

December 3, 2012

The East Lampeter Township Board of Supervisors met on Monday, December 3, 2012, 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. Mike Landis, Mr. John Blowers, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager.

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

Matt Bono, 1837 Timothy Lane, Lancaster, PA 17602, representing ELTESC/Witmer Fire Company
Brian McGaulley, Gannett Fleming, Inc., 207 Senate Avenue, Camp Hill, PA 17011, representing
McNeil Consumer Pharmaceuticals
Ed Becker, 1838 Colonial Village Lane, Lancaster, PA 17601, representing McNeil Consumer
Pharmaceuticals
Corey Bray, Gannett Fleming, Inc., 207 Senate Avenue, Camp Hill, PA 17011, representing McNeil
Consumer Pharmaceuticals
Christopher Miller, 53 Holly Drive, Leola, PA 17540, representing Relay for Life of Lancaster
Terry Ditzler, 1813 Brubaker Run Road, Lancaster, PA 17603, representing Relay for Life of Lancaster
Ken Johnson, Gilbert Architects, 626 N. Charlotte Street, Lancaster, PA 17603, representing Conestoga
Valley School District
Tom Smithgall, 1853 William Penn Way, Lancaster, PA 17601, representing High Associates/Mill Creek
Square
Jim Smith, 44 Highland Drive, Lancaster, PA 17601, representing ELTESC
Melissa Reedy, 314 Good Drive, Lancaster, PA 17603, representing Relay for Life of Lancaster
Melanie McHenry, 117 Maple Street, Narvon, PA 17555, representing ELTESC/Ronks Fire Company
Steve Gribble, 127 N. Ronks Road, Ronks, PA 17572, representing Ronks Fire Company
Donna Gribble, 127 N. Ronks Road, Ronks, PA 17572, representing Ronks Fire Company
Dave Gribble, 1992 Drexel Avenue, Lancaster, PA 17602, representing Ronks Fire Company
Marvin Beiler, 2939 Irishtown Road, Ronks, PA 17572, representing Ronks Fire Company
Wilmer Beiler, 98 N. Ronks Road, Ronks, PA 17572, representing Ronks Fire Company
David A. Beiler, 11 Lynwood Road, Ronks, PA 17572, representing Ronks Fire Company
Tom Clark, 1853 William Penn Way, Lancaster, PA 17601, representing High Associates
John Latschar, 655 Hartman Station Road, Lancaster, PA 17601, representing Witmer Fire Company
Trish Reiner, 2059 Thoroughbred Lane, Lancaster, PA 17601, representing Lancaster Catholic High
School
Jason Reiner, 2059 Thoroughbred Lane, Lancaster, PA 17601, representing Lancaster Catholic High
School
Dave Phillips, 1646 Glenn Road, Lancaster, PA 17602, representing Lafayette Fire Company
Lynn Commero, representing Lancaster Newspapers
Rick Harrison, PO Box 487, Manheim, PA 17545, representing Lancaster County 911
David Keens, 342 Woodcrest Drive, Lancaster, PA 17602, representing Lafayette Fire Company
Ron Nolt, 122 Waterfront Estate Drive, Lancaster, PA 17602, representing Lafayette Fire Company
Ethan Demore, PO Box 95, Lampeter, PA 17537
John Wenger, 354 N. Strickler Road, Manheim, PA 17545, representing J & S Property
Melissa Anderson, 340 Bentley Ridge Blvd., Lancaster, PA 17602
Lonnie Kauffman, 313 Enterprise Drive, Bird-in-Hand, PA 17505, representing Bird-in-Hand Fire
Company

Sherwin Wenger, 2719 Columbia Avenue, Lancaster, PA 17603, representing J & S Property
Ted Goldman, 1829 Lincoln Highway East, Lancaster, PA 17602, representing Lancaster EMS

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 November 13, 2012 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes from the November 13, 2012 regular meeting as prepared.

A motion was made by Mr. Shertzer to dispense with the reading of the November 13, 2012 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 \$354,342.65. Chairman Buckwalter stated that some of the larger items included in that amount is the purchase of rifles that were budgeted for the police department in the amount of \$5,950.00, a payment of \$3,896.00 to Fisher's Construction for bird netting at the front entrance to the building, quarterly contribution of \$44,800.00 to be dispersed between the four (4) Township fire companies, a \$6,000.00 quarterly contribution to the Lancaster County Library, the MMO payment of \$41,535.00 to Morgan Stanley for the police pension plan, a payment of \$6,498.00 to Siemens Water Technologies for chemicals bought for the sewer system, a final payment of \$42,900.00 to Wilco Electric for the Flory Park lighting project, and a final payment of \$49,480.25 to Lobar Associates for the Millcross Road bridge replacement.

A motion was made by Mr. Landis and seconded by Mr. Blowers to approve payment of the bills as listed in the amount of \$354,342.65. The motion was passed by unanimous voice vote.

Relay for Life Presentations – Mr. Christopher Miller:

Mr. Christopher Miller introduced himself as one of the chairpersons for the Lancaster Relay for Life. He also introduced Terry Ditzler who co-chairs with him and Melissa Reedy with the American Cancer Society. He gave a presentation explaining how Relay for Life began and its history. Mr. Miller presented plaques and thanked Lancaster County-Wide Communications, East Lampeter Township Police Department, Lancaster EMS, and Witmer Fire Company for their assisting at the Conestoga Valley High School Relay for Life Event.

Old Business:

- a. Request for Time Extension to Record Conditionally Approved Plan #11-14 – McNeil Corp.
Land Development Plan: 1838 Colonial Village Lane

Mr. Cory Bray of Gannett Fleming, Inc. introduced himself as representing McNeil Corporation. They are requesting a 90-day extension of time to address the remaining comments from the conditional March 20, 2012 approval and to record the Land Development Plan. The current 180-day extension is to expire on December 10, 2012. He reviewed the remaining items to be completed.

Mr. Eberly made a motion to grant a 90-day time extension to McNeil Corporation, 1838 Colonial Village Lane, to record conditionally approved plan #11-14. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

New Business:

a. J & S Properties Request for Waiver of Land Development Planning – Stumptown Road

Mr. Sherwin Wenger of Wenger Construction Inc. introduced himself. Mr. John Wenger was also present. He explained that they are proposing to build two (2) duplexes on two (2) separate lots on Stumptown Road. When the lots were subdivided from the former farm in 1979, the road right-of-way requirement was 33 feet. The right-of-way requirement has since been increased to 50 feet. They are requesting a waiver of the 50 foot road right-of-way requirement and approval of 33 feet for both lots. Mr. Wenger asked about the requirements of sidewalks and curbing.

After further discussion, Mr. Shertzer stated that he would like to know exactly what the Planning Commission recommended as far as approving the land development planning. He did not hear mention that they approved the waivers of right-of-way, sidewalks and curbing, and sewer planning.

Mr. Hutchison responded to Mr. Shertzer that he was correct and that the Planning Commission only recommended the approval of waiver for the land development planning, but that the road widening, sidewalks and curbing and stormwater management planning still be required.

Mr. Shertzer asked how do you do that without a land development plan.

Mr. Hutchison replied that he thinks that is a fair question.

There was more discussion among the Board members about the confusion of what the Planning Commission was recommending approval of and how they did not feel comfortable making a decision at this time.

Mr. Eberly made a motion to deny the request for waiver of Land Development Planning for J & S Property on Stumptown Road for both lots. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

b. CVHS Request for Waiver of Land Development Planning – Tennis Court Pavilion

Mr. Ken Johnson of Gilbert Architects introduced himself as representing Conestoga Valley School District. He explained that the applicant is proposing to construct a 24' x 36' pavilion in the area of the high school tennis courts. The proposed construction will be located in an area that is currently part of the impervious paved parking lot. They plan on removing eight (8) of the existing parking spaces. They are requesting a waiver of land development planning.

A motion was made by Mr. Eberly to grant the request for waiver of land development planning and stormwater management for the tennis court pavilion at Conestoga Valley High School. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

c. Mill Creek Square Revised Final Land Development Plan #12-24: Noodles Restaurant – Lincoln Highway East

Chairman Buckwalter announced that he would recuse himself from participation for this item due to his employment in the High organization and asked Mr. Landis to chair the meeting for this agenda item.

Mr. Chris Venarchick of RGS Associates introduced himself and Mr. Tom Clark and Mr. Tom Smithgall of High Associates. Mr. Venarchick explained that the applicant, High Real Estate Group, LLC, is proposing to revise the previously approved and recorded final land development plan with revised retail space “N” in the existing Mill Creek Square shopping center. The retail space “N” proposes a restaurant, Noodles and Company, with a smaller building than what was previously approved for the same retail area. The proposed area is 2,782 square feet compared to the approved 7,000 square feet.

After further discussion about the restaurant, Mr. Eberly made a motion to approve the Mill Creek Square Revised Final Land Development Plan #12-24 for Noodles Restaurant on Lincoln Highway East and also grant the waiver subject to the David Miller Associates letter dated November 12, 2012 and the Lancaster County Planning Commission letter dated November 27, 2012. Mr. Blowers seconded the motion and it was passed by a vote of four in favor and one abstaining. Chairman Buckwalter abstained.

Chairman Buckwalter rejoined the Board at this time.

Other Business:

a. Emergency Services Committee Presentation re: 2013 Budget Request

Chairman Buckwalter asked Mr. Blowers, who represents the Supervisors on the Emergency Services Committee, to begin the introduction of the committee. Mr. Blowers explained that he attended a meeting recently with the four township fire companies where they discussed some of their needs. At this meeting it was decided to approach the Board of Supervisors to request an increase in funding for the 2013 budget.

Mr. Matt Bono, Fire Chief for the Witmer Fire Company, gave a presentation. He spoke about the number of fire calls the four volunteer fire companies receive each year and the cost of training for the firemen. Although they do hold several fund raisers throughout the year, the lack of support from the residents of the community has greatly declined when they ask for donations. They are recommending to the Board of Supervisors that the 2013 Operation Contribution be \$358,400 which would be \$89,600 to each of the four fire companies.

There was a lengthy discussion between the Board members and Mr. Bono.

No action was taken on this item.

b. Request to Use Township Roads for Buckskin Booster 5K Run – March 23, 2013

Mr. Hutchison explained that the Conestoga Valley School District Buckskin Booster organization is requesting to use roads that are located in East Lampeter Township for their 5K race to be held on March 23, 2013. This run has been held in previous years without any difficulties and they have supplied the insurance certificate needed.

Mr. Landis made a motion to approve the request to use Township roads for the Buckskin Booster 5K Race to be held on March 23, 2013. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

- c. PA DOT General Cooperation/Reimbursement Agreement re: Strasburg Pike/Windy Hill Road/Millstream Road Intersection Improvement Project

Mr. Hutchison explained that this is an updated version of the agreement that the Board had signed earlier this year. It basically states that the township is to complete all the preconstruction activity with design, permitting, utility relocation, and right-of-way acquisitions and then turn the project over to PennDOT for construction. At this time the project is scheduled to go out for bid in September 2013, with construction to being in 2014.

Mr. Shertzer made a motion to approve the PA DOT General Cooperation/Reimbursement Agreement for Strasburg Pike/Windy Hill Road/Millstream Road Intersection Improvement Project. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

- d. Reappointment of Representative to LCTCB for 2013 – Ralph Hutchison, Township Manager

Mr. Shertzer made a motion to reappoint Mr. Ralph Hutchison to the Lancaster County Tax Collection Bureau for 2013 as representative of the Conestoga Valley area. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

Public Comment:

There were no comments.

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, December 18, 2012 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager