

January 7, 2008

The East Lampeter Township Board of Supervisors met on Monday, January 7, 2008 at 7:30p.m. at the East Lampeter Township Office, 2250 Old Philadelphia Pike, Lancaster, PA 17602. The meeting was called to order by Mr. Glenn Eberly and was followed by the Pledge of Allegiance. Supervisors present were: Mr. Glenn Eberly, Mr. David Buckwalter, Mr. Michael Landis, Mr. Roger Rutt and Mr. John Shertzler. Also present was Mr. Ralph Hutchison, Township Manager.

The following persons signed in as being present in the audience:

Irl and Lois Duling, 824 Stumpf Hill Drive, Lancaster, PA 17601

Susan Snyder, 435 Mt. Sidney Road, Witmer, PA

Mike Davis, 126 E. King Street, Lancaster, PA representing Community Basics

Board of Supervisors Reorganization:

a. Appointment of Temporary Chairman

Mr. Shertzler was appointed to serve as the Temporary Chairman for the election of Chairman.

b. Election of Chairman

Mr. Shertzler asked for nominations for the position of Chairman of the Board of Supervisors. Mr. Eberly then made a motion to elect Mr. Buckwalter to the position of Chairman of the Board of Supervisors. Mr. Landis seconded the motion which was then approved by unanimous voice vote.

c. Election of Vice Chairman

Mr. Buckwalter thanked the Board for their confidence in electing him to serve as Chairman. He then asked the Board for nominations to the position of Vice Chairman of the Board of Supervisors. Mr. Landis then made a motion to elect Mr. Rutt to the position of Vice Chairman of the Board of Supervisors. Mr. Eberly seconded the motion which was then approved by unanimous voice vote.

Annual Appointments:

a. Appointment of Township Solicitor – Blakinger, Byler & Thomas, Stephen M. Kraybill, Esq.

Mr. Eberly made a motion to appoint the law firm of Blakinger, Byler & Thomas with Mr. Stephen M. Kraybill, Esq. as Township Solicitor. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

- b. Appointment of Township Engineer & Alternates – David Miller & Assoc., Rettew Assoc., HRG, Inc. and Grove Miller Engineering

Mr. Rutt made a motion to appoint David Miller & Assoc., Rettew Assoc., HRG, Inc. and Grove Miller Engineering as Township Engineer and alternates. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- c. Appointment of Vacancy Board Chairman – Mr. J. Jacob Bare

Chairman Buckwalter asked Mr. Hutchison if Mr. Bare had indicated his willingness to serve in this position for 2008. Mr. Hutchison said that he had spoken with Mr. Bare and that Mr. Bare was willing to serve as Vacancy Board Chairman for 2008.

Mr. Shertzer then made a motion to appoint Mr. J. Jacob Bare to serve as Vacancy Board Chairman for 2008. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

- d. Appointment of Depositories – PLGIT, M & T Bank and Bank of Lancaster County

Mr. Rutt made a motion to appoint PLGIT, M & T Bank and Bank of Lancaster County as Township Depositories for 2008. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- e. Resolution re: Appointment of CPA firm to perform 2007 Audit

Chairman Buckwalter asked Mr. Hutchison to comment on this agenda item. Mr. Hutchison indicated that each year the Township has a CPA firm perform a complete financial audit of the Township's funds. He further indicated that the firm of Weinhold Nickel has performed this audit for many years and that he recommended that they be appointed to perform the 2007 audit for the Township. Mr. Hutchison also indicated that the appointment must be made by Resolution according to Township code.

Mr. Landis then made a motion to adopt Resolution number 2008-01 appointing the CPA firm of Weinhold Nickel to perform the 2007 audit for the Township. The motion was then seconded by Mr. Rutt and passed by unanimous voice vote.

- f. Appointment of State Convention Delegates and Voting Delegate

Chairman Buckwalter indicated that in past years all of the Supervisors have been appointed as delegates and that the Township Manager has been appointed as the voting delegate. Mr. Eberly then made a motion to appoint all of the Supervisors as delegates and to appoint Mr. Hutchison as the voting delegate for the Township to the State Association Convention. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

Appointments to Vacant Positions:

- a. Auditor – Two positions, terms ending 12/31/09: Mr. Don Winters & Mr. Wil Sollenberger

Chairman Buckwalter explained that the Board had two Auditor positions to fill and that the appointments would be to serve for two years, until the next municipal election. He further explained that these positions were on the ballot in November to be elected as one two year position and one six year position and that no one was on the ballot. He further indicated that some write in votes were cast for both of these positions but that according to the County Board of Elections, no winners accepted either of these positions.

Lois Duling, 824 Stumpf Hill Drive asked if there were any write in votes for these positions. Chairman Buckwalter indicated that there were write in votes but that the Board of Elections has indicated that no winner accepted the position.

Chairman Buckwalter then indicated that Mr. Winters and Mr. Sollenberger have indicated that they are willing to serve in these Auditor positions. Mr. Eberly then made a motion to appoint Mr. Don Winters and Mr. Wil Sollenberger to two year terms as Township Auditors. The motion was then seconded by Mr. Landis and passed by unanimous voice vote.

Establishment of Treasurer's Bond Amount - \$1,200,000:

Chairman Buckwalter asked Mr. Hutchison to comment on this agenda item. Mr. Hutchison indicated that as Township Manager he serves as the Township Treasurer on behalf of the Board of Supervisors. He then indicated that the Treasurer's Bond is purchased by the Township in order to protect the Township from any loss of funds that might occur. He also indicated that the amount of the bond is intended to cover the highest amount that would be on hand and available to the Treasurer at any one time. He finally indicated that the bond also covers other Township employees who handle Township funds as a part of their duties and that he feels that the purchase of the bond is a prudent financial management tool for the Township.

Mr. Shertzer then made a motion to approve the Treasurer's Bond amount of \$1,200,000. Mr. Eberly seconded the motion which was then passed by unanimous voice vote.

Minutes of December 18, 2007 Regular Meeting:

Chairman Buckwalter indicated that copies of the minutes of the December 18, 2007 regular Meeting were available for review. Chairman Buckwalter asked if there were any comments regarding the minutes as prepared. There were no comments.

A motion was then made by Mr. Landis and seconded by Mr. Eberly to dispense with the reading of the minutes and approve the minutes as presented. The motion passed by a

vote of four in favor and one abstaining. (Mr. Shertzer abstained due to the fact that he was not on the Board at the time of the December 18, 2007 meeting)

Bills:

Chairman Buckwalter then indicated that bills represented by various funds in the amount of \$86,150.02 were presented for payment, copies of which were available for review. After review of the bills list, a motion was made by Mr. Eberly and seconded by Mr. Rutt to approve payment of bills as listed in the amount of \$86,150.02. The motion was passed by unanimous voice vote.

Swearing in of new Police Officer – Mr. Samuel Dillman:

Chief John Bowman introduced Mr. Dillman and indicated that he was pleased to have Mr. Dillman joining the Police Department. Chief Bowman indicated that Mr. Dillman was the number one candidate throughout the testing process and that the background investigation completed as a part of the hiring process went very well. Chief Bowman also indicated that Mr. Dillman was a 1995 graduate of Conestoga Valley High School and resides in Lancaster County. He then indicated that Mr. Dillman would begin Police Academy training on January 14, 2008.

Chairman Buckwalter then administered the Oath of Office to Mr. Dillman and welcomed him to the Township. Mr. Dillman then introduced members of his family who were in attendance.

Mr. Shertzer expressed his feeling that the Township has been fortunate to hire many high quality people as police officers and that he appreciated having the addition of another one occur at his first meeting back on the Board.

Old Business:

- a. Request for Time Extension to Record Approved Plan: Country Club Apartments – Pitney Road

Chairman Buckwalter asked Mr. Hutchison to review this agenda item. Mr. Hutchison indicated that this land development plan had been conditionally approved by the Board a number of months ago and that the applicant had been working to satisfy those conditions of approval. He also stated that the ninety (90) day time period for plan recording after approval had passed and so the applicant was requesting the additional time in order to complete their efforts to satisfy the conditions and to record the plan.

Chairman Buckwalter noted that the applicant was requesting a time extension to February 1, 2008. Mr. Hutchison said that he did not expect that the applicant would have any problem in recording the plan by that date.

Mr. Eberly then made a motion to approve of the time extension to February 1, 2008 for the Country Club Apartments land development plan to be recorded. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

b. Time Extension for review of Waiver Request: Worship Center – Creek Hill Road

Chairman Buckwalter asked Mr. Hutchison to describe this request. Mr. Hutchison indicated that the applicant has requested that the Township defer action on the land development plan to Upper Leacock Township since the actual development activity will be taking place in Upper Leacock. He then noted that a portion of the property involved is located in East Lampeter at the corner of Creek Hill Road and Hartman Station Road. He also stated that staff has been working with the applicant on the provision of right of way through the site in order to provide for the future relocation of a portion of Hartman Station Road north of Creek Hill Road and align it with Hartman Station Road south of Creek Hill Road. He said that the additional time will permit the staff to resolve this issue with the applicant.

Chairman Buckwalter asked if anyone in the audience wished to comment on this item. Mr. Landis then made a motion to accept the time extension to March 18, 2008 for the review of the Worship Center waiver request as proposed. The motion was seconded by Mr. Rutt. Mr. Eberly asked for clarification on the proposal. Mr. Hutchison indicated that the Township normally has ninety (90) days to act on this kind of request and that the ninety days had nearly expired. Therefore he said that the applicant is offering and agreeing to give the Township this additional time to review the request and to resolve this issue. The motion then passed by unanimous voice vote.

New Business:

None

Other Business:

a. Resolution re: Police Officer Contributions to Police Pension Plan (2.5%)

Mr. Hutchison indicated that the State Auditor General's officer requires that the Township adopt this resolution annually and that they look for it during their regular audits of the pension fund.

Mr. Eberly then made a motion to adopt the Resolution #2008-02 to establish the Police officer contribution rate to the Police Pension plan at 2.5%. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

- b. Resolution re: Non Uniform employees Contributions to Pension Plan (2.5%)

Chairman Buckwalter noted that the reason for acting on this proposed resolution is the same as for the action taken on Resolution for the Police Pension plan. Mr. Eberly then made a motion to adopt Resolution #2008-3 to establish the Non Uniform employee's contribution rate to the Pension Plan at 2.5%. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

- c. Appointments to the Emergency Services Committee – Two Year Terms

Chairman Buckwalter asked Mr. Hutchison if all of the individuals whose terms expired at the end of 2007 have been contacted about their reappointment. Mr. Hutchison indicated that each of the four fire companies has recommended the reappointment of their representatives to the committee and that he had also communicated with the citizens appointed to represent the Township who also indicated their willingness to be reappointed. He also noted that the Board's representative to the committee must be appointed and that Mr. Landis has been the Board's representative previously. Mr. Hutchison then indicated that the following individuals were proposed for reappointment to two year terms ending on 12/31/09:

Hand in Hand Fire Company:	Mr. James Martin Mr. Harold Gotwald	Fire Company Alternate Citizen
Lafayette Fire Company:	Mr. Ron Nolt	Fire Company Representative
Ronks Fire Company:	Mr. David Gribble Mrs. Melanie McHenry	Fire Company Alternate Citizen
Witmer Fire Company:	Mr. Matt Bono	Fire Company Representative
Township:	Mr. Charlie Smith Mr. Michael Landis	Citizen Supervisor Representative

Mr. Shertzer asked for an explanation of the committee since he is not completely familiar with it. Chairman Buckwalter indicated that the committee was created about three years ago in order to foster communication among the four Township based fire companies and with the Township and to work on common goals. He also noted that one of the committee's activities has been to develop a review process for the fire companies' proposals to purchase new fire apparatus and to act as a screening process for the requests for funding assistance from the Township. Chairman Buckwalter indicated that this

process has been used in the acquisition of three apparatus replacements so far. He also noted that one of the primary goals of the committee is to work on issues that will continue and promote volunteer fire services in the Township. Mr. Shertzer noted that there had been informal communications in the past and expressed his appreciation for having a more structured effort created in this area. Mr. Landis said that he feels that the committee has worked very well. Mr. Eberly also indicated that he appreciates how the fire companies have worked together in planning for the fire service needs in the Township and Mr. Landis' efforts on the committee.

Mr. Eberly then made a motion to approve the appointment of the above listed individuals to the Emergency Services Committee for two year terms ending on 12/31/09. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

- d. Notice of Intent re: LCPC Municipal Transportation Grant – Strasburg Pike / Millstream Road / Windy Hill Road

Chairman Eberly noted that the Township has been working towards making improvements at this intersection for some time and asked Mr. Hutchison to explain this item. Mr. Hutchison noted that the Township has been able to gain a commitment of state funding for the construction of intersection improvements at this location but that the Township is required to complete all of the necessary preconstruction efforts for the project. He indicated that these efforts will include environmental clearance, design, right of way acquisition and utility relocations. He said that the County funds this grant program to assist municipalities in the completion of these kinds of road improvements and that the notice of intent is the first step in the grant process. He requested that the Board approve of the notice of intent so that the Township can apply for county assistance for this project.

Mr. Shertzer asked what improvements were planned for the intersection. Mr. Hutchison indicated that the improvements would include the widening of the roads in order to provide turning lanes, the lowering of Strasburg Pike south of the intersection in order to create greater visibility and the signalization of the intersection. Mr. Shertzer then asked about the schedule for completion of the improvements. Mr. Hutchison said that he felt that construction could take place some time in 2009.

Mr. Eberly then made a motion to approve of the Notice of Intent to apply for funding through the County Municipal Transportation Grant program for the intersection of Strasburg Pike / Millstream Road / Windy Hill Road. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

Public Comment:

Lois Duling, 824 Stumpf Hill Drive, indicated that she has given the Board a copy of an article regarding Heritage Byways. She also stated that she has been in contact with Mr. Standish in the County Planning Commission regarding their efforts in the County.

Susan Snyder, 435 Mt. Sidney Road, questioned the answer which she was given at the previous meeting regarding the percentage of increase in pay provided for the Township employees in the 2008 budget. She indicated that she didn't understand why having twenty-six or twenty-seven pay dates in 2008 would change the amount of pay received by employees. Mr. Hutchison explained that all Township employees are paid on an hourly basis and therefore because there are twenty-seven pay dates in 2008, the Township budget must reflect the total amount anticipated to be paid out during 2008.

Ms. Snyder then asked if there was an organizational chart for the Township. Mr. Hutchison said that there was but that it needs to be updated.

Irl Duling, 824 Stumpf Hill Drive, asked if the list of bills paid by the Township would be available to the public. Chairman Buckwalter indicated that due to its length the Township has not made a practice of preparing copies for public distribution but that the information is public and can be provided upon request.

Lois Duling then asked for an explanation of the future land use map displayed in the meeting room. Mr. Hutchison explained that the future land use map is a part of the adopted Conestoga Valley Regional Comprehensive Plan which is a plan adopted in 2003 by the three Townships in the region in order to guide and direct land use planning and decision making in the region. He also noted that the Comprehensive Plan is not the same as zoning and that the future land use map is not a zoning map.

Susan Snyder requested that more information be provided about the Township so that she and others can see what the Board sees and thereby gain a greater understanding of what is happening in the Township. Chairman Buckwalter indicated that it is the Board's intention to use the projection screen in the meeting room for the purpose of showing plans which are being discussed by the Board. He then asked Ms. Snyder to remind them to use the projector if there are occasions when they do not use it.

Chairman Buckwalter then announced that the Board will be going into Executive Session after the meeting is adjourned for the purpose of discussing litigation regarding the Mill Creek Square Shopping Center Conditional Use decision appeals.

Adjournment:

A motion was made by Mr. Eberly and seconded by Mr. Rutt to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Tuesday, January 22, 2008 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager

