

April 19, 2011

The East Lampeter Township Board of Supervisors met on Tuesday, April 19, 2011, 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. In addition to Mr. Buckwalter, supervisors present were: Mr. John Shertzer, Mr. Michael Landis, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager. Mr. Roger Rutt was absent.

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

Roger Fry, Fry Surveying, Inc., 21 S. Hershey Avenue, Leola, PA 17540, representing Lancaster Archery
John Mongiovi, Esq., 235 N. Lime Street, Lancaster, PA 17602, representing Miles Towing
Ray Wright, 1838 Colonial Village Lane, Lancaster, PA 17601, representing Johnson & Johnson-Merck
Joe Mongeau, 1838 Colonial Village Lane, Lancaster, PA 17601, representing Johnson & Johnson-Merck
Randy Ranck, 147 Sage Drive, Lancaster, PA 17602
Gary Hoover, 2160 Lincoln Hwy. East, Lancaster, PA 17602, representing Miles Towing
Lynn Commero, representing Lancaster Newspapers
Robert Kaufhold, 2195 Old Philadelphia Pike, Lancaster, PA 17602, representing Lancaster Archery
John Blowers, 102 Strasburg Pike, Lancaster, PA 17602

Chairman Buckwalter indicated that copies of the agenda and minutes from the previous meeting were available for review. Chairman Buckwalter announced that the applicant for item b. under New Business has asked for it to be withdrawn. This item will be skipped on the agenda.

Minutes of April 4, 2011 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes from the April 4, 2011 regular meeting 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 was passed by a vote of three in favor and one abstaining. (Mr. Shertzer abstained due to being absent from the April 4, 2011 meeting.)

Bills:

Chairman Buckwalter indicated that bills to be paid from various funds in the amount of \$134,753.45 were presented for payment. Chairman Buckwalter stated that included in that amount is a debt service principal payment of \$50,000.00 to PNC Bank and a payment of \$16,000.00 to Telco, Inc. for maintenance and repairs to traffic signals

A motion was made by Mr. Shertzer and seconded by Mr. Landis to approve payment of bills as listed in the amount of \$134,753.45. The motion was passed by unanimous voice vote.

Recognition of Service to the Township – Mr. Pieter Hegeman II and Mr. James Gustafson:

Chairman Buckwalter read and presented plaques to Mr. Pieter Hegeman II and Mr. James Gustafson for their years of service on the Park Board. Both Mr. Hegeman and Mr. Gustafson thanked the Board for allowing them to serve the Township.

Old Business:

a. Consideration of Ordinance re: Repeal Speed Limit on Southridge Farms Streets

Chairman Buckwalter explained that at a previous meeting, residents of Southridge Farms expressed their concern about the number of speed limit signs posted throughout the development. If this ordinance is approved, it will repeal the ordinance of 2009. Chairman Buckwalter asked if anyone was in the audience with interest in this item. There was no one present.

Mr. Eberly asked if the other residents of the development were notified, other than the ones who were at the previous meeting.

Mr. Hutchison replied that no specific notice was sent out, but that there was an article in the newspaper addressing this and it was advertised.

A motion was made by Mr. Shertzer to adopt the ordinance to repeal Ordinance 281 of 2009 for the speed limit signs within the Southridge Farms Development. The motion was seconded by Mr. Landis and passed by a vote of three in favor and one opposed. (Mr. Eberly voted against the motion).

b. Reduction of Financial Security – Mill Creek Square: Sanitary Sewer Improvements

Chairman Buckwalter stated that this request for financial security reduction is for the Mill Creek Square sanitary sewer improvements. He explained that there is \$330,778 as financial security held by the Township. Mr. Larry Frankford, sewer superintendent for East Lampeter Township, reviewed the work to verify that it was complete. Mr. Frankford reported that all work related to the sanitary sewer system was completed with the exception of raising the manhole at the end of Pleasant Drive. The township engineer is recommending a financial security reduction in the amount of \$326,728.00, which will leave a new outstanding financial security balance of \$4,050.00.

After a brief discussion, Mr. Eberly made a motion to reduce the financial security for Mill Creek Square by \$326,728.00 as recommended by the township engineer, HRG. The motion was seconded by Mr. Shertzer and passed by a vote of three in favor and one abstaining. (Chairman Buckwalter abstained due to his employment by the High organization).

c. Right of Way Agreement re: Lafayette Fire Company UGI Service to New Station

Mr. Hutchison explained that during the land development planning process for the Lafayette Fire Company's new fire station, it was indicated on the plan that they needed an easement across the Township property for gas service. This agreement is with UGI that will allow them to construct that facility across the Township property.

Mr. Shertzer questioned that in the agreement under "LEGAL DESCRIPTION" it states that the gas line utility easement will be twenty feet wide and that in parenthesis it says (15') wide.

Mr. Hutchison replied that this needs to be corrected on the agreement and that it is fifteen feet wide.

A motion was made by Mr. Eberly to approve the Right of Way Agreement with UGI for Lafayette Fire Company's gas service to the new station with the correction on the agreement clarifying the easement to be fifteen feet wide. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

New Business:

a. High Subdivision Plan #11-02: 1865 Old Philadelphia Pike

Chairman Buckwalter announced that he would recuse himself from participation for this item due to his employment in the High organization and asked Mr. Eberly to chair the meeting for this agenda item.

Mr. Eberly asked if anyone was in the audience to represent this item. There was no one present. Mr. Eberly explained that the Zoning Board denied the request for the plan.

Mr. Landis made a motion to deny the High Subdivision Plan #11-02 for 1865 Old Philadelphia Pike. Mr. Shertzer seconded the motion and it was passed by a vote of three in favor and one abstaining. Chairman Buckwalter abstained.

Chairman Buckwalter rejoined the Board at this time.

b. Request for Waiver of Land Development Planning – Gurm: 3014 Lincoln Highway East

The applicant has withdrawn this request.

c. Lancaster Archery Land Development Plan #11-06: 2195 Old Philadelphia Pike

Mr. Roger Fry of Fry Surveying, Inc. introduced himself and the owner of Lancaster Archery, Mr. Rob Kaufhold. Mr. Fry explained that the applicant is proposing to construct a 4,740 square foot addition to an existing building located at 2195 Old Philadelphia Pike.

Mr. Fry reviewed the four (4) waiver request comments on a letter dated April 15, 2011 from David Miller Associates.

After a brief discussion, Mr. Eberly made a motion to approve Land Development Plan #11-06 for Lancaster Archery at 2195 Old Philadelphia Pike and granting the waivers listed on the letter dated April 15, 2011 from David Miller Associates. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

d. Request for Waiver of Land Development Planning – J & J Merck: 1838 Colonial Village Way

Mr. Ray Wright of Gannett Fleming introduced himself as the project manager representing J & J Merck. The applicant is proposing to remove an existing employee smoking shelter and replace it with a cafeteria addition to expand the existing internal cafeteria. They are requesting a deferral of land development plan requirement for this project.

Mr. Hutchison added that they have a future project for warehouse space that will have a land development plan where this cafeteria will be shown on that plan.

Mr. Eberly asked about the time schedule for the land development plan.

Mr. Wright replied that it is in the process and they hope to submit it in May or June.

Mr. Landis made a motion to approve the deferral of land development planning for J & J Merck at 1838 Colonial Village Way for the addition of the cafeteria to be included on a land development plan to be submitted at a later date. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

Other Business:

a. Request for Curfew Suspension re: CVHS Post Prom Event

Chairman Buckwalter indicated that the Post Prom Committee has requested that the Township suspend the normal curfew limitations between 5 am and 6 am on Sunday, May 8, 2011. He added that in the past years the police have never reported any incidents with the suspension of the Township curfew for this one (1) hour.

Mr. Eberly made a motion to approve of the suspension of the Township curfew for the Post Prom activities at the Conestoga Valley High School for the time period of 5 am to 6 am on Sunday, May 8, 2011. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

b. Revised 2011 MMO for Non Uniformed Pension Plan

Chairman Buckwalter explained that it was discovered that there was an error in the 2011 Minimum Municipal Obligation (MMO) for Non Uniformed Pension Plan. The revised calculation of the MMO plan must be approved by the Board.

Mr. Eberly made a motion to approve the revised 2011 MMO for Non Uniformed Pension Plan. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

Public Comment:

Mr. John Mongiovi, Esq., 235 N. Lime Street, Lancaster, PA 17602, spoke in behalf of his client Mr. Gary Hoover of Miles Towing. He explained that there are seven (7) tow companies on the rotating non preference tow list. Four (4) of the companies are within East Lampeter Township, but the other three (3) are outside of the township. Mr. Hoover feels that the only towers to be allowed on the list should be the ones located within East Lampeter Township. They are asking the Board to review the problem and see if some improvement can be made.

Chairman Buckwalter thanked Mr. Hoover for waiting the three (3) months to see how the list works. He added that they have not received any other concerns from the other towers who would have a similar situation. Chairman Buckwalter asked if there was any feedback from the police department as to how things are working.

Mr. Hutchison responded that the police department feels that the list is working well. He added that the policy stated that any tower within one (1) mile of the jurisdiction would be eligible to apply to be on the list. They are planning on reviewing the list in six (6) months to see how it is working.

Chairman Buckwalter explained that they will revisit this issue in June or July to get feedback on the tow policy from the other tow companies.

Mr. Hoover then voiced his concerns.

Adjournment:

A motion was made by Mr. Eberly and seconded by Mr. Landis to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Monday, May 2, 2011 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager