

December 17, 2013

The East Lampeter Township Board of Supervisors met on Tuesday, December 17, 2013, 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. Michael Landis, Mr. John Shertzer, Mr. Glenn Eberly and Mr. John Blowers. Also present was Mr. Ralph Hutchison, Township Manager.

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

Ed Becker, 1838 Colonial Village Lane, Lancaster, PA 17601, representing McNeil
Lynn Commero, representing Lancaster Newspapers
Bev Landis, 2111 Rockvale Road, Lancaster, PA 17602

Minutes of December 2, 2013 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes of the December 2, 2013 regular meeting as prepared. There were no comments.

A motion was made by Mr. Shertzer to dispense with the reading of the December 2, 2013 minutes and approve the minutes as presented. Mr. Landis 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 \$213,495.23 were presented for payment.

A motion was made by Mr. Landis and seconded by Mr. Shertzer to approve payment of the bills as listed in the amount of \$213,495.23. The motion was passed by unanimous voice vote.

Old Business:

- a. Request for Time Extension to Record Conditionally Approved Land Development Plan #10-29 – Neff: 360 Mount Sidney Road

Chairman Buckwalter asked if anyone was present for this agenda item. No one was present.

Chairman Buckwalter stated that Diehm & Sons, representing the Neff project at 360 Mount Sidney Road, sent a letter requesting a 90-day time extension to record the conditionally approved plan. They are waiting on the DEP Sewage Planning Module approval to be able to record the plan.

Chairman Buckwalter asked if there were any staff concerns about accepting the 90-day time extension. Mr. Hutchison stated there are temporary structures on the property that the Board of Supervisors had given approval to remain till the end of 2013. Chairman Buckwalter asked if approving the time extension would affect the removal of the structures. Mr. Hutchison stated that it would not.

Mr. Landis made a motion to grant a 90-day time extension to record the conditionally approved plan #10-29: Neff, 360 Mount Sidney Road. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

- b. Time Extension for Township Review and Action - A & J Power Lot Add On Plan #13-23:
380 Beechdale Road

Chairman Buckwalter asked if anyone was present for this agenda item. No one was present.

Mr. Hutchison stated the applicant is offering a 90-day time extension to finalize the plan to present to the Board. They are working through issues by Staff and the Township Engineer.

Mr. Shertzer made a motion to grant a 90-day time extension to review and act on A & J Power Lot Add On Plan #13-23: 380 Beechdale Road. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

- c. Request for Reduction of Financial Security – Quality Centers: Lincoln Highway East

Chairman Buckwalter asked if anyone was present for this agenda item. No one was present.

Chairman Buckwalter stated that the township engineer, David Miller Associates, visited the site on December 12, 2013 and is recommending a reduction of financial security in the amount of \$19,223.50, which will leave a balance of \$329,431.95.

Mr. Eberly made a motion for reduction of financial security for Quality Centers in the amount of \$19,223.50, as recommended by David Miller Associates, leaving a balance of \$329,431.95. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

- d. Proposed Fee in lieu of Parkland – Country Acres Campground: 20 Leven Road

Chairman Buckwalter explained that Country Acres Campground, 20 Leven Road, submitted a proposal based upon calculations for the amount of \$9,500.00. Mr. Hutchison stated the calculation was made in accordance to the ordinance but noted that the ordinance doesn't specify the value of land pre-development. Mr. Hutchison recommends approval of the amount of \$9,500.00

A motion was made by Mr. Shertzer to accept the proposed fee in lieu of parkland in the amount of \$9,500.00 for County Acres Campground, 20 Leven Road. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

- e. Proposed fee in lieu of Parkland – Fisher Subdivision: 2337 South View Drive

Chairman Buckwalter explained that the Fisher Subdivision, 2337 South View Drive, submitted a proposal based upon calculations for the amount of \$6,000.00. He stated that Staff believes the amount to be in accordance to the ordinance.

A motion was made by Mr. Shertzer to accept the proposed fee in lieu of parkland in the amount of \$6,000.00 for the Fisher Subdivision, 2337 South View Drive. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

New Business:

- a. Request for Waiver of Land Development Planning – McNeil: 1838 Colonial Village Lane

Chairman Buckwalter asked if anyone was present for this agenda item. Mr. Ed Becker was present.

Mr. Ed Becker, representing McNeil Consumer Pharmaceuticals, is requesting a Waiver of Land Development to construct a utility storage building of 800 square feet to the rear of 1838 Colonial Village

Lane. He stated it was accepted at the Planning Commission meeting December 17, 2013 provided they provide a drawing showing the presence of the new shed and the removal of the old shed and two box trailers.

Mr. Landis made a motion to conditionally approve the Waiver of Land Development Plan conditioned upon the Planning Commissions recommended conditions for McNeil at 1838 Colonial Village Lane. Mr. Shertzer seconded the motion and it was passed by unanimous voice vote.

- b. CV Region Comprehensive Plan Consistency Review: Upper Leacock Township amendment to Subdivision & Land Development Ordinance

Chairman Buckwalter stated that Upper Leacock Township have modified or developed a sidewalk ordinance. Mr. Hutchison explained that Upper Leacock Township is combing their sidewalk ordinance into their Subdivision and Land Development Ordinance. He stated that the Planning Commission recommendation is that it is consistent with the Comprehensive Plan. Mr. Hutchison stated that a proposed letter by Ms. Hitchens asks questions about alleys and grass strips.

Mr. Blowers made a motion to approve the Upper Leacock Township amendment to Subdivision and Land Development Ordinance Consistency Review. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

Other Business:

- a. Adoption of 2014 Township Budgets for all funds

Chairman Buckwalter stated that a Draft Budget for 2014 was published in November 2013 for the public to view. There were a few changes that were made to the draft as a result of new information. He stated that two notable items were the increasing of the EDU's for sewer from \$65 to \$70 and no tax increase. Mr. Hutchison reviewed the proposed changes as listed by staff. Mr. Hutchison noted the changes in expected revenue from non-resident earned income tax from \$100,000 to \$125,000 and from changes in expected local services tax from \$625,000 to \$650,000. He discussed the increased expenses in wages and benefit line items and noted health insurance was decreased but the renewal quotes for the Fire Worker's Compensation and the Township Worker's Compensation have increased. He stated that all changes together result in more additional revenue expected than additional expenditures expected. The net result would be increases in the end of year final balance: general fund increase of \$220,000.00, streetlight fund increase of \$309.00, and sewer fund increase of \$14,000.00.

Chairman Buckwalter asked if there were any questions or comments. Mr. Shertzer commented that he appreciates all the time and effort the Township staff has put into the Budget.

Mr. Shertzer made a motion to approve the amended 2014 budget that includes the changes that Mr. Hutchison mentioned. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

- b. Resolution re: 2014 Real Estate Tax Rate

Chairman Buckwalter stated that the 2014 Real Estate Tax Rate of 1.60 Mills is unchanged.

Mr. Landis made a motion to approve the 2014 Real Estate Tax Resolution as prepared with the millage set at 1.60. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

RESOLUTION #2013-16

c. Resolution re: Sanitary Sewer Service Rates

Chairman Buckwalter stated that this resolution imposes a rate increase from \$65.00 per E.D.U. to \$70.00 per E.D.U. for owners of properties served by the East Lampeter Township Sewer System.

Mr. Blowers made a motion to adopt the Sewer Service Rate Resolution. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

RESOLUTION #2013-17

d. Ordinance to Amend the Non Uniform Pension Plan Benefit Formula

Chairman Buckwalter stated that this ordinance is to amend the Non Uniform Pension Plan Benefit Formula from 1.9 percent to 1.5 percent of average compensation for employees hired on or after January 1, 2014. Mr. Hutchison stated it won't be effective until the union contract is ratified and signed.

Mr. Landis made a motion to approve the ordinance to amend the non uniform pension plan benefit formula for new hires. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

ORDINANCE #301

e. Resolution re: Pre Tax Employee Health Insurance Premium Contributions

Mr. Hutchison stated that the Township has been deducting the health insurance premiums before taxing employees. The Township was advised to have a resolution to comply with Section 125 of the Internal Revenue Services.

Mr. Shertzer made a motion to approve the Pre Tax Employee Health Insurance Premium Contributions resolution. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

RESOLUTION #2013-18

f. Appointment of CV Region Representative and Alternate to LCTCB Board

Chairman Buckwalter stated that Ralph Hutchison has agreed to be the representative and Kevin Tobias has agreed to be the alternate to the LCTCB Board CV Region.

Mr. Shertzer made a motion to approve the appointment of Ralph Hutchison as representative and Kevin Tobias as alternate to the LCTCB Board CV Region. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

The Board thanked Mr. Hutchison for his involvement on the LCTCB Board.

g. Appeal of Zoning Hearing Board Decision re: Off Premise Sign – Lincoln Highway

Chairman Buckwalter stated that a sign has been denied by the Zoning Hearing Board and the applicant has filed an appeal. The Board should consider authorizing council to provide standing if it goes beyond the next level. Mr. Hutchison agreed that the Board should have standing and defend the decision of the Zoning Hearing Board.

Mr. Shertzer made a motion to authorize defense of the Zoning Hearing Board decision regarding Off Premise Sign - Lincoln Highway East appeal. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

Public Comment:

The Board thanked Mr. Landis for his eighteen (18) years of service and honored him with a plaque. Mr. Landis stated it was an honor to serve the Township and is pleased at how the Township has developed.

The Board thanked Mr. Shertzer for his twenty-nine (29) years of service and honored him with a plaque. Mr. Shertzer stated that he is proud of the Township and it has been an honor to serve the Township.

Adjournment:

A motion was made by Mr. Landis and seconded by Mr. Shertzer to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Monday, January 6, beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager