

December 3, 2007

The East Lampeter Township Board of Supervisors met on Monday, December 3, 2007 at 7:30p.m. at the East Lampeter Township Office, 2250 Old Philadelphia Pike, Lancaster, PA 17602. The meeting was called to order by Chairman Eberly and was followed by the Pledge of Allegiance. Supervisors present were: Mr. Glenn Eberly, Chairman, Mr. David Buckwalter, Vice Chairman, Mr. Michael Landis, Mr. Roger Rutt and Mr. Wilbur Sollenberger. Also present was Mr. Ralph Hutchison, Township Manager.

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

Mr. Irl & Mrs. Lois Duling, 824 Stumpf Hill Drive, Lancaster, PA 17601

Mr. John Shertzer, 135 Oakview Road, Lancaster, PA 17602

Mr. Jared Mellinger, 312 Laurel Oak Lane, Lancaster, PA 17602

Chairman Eberly announced that additional items would be added under the Other Business portion of the meeting for the purpose of making appointments to the Zoning Hearing Board and Zoning Hearing Board alternates.

Announcement of Executive Session regarding matters of litigation:

Chairman Eberly stated that the Board met in Executive Session prior to the regular meeting for the purpose of discussing matters of litigation.

Minutes of October 30, 2007 Public Hearing:

Chairman Eberly indicated that copies of the minutes of the October 30, 2007 Public Hearing were available for review. Chairman Eberly asked if there were any comments regarding the minutes as prepared. There were no comments.

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

Minutes of November 12, 2007 Regular Meeting:

Chairman Eberly indicated that copies of the minutes of the November 12, 2007 Regular Meeting were available for review. Chairman Eberly asked if there were any comments regarding the minutes as prepared. There were no comments.

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

Minutes of November 14, 2007 Public Hearing:

Chairman Eberly indicated that copies of the minutes of the November 14, 2007 Public Hearing were available for review. Chairman Eberly asked if there were any comments regarding the minutes as prepared. There were no comments.

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

Minutes of November 27, 2007 Special Meeting:

Chairman Eberly indicated that copies of the minutes of the November 27, 2007 Special Meeting were available for review. Chairman Eberly asked if there were any comments regarding the minutes as prepared. There were no comments.

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

Bills:

Chairman Eberly also indicated that bills represented by various funds in the amount of \$318,835.96 were presented for payment, copies of which were available for review. After review of the bills list, a motion was made by Mr. Buckwalter and seconded by Mr. Landis to approve payment of bills as listed in the amount of \$318,835.96. The motion was passed by unanimous voice vote.

Old Business:

- a. Resolution to accept dedication of Roads: The Oaks

Mr. Hutchison indicated that all of the required documents for the dedication of these roads has been received and reviewed by the Township Solicitor. He then recommended that the Board approve the resolution to accept dedication of these roads as Township roads. Chairman Eberly asked if there were any questions or comments on the Resolution. There were none.

Mr. Buckwalter then made a motion to approve the Resolution accepting the roads in The Oaks development as Township Roads. The motion was then seconded by Mr. Rutt and approved by unanimous voice vote. (Resolution #2007-13)

b. Request for Financial Security Release – Yoder: Old Philadelphia Pike

Chairman Eberly noted that the Township Engineer recommended a release of the financial security for this development. A motion was then made by Mr. Buckwalter and seconded by Mr. Landis to reduce the financial security for the Yoder development to zero dollars. The motion passed by unanimous voice vote.

New Business:

a. Resolution re: Sewer Planning Module – Mill Creek Square Shopping Center

Mr. Hutchison indicated that this action would get the process started with the Department of Environmental Protection to indicate that this project is proposed to be served by public sewers. He further stated that this action would have no effect on the land development approval process which is anticipated to take place in the future.

Mr. Sollenberger then made a motion to approve the Resolution for the Sewer Planning Module for the Mill Creek Square Shopping Center. The motion was then seconded by Mr. Rutt and approved by a vote of four in favor and one abstention. (Mr. Buckwalter abstained from voting due to a conflict of interest)(Resolution #2007-14)

Other Business:

a. Resolution re: Police Officer Act 120 Training Reimbursement

Chairman Eberly asked if the Resolution was proposed for just one officer. Mr. Hutchison indicated that it was for just one officer who would be starting the required training in January, 2008 and that the Resolution was necessary in advance in order to obtain the reimbursement of these costs.

Mr. Landis then made a motion which was seconded by Mr. Rutt to approve the Resolution for Police Officer Act 120 Training Reimbursement. The motion then passed by a unanimous voice vote. (Resolution #2007-15)

b. Reappointment to Planning Commission Term Ending 11/19/11 – Mr. Curt Stumpf

Chairman Eberly asked if Mr. Stumpf had agreed to be reappointed to the Planning Commission. Mr. Hutchison indicated that he had agreed.

Mr. Sollenberger then made a motion which was seconded by Mr. Rutt to reappoint Mr. Curt Stumpf to the Township Planning Commission for a term ending 11/19/11. The motion then passed by a unanimous voice vote.

- c. Reappointment to Zoning Hearing Board Term Ending 11/12/10 – Mr. Dale Schmitz

Chairman Eberly asked if Mr. Schmitz had agreed to be reappointed to the Zoning Hearing Board. Mr. Hutchison indicated that he had agreed.

Mr. Sollenberger then made a motion which was seconded by Mr. Buckwalter to reappoint Mr. Dale Schmitz to the Zoning Hearing Board for a term ending 11/12/10. The motion then passed by a unanimous voice vote.

- d. Appointment to fill unexpired Zoning Hearing Board Term Ending 11/12/08 – Mr. David Petrisek

Chairman Eberly noted that due to the passing of Mr. Ralph Masten, this term on the Zoning Hearing Board needed to be filled. He also noted that there are currently three Zoning Hearing Board Alternates who have all indicated a willingness to serve in this position. In addition he indicated that Mr. David Petrisek has served as an alternate for the longest period of time.

Mr. Buckwalter then made a motion to appoint Mr. David Petrisek to the unexpired Zoning Hearing Board Term Ending 11/12/08. The motion was seconded by Mr. Sollenberger and passed by unanimous voice vote.

- e. Reappointments to Zoning Hearing Board Alternate positions Terms Ending 10/2/10 – Mr. John Blowers and Mr. James Glick

Mr. Hutchison requested that the Board reappoint the current Zoning Hearing Board Alternates Mr. John Blowers and Mr. James Glick. He indicated that their current terms of office had expired and that it would be helpful if the Board would reappoint them to these positions.

Mr. Buckwalter then made a motion to reappoint Mr. John Blowers and Mr. James Glick as Zoning Hearing Board alternates with terms expiring on 10/2/10. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

Public Comment:

Mr. John Shertzer, 135 Oakview Road, indicated that he was aware of many residents in The Oaks development who were interested in having the streets dedicated to the Township and requested that the Board consider sending them a letter regarding the dedication of these streets. Mr. Sollenberger asked when the next Township newsletter would go out. Mr. Hutchison indicated that it would be in January, 2008. Mr. Rutt asked if the Township had the ability to identify the addresses involved and send a letter to them. Mr. Hutchison said that he believed that it was possible to do that and that he would make those arrangements.

Mr. Jared Mellinger, 312 Laurel Oak Lane, said that there are some residents in the development who think that the roads have been Township roads for a long time and that sending a letter out to clarify the dedication was a good idea in his opinion.

Chairman Eberly expressed a concern that the condominium owners might not understand that the private access drives will remain private and that the dedication only applies to the roads named in the resolution.

Adjournment:

A motion was made by Mr. Sollenberger and seconded by Mr. Rutt to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Tuesday, December 18, 2007 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison  
Township Manager