

May 25, 2010

The East Lampeter Township Board of Supervisors met on Tuesday, May 25, 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. In addition to Mr. Buckwalter, supervisors present were: Mr. Roger Rutt, Mr. Michael Landis, and Mr. John Shertzer. Also present was Mr. Ralph Hutchison, Township Manager. Mr. Glenn Eberly was absent.

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

Mark Johnson, RGS Associates, 15 S. State Street, Brownstown, PA 17508, representing Lancaster

Agricultural Products

Roger Fry, Fry Surveying, Inc., 21 S. Hershey Avenue, Leola, PA 17540, representing Amos S. Stoltzfus

Jonathan E. Lapp, 51 Eastbrook Road, Ronks, PA 17572

Joe Wachter, 60 N. Ronks Road, Ronks, PA 17572, representing Lancaster Agricultural Products

Reuben Stoltzfus, 60 N. Ronks Road, Ronks, PA 17572, representing Lancaster Agricultural Products

Chairman Buckwalter announced that this meeting had been moved due to the primary elections that were held last week. He indicated that copies of the agenda and minutes from the previous meeting were in the back of the room for review.

Minutes of May 3, 2010 Special Meeting:

Chairman Buckwalter explained that these minutes were for a special meeting that was held on May 3, 2010 prior to the regular meeting. This special meeting was for conducting a public hearing to consider revisions to the Zoning Ordinance of East Lampeter Township involving both the zoning map and zoning text. He asked if there were any corrections or additions to the minutes. There were no comments.

A motion was then made by Mr. Shertzer and seconded by Mr. Rutt to dispense with the reading of the minutes and approve the minutes as presented. The motion was passed by unanimous voice vote.

Minutes of May 3, 2010 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes from the May 3, 2010 regular meeting as prepared. There were no comments.

A motion was then made by Mr. Rutt and seconded by Mr. Landis to dispense with the reading of the minutes and approve the minutes as presented. The motion was passed by unanimous voice vote.

Bills:

Chairman Buckwalter indicated that bills represented by various funds in the amount of \$164,895.24 were presented for payment. Chairman Buckwalter stated that included in this amount is a payment of \$14,600.00 to Weinhold, Nickel & Company for the 2009 year-end audit and a payment of \$12,158.64 to Witmer Associates for the purchase of tasers for the police department. A motion was made by Mr. Landis and seconded by Mr. Rutt to approve payment of bills as listed in the amount of \$164,895.24. The motion was passed by unanimous voice vote.

Old Business:

a. Request for Financial Security Reduction – Falls at Olde Mill Subdivision

Chairman Buckwalter asked if anyone was present for this item. No one was in attendance to represent this item. Chairman Buckwalter stated that The Falls at Olde Mill is requesting a financial security reduction in the amount of \$101,472.26. The township engineer, David Miller Associates, reviewed the project and noted items in a letter dated February 17, 2010, that still need to be completed. It is their recommendation to approve a financial security reduction in the amount of \$101,514.00, which will leave a new outstanding financial security balance of \$103,041.47.

Mr. Shertzer made a motion to reduce the financial security by \$101,514.00 as recommended by David Miller Associates. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

b. Request for Financial Security Release – John's Home Sales

Chairman Buckwalter explained that the Township engineer visited the project site at John's Home Sales and is recommending that \$22,551.10 be released, which will leave a balance of \$0.00. Mr. Rutt questioned if staff has been on site to review this project to make sure all items have been met. Mr. Hutchison replied that staff and the Township engineer have been on the site and all the required improvements have been completed, which were primarily storm water management issues.

Mr. Shertzer made a motion to reduce the financial security by \$22,551.10 as recommended by the Township engineer, leaving a balance of \$0.00. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

c. Request for Financial Security Release – Country Club Apartments

Chairman Buckwalter explained that Country Club Apartments on Pitney Road is requesting a financial security release. He asked if there was anyone in the audience for this item. There was no one present. The Township engineer reviewed it and is recommending that \$39,165.65 be released from the financial security, which will leave a balance of \$0.00.

Mr. Landis made a motion to reduce the financial security by \$39,165.65 as recommended by the Township engineer, leaving a balance of \$0.00. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

New Business:

a. Lancaster Agricultural Products Land Development Plan #10-12: 60 N. Ronks Road

Mr. Mark Johnson of RGS Associates introduced himself as representing the applicant Lancaster Agricultural Products. He also introduced with him Mr. Rueben Stoltzfus who is the CEO of Lancaster Agricultural Products, Mr. Joseph Wachter, and Mr. Larry Groff.

Mr. Johnson explained that Lancaster Agricultural Products sells organic farming supplies. He then reviewed the plan which is to provide seven (7) new leasable commercial units within the existing building adjacent to its own warehouse and commercial space. He also discussed the waivers listed in the

letter dated May 24, 2010 from David Miller Associates. These waivers include filing as a preliminary plan, the scale of the plan, and deferral of road frontage improvements.

After a brief discussion, Mr. Shertzer made a motion to approve the Land Development Plan #10-12 for Lancaster Agricultural Products at 60 N. Ronks Road and granting the three (3) waivers listed in the letter dated May 24, 2010 from David Miller Associates and also accepting the financial security amount of \$13,224.20 as a fair and reasonable estimate. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- b. Request for Deferral of Plan Action to Upper Leacock Twp. – Stoltzfus Subdivision Plan #10-17: 2900 Stumptown Road

Mr. Roger Fry of Fry Surveying, Inc. was representing the applicant Mr. Amos S. Stoltzfus. Mr. Fry explained the subdivision plan and that the majority is in Upper Leacock Township. Mr. Hutchison stated that the location of the future on-lot sanitary system is not in or near the East Lampeter Township line and so there really is no East Lampeter Township interest.

Mr. Shertzer made a motion to approve the deferral of plan action to Upper Leacock Township and to waive East Lampeter Township's approval rights with the plan subject to including signature blocks for East Lampeter Township. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

Other Business:

- a. Appointment to Fill Unexpired Term Ending 10/2/10 – Zoning Hearing Board Alternate:
Mr. Josh Bare

Chairman Buckwalter explained that Mr. Josh Bare has agreed to serve as an alternate on the Zoning Hearing Board with the term ending on 10/2/2010. This position was vacated by Mr. James Glick who was appointed to the Zoning Hearing Board.

Mr. Landis made a motion to appoint Mr. Josh Bare to serve as an alternate on the Zoning Hearing Board until 10/2/2010. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

- b. Sale of 1987 Ford L-8000 Dump Truck w/Plow & Spreader – Brecknock Twp.: \$8,500

Chairman Buckwalter stated that Brecknock Township has made an offer of \$8,500.00 to purchase the 1987 Ford L-8000 dump truck with the plow and spreader. Mr. Hutchison added that staff feels this is a fair price and is recommending that the Board approve this sale.

Mr. Rutt made a motion to approve the sale of the 1987 Ford L-8000 dump truck with plow and spreader to Brecknock Township for \$8,500.00. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- c. Lancaster County Chiefs of Police Testing Consortium Cooperative Agreement re: Police Officer Testing

Mr. Hutchison explained the Lancaster County Chiefs of Police Association has been conducting police officer candidate testing for a few years. East Lampeter Township has not participated in this process.

Earlier this year, Chief Bowman has been gathering information about how they conduct these tests and the advantages of participating. Chief Bowman has concluded that it would be a good thing for East Lampeter to participate in this program. This program does not obligate us to hire anyone, but would generate a list to draw from should the need arise to hire someone in the future.

Mr. Shertzer made a motion to enter into the Lancaster County Chiefs of Police Association Testing Consortium Cooperative Agreement. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

Public Comment:

Mr. Jonathan E. Lapp, 51 Eastbrook Road, Ronks, PA 17572, stated that Mr. Lee Young had told him to attend this evening meeting. He explained that his 85 year old mother lives in the farm house and he would like to install a 12 x 56 trailer close to the house. Chairman Buckwalter asked if this would be an ECHO housing unit. Mr. Lapp responded that it would be. The Board members requested a sketch of the site to review in advance of the meeting. Mr. Hutchison stated he would put this item on the June 22, 2010 meeting agenda.

Mr. John Lee King of Bareville introduced himself and his brother Mr. Jonathan King, Jr. He stated that he was in the office several times last summer to discuss the Jonathan King property in Witmer with Mr. Lee Young. He also had spoken with Mr. Glenn Eberly around the same time. He explained that he would like to meet to discuss plans for the property and to discuss what steps are necessary. Mr. Hutchison responded that it depends on what they are planning to do as far as what steps would be necessary to pursue that goal. He added that he and Mr. Young would be happy to meet with them to discuss these plans and to guide them as to what steps are needed to be followed. Mr. King responded that they are slowly trying to make improvements. Mr. Hutchison questioned what kind of improvements have been made. Mr. King replied that siding has been replaced on the south side and front of the shop and also siding on the one dwelling. Mr. King added that they are still not sure what they are planning to do with the second dwelling, but are feeling that they are probably going to tear it down. Mr. King stated that during the winter, they made improvements in the inside which included further shoring up the structure, installing firewalls, drywalling, insulation, and replacement windows. Mr. Hutchison commented that he asked because some of the improvements would require permits and others do not. Mr. King stated that at the time being, their goal is to continue with a small woodworking business and maybe down the road rent something out for long time storage. Mr. Hutchison stated the best thing would be for them to set up a meeting with himself and Mr. Young. Mr. Hutchison added that he would need to review the existing file for the property, but what he could remember was that the last official action of the Zoning Hearing Board was approving certain activities on the property and limiting those activities. Mr. Hutchison did not recall whether a small woodworking shop fit in to those limitations.

Adjournment:

A motion was made by Mr. Landis and seconded by Mr. Shertzer to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Monday, June 7, 2010 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager