

**YORK TOWNSHIP**  
**BOARD OF COMMISSIONERS**  
190 Oak Road, Dallastown, PA 17313  
Tuesday, October 8, 2024  
6:00 pm.

Comm. Steele called the meeting to order at 6:00 pm and led the Pledge of Allegiance.

The following were in attendance:

**Commissioners**

Comm. Robert Steele  
Comm. George Cronin  
Comm. Robert Kessler  
Comm. George Jones  
Comm. Paul Knepper

**Other Township Employees or Board Members:**

Gary Millbrand, Township Manager  
Lisa Frye, Director of Economic Development, Assistant Manager  
Michael Hiras, JMT Engineering  
Carly Mercadante, Director of Recreation  
David Jones, Solicitor, Stock & Leader  
Barry Myers, Director of Public Works  
Larena Keller, Finance Director  
Sue Sipe, Stenographer

**Other Community Members:**

Bob Junkins, Goodwill Fire Company

Comm. Steele announced there would be an Executive Session at the end of the meeting to discuss personnel and litigation.

**Minutes – September 10, 2024**

On motion of Comm. Kessler, seconded by Comm. Jones, the minutes of September 10, 2024 were approved as presented.  
Vote 5 yes.

**Payment of Bills**

On motion of Comm. Jones, seconded by Comm. Knepper, the following bills for September 2024 were approved for payment:  
Vote 5 yes.

Total expenses for the month of September 2024 were as follows:

General Fund 01	\$	498,194.90
Sewer Revenue Fund 21	\$	596,669.26
Inter-Municipal Sewer Fund 22	\$	3,944.80
Storm Water Management Fund 33	\$	6,142.50
Recreation Capital Reserve Fund 31	\$	2,678.37
Liquid Fuels Fund 14	\$	386,230.10
General Capital Reserve Fund 32	\$	5,454.50
Sewer Capital Reserve Fund 30	\$	2,107.50
Street Light Fund 11	\$	272.38
Escrow Fund 62	\$	- 0 -
Impact Fees Fund 12	\$	- 0 -
<b>Total</b>	<b>\$</b>	<b>1,501,694.31</b>

On motion of Comm. Jones, seconded by Comm. Cronin, the non-reimbursable portion of the Professional Services invoices for September 2024 in the amount of \$37,519.37 were approved for payment.

Vote 5 yes.

### Public Comments

#### **Nicole Didger – 32 Merion Road**

Ms. Didger offered comments regarding the recent zoning permit appeal hearing which took place on September 4, 2024, for the appeal by Susan Smith regarding the determination of the Zoning Officer to grant a permit with protocol for asking Dallastown High School to place a driveway on its property located at 2500 S. Queen Street and connect that driveway to Merion Road. Ms. Didger noted the community is supporting Ms. Smith on her appeal. Ms. Didger indicated she is again asking for the support of the Board in this regard.

#### **Justin Thomas – 31 Merion Road**

Mr. Thomas stated he brought his children to the meeting to demonstrate children are being put at risk by allowing the driveway to be installed. He indicated his driveway does not have enough room for two cars to be parked, so he parks on the street. He expressed concern about being able to put his daughters in the car safely while parked on the street. He did not feel there would be enough room to install another driveway for the school. He asked the Board to consider the safety aspects of Merion Road when evaluating the project.

#### **Colin Kowalewski – 32 Merion Road**

Mr. Kowalewski stated he also wished to comment on the access road approved by the zoning officer for York Township. He cited the subdivision and land ordinance which he indicated states for a business to make an improvement, they

would have to follow all aspects of the SALDO, including 512.A which states it must be a safe access. He stated they are asking the Township to investigate the situation.

**Christopher Lincoln, TPD, Transportation Impact Fee ordinance Update – Land Use Assumption Report, Capital Improvements Plan and Roadway Sufficiency Analysis**

Mr. Lincoln provided an update on the Township’s Traffic Impact Fee Committee’s work to finalize the Capital Improvements Plan and Traffic Impact Fees study. He noted the Committee has investigated updating the methodology in the studies to arrive at a more appropriate number. Through that process they developed revised fees for the improvements in the two Transportation Service areas. TSA#1 entails the eastern section of the Township and the proposed fee was \$2,921 per trip. He noted based on the revised study the fee was reduced to \$2,009. TSA#2 involves the western side of the Township and the proposed fee was \$2,140 which has been reduced to \$1,602.

Mr. Lincoln indicated the Committee held a hearing to review the revised Capital Improvement Plan and based on those results, the Committee made a unanimous recommendation to the Commissioners to adopt the updated fee schedule and studies.

Ms. Frye stated based on the Committee’s recommendation, if the Board is agreeable to the recommendation, she would advertise for the November meeting for the adoption of the ordinance, the resolution to set the recommended fees.

On motion of Comm. Jones, seconded by Comm. Kessler, the Board approved moving forward to advertise the ordinance and prepare the resolutions.

Vote 5 yes.

**Engineer - Mike Hiras JMT and Director of Economic Development –Lisa Frye Applications/Plans Time Extension Approval**

- a. P2024-6-1 KNSM Holdings LLC – Wagner-Elfer & Burg Funeral Home - Final Subdivision Plan, 3070 Cape Horn Rd. & 631 Chapel Church Road**  
The request was presented by Neil Metzger of Site Design Concepts.

Mr. Metzger stated the plan is a lot line adjustment, modifying the lot that divides the two tax parcels which will shift the lot line further to the west to accommodate the land development plan.

Mr. Hiras reviewed the waivers as listed in his comment letter.

On motion of Comm. Kessler, seconded by Comm. Cronin, P2024-6-1 KNSM Holdings LLC Final Subdivision Plan, 3070 Cape Horn Rd. & 631 Chapel Church Road, was approved subject to:

1. All comments on the letter from Michael Hiras, P.E., dated October 4, 2024, shall be met.
2. The York Township Engineering Department shall receive an electronic file prior to recording.
3. Waivers were granted for the following:
  1. Section 307.B - Preliminary Plan Application Procedure
  2. Waiver/modifications associated with the with the Subdivision Plan to defer to the associated Land Development Plan as noted.
4. All applicable comments from York Township Departments and consultants, the York County Conservation District, and the York County Planning Commission shall be addressed.
5. All invoices are to be paid prior to recording.

Vote 5 yes.

**b. LD2024-6-1 KNSM Holdings LLC -Proposed Wagner-Elfner and Burg Funeral Home - Final Land Development Plans, 3070 Cape Horn Road**

The request was presented by Neil Metzger of Site Design Concepts.

Mr. Metzger stated the eastern lot on Cape Horn Road is the proposed lot for development. They are proposing a total 12,000 sq. ft. building footprint with an attached 3-car garage. The funeral home will have access off both Chapel Church Road and an upgraded southern cemetery driveway.

Mr. Hiras reviewed the waivers as listed in his comment letter. He noted the developer has received the NPDES permit.

On motion of Comm. Knepper, seconded by Comm. Cronin, LD2024-6-1 KNSM Holdings LLC (Proposed Wagner-Elfner and Burg Funeral Home) Final Land Development Plans, 3070 Cape Horn Road was approved subject to:

1. All comments on the letter from Michael Hiras, P.E., dated October 4, 2024, shall be met.
2. The York Township Engineering Department shall receive an electronic file prior to recording.
3. Waivers and modifications were granted for the following:
  1. Section 307.B - Preliminary Plan Application Procedure
  2. Section 308.E.3.g and 310.E.3.J – Phase-1 Environmental Site Assessment (PESA)

3. Section 508.A.4 and 508.B – Installation of 6” Vertical Concrete Curb instead of 8” Vertical Concrete Curbing within the project site, along the perimeter of all parking lots located within the CS Commercial Shopping Zoning District.
  4. Section 506.C.6 and 508.A.1 – Street Improvements and Curb/Reinforced Shoulders
  5. Section 507 – Sidewalks
  6. Section 512.H.3 Access Drives (Multi-Family and Non-Residential Uses)
  7. Section 609 – Street Trees
4. All applicable comments from York Township Departments and consultants, the York County Conservation District, and the York County Planning Commission shall be addressed.
  5. All invoices are to be paid prior to recording.

Vote 5 yes.

### **Commissioner Agenda**

#### **Comm. Kessler**

- He attended the York County Regional Police meeting on September 12, 2024.
- He commended Mr. Meyers, Public Works Director on the great job paving Chestnut Hill Road.

#### **Comm. Jones**

- He agreed with Comm Kessler on the great job paving on Chestnut Hill Road.
- He participated in two Township meetings - September 16, 2024 and October 4, 2024.
- He responded to several residents on Township issues and referred them to appropriate staff.

#### **Comm. Cronin**

- He referred several residents with matters concerning fire service.
- He attended an online training session concerning traffic studies and efficiency of fire service.
- He responded to questions from constituents in his ward.

#### **Comm. Knepper**

- He attended the York County Regional Police meeting on September 12, 2024.
- He attended the Zoning Hearing Board meeting concerning the connection to Merion Road to the York Township Elementary School.

- He attended a meeting regarding the park planning.

**Comm. Steele**

- He attended the York County Regional Police meeting on September 12, 2024.
- He attended the Zoning Hearing Board meeting on September 24, 2024.
- On September 25, 2024 he attended the meeting at the Township Building which was an overview presentation of the development of a master plan for recreation and trail feasibility.

**Township Manager's Agenda – Gary Milbrand**

**a. 2023 Health Insurance Rebate Transfer**

On motion of Comm. Steele, seconded by Comm. Jones, the Board approved the transfer the 2023 health insurance rebate in the amount of \$174,224 to an assigned fund balance for employee benefits.

Vote 5 yes.

**b. Engineers 2025 Fee Schedule**

On motion of Comm. Kessler, seconded by Comm. Knepper, the Board approved the Engineering fee schedule from JMT for 2025.

Vote 5 yes.

**c. Auditor Engagement Agreement for Brown Plus CPAs (\$41,475 for Township Audit and \$2,625 for Authority Audit)**

On motion of Comm. Jones, seconded by Comm. Cronin, the Board approved the Brown Plus engagement agreement dated October 1, 2024, for auditing services in the amount of \$41,475, including the \$2,625 for the Water and Sewer Authority.

Vote 5 yes.

**d. Township Contribution to Farmland Preservation and Ordinance Update**

Manager Milbrand spoke to the Board regarding Nina Grove's request at last month's meeting regarding a donation to the York County Agricultural Land Preservation Board(YCALPB) and a request to update the zoning ordinance. He provided the letter she submitted to the Board at the meeting. Mr. Millbrand also included information received from the York County Agricultural Land Preservation Board.

Discussion was held. The Commissioners all agreed it was not feasible to add a donation to the Farmland Preservation Board to the budget or to update the zoning ordinance at this time. The Commissioners all agreed farmland preservation is important in the Township.

**e. Budget Workshop – Wednesday, October 23, 2024 at 5:00 pm**

Manager Milbrand noted that at the end of this meeting they will recess to Wednesday, October 23, 2024, at 5:00 pm for the Budget Workshop. He noted the public is invited to attend.

**Recreation – Carly Mercadante**

Ms. Mercadante had no further report, except for a reminder about the October 12, 2024 Fun Fest from 9:00 AM to 12:30 PM. She also noted October 18, 2024 is the Ghost Hunt in the Park event at the York Township Park.

**Public Works – Barry Myers**

**a. Wavetronix Radar Detection System equipment for Signal Light purchased thru Pa Costars \$16,475.00**

On motion of Comm. Kessler, seconded by Comm. Knepper, the Board approved the Wavetronix Radar Detection System equipment for Queen Street and Ironstone Hill Road dated September 6, 2024, from Armour & Sons Electric, Inc. under PA Costars contract number # 016-018 for a cost of \$16,475.00.

Vote 5 yes.

**b. Upgrade fencing at retention pond at Oak Road Park using Security Fence of Red Lion under Pa Costars at a cost of \$3,970.00.**

On motion of Comm. Cronin, seconded by Comm. Jones, the Board approved the proposal dated September 16, 2024, from Security Fence CO. under PA Costars contract number # 008-148 for a cost \$3,970.00 for the repair of the retention pond at Township Park.

Vote 5 yes.

**c. Selling one Tiger Bengal Boom Mower using Muncibid highest bid is \$2,000**

**d. Selling one 2009 Ford Escape using Muncibid highest bid is \$2,600**

On motion of Comm. Knepper, seconded by Comm. Cronin, the Board approved the following 2 Muncibid sales which exceed \$1000.00:

- A Tiger Bengal Brute Boom Mower for \$2,000 and
- A 2009 Ford Escape- \$2,600.

Vote 5 yes.

**Solicitor – David Jones**

**a. Authorization to Advertise a Burn Ordinance Update.**

Solicitor Jones referred to Comm. Cronin to present the proposal. Comm. Cronin stated the proposal for the suggested changes to the Burn Ordinance, came about due to constituent complaints about outside burning, which he noted is a preventable health risk, as well to property and life by careless burning. He noted the language in the current ordinance creates difficult enforcement. He provided an overview of the current ordinance regulations. Comm. Cronin asserted there is precedence to

update the ordinance, noting input from other Townships which were used as models for the proposed updates. He presented the suggested changes:

- Revise the Open Burn definition
- Identify Township services for yard waste
- Address ceremonial or bonfires
- Modify enforcement guidelines

Discussion was held by the Commissioners as to whether the revisions to the Burn Ordinance should be added to the November agenda for further discussion or action to advertise the revision.

Comm. Steele commented there were certain areas that may be too restrictive for York County residents.

Comm. Knepper commented he has never heard of any resident complaining about backyard burning. He approached Station 19 and asked them if any firefighter had been called to a backyard burn and none of them had been called. He also attended a SAFER meeting and the firefighters also denied ever being called to a backyard burning. Comm. Knepper stated he was not in favor of the revision to the Burn Ordinance.

Comm. Jones stated he also talked to firefighters and received no comments regarding backyard burning incidents. He was not in favor of the revision to the Burn Ordinance.

Comm. Steele made a motion, seconded by Comm. Cronin, to place the revision to the Burn Ordinance on the agenda for discussion at the November 12, 2024 meeting. Vote 2 yes – 3 no. Motion failed.

**Executive Session    TIME 7:30**

The Board was in an executive session at the end of the meeting to discuss personnel and litigation matters.

**Meeting Reconvened    TIME 8:35**

On motion of Comm. Cronin, seconded by Comm. Steele, the Board recessed at 8:35 pm to Wednesday, October 26, 2020 at 5:00 pm.

Vote 5 yes

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Secretary

(Seal)