

October 21, 2008

The East Lampeter Township Board of Supervisors met on Tuesday, October 21, 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 Vice Chairman Mr. Roger Rutt and was followed by the Pledge of Allegiance. Supervisors present were: Mr. Michael Landis, Mr. John Shertzer, Mr. Roger Rutt, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager. Mr. David Buckwalter was absent.

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

Fred Daum, 2142 New Holland Pike, Lancaster, PA 17601
Irl and Lois Duling, 824 Stumpf Hill Drive, Lancaster, PA 17601, representing CVC
John Blowers, 102 Strasburg Pike, Lancaster, PA 17602
Linda Ingham, PO Box 54, Witmer, PA 17585, representing Life Awakening
Jerry Landis, 105 Strasburg Pike, Lancaster, PA 17602, representing OMHS
John Pogue, David Miller Associates
Briana Heymann, 587 Millcross Road, Lancaster, PA 17601, representing LCHS
Fred Van Name, Ranck Lake Roeder Hillard and Associates, representing Mervin Stoltzfus
Mervin Stoltzfus, 2402 Stumptown Road, Bird In Hand, PA 17505
Gerald and D. J. Kling, 5 Meadow Lane, Smoketown, PA 17576, Dor-Mar/DJ's Taste of the 50's

Minutes of September 8, 2008 Regular Meeting:

Mr. Rutt indicated that copies of the minutes of the October 6, 2008 regular meeting were available for review and asked if there were any comments or corrections regarding the minutes as prepared.

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

Bills:

Mr. Rutt then indicated that bills represented by various funds in the amount of \$151,136.90 were presented for payment. Mr. Rutt mentioned that of the total amount, a payment of \$32,257.00 was made to Bertolet Construction Corporation for the construction of the new septage receiving area. After review of the bills listed, a motion was made by Mr. Shertzer and seconded by Mr. Eberly to approve payment of bills as listed in the amount of \$151,136.90. The motion was passed by unanimous voice vote.

Old Business:

- a. Financial Security Release Request – Rosewood Terrace: Lincoln Highway

Mr. Hutchison explained that financial security is required for all land developments that happen in the Township to guarantee that the developer installs the required public improvements related to the project. As those improvements are completed, an inspector goes out to make sure it is completed in accordance with the Township specifications and requirements. If they are, then some of the funds are released back to the developer.

Mr. Hutchison stated that Rosewood Terrace has completed all of the required improvements for the development and staff has recommended that the remaining financial security of \$1,000.00 be released.

Mr. Eberly made a motion to release the remaining \$1,000.00 financial security to Rosewood Terrace. Mr. Shertzer seconded the motion and it was passed by unanimous voice vote.

b. Financial Security Reduction Request – Glick Fire: Millstream Road

Mr. Hutchison explained that this is a request for a reduction of the financial security that was originally set for \$64,140.73. The township engineer is recommending that it be reduced by \$40,303.73, which will leave a new outstanding financial security balance of \$23,837.00.

Mr. Eberly made a motion to grant the request to reduce the financial security for Glick Fire of Millstream Road in the amount of \$40,303.73, leaving a balance of \$23,837.00, as recommended by the township engineer. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

c. Sewer Planning Module Resolution: King Subdivision – Irishtown Road

Mr. Hutchison explained that the Board conditionally approved this one (1) lot subdivision plan previously. One of the conditions of approval requires that the DEP sewer planning module process be completed. As a part of this process, the Township is required to adopt a resolution indicating that the Township approves of the proposed method of sewage disposal for this new dwelling.

Mr. Shertzer made a motion to approve the resolution for the sewer planning module for the King subdivision. Mr. Landis seconded the motion and it was passed by unanimous voice vote. (Resolution #2008-12).

New Business:

a. Stoltzfus Lot Add on Plan #08-33: Stumptown Road

Mr. Fred Van Name of Ranck Lake Roeder Hillard and Associates introduced himself. He was in attendance to represent Mervin Stoltzfus of 2402 Stumptown Road in regards to a lot add on plan. Mr. Van Name explained that the purpose of the plan was to subdivide a portion of one property and add it to the adjacent property. He also indicated that no new dwelling units are proposed to be created by the plan. Mr. Van Name then reviewed the items listed in the letter dated October 17, 2008, from David Miller Associates.

Following a brief discussion, Mr. Eberly made a motion to approve Lot Add on Plan #08-33 and requested waivers subject to the Township Engineer's comments being satisfied. Mr. Shertzer seconded the motion and it was passed by unanimous voice vote.

b. Olde Mill House Shoppes Final Land Development Plan #08-35: Strasburg Pike

Mr. John Pogue of David Miller Associates was in attendance to represent this plan. He introduced Mr. John Blowers and Mr. Jerry Landis, the owners of the Olde Mill House Shoppes and the property located at 102 Strasburg Pike, Lancaster, PA. Mr. Pogue reviewed the plan for the conversion of the existing dwelling into space to be used by the Olde Mill House Shoppes business operations. He indicated that no improvements to the property were proposed.

Mr. Rutt asked if there was anyone in the audience who had any questions or comments on this project. There was no response from the audience.

Mr. Shertzer made a motion to approve the final land development plan for Olde Mill House Shoppes and granting all waivers requested. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

c. Life Awakening Request for Land Development Planning Waiver: Mt. Sidney Rd.

Linda Ingham of Life Awakening introduced herself. She explained that on September 25, 2008, the Zoning Hearing Board approved the garage conversion on the property into an office for Life Awakening. She also indicated that it was her understanding that this conversion meets the definition of a land development but that due to the very limited impact of this change that she was requesting a waiver of the land development planning requirements. She also reviewed the architectural plan for the conversion and the comment letter provided by the Zoning Officer, Mr. Young.

After a brief discussion, Mr. Eberly made a motion to approve the waiver of land development planning for Life Awakening's conversion of a garage into office space subject to the condition that the existing fence along Mr. Sidney Road is moved to a mutually agreeable location on the property in order to improve site distance for the intersection of Mt. Sidney Road and South View Drive. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

d. DJ's Restaurant Request for Land Development Planning Waiver: Old Philadelphia Pike

D.J. and Gerald Kling, the owners of DJ's Restaurant, were in attendance to address the Board regarding this waiver request. They reviewed a sketch plan showing the addition of a walk in cooler and dumpster pad to be added to the site. Mr. Hutchison expressed concern regarding the location of the pads and the potential conflict with the existing parking spaces. Mrs. Kling stated that the trash would be collected at 6:00 a.m. and therefore this would not be an issue.

Mr. Shertzer then made a motion to approve the land development planning waiver request for DJ's Restaurant. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

Other Business:

a. Consideration of Pension Plan Trust Documents

Mr. Hutchison explained that the staff has been working on this change to the Pension Plans for several months. He indicated that they have been trying to explore ways to improve on the investment return on the pension plans assets. The cost of the pension plans has continued to rise significantly over the years and the investment return has not performed to meet the actuarial assumptions. He said that the change to the Trust Documents will allow the Township to direct the investment plan for the assets more closely. He also indicated that the new Trust Documents were prepared by the Township Solicitor and that he recommended approval of them.

Following a brief discussion, Mr. Eberly made a motion to approve the pension plan trust documents. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

b. Consideration of Pension Plan Assets Investment Policy

Mr. Hutchison indicated that the proposed Investment Policy would change the existing Policy in only one significant way. He said that the proposed policy would allow for up to 50% of the assets to be invested in equities. He also said that after discussions with the plan actuary and various investment advisors, it is believed that this proposed level of equity investment should produce the returns needed to improve the funding of the plans while maintaining a conservative approach.

After a brief discussion, Mr. Shertzer made a motion to approve the pension plan assets investment policy. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

c. Consideration of Investment Contract – Morgan Stanley

Mr. Hutchison said that he and Finance Director Jeanne Glick had received proposals and presentations from a variety of investment entities including banks and other advisors. He indicated that after careful consideration of all of the proposals, that he and Jeanne feel that Morgan Stanley offers the best proposal for managing the investment of the Township's pension fund assets and that the related expense for their services presents the best value to the Township.

After a brief discussion, Mr. Landis made a motion to approve the investment contract with Morgan Stanley. Mr. Shertzer seconded the motion and it was passed by unanimous voice vote.

Public Comment:

Mr. Rutt asked if there were any public comments.

Mr. Fred Daum, 2142 New Holland Pike, Lancaster, PA 17601, expressed his concern for the conditions on two properties along New Holland Pike. One located at the corner of Mondale Road and the other several doors east of the first location.

Mrs. Lois Duling, 824 Stumpf Hill Drive, Lancaster, PA 17601, expressed her disappointment that the Township Newsletter did not include an article regarding safety cones used in locations near Amish weddings. She also requested that the Board reconsider their decision to appeal the decision of the County Court regarding the Agricultural Security Area.

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, November 10, 2008 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager