

June 3, 2013

The East Lampeter Township Board of Supervisors met on Monday, June 3, 2013, 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. Mike Landis and Mr. John Blowers. Also present was Mr. Ralph Hutchison, Township Manager. Mr. John Shertzer and Mr. Glenn Eberly were absent.

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

Paul Fisher, 2623 Old Philadelphia Pike, Bird-in-Hand, PA 17505, representing Bird-in-Hand Fire Co.
Lance Watt, 335 Enterprise Drive, Bird-in-Hand, PA 17505, representing Bird-in-Hand Fire Co.
Chris Stoltzfus, Jr., 250 Maple Avenue, Bird-in-Hand, PA 17505, representing Bird-in-Hand Fire Co.
Ephraim J. Stoltzfus, 248 Maple Avenue, Bird-in-Hand, PA 17505, representing Bird-in-Hand Fire Co.
Dan J. Fisher, 2602 Old Philadelphia Pike, Bird-in-Hand, PA 17505, representing Bird-in-Hand Fire Co.
David Blank, 340 Buck Hill Road, Paradise, PA 17562, consultant
Steven K. Esh, 2008-F Horseshoe Road, Lancaster, PA 17601, representing Amish School Board
David S. Stoltzfus, 2401 Stumptown Road, Bird-in-Hand, PA 17505
Eli P. Ebersol, 682 Hartman Station Road, Lancaster, PA 17601, representing Amish School Board
Abner S. King, 2020 Horseshoe Road, Lancaster, PA 17601, representing Amish School Board
Elmer K. Petersheim, 702 Hartman Station Road, Lancaster, PA 17601, representing Amish School Board
John O. Yoder, 445 Willow Road, Lancaster, PA 17601
James W. Smith, 44 Highland Drive, Lancaster, PA 17602, representing East Lampeter Emergency Services Committee
Corey Meyer, 1826 Windrow Drive, Lancaster, PA 17602

Chairman Buckwalter indicated that copies of the agenda and minutes from the previous meeting were available in the back of the room for review.

Minutes of May 14, 2013 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes of the May 14, 2013 regular meeting as prepared. There were no comments.

A motion was made by Mr. Landis to dispense with the reading of the May 14, 2013 minutes and approve the minutes as presented. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

Bills:

Chairman Buckwalter indicated that bills to be paid from various funds in the amount of \$315,297.40 were presented for payment. Chairman Buckwalter noted that some of the larger items included in that amount was a payment of \$3,571.50 to General Code for ordinance codification services, a \$56,000.00 quarterly contribution to be dispersed between the four (4) Township fire companies, a \$6,600.00 quarterly

contribution to the Lancaster County Library, and a payment of \$4,650.00 to Lancaster County SPCA for services for stray dogs.

A motion was made by Mr. Blowers and seconded by Mr. Landis to approve payment of the bills as listed in the amount of \$315,297.40. The motion was passed by unanimous voice vote.

Emergency Services Committee Presentation re: BIH Fire Company Tanker Purchase Proposal

Mr. Lonnie Kauffman, Fire Chief for Bird-in-Hand Fire Company and member of the Emergency Services Committee, gave a presentation for the proposal to purchase a new tanker for the Bird-in-Hand Fire Company. He stated that this project was presented at the May meeting of the Emergency Services Committee and approved to be presented to the Board of Supervisors. He discussed the features on the tanker, funding breakdown, and bidder. The new tanker should be in service by April 2014.

Mr. Paul Fisher, Treasurer for Bird-in-Hand Fire Company, reviewed the fire company finances. He explained that they are planning to pay cash for the new tanker, but will be holding back \$30,000.00 so that they have some leverage to make sure that they get the piece of equipment that they are ordering. Lose equipment and radios will be purchased closer to the delivery date of the tanker. Since they are planning to prepay when they place the order, they may need a swing loan of \$96,000.00 until the old tanker is sold and receive the relief income and income from the 2014 operating budget.

Mr. Blowers made a motion to approve the Bird-in-Hand Fire Company tanker purchase with the Township share of the purchase being 33.3%. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

Old Business:

- a. Release of Financial Security – Finazzo Restaurant: New Holland Pike

Chairman Buckwalter stated that this request for financial security release is for Finazzo Restaurant on New Holland Pike. A letter from the township engineer, David Miller Associates, stated that they visited the site on May 30, 2013 and is recommending a full release of financial security in the amount of \$35,209.37, which will leave a financial security balance of \$0.00.

Mr. Landis made a motion to release the remaining financial security for Finazzo Restaurant on New Holland Pike in the amount of \$35,209.37 as recommended by David Miller Associates. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

- b. Stormwater Management Agreement re: Wenger Stormwater Management Plan #13-10:
Stumptown Road

Chairman Buckwalter asked if anyone was present for this project. No one was in attendance.

Mr. Hutchison stated that the plan and agreement have been reviewed and are in accordance with the ordinance.

A motion was made by Mr. Landis to approve the plan and agreement for the Wenger Stormwater Management Plan #13-10 on Stumptown Road. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

- c. Stormwater Management Agreement re: Quality Centers Land Development Plan #12-18: 2495 Lincoln Highway East

Chairman Buckwalter asked if anyone was present for this project. No one was in attendance.

A motion was made by Mr. Blowers to approve the plan and agreement for the Quality Centers Stormwater Management Plan #12-18 at 2495 Lincoln Highway East. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

New Business:

None

Other Business:

- a. Appointment to Fill Unexpired Term – Zoning Hearing Board Alternate: Mr. Scott Enterline, Term Ending 10/3/13

Mr. Landis made a motion to appoint Mr. Scott Enterline to the Zoning Hearing Board Alternate to fill the unexpired term of Walt Siderio ending on October 3, 2013. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

- b. Resolution Supporting Legislation to Reform Transportation Funding

Mr. Hutchison explained that as part of the budget discussions that are going on in Harrisburg, Governor Corbett has made a proposal to reform the transportation funding in Pennsylvania. The Township has been asked by the local chamber, PSATS and others to voice support for the concept of reforming the funding.

Mr. Landis made a motion to approve the resolution supporting legislation to reform transportation funding in Pennsylvania. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

RESOLUTION #2013-08

- c. Resolution Supporting Legislation to Amend or Repeal the Prevailing Wage Law

Chairman Buckwalter explained that this resolution urges the General Assembly to eliminate or amend the state prevailing wage act. Currently, prevailing wage rates are set by the Secretary of Labor and Industry for projects exceeding \$25,000.

Mr. Hutchison added that PSATS has asked the townships to voice support for reform of the prevailing wage law. Most of the bills being looked at would raise the limit from \$25,000.00, which is what it was in the early 60's when the law was first adopted, to something closer to the inflated rate which would be

about \$180,000.00 to \$185,000.00. The reform would change the way that they determine the rates to focus more locally on what the market rates are, rather than a region for us which includes Philadelphia. Also, the definition of “maintenance work” for road projects would change. At one time, if three (3) inches or less was being put on the road, it was maintenance and you did not have to pay the prevailing wage. Now any time you are putting additional material on the highway of any depth, other than oil and chip, it’s a prevailing wage job. This has really increased the cost for the Township to maintain the roads.

Mr. Blowers made a motion to approve the resolution supporting legislation to amend or repeal the prevailing wage law in Pennsylvania. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

RESOLUTION #2013-09

d. Purchase Agreement re: 2557 Old Philadelphia Pike

Chairman Buckwalter explained that this particular piece of real estate is located just west of Mill Creek along Rt. 340. It previously was a flea market and consists of approximately 15 acres of land.

Mr. Hutchison added that the Township started talking to the owners back in late winter and got a sense that they would be willing to consider an offer from the Township. The Township had an appraisal done of the property last fall when the property was up for tax sale and the Board was considering at that time an attempt to acquire the property through the tax sale. The owners did pay the taxes, so it never came up at tax sale. The Township continues to work with the owners and would like to have an agreement to purchase the property should all the conditions be approved.

A motion was made by Mr. Landis to accept the purchase agreement for 2557 Old Philadelphia Pike with the condition that the Township receives the approvals needed. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

e. Authorization to Submit Notice of Intent to Apply for Smart Growth Transportation Funding

Mr. Hutchison explained that through the Lancaster County Planning Commission, the Smart Growth Transportation program was started last year. They have set aside a certain amount of funding through the transportation improvement program that is to be dedicated to what are determined to be smart growth transportation type projects. Municipalities and transportation providers are eligible applicants. This Notice of Intent to apply for the Smart Growth Transportation Funding must be submitted by June 14, 2013. The full application will be due in the middle of August. Ms. Tara Hitchens, Zoning Officer/ Director of Planning for East Lampeter Township, is working on this project since what they are proposing is more of a planning type project. The idea is to study and ultimately go through preliminary engineering on the highest priority improvements that would be determined for the Bridgeport area. There are transportation, congestion, circulation issues in the Bridgeport area that are worth while studying and the solutions would hopefully be considered to be smart growth type of solutions. An estimate to do the study work and preliminary engineering will cost approximately \$250,000.00. The required local match is twenty percent (20%), which would be \$50,000.00. Ms. Hitchens has contacted the City of Lancaster, Lancaster Township and West Lampeter Township who would all hopefully be co-applicants. So far the response has been favorable, but they have not taken any action yet. Though East Lampeter will probably

have to carry most of the funding for the local share, they are hoping the other townships will support the effort with some funding.

Mr. Blowers made a motion to authorize the submission of the Notice of Intent to apply for Smart Growth Transportation funding. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

Public Comment:

Mr. Steven K. Esh, 2008-F Horseshoe Road, Lancaster, PA 17601, was representing the Amish School Board. He stated that they have signed an agreement to sell the Willow Road School to High Associates. The elder is looking into building a new school on the John Yoder farm which is across the road from the current school. There was a discussion about the holding tank and a waiver of the land development plan to be requested.

Adjournment:

A motion was made by Mr. Landis and seconded by Mr. Blowers to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Tuesday, June 18, 2013 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager