

November 8, 2010

The East Lampeter Township Board of Supervisors met on Monday, November 8, 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. John Shertzer, Mr. Roger Rutt, Mr. Michael Landis, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager.

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

Daniel Mazaheri, Esq., PO Box 10035, Lancaster, PA 17605, representing Gary Hoover/Miles Towing
Herb Landau, representing Lancaster Public Library
Roger Fry, Fry Surveying, Inc., 21 S. Hershey Avenue, Leola, PA 17540, representing Scott Monger
Jeri McClune, Rettew Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, representing J&J Merck
David S. Beiler, 452 Mt. Sidney Road, Lancaster, PA 17602, representing Millcreek Fence
Cindy Farley, representing Lancaster Public Library
Jeff Landis, Lancaster, PA
Sally Jo Hess, Lancaster, PA, representing Doug Landis
Gary Hoover, Ronks, PA 17572, representing Miles Towing
Dean Landis, 202 Greenfield Road, Lancaster, PA 17601, representing D. A. Landis Trucking
Scott R. Monger, 57 N. Maple Avenue, Leola, PA 17540
Cindy Barley, Lancaster, PA, representing Leola Branch Library
Latta Null, 5244 Denlinger Road, Gap, PA 17527, representing Paradise Custom

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

Minutes of October 19, 2010 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes from the October 19, 2010 regular meeting as prepared. There were no comments.

A motion was then made by Mr. Shertzer 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 to be paid from various funds in the amount of \$495,291.95 were presented for payment. Chairman Buckwalter stated that included in that amount are payments of nearly \$65,000 to Lafayette Fire Company for the purchase of land being added to the Township's Lafayette – Tower Park, nearly \$300,000 for debt service payments, \$12,000 to LASA for quarterly sewer charges, and nearly \$18,000 for the purchase of new weapons for the Police Department.

A motion was made by Mr. Rutt and seconded by Mr. Eberly to approve payment of bills as listed in the amount of \$495,291.95. The motion was passed by unanimous voice vote.

Lancaster County Library Presentation:

Mr. Herb Landau, Executive Director of the Lancaster Public Library thanked the Board members for their annual financial support to the library. He provided the Board members with a brief report on East

Lampeter Township resident's use of Library facilities and services as well as information on their sources of funding. He further requested that the Board consider an increase in the amount of support in the Township's 2011 budget. The Board members thanked him for the information.

Old Business:

a. Monger Revised Final Subdivision Plan #10-26: 2088 Creek Hill Road

Mr. Roger Fry of Fry Surveying, Inc. was in attendance representing the applicant Mr. Scott Monger. Mr. Fry indicated that the Board had recently approved of a plan for the subdivision of this property but that since the time of that approval, Mr. Monger has sold one of the lots created by a previously recorded plan and that Mr. Monger and the new owners would like to change the location of the proposed driveway and off street parking areas so that they will be located on the property which they serve. Mr. Fry showed the location of the proposed driveway and noted that it is nearly directly opposite an existing driveway and that the amount of sight distance at the driveway location meets Township requirements.

Mr. Eberly made a motion to conditionally approve the Monger Revised Final Subdivision Plan #10-26 subject to the same conditions which the Board required on the previously approved plan and subject to having the new owner sign the plan to be recorded. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

b. Request for Temporary Use – Mill Creek Fence: Mt. Sidney Road

Mr. David Beiler, owner of Mill Creek Fence, was in attendance and indicated to the Board that the previous plan for his temporary business use of the property had been changed. He indicated that he would like to place two temporary trailer buildings on the property so that he can operate his business until such time as the site improvements and permanent buildings can be constructed. He also indicated that the previous condition of approval limiting the time for this temporary use to not later than December 31, 2012 or 30 days after the completion of the permanent buildings and issuance of an occupancy permit, whichever is earlier, is acceptable to him. There was a brief discussion with the Board.

Mr. Shertzer made a motion to approve the request for temporary use for Millcreek Fence at 452 Mt. Sidney Road subject to the limitation that the temporary use must cease not later than December 31, 2012 or 30 days after the completion of the permanent buildings and issuance of an occupancy permit, whichever is earlier. Mr. Landis seconded the motion and it was passed by a vote of four in favor and one abstaining. Mr. Eberly abstained.

New Business:

a. Time Extension for Review and Action – Millcreek Fence Land Development Plan #10-29: Mt. Sidney Road

Mr. David Beiler, owner of Millcreek Fence, indicated that he needed additional time to complete the Land Development Plan for this location and was therefore granting the Township time until February 25, 2011 to complete the review and act on the plan.

Mr. Shertzer made a motion to accept the grant of a time extension for review and action on the Millcreek Fence Land Development Plan #10-29 until February 25, 2011. Mr. Rutt seconded the motion and it was passed by a vote of four in favor and one abstaining. Mr. Eberly abstained.

- b. Time Extension for Review and Action – J & J Merck Stormwater Management Plan #10-34:
1838 Colonial Village Lane

Mr. Jeri McClune of Rettew Associates, Inc. was representing the applicant J & J Merck. Mr. McClune briefly reviewed the project and offered a thirty (30) day time extension for the Township's review and action on the plan.

Mr. Eberly made a motion to accept the grant of a time extension for J & J Merck Stormwater Management Plan #10-34 for review and action on the plan for an additional thirty (30) days as offered by the applicant. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

Other Business:

- a. Reappointment to Zoning Hearing Board – Mr. Dale Schmitz, 3 Year Term Ending 11/12/13

Mr. Eberly made a motion to reappoint Mr. Dale Schmitz to the East Lampeter Township Zoning Hearing Board for a three (3) year term ending on November 12, 2013. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

Public Comment:

Mr. Dan Mazaheri, Esq. addressed the Board and expressed concerns regarding the recently implemented Non-Preference Towing Policy through the Police Department. He indicated that he was representing Mr. Gary Hoover of Miles Towing, one of the East Lampeter Township based tow operators. He requested that the Township reconsider who is made eligible for placement on the Non-Preference tow list and suggested that it should be limited to only Township based operators. He also made reference to different systems employed by other Police agencies.

Mr. Dean Landis of Landis Towing, indicated that he felt that the waiting time for AAA response to crashes is a problem for the Police Department and the drivers involved in crashes.

Mr. Mazaheri indicated that he and Mr. Hoover would be available to sit down with the Police Chief to try to work out a better system.

Mr. Buckwalter thanked Mr. Mazaheri and indicated that his concerns would be passed on to Chief Bowman.

Mr. Latta Null, representing Paradise Custom, indicated that Paradise Custom was satisfied with the new Non-Preference tow policy and suggested that no changes are needed.

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, December 6, 2010 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager