

February 1, 2010

The East Lampeter Township Board of Supervisors met on Monday, February 1, 2010, at 7:30 p.m. at the East Lampeter Township Office, 2250 Old Philadelphia Pike, Lancaster, PA 17602. The meeting was called to order by Mr. David Buckwalter, Chairman and was followed by the Pledge of Allegiance. Supervisors present were: Mr. Roger Rutt, Mr. Michael Landis, Mr. John Shertzer, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager.

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

Ethan Demme, PO Box 95, Lampeter, PA 17537, representing Null Towing
Roger Fry, Fry Surveying, Inc., 21 S. Hershey Avenue, Leola, PA 17540, representing Ames
Quality Roofing

Minutes of January 19, 2010 Regular Meeting:

Chairman Buckwalter indicated that copies of the minutes of the January 19, 2010 regular meeting were available in the back of the room for review and asked if there were any additions or corrections regarding the minutes as prepared. There were no comments.

A motion was then made by Mr. Eberly and seconded by Mr. Landis to dispense with the reading of the minutes and approve the minutes as presented. The motion was passed by a vote of four in favor and one abstaining. Mr. Shertzer abstained.

Bills:

Chairman Buckwalter indicated that bills represented by various funds in the amount of \$185,384.24 were presented for payment. Chairman Buckwalter indicated that a few of the larger amount items included a payment of \$13,520.00 to M & T Bank for the lease purchase agreement for the Gapvax sewer truck, a payment of \$7,000.00 for the purchase of six (6) new computers, a payment of \$14,700.00 to David Miller Associates for plan reviews to be reimbursed by applicants, a payment of \$15,000.00 to Fulton Bank for the LSA administrative account, a payment of \$10,213.00 to LASA for fourth quarter sewer system fees, a payment of \$41,394.00 to NCAS for health insurance, and a payment of \$30,000.00 to Upper Leacock Township for the purchase of a sewer maintenance trailer that was included in the 2010 budget. A motion was made by Mr. Landis and seconded by Mr. Rutt to approve payment of bills as listed in the amount of \$185,384.24. The motion was passed by unanimous voice vote.

Chairman Buckwalter announced that the next item on the agenda is the Ames Roofing Land Development Plan under Old Business. He stated that Mr. Roger Fry who is representing Ames Quality Roofing had indicated that he would be arriving late for this evening meeting. Chairman Buckwalter suggested that this item be moved to the end of the meeting.

New Business:

None

Other Business:

a. Agreement re: 2010 Police Association Contract Amendment

Mr. Hutchison explained that there have been several meetings with representatives of the officers association and he believes that a resolution has been reached. These changes to be in effect through the remainder of 2010 would achieve the savings that the Board was looking for to avoid possible layoffs. The primary change would be to provide for compensatory time in lieu of paying for overtime hours. The savings with this change would be in the \$85,000.00 to \$90,000.00 range.

Mr. Hutchison stated that another change would be to assign an officer to the county drug task force for which the county would then reimburse the pay for that officer. The police officers would also increase their pension plan contributions to 5% instead of the 3.5%. The final change would be to forego the equipment allowance of \$200.00 per officer.

Mr. Shertzer made a motion to approve the agreement between East Lampeter Township and the Township police officers association as outlined in the agreement prepared by the Township solicitor and conditional that there are no significant changes that would impact the primary requirements listed. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

b. Presentation re: MS4 Program Requirements (**Municipal Separate Storm Sewer System**)

Mr. Brandon Myers of Herbert, Rowland & Grubic, Inc. (HRG) introduced himself. He then gave a presentation of the MS4 Program. This is a DEP permit process that they have been during for East Lampeter Township for the past seven (7) years.

No action was necessary for this item.

c. Appointment to Emergency Services Committee: Hand in Hand FC Citizen Representative, Term Ending 12/31/11 – Mr. Joel Sweitzer

Mr. Hutchison explained that Hand in Hand Fire Company has recommended that Mr. Joel Sweitzer be appointed as the Citizen Representative for the Emergency Services Committee with his term ending on 12/31/11.

A motion was made by Mr. Shertzer and seconded by Mr. Landis to appoint Mr. Joel Sweitzer to the Emergency Services Committee as the Citizen Representative for Hand in Hand Fire Company. The motion was passed by unanimous voice vote.

d. Resolution re: Pension Administration Account

Mr. Hutchison explained that this is a typical bank resolution. He added that due to some regulatory changes, a separate account must be set up with Morgan Stanley so that funds can be moved out of the investment account and into another account in order to pay the benefits.

A motion was made by Mr. Landis to approve the resolution for the Pension Administration Account. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

Public Comment:

Ms. Lois Skiles introduced herself as the proprietor of Strasburg Toys and Collectibles. She addressed the Board about Mr. King approaching her with the opportunity to advertise on a billboard. She put a sign up that was there for approximately a year and a half. Ms. Skiles stated that not everyone knows zoning issues and that due process in which a letter to the owner or a phone call to her business should have been used. If she would have been notified that the sign was not in compliance, she would have removed the sign within 24 hours. Instead, the sign suddenly disappeared and she assumed that it had been stolen. She did not report it to the police and had a new sign made to replace it. The day after she put up the new sign, Mr. King's son noticed the Township taking it down. This is the only way she would have known what happened to the sign. She was not aware of the zoning requirements since there have been other signs on this particular billboard in the past. Ms. Skiles then contacted the Township and spoke to Mr. David Sinopoli who informed her that the Township still had the signs and that she could come and pick them up. When she picked the signs up, they were scratched, bent and dirty as if they had been thrown around. She is pursuing Mr. King to pay her for the first sign and is requesting the Township reimburse her for the second sign.

Mr. Hutchison responded that after talking with staff, he agrees that there should have been communication through the property owner about what was identified as a violation and everyone given an opportunity to correct this violation in a timely fashion. On behalf of himself and the Township he apologized that this happened and has addressed this matter with staff to make sure this does not happen again in the future.

Mr. Shertzer commented that he was embarrassed by the way that the staff treated Ms. Skiles and believes that it would be appropriate to reimburse her for the second sign.

Mr. Landis also apologized for the way that the staff mishandled this situation and made a motion to reimburse Ms. Skiles for the damage to the sign in the amount of \$242.87 by the Township. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

Old Business:

a. Ames Roofing Land Development Plan #09-10: Old Philadelphia Pike

Mr. Roger Fry of Fry Surveying, Inc. was representing Ames Quality Roofing. He explained that after the previous Board of Supervisors meeting in January, he went to the location to re-examine the site. He said a sidewalk fits if it is installed with a two (2) foot grass strip. Mr. Fry then reviewed the letter dated February 1, 2010 from David Miller Associates.

Mr. Fry and the Board members discussed the restaurant parking lot design, the number of handicap parking spaces, and the number of seats in the restaurant.

Mr. Eberly made a motion to approve the Land Development Plan for Ames Quality Roofing and granting the waivers of preliminary plan scale, the reduced clear site triangle, and also the right-of-way distance of the sidewalk. They must also work with the Glick property to the east coordinating the entrance to their driveway and subject to review of the parking lot design and all parking spaces to be located on the macadam be clearly marked including the handicap spaces. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

Adjournment:

A motion was made by Mr. Landis 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, February 16, 2010 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager