tommy L Wolfe moved and Mr. Curtis L Ferree Jr seconded to sell the dump truck to the highest bidder at the end of the auction on May 15, 2023, at 3:30 pm.

STYCSA

Attorney Miller explained the mediator will charge \$2,000.00 to each organization involved with the STYCSA mediation. The mediator will come to York for the mediation. Mr. Curtis L Ferree Jr moved, and Mr. Tommy L Wolfe seconded to have Attorney Miller notify the mediator that Springfield Township wants to proceed with the mediation.

Mr. Rieder explained he has not been attending STYCSA meetings due to potential mediation. Therefore, he will serve as the representative for Springfield Township. He plans to step down from STYCSA due to a possible conflict of interest.

SWM VIOLATION

Attorney Miller wrote a letter to Mr. Todd Hoover and Ms. Ashley Ensor concerning property they own along North Main Street Extd. Ms. Ensor contacted Attorney Miller with the name and phone number of his contractor that he is working on his stormwater management project, Jack Powell, from East Berlin.

Mr. Davidson stated he talked with Mr. Hoover June 2022 and discussed the fact that if he can show the topography of his lot, it may qualify for a Disconnected Impervious Area (DIA).

TREASURER'S REPORT

Mr. Tommy L Wolfe moved, and Mr. Curtis L Ferree, Jr seconded to approve the May 8, 2023, Treasurer's Report as submitted. The vote of the Board was unanimous.

BILLS

Mr. Tommy L Wolfe moved, and Mr. Curtis L Ferree, Jr seconded to approve the bills before the Board and to ratify the payment of all bills since the last meeting. The vote of the Board was unanimous.

GENERAL FUND

		<u>CHECK #</u>
York Adams Tax Bureau	\$868.69	ACH
PA UC Fund	\$58.17	ACH
PA Department of Revenue	\$405.73	ACH
PA Department of Revenue	\$678.81	ACH
IRS	\$5,987.01	ACH
PSATS UC Group Trust	\$588.44	ACH
Payroll #8	\$16,897.19	9269-9277
Associated Products	\$208.00	28940
Capital Blue Cross	\$7,345.85	28941
Cardmember Services	\$522.68	28942
County of York	\$788.20	28943
Highmark Blue Shield	\$39.81	28944
Johnson Controls	\$3,816.87	28945
Lauer Construction Services	\$133,984.20	28946
Media One PA	\$1,008.00	28947
Met-Ed	\$502.03	28948
Midstate Mechanical	\$19,459.34	28949
Pitney Bowes Global	\$104.53	28950
South Penn Code Consultants	\$1,240.00	28951
Staples	\$217.51	28952
V L Tracey Sales	\$59.95	28953
Wertz Farm & Power Equipment	\$300.61	28954
IRS	\$3,305.66	ACH
PA Department of Revenue	\$422.09	ACH
Payroll #9	\$10,916.51	9278-9286
AFLAC	\$353.40	28955
C S Davidson Inc	\$3,911.38	28956
Columbia Gas	\$127.07	28957
Crystal Springs	\$17.00	28958

BILLS-(cont'd)

D S Cleaning Services	\$260.00	28959
DOCEO	\$57.28	28960
Douglas Equipment & Supply	\$233.50	28961
Helium Inc	\$55.00	28962
Loganville Borough	\$15,070.51	28963
Midstate Mechanical	\$12,254.87	28964
MPL Law Firm LLP	\$4,372.30	28965
PA DEP-Division of Storage Tanks	\$50.00	28966
Penn-Air	\$45.45	28967
Southern York Turf & Tractor	\$2,399.00	28968
Tamara L Ream	\$112.59	28969
True Value Hardware	\$598.07	28970
Verizon	\$200.40	28971
Vulcan Construction Materials	\$6,129.25	28972
D S Cleaning Services	\$375.00	28973
John Reeve	\$200.00	28974
Lori Starz	\$100.00	28975
Principal Life Insurance	\$814.04	28976
South Penn Code Consultants	\$882.28	28977
The York Water Company	\$122.30	28978
United Concordia	\$416.98	28979
Vulcan Construction Materials	\$3,698.04	28980
Wellspan Occupational Health	\$55.00	28981
TOTAL	\$234,457.17	

STREET LIGHTING FUND

		<u>CHECK #</u>
Met-Ed	<u>\$112.26</u>	477
TOTAL	\$112.26	

FIRE HYDRANT FUND

		<u>CHECK #</u>
The York Water Company	<u>\$1,672.56</u>	476
TOTAL	\$1,672.56	

BUILDING CODES FUND

		<u>CHECK #</u>
Code Administrators	\$2,940.00	1263
Code Administrators	<u>\$2,830.00</u>	1264
TOTAL	\$5,770.00	

HIGHWAY AID FUND

		<u>CHECK #</u>
CPU-United Rentals	\$2,495.00	11563
Douglas Equipment & Supply	\$54.40	11564
McCarthy Tire Service Co Inc	\$958.00	11565
V L Tracey Sales	\$222.85	11566
WEX Bank	\$941.23	11567

BILLS-(cont'd)

York Materials Group

\$2,058.80

11568

TOTAL

\$6,730.28

CITIZEN'S QUESTIONS OR COMMENTS

In response to Mr. Koons' question regarding the Gruver/Krauss properties, Attorney Miller explained the Gruver's had purchased their property without having it surveyed. They later found out that their propane tank and some other features are partially on the Krauss property. This non-conforming lot was created just to bring their property into conformity.

ADJOURNMENT

There being no further business to come before the Board, Mr. Tommy L Wolfe moved, and Mr. Curtis L Ferree, Jr seconded to adjourn the meeting at 8:39 PM and to meet again on June 12, 2023, for the regular monthly meeting. The vote of the Board was unanimous.



Tamara L Ream, Secretary



John Patrick Rieder, Chairman

6/12/23

Date