

October 6, 2008

The East Lampeter Township Board of Supervisors met on Monday, October 6, 2008, 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. David Buckwalter, Mr. Michael Landis, Mr. John Shertzer, 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:

Irl and Lois Duling, 824 Stumpf Hill Drive, Lancaster, PA 17601, representing CVC
Kara Kalupson, 743 S. Broad Street, Lititz, PA 17543, representing ELA
Jeff Bowlby, Diehm & Sons, Inc., 15 Tollgate Road, Lititz, PA 17543, representing King
David M. King, 141A N. Ronks Road, Ronks, PA 17572
Fred Daum, 2142 New Holland Pike, Lancaster, PA 17601
John S. King, 200 Lynwood Road, Ronks, PA 17572
John Blowers, 102 Strasburg Pike, Lancaster, PA 17602
Anna Karenina Arce, 2537 Old Philadelphia Pike, Smoketown, PA 17576

Minutes of September 8, 2008 Regular Meeting:

Chairman Buckwalter indicated that copies of the minutes of the September 8, 2008 regular meeting were available for review. Chairman Buckwalter asked if there were any comments or corrections regarding the minutes as prepared.

Mrs. Lois Duling commented that she believed that during the discussion concerning the consideration of proposed parkland fee in lieu of dedication for Mill Creek Square, Mr. Eberly questioned the number of acres of land and that this is missing from the minutes.

Mr. Eberly replied by saying that he questioned the assessed value and not the amount of acres and that the sentence basically describes the question.

Mrs. Duling then asked about making a revision to the discussion concerning the DVD on driving on the roads with Amish buggies. She requested that it be added to the minutes that the Department of Transportation in Wisconsin then contacted the DOT in Montana. He then wrote an email to all head of driver training in every state of the United States to use this DVD in their training program.

Chairman Buckwalter commented that the minutes are in attempt to catch the essence of the meeting as opposed to every detail of it. He said that the DVD comment would be updated, but the acreage would not be added.

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 with the above change made to them. The motion was passed by unanimous voice vote.

Minutes of September 9, 2008 Special Meeting:

Chairman Buckwalter explained that these minutes were for a special meeting that was held on September 9, 2008, at 89 Strasburg Pike with Mr. Robert Neuhauser and others, including Park Board Members. He asked if there were any corrections or additions to the minutes.

A motion was then made by Mr. Shertzer and seconded by Mr. Eberly 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 then indicated that bills represented by various funds in the amount of \$650,509.10 were presented for payment. He added that this is a lot of money, but that there hasn't been a meeting since September 8, 2008, and typically there would have been two (2) meetings in that amount of time.

Chairman Buckwalter mentioned that of the total amount, \$143,000.00 was distributed to the Fire Relief Associations. The Fire Relief Association fund is a state grant that the township distributes to the fire companies. Also, a payment of \$286,000.00 was made to the township pension plan for the township employees. After review of the bills listed, a motion was made by Mr. Eberly and seconded by Mr. Landis to approve payment of bills as listed in the amount of \$650,509.10. The motion was passed by unanimous voice vote.

Old Business:

- a. Financial Security Reduction Request – High View Church: Hartman Bridge Rd.

Chairman Buckwalter asked if there was anyone in the audience for this item. There was no one present. He stated that a letter was received requesting the release of funds that are being held in escrow by East Lampeter Township.

The township engineer reviewed and recommends that of the \$14,802.00 being held, that a reduction of \$3,231.00 be released.

Mr. Shertzer made a motion that after viewing a photograph of the property and the details from the engineer, that it was not built according to plan. Therefore he recommends that the Board approves only the recommendation amount of \$3,231.00, leaving a remaining balance of \$11,571.00. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

b. Financial Security Release Request – Rockvale Square

Chairman Buckwalter explained that this financial security release request involves Olive Garden and Susquehanna Bank. The township engineer is recommending the total amount of \$319,092.87 be released.

Mr. Eberly made a motion to grant this request to release the financial security in the amount of \$319,092.87. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

c. High Associates Revised Final Land Development Plan #08-24: Olde Homestead

Chairman Buckwalter recused himself from this item due to his employment within the High organization and asked Mr. Eberly to handle the meeting for this item.

Mr. Eberly stated that a review letter had been received from the township engineer David Miller Associates and asked Mr. Ken Hornbeck of High Associates if he would like to make any comments.

Mr. Hornbeck then reviewed the waivers listed in the letter dated October 2, 2008. The first waiver being requested is to waive the preliminary plan submission.

The second waiver request is the required cartway width for Olde Homestead Lane. Under the current ordinance the required cartway width is 34'. This project is extending the existing Olde Homestead Lane an additional 100 feet. The current roadway width is 31.4'. Therefore they would like to just extend the roadway matching the width of the current roadway.

The third waiver request is for curbs to be installed along both sides of the street and to be the dimensions and construction standards for the Township. The existing Olde Homestead Lane has rolled curbs. The new township standard is the straight curb style. They are proposing to install straight curbing along the extension and requesting a waiver to replace the rolled curbs on the existing part of Olde Homestead Lane.

Mr. Eberly asked if anyone in the audience had any questions on this project.

Mr. Shertzer made the motion to approve the Preliminary/Final Subdivision Development Plan for Olde Homestead Lane and granting waivers of the preliminary plan, the required cartway width, the curbing from the existing street and meeting the other requirements listed in the letter from David Miller and Associates dated October 2, 2008.

Mr. Landis 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.

New Business:

a. King Final Subdivision Plan #08-28: Irishtown Road

Mr. Jeff Bowlby of Diehm & Sons, Inc. introduced himself. They are the surveyors representing David M. & John S. King. Mr. David M. King is the owner of a 58½ acre farm located on N. Ronks Road and Irishtown Road. They are proposing to subdivide a 1.16 acre lot for his son John to build on.

Mr. Bowlby then reviewed the requested waivers listed in a letter from David Miller Associates dated September 11, 2008. The applicant is requesting a deferment of frontage improvements which include curbing and widening of the roadway. The deferment would be until the development of the adjoining property which is zoned industrial.

Chairman Buckwalter questioned whether the Planning Commission had reviewed this plan.

Mr. Hutchison responded that they had recommended, subject to the engineers comments. The Planning Commission recommended deferring the roadway widening as well as the curb and sidewalk.

Chairman Buckwalter then asked if there were any questions or comments from the Board.

Mr. Eberly asked if this was the first subdivision done on this farm.

Mr. Bowlby responded yes.

Mr. Hutchison then asked if the sewer main extension would be done along the existing cartway.

Mr. Bowlby then indicated that the sewer main extension would run on the south side of Irishtown Road. It would be 2' off the edge of the macadam.

Mr. Hutchison then questioned that the trench would be filled with stone and if so, instead of putting dirt over the trench, it could be widened by paving.

Mr. Bowlby replied that the Kings prefer not to do any paving.

Mr. Hutchison commented that this was just a suggestion for the Board to consider.

Mr. Bowlby stated that the Kings would like to pay a fee in lieu of versus land dedication and are offering \$500.00.

Mr. Eberly made a motion to approve the subdivision plan for David M. and Lydia K. King of 141 N. Ronks Road and granting them waiver of a preliminary plan and also granting them a waiver for deferment of sidewalks and curbing and the widening of the roadway until a future time, and excepting \$500.00 for parkland open space fee in lieu of.

Chairman Buckwalter clarified that when Mr. Eberly said to defer the sidewalks, curbs, and widening of the roadway, it was just until the industrial portion would be developed.

Mr. Landis seconded the motion and it was passed by unanimous voice vote.

Other Business:

a. Consideration of Bids for Septage Receiving Roll-Off Container Purchase

Mr. Hutchison explained that bids were taken for the construction of the septage receiving area and change orders were added to exclude certain items from the contract that were originally included in the bid. One of the items was the purchase of a roll-off container.

A bid went out for just the container and two (2) bids were received. Wastequip was the lower bidder with an amount of \$16,931.00.

Mr. Eberly made a motion and it was seconded by Mr. Landis to award the bid to Wastequip. The motion was passed by unanimous voice vote.

b. Resolution to Extend the Life of East Lampeter Sewer Authority

Mr. Hutchison explained that the Sewer Authority was created by the Board of Supervisors in December of 1970. By law, the life of the Sewer Authority is limited to a maximum of fifty (50) years by that action. Therefore, in December 2020, the Sewer Authority would cease to exist unless the Supervisors extend its life.

Mr. Hutchison further explained that the Sewer Authority had been looking at the possibilities of refinancing some of their existing debt as well as additional borrowing for capital projects that are proposed by the City of Lancaster in the treatment plant. In order to do this, the life of those bonds would likely be beyond 2020, so they would not be able to do a borrowing unless their corporate life would be extended.

The East Lampeter Township Sewer Authority has recommended and passed a resolution requesting that their corporate life be extended an additional fifty (50) years and are asking the Board to approve this request.

Mr. Landis made a motion to extend the life of East Lampeter Township Sewer Authority by fifty (50) years. Mr. Shertzer seconded the motion and it was passed by unanimous voice vote.

c. Resolution re: PA DOT Policy on Storm Water Facilities in State Highways

Mr. Hutchison explained that recently the Township has been faced with PennDOT's changing position related to storm water facilities in state highways. PennDOT has been asking that in development projects for the Township to be the applicant for any storm water facilities being installed on state highways. PennDOT has even asked the Township municipalities to take on the

responsibilities of maintaining the storm water facilities that PennDOT is installing for their own projects in their highways.

Mr. Hutchison explained that the Board does not feel this is appropriate and that facilities in state highways should be maintained by PennDOT. Therefore he has written up a resolution to be adopted by the Board. If the Board feels that this resolution is appropriate and does adopt it, it will be carried forward to the County association and hopefully be passed to the State for their convention next spring.

Mr. Eberly made a motion to pass this resolution and it was seconded by Mr. Shertzer. The motion was passed by unanimous voice vote.

Public Comment:

Chairman Buckwalter asked if there were any public comments.

Mr. John Blowers, 102 Strasburg Pike, Lancaster, PA 17602, commented that he was walking in Flory Park and saw Mr. Neuhauser and that he seemed pleased. He added that he thinks the resolution is good and is glad to see it moving forward. He then asked what the time line is in the budget for the Flory Park new entrance.

Mr. Hutchison explained that what is included in the construction contract that is underway now is the new driveway entrance, the bridge over the stream, the parking area, the connection to Mr. Neuhauser, the connection into the back of the pumping station, the removal of the two existing crossings for Mr. Neuhauser's former driveway and the pumping station, a pedestrian path, continuing the sidewalk north on Strasburg Pike to the Township property line, a stoned area for horse and buggy tie up, and continuation of a walkway from the end of the parking cul-de-sac back to the developed area of the park where the ball fields exist.

Mr. Blowers asked if lighting would be installed.

Mr. Hutchison responded that conduit is being installed from Strasburg Pike along the bridge so that the ability will be there to install lighting, but at the moment it is not part of the contract to install.

Mr. Blowers asked if signage would be put out and Mr. Hutchison responded that there would be.

Mr. Blowers then asked if the Township is having any discussions with the State in regards to the intersection of Strasburg Pike, Windy Hill, and Millstream.

Mr. Hutchison responded that the Township is actively involved in engineering the improvement of the intersection which would involve widening, adding turning lanes, and installing signals. PennDOT has allocated safety dollars to construct the improvement. The Township must do all the preconstruction work to get it to the point where it can be taken out to bid. The intersection

improvement will cost approximately a little more than one (1) million dollars and a time frame of 2010.

Mr. Ken Hornbeck of High Associates commended the Board on the adoption of the Storm Water Facilities State Highway resolution. He added that this issue has caused a lot of frustration and consternation for many companies and property owners throughout the state. He then offered to the Board and Mr. Hutchison his support to help if needed.

Mr. Fred Daum, 2142 New Holland Pike, Lancaster, PA 17601, commented that during his travel to other states, he believes Greenfield Corporate Center is one of the finest commercial parks he has ever seen in the nation and that East Lampeter Township is fortunate to have it as part of the township.

Mr. Daum expressed his concern regarding an individual at 2219 New Holland Pike who held a yard sale for an entire week. He stated that he also believes there is an illegal apartment at this address. This resident has a second entrance to the property that PennDOT has never approved. Though Mr. Lee Young, township zoning manager, has had some communication with this resident, this matter has gone way far and beyond. Mr. Daum hopes that this individual can be brought into line somehow.

Mrs. Lois Duling, 824 Stumpf Hill Drive, Lancaster, PA 17601, questioned Chairman Buckwalter on the progress of the Heritage Byways.

Chairman Buckwalter responded that there have been two (2) meetings and are waiting for the County. He explained that the County is spear heading the Heritage Byways which involve three (3) different townships.

Mrs. Duling expressed her concern regarding not allowing architecture that doesn't fit the area including signage.

Chairman Buckwalter explained that each township seems to have a different interest and that the challenge is going to be to make it all work.

Mrs. Duling then shared a safety idea to have paint on the roads as you approach Amish schoolhouses. She mentioned the Amish school on Willow Road that has no markings. She added that York County has painted lines on their main roads.

Mrs. Duling commented that with what has happened in the last three (3) weeks in our national scene, the urgencies for all of us to work together to make sure that taxes will not go up, and the fact that the Township legal fees are just over the budget for this year, she would request to the Board members to reconsider the ASA appeal in the interest of fiscal attention.

Mrs. Duling then mentioned the idea of placing the budget on the Township web page and also the bills payable list.

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 Tuesday, October 21, 2008 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager