

December 16, 2008

The East Lampeter Township Board of Supervisors met on Tuesday, December 16, 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. Roger Rutt, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager. Mr. John Shertzer and Mr. Michael Landis were absent.

No one signed in as being present in the audience.

Announcement of Executive Session

Chairman Buckwalter announced that an Executive Session was held prior to the meeting to discuss personnel issues.

Minutes of December 1, 2008 Regular Meeting:

Chairman Buckwalter asked if there were any comments or corrections regarding the minutes as prepared. There were none.

A motion was then made by Mr. Rutt 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 \$826,519.97, were presented for payment. Chairman Buckwalter mentioned that of the total amount, \$56,750.00 was quarterly contributions to the fire companies, \$25,491.00 to Yarnell Security for repairs related to a lightening strike this past summer, principal and interest payments for bond issues totaling \$291,677.00, a partial payment to McMinn's Asphalt for the paving of Greenfield Road in the amount of \$135,965.00, and payment #2 to H. L. Wiker & Sons for work being done at Flory Park in the amount of \$133,116.00. After review of the bills listed, a motion was made by Mr. Eberly and seconded by Mr. Rutt to approve payment of bills as listed in the amount of \$826,519.97. The motion was passed by unanimous voice vote.

Recognition of Public Works Road Scholars:

Chairman Buckwalter turned the meeting over to Mr. Hutchison for this item.

Mr. Hutchison explained that seven (7) of the public works employees have completed training through the Road Scholar program and are now certified as road scholars. The training consisted of ten (10) classes that totaled fifty-two (52) hours. The training topics covered involve the maintenance of the roadways and related issues such as storm water, roadside vegetation, signs, pavement management, liabilities, etc.

Mr. Hutchison mentioned that several of the employees were to be present this evening for this recognition, but due to the weather conditions, Scott Wile was the only employee able to be present. The other employees who completed the program were Troy Bresch, Larry Frankford, Mark McPhail, Dan Race, Bill Rhine, and Charlie Thomas.

Mr. Hutchison and the Board members thanked Scott Wile on his work and congratulated him on his accomplishment.

Old Business:

a. Request for Financial Security Release – Dart Container: Pitney Road

Chairman Buckwalter stated that the township engineer is recommending that the remaining balance of \$31,022.00 be released from financial security to Dart Container.

Mr. Eberly made a motion to grant this request to release the financial security in the amount of \$31,022.00 to Dart Container. Mr. Rutt seconded the motion and it was passed by unanimous voice vote.

b. Request for Financial Security Release – Kreider: Forry Road

Chairman Buckwalter stated that the township engineer is recommending that the remaining balance of \$11,517.85 be released from financial security to Mr. John Kreider of Forry Road.

Mr. Rutt made a motion to grant this request to release the financial security in the amount of \$11,517.85 to Mr. John Kreider. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

c. Request for Financial Security Release – High Steel Structures: Old Philadelphia Pike

Chairman Buckwalter stated that the township engineer is recommending that the remaining balance of \$12,818.00 be released from financial security to High Steel Structures of Old Philadelphia Pike.

Mr. Eberly made a motion to grant this request to release the financial security in the amount of \$12,818.00 to High Steel Structures. Mr. Rutt seconded the motion and it was passed by unanimous voice vote.

d. Request for Financial Security Reduction – Country Club Apartments: Pitney Road

Chairman Buckwalter stated that the township engineer recommends a financial security reduction for Country Club Apartments in the amount of \$77,547.50, which will leave a new outstanding financial security balance of \$15,002.50.

Mr. Eberly made a motion to accept this reduction request in the amount of \$77,547.50. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

New Business:

None

Other Business:

a. Adoption of 2009 Township Budget – All Funds

Chairman Buckwalter asked Mr. Hutchison if he had anything further to discuss about this agenda item.

Mr. Hutchison stated that since the time that the budget was released for public review, additional information was received regarding workman's compensation insurance through the trust that the township participates in. The calculation of our experience modification was completed and approved by the state and the experience modification increased. The additional premium that will be deposited with the trust next year is \$18,211.00 more than was anticipated. The staff is recommending that the budget be changed to reflect this and be adopted to include this change.

Chairman Buckwalter noted that the taxes have not been raised in 2009 and 2008.

Mr. Hutchison added that the Real Estate Tax Rate has been the same since 2007.

Mr. Eberly made a motion to approve the 2009 Township budget. Mr. Rutt seconded the motion and it was passed by unanimous voice vote.

b. Approval of 2009 Township Employee Pay Rates

Mr. Hutchison explained that the non-contract employee pay rates are established by the Board. The contract employees are covered by the non-uniform contract which is current until 2010. The police officers contract is currently in negotiation. The rates for the non-contract employees are based upon the rates of the non-uniform employee contract and for the Police Chief and Police Captain based upon negotiation with the Police Officers Association.

Mr. Rutt made a motion to grant approval of the 2009 Township employee pay rates. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

c. Adoption of 2009 Real Estate Tax Resolution

Chairman Buckwalter stated that the 2009 Real Estate Tax will be set at 1.14 mills.

Mr. Hutchison added that this is the same rate that it has been for 2007 and 2008, but it does require adoption of resolution.

Mr. Eberly made a motion to adopt the 2009 Real Estate Tax Resolution as prepared. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

d. Adoption of Street Light Assessment Resolution

Mr. Hutchison explained that any time we change the street light assessments for the areas that have street lights, it must be done by resolution. The street light fund only covers the actual cost that the Township is billed by PP&L and the small cost to generate the bills and mail them out. Since electric rates are increasing, the cost for street lights must be increased by twenty percent (20%) to keep pace with the expenses.

Mr. Eberly made a motion to adopt the Street Light Assessment Resolution as prepared. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

e. Approval of Deed of Revised Access Easement – Flory Park / 89 Strasburg Pike

Mr. Hutchison explained that due to the project at Flory Park, which consists of the new entrance off of Strasburg Pike, the Board made a decision last fall to relocate the driveway which serves as access to 89 Strasburg Pike which is owned by the Neuhauser family.

Mr. Hutchison continued that to officially do this, a new deed should be recorded which reflects the new location of the easement which goes across Township property, Flory Park, to provide access to 89 Strasburg Pike.

Mr. Eberly asked if this will automatically eliminate the former right-of-way.

Mr. Hutchison replied yes.

Chairman Buckwalter questioned when this would go into affect and whether this is something that will happen immediately.

Mr. Hutchison stated that he had asked Mr. Stephen Kraybill about this and that Mr. Kraybill does not believe so. Mr. Kraybill believes that it is effective upon actual construction and advised the Township to proceed with the new deed.

Mr. Rutt made a motion to approve the Deed of Revised Access Easement at 89 Strasburg Pike as prepared. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

f. Authorization to Sign Agreement Amendment re: City Sewer System Partners

Mr. Hutchison explained that the City was required to change the way that they interact with the state. There are provisions in the current agreement which have to be amended in order to address how the other partners that contribute flow to the City treatment plant are treated under these new regulations. Rather than it being based solely on flow that goes into the treatment plant, it now is also based on the nutrient consistency of the flow. Therefore, the amount of capacity at the treatment plant was reduced and all of the like contributions were reduced by the same percentage. The new agreement addresses how we deal with this.

Mr. Hutchison noted that the East Lampeter Township Sewer Authority has approved and authorized signing the new agreement and is asking the Board to also sign the agreement.

A motion was made by Mr. Eberly and seconded by Mr. Rutt to authorize signing the agreement amendment. The motion was passed by unanimous voice vote.

g. Resolution re: Right to Know Law (Open Records Act – Act 3 of 2008)

Mr. Hutchison explained that during the early part of 2008, there was a new law passed in Harrisburg and signed by the governor which is the new Right to Know Law which basically indicates how municipalities and the state have to respond to requests for public documents. An open records officer must be named as being responsible for those requests as they come in and responding in accordance with the law. This resolution is similar to the resolution that was passed by the Board in 2002 under the last version of the Right to Know Law and would name the Township Manager as the open records officer. There is a twenty-five cent (25¢) per page fee that was set by the new Open Records Office in Harrisburg.

Mr. Hutchison added that the new law takes effect on January 1, 2009.

Mr. Rutt made a motion to approve the new Right to Know Law resolution as proposed. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

Public Comment:

There were no public comments.

Adjournment:

A motion was made by Mr. Eberly 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 Monday, January 5, 2009 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager