

WARRINGTON TOWNSHIP  
Minutes of a Regular Meeting of the Board of Supervisors  
Held, pursuant to due notice, in the Municipal Building  
3345 Rosstown Road, Wellsville, PA 17365  
Wednesday, April 21, 2021, 7:00 PM

Presiding: Supervisor John Dockery, Chairman  
Supervisor George DeFrain  
Supervisor Zachary Fickes  
Supervisor Thomas Hawkins  
Supervisor Jason Weaver

Staff Present: Terry Myers, P.E., Township Engineer  
Rebecca Knaub-Bradshaw, Township Manager and Secretary-Treasurer

The meeting was opened with the Pledge to the Flag.

Minutes. Motion was made by Supervisor DeFrain and seconded by Supervisor Weaver to approve the minutes of the April 7, 2021 meeting. Motion carried unanimously.

EMERGENCY SERVICES REPORTS

None

PUBLIC RECOGNITION

Margaret Prosser. Mrs. Prosser wrote to the Board asking them to consider offering trash cleanup again. She suggested that to help Township residents get rid of trash. She said to cut back on overtime have cleanup Friday and Saturday mornings.

SUBDIVISION/LAND DEVELOPMENT PLANS/PLANNING MODULES

Martin Petratos and Connie Greenawalt, 100 Spangler Road. The plan proposes to subdivide an existing 106.8 acre property in the Conservation Zone into two lots. Lot 1 will be 89.3 acres and Lot 2 will be 17.6548 acres. The proposed use is agriculture with single family dwellings. The plan was conditionally approved by the Township Planning Commission on August 23, 2017. On November 15, 2017 the PA DEP denied approval of a submitted planning module. Outstanding Township Engineer comments are as follows:

1. The proposed minimum lot width is stated as 490.5' in the site data table. The actual lot width of proposed Lot #2 (350.09') should be provided. (Zoning Ordinance §303.e.2)
2. The plan should show that all driveways must provide a paved apron for a distance of at least 15' from the street right-of-way onto the site. (Zoning Ordinance §409.j)
3. A typical individual lot Erosion and Sedimentation Control Plan or notation shall be placed on the subdivision or land development plan. (Subdivision Ordinance §405.a)
4. The entire existing parcel's boundaries shall be shown with bearings to the nearest second and distances to the nearest one hundredth (0.01) of a foot. (Subdivision Ordinance §406.b.4)

5. An easement over the primary and replacement absorption areas shall be delineated and identified on the plans in accordance with the Warrington Township On-Lot Sewage System Management Ordinance No. 2016-02. (Subdivision Ordinance §406.b.7)
6. The location of all existing buildings, sewers, water mains, culverts and other significant man-made features within or adjacent to the parcel shall be shown on the plans. (Subdivision Ordinance §406.b.6) Show the existing stormwater culverts.
7. An offer of dedication of land for the widening of existing streets and the location of the future right-of-way line for existing streets should be made. (Subdivision Ordinance §406.b.14)
8. Certification, with signature, seal and date, to the effect that the survey and plan are correct by the registered professional surveyor responsible for preparing the plan as related to the allowable services of a land surveyor as described in the Professional Engineer's Registration Law, as amended, shall be provided on the plan. (Subdivision Ordinance §406.b.17)
9. A signed, notarized statement to the effect that the applicant is or represents the owner of the land proposed to be developed and that the land development shown on the Final Plan is made with his or their free consent and that it is desired to record the same, shall be provided on the plan. (Subdivision Ordinance §406.b.27)
10. If the developer proposes to impose restrictions on future lot owners by deed restrictions or covenants, the text of such provisions shall be shown on the plan, or shall accompany the plan if such text is too lengthy to place on the plan. In the latter case, a note shall be placed on the plan referencing such restrictions or covenants (§ 406.b.28). The following restrictions shall also be listed on the plan in accordance with the Warrington Township On-Lot Sewage System Management Ordinance No. 2016-02:
  - No improvements, whether permanent or temporary, shall be constructed upon or within the replacement absorption area easement.
  - No permanent or temporary alterations, grading, excavation, stockpiling of any soil or any other material shall take place on or in the replacement absorption area easement.
  - During any construction or other activities, the replacement absorption area easement shall be so marked to prevent equipment with greater wheel loadings than a common garden tractor/riding mower from traveling over or operating upon the surface of the absorption area easement.
  - The final cover or improvement to every absorption area easement shall be limited to shallow-rooted plant matter.
11. An improvement bond or other accepted security in an amount sufficient to assure completion of all improvements (including corner monumentation) is required to be posted. (Subdivision Ordinance §406.e.6)
12. Planning Module, for Land Development, approval from the Pennsylvania Department of Environmental Protection should be submitted to the Township prior to final plan approval. (Subdivision Ordinance §406.e.7) The non-building waiver notation should be removed from the cover sheet.

13. All driveways must meet the intersection safe stopping sight distance requirements set forth in §506.g of the Warrington Township Subdivision and Land Development Ordinance. Required and available safe stopping sight distances shall be noted on the plans. (Subdivision Ordinance §512.a.7)
14. A drainage easement at least 20' wide should be provided from the end of Spangler Road to the edge of the 100-year flood plain. (Subdivision Ordinance §519)
15. Prior to the opening or construction of any driveway onto a street maintained by the Township, an application for a driveway permit must be submitted to the Township together with an application fee. As part of the application process, the Township Roadmaster and/or Township Engineer will inspect the proposed driveway location to determine whether a drainage pipe is required. If a drainage pipe is required, it shall be the responsibility of the applicant to install the pipe and maintain proper drainage.
16. In addition to such filing fees, the developer shall pay the cost of:
  - Reviewing the land development plan and engineering details.
  - Inspecting the site for conformance to survey.
  - Preparing cost estimates of required improvements during installation.
  - Inspection of required improvements during installation.
  - Final inspection for completion of installation of required improvements.
  - Legal services necessary for the processing of the land development plan.
  - Recreation fees.

Payment of any outstanding fees to the Township is required prior to plan recording. (Subdivision Ordinance §806.b)

17. Ordinance 2016-02, establishing regulations for the installation, inspection, and ongoing maintenance of on-lot sewage disposal systems, requires that right-of-entry easements be established for all new on-lot sewage disposal systems. The following note shall be added to the plan:

*"Any property on which an on-lot system presently exists, or on which an on-lot system is proposed or under construction, shall not be conveyed by the Owner without the inclusion of language in the deed establishing and assigning a non-revocable grant of Right of Entry by the Owner, his heirs, successors, and assigns to the Township for the limited purpose of inspecting, maintaining, sampling, testing, evaluating or repairing the on-lot disposal system described in the application and permits."*

Motion was made by Supervisor Hawkins and seconded by Supervisor Weaver to deny approval of the subdivision plan based upon the unaddressed Township Engineer comments and denial of the submitted Planning Module Component 1. Exception to the Requirement to Revise the Official Plan, by the Pennsylvania Department of Environmental Protection. Motion carried unanimously.

David W and Faye L Kitzmiller, 930 Alpine Road. The plan is to attach a portion of existing Lot 11 – Map 1 Parcel 11; 1.08 acres containing a block detached garage to Lot 10 – Map 1 Parcel 10; 0.75 acres. The resulting Parcel 11 will measure 0.75 acres and Parcel 10 will measure 1.08 acres. The plan proposes to attach Lot 8 to Lot 9 to eliminate the driveway intrusion into Lot 8. The lots are zoned Rural Agricultural and the proposed use of the lots is residential/commercial. Engineer comments are as follows:

The plan was approved with the following conditions:

1. A notarized statement to the effect that the applicant is or represents the owner of the land proposed to be subdivided and the land to be subdivided shown on the Final Plan is made with their free consent and it is desired to record the same. The Township's Right of Entry shall also be identified on the plan. (Subdivision Ordinance §403.b.27)
2. PA DEP sewage planning approval, exemption or waiver thereof shall be obtained prior to final plan approval. The Township Sewage Enforcement Officer shall sign the plan prior to final plan approval. (Subdivision Ordinance §404)
3. A minimum of two concrete monuments must be installed prior to Final Plan approval, unless financial security is posted in accordance with Section 602 and 603 of this Ordinance. (Subdivision Ordinance §522.c)
4. Deed recording information shall be provided to the Township within 60 days of subdivision plan recording, proving that Lot 11B has been combined with Lot 10 and that Lot 8 has been combined with Lot 9. (Subdivision Ordinance §312.d.)
5. In addition to such filing fees, the developer shall pay the cost of:
  - Reviewing the land development plan and engineering details
  - Inspecting the site for conformance to survey
  - Legal services necessary for the processing of the land development plan

The following action was taken by the Board of Supervisors:

Motion was made by Supervisor Hawkins and seconded by Supervisor DeFrain to approve the modification requests to Section 403.22 and 515.c. Motion carried unanimously.

Motion was made by Supervisor Hawkins and seconded by Supervisor Weaver to conditionally approve the subdivision pending Township Engineer comments are addressed. Motion carried unanimously.

Motion was made by Supervisor DeFrain and seconded by Supervisor Fickes to approve the Request for Planning Waiver & Non-Building Declaration to be sent the PA Department of Environmental Protection. Motion carried unanimously.

Thomas E. Jr. & Sandra D. Farcht –115 Cedar Drive The plan proposes a land swap between existing Lot 2 (13.00 acres gross, 12.68 acres net) which contains an existing single family dwelling and frame pole barn, and existing lot 3 (42.43 acres gross, 42.21 acres net) which currently sits as a vacant lot. The swap proposes to create Lots 2A and 3A (Both 2.13 acres), and attach them to Lots 2 and 3 respectively. The lots are currently zoned Conservation (C), and the proposed use of the lots is residential. Existing lots 2 and 3 currently have access to Cedar Drive (T – 859) by means of an existing gravel drive for Lot 2 and a private drive for Lot 3. This plan has been reviewed as a Minor Subdivision plan. Engineer comments are as follows:  
Subdivision and Land Development Ordinance:

1. The applicant shall complete the non-building waiver. The Township Sewage Enforcement Officer shall sign the plan prior to final plan approval. (Subdivision Ordinance §404). A note shall be added to the plans stating that sewage planning shall be completed for Lot 3 prior to a building permit application.
2. A minimum of two concrete monuments must be installed prior to Final Plan approval unless financial security is posted in accordance with Section 602 and 603 of this Ordinance. (Subdivision Ordinance §522.c)
3. Deed recording information shall be provided to the Township within 60 days of subdivision plan recording, proving that Lot 2A and 3A have been created and subsequently combined with existing Lots 2 and 3 respectively. (Subdivision Ordinance §312)
4. In addition to such filing fees, the developer shall pay the cost of:
  - Reviewing the land development plan and engineering details
  - Legal services necessary for the processing of the land development plan

Motion was made by Supervisor DeFrain and seconded by Supervisor Hawkins to approve a modification request to Section 403.b.10 – Plan Scale modification requested for clarity of overall parcel boundary depiction of both impacted parcels. Motion carried unanimously.

Motion was made by Supervisor Hawkins and seconded by Supervisor DeFrain to approve a Request for Planning Waiver & Non-Building Declaration to be sent to the PA DEP. Motion carried unanimously.

Motion was made by Supervisor Fickes and seconded by Supervisor Weaver to conditionally approve the plan pending Engineer comments are addressed. Motion carried unanimously.

#### BUSINESS AND STAFF REPORTS

Road bids. The Engineer advertised two contracts for bid opening. Contract #1 – Church Road-edge rebuilding by milling 4” deep and furnish, place, and compact Superpave binder course, approximately 2,900 S.Y and Walnut Drive – Furnish, place and compact Superpave scratch and binder course approximately, 650 tons. Contract #2 – Various streets – Construct Bituminous Fiber Reinforced Bituminous Seal Coat and Bituminous Seal Coat, approximately 21,500 S.Y.

The following bids were received:

Contract #1 – Kinsley Construction - \$125,300.00; E. K. Services, Inc. - \$127,822.50; Shiloh Paving & Excavating - \$135,750.00; JVI Group - \$145,892.00; and Stewart & Tate, Inc. - \$177,677.50.

The Engineer told the Board of Supervisors that the Kinsley Contract came to him unsigned. He notified the Township Solicitor and the Solicitor advised him that this was a remediable error that has been corrected by Kinsley later signing it and the award could therefore be made to Kinsley Construction.

Contract #2 – Stewart & Tate, Inc. - \$101,050.00

The Engineer said he received an email from Russell Standard-Hammer East, Inc. saying that they posted a bid that did not go through to Penn Bid (a procurement program used by C. S. Davidson, Inc.). Hammer said their bid was lower and asked if the Board would consider a re-bid. The Solicitor told the Engineer that failure to receive a bid would not be an option to reject received bids and do over.

Motion was made by Supervisor Weaver and seconded by Supervisor DeFrain to award Contract #1 to Kinsley Construction. Motion carried unanimously.

Motion was made by Supervisor Fickes and seconded by Supervisor DeFrain to award Contract #2 to Stewart & Tate, Inc. Motion carried unanimously.

York County Planning Commission Community Development Block Grant. The Engineer reported that the Warrington Township application for Block Grant is still on the YCPC list for approval.

Detters Mill Road creek bank stabilization. The Engineer reminded the Board that gabion baskets that were installed along the tributary to Conewago Creek were put there temporarily and that a permit will be necessary to do the permanent work needed.

Two-way radios. Quotes were received from B. Moyer Radio Communications. Three portable handheld radios capable of accessing York County Emergency Management Services quote was \$4,895.73. Six mounted radios with accessories capable of accessing York County Emergency Management Services was quoted at \$17,802.10. A quote to perform annual preventive maintenance to the current radio system is \$760.00. No action was taken.

Codes Enforcement Officer job vacancy. The Board said to advertise the opening in the Dillsburg paper for two consecutive weeks and close applications on May 17, 2021. Starting pay will be \$45,000.

Approved Codes Services. Michael Gasswint submitted a letter to Approved Codes Services asking for the appointment of Mr. Irvin Spoonhour, Approved Codes Services, as designated Building Code Official to sign permits in Mr. Gasswint's absence. Motion was made by Supervisor Weaver and seconded by Supervisor Fickes to approve Mr. Irvin Spoonhour as designated Building Code Official. Motion carried unanimously.

DCNR Grant. Ann Yost, Park Planner, sent a quote from Recreation Resource for a 24' x 36' 3:12 Roof Pitch pavilion to match the current pavilion in the Municipal Park. The quote is \$23,000.00. Motion was made by Supervisor DeFrain and seconded by Supervisor Hawkins to approve purchase of the pavilion per the quote received. Motion carried unanimously.

Penn Waste Trash contract. The current contract expires 12/31/2021. The contract has an option to renegotiate and renew for one additional year. The other option is to discontinue the contract and re-bid. The Board decided to contact Penn Waste and ask for a re-negotiation for one year.

ACCOUNTS PAYABLE

Motion was made by Supervisor Hawkins to approve General Fund accounts payable in the amount of \$35,183.48 and State Liquid Fuels accounts payable in the amount of \$149.35. Supervisor DeFrain seconded. Motion carried.

ADJOURNMENT

Motion was made by Supervisor Weaver to adjourn the meeting. Supervisor Hawkins seconded. Motion carried.

The meeting was adjourned at 7:50 PM.

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Township Secretary