

December 18, 2007

The East Lampeter Township Board of Supervisors met on Tuesday, December 18, 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:

Lois Duling, 824 Stumpf Hill Drive, Lancaster, PA 17601  
Steve Gribble, 127 N. Ronks Rd, Ronks, PA, representing Ronks Fire Company  
Carl Gehman, 90 N. Ronks Rd, Ronks, PA, representing Ronks Fire Company  
Charles Smith, 44 Highland Dr., Lancaster, PA, Emergency Services Committee member  
Roger Clark, 2014 B Lincoln Hwy. East, Ronks, PA, representing Ronks Fire Company  
Susan Snyder, 435 Mt. Sidney Road, Witmer, PA  
David Keens, 342 Woodcrest Drive, Lancaster, PA, representing Lafayette Fire Company  
Bernie Sylvester, 181 Amanda Cr., Lancaster, PA, representing Lafayette Fire Company  
Jeff Keas, 342 Woodcrest Dr., Lancaster, PA, representing Lafayette Fire Company  
Reide Lesse, 366 Honeylocust Sq., Lancaster, PA, representing Lafayette Fire Company  
Ron Nolt, 122 Waterfront Estates Dr., Lancaster, PA, representing Lafayette Fire Co.  
Tim Hoerner, 2642 Old Phila. Pk., Bird in Hand, PA, representing Hand in Hand Fire Co.  
Dave Gribble, 1992 Drexel Ave., Lancaster, PA, representing Ronks Fire Company  
Scott Gribble, 171 N. Ronks Rd., Ronks, PA, representing Ronks Fire Company  
David Beiler, 11 Lynwood, Rd., Ronks, PA, representing Ronks Fire Company  
Carrie Donovan, 93 N. Ronks Rd., Ronks, PA, representing Ronks Fire Company  
Brian Clark, 93 N. Ronks Rd., Ronks, PA, representing Ronks Fire Company  
Melanie McHenry, 130 N. Ronks Rd., Ronks, PA, Emergency Services Committee Chair  
Dan Lehman, 162 Greenland Drive, Lancaster, PA  
Fred Daum, 2142 New Holland Pike, Lancaster, PA

Chairman Eberly then presented Supervisor Wil Sollenberger with a plaque recognizing his twelve years of service to the Township as a Supervisor from 1996 through 2007. Chairman Eberly noted that this meeting will be his last regular meeting and thanked Mr. Sollenberger for his dedication and contribution to the Township.

Minutes of December 3, 2007 Regular Meeting:

Chairman Eberly indicated that copies of the minutes of the December 3, 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.

### Bills:

Chairman Eberly also indicated that bills represented by various funds in the amount of \$342,669.14 were presented for payment, copies of which were available for review. Chairman Eberly noted a few of the larger amounts being paid in this group of bills. After review of the bills list, a motion was made by Mr. Landis and seconded by Mr. Rutt to approve payment of bills as listed in the amount of \$342,669.14. The motion was passed by unanimous voice vote.

### Emergency Services Committee Presentation re: Ronks Fire Co Apparatus Replacement Proposal

Melanie McHenry, Chair of the Emergency Services Committee indicated that in accordance with Township policy, the Emergency Services Committee had reviewed the proposed replacement proposal and recommended that the Township share one third of the cost in the purchase of a Pierce PUC pumper as requested by Ronks Fire Company. She then introduced Steve Gribble, Chief, Ronks Fire Company to review the proposed replacement purchase for the Board.

Steve Gribble, Chief, Ronks Fire Company then reviewed the proposal with the Board. Chief Gribble presented the Board with information regarding the proposed apparatus purchase. He reviewed the process used by the Fire Company to design the replacement apparatus and to select the preferred company to build the apparatus to meet the Fire Company's specification requirements. He indicated that the Fire Company received bids to purchase the apparatus from three vendors and that they felt that only one, Pierce, met the Fire Company's requirements including the specified height and length of the apparatus. He further indicated that the bid price quoted by Pierce was in the middle of the three bids received. He said that the apparatus being replaced was a 1988 Pierce pumper. He also reviewed the important specifications included in the proposed apparatus purchase. Finally, he indicated that the total cost of the purchase, including an allowance for equipment mounting, would be \$576,685 and that the Township's share of this total would be \$190,306. He also indicated that if the Fire Company elects to take advantage of the Chassis discount, then the total cost would be reduced to \$569,345.

Mr. Landis said that as a member of the Emergency Services Committee, he has seen the hard work completed by the Fire Company in preparing for this proposed purchase. He indicated that he would be supporting the request and asked that the other Board members support it as well.

Mr. Rutt asked about the radio equipment that would be installed in the apparatus. Chief Gribble indicated that the apparatus would be wired to accept the radio equipment that they are currently using and would be compatible with any future system placed in service by the County Radio system.

Mr. Buckwalter asked if the funds for this purchase have been included in the 2008 budget proposal. Mr. Hutchison indicated that funds for this purchase are included in the Capital Reserve Fund budget proposal for 2008.

Mr. Buckwalter then made a motion to approve the Township's one third contribution towards the proposed Ronks Fire Company apparatus replacement purchase of a Pierce PUC pumper as recommended by the Emergency Services Committee. The motion was seconded by Mr. Sollenberger and passed by unanimous voice vote.

Chairman Eberly then thanked all of the Volunteers for their hard work in serving the community through the fire companies and as members of the Emergency Services Committee.

#### Old Business:

- a. Country Club Apts. Land Development Plan Request for Time Extension to record approved plan

Chairman Eberly indicated that this request had been withdrawn by the applicant and that it would be reconsidered by the Board in January, 2008.

#### New Business:

None

#### Other Business:

- a. Adoption of 2008 Township Budgets for all Funds

Chairman Eberly indicated that the draft budget had been available for review since mid November and that it is a balance budget requiring no increase in the Real Estate Tax rate. He then asked Mr. Hutchison to comment on the proposed budget.

Mr. Hutchison indicated that since the time when the budget was advertised for public review the Township staff has identified a few items which he feels should be revised before the budget is adopted. He indicated that due to higher than anticipated Real Estate Tax revenue in 2007 that the 2008 budget for this revenue item should be increase by \$8,161. He further indicated that due to a decrease in Workers Compensation costs that a

decrease in this expense of \$14,239 in the General Fund and \$1,080 in the Sewer Fund is suggested. Finally he indicated that in accordance with the Board's decision regarding support of the Leola Pool repairs, that this expense of \$97,095 had been added to the Capital Reserve Fund Budget. Mr. Hutchison said that these changes result in a balanced budget in the General Fund showing revenues of eleven dollars greater than expenditures.

Lois Duling, 824 Stumpf Hill Drive asked about the anticipated pension costs for 2008. She indicated that she recalled the Board approving pension budgets for 2008 in September which indicated costs over \$700,000 but that the General Fund Budget summary only reflects an anticipated expenditure of \$58,539. She asked about the difference in these figures. Mr. Hutchison indicated that the Board is required to approve the minimum municipal obligation calculation in September on each year for the following year and that Mrs. Duling was correct in remembering that the total obligation was approximately \$700,000. He went on to say that this obligation is covered by a variety of funding sources including State Pension Aid, Employee contributions and Township deposits. He further indicated that the Township deposits come from a variety of accounts within the Township's General fund and Sewer Fund and that the \$58,539 shown specifically for pension costs on the General Fund summary is only one of several budget accounts which make up the Townships deposits toward meeting the pension obligation.

Susan Snyder, 435 Mt. Sidney Road, asked what the amount of the proposed pay raise for Township employees is for the 2008 budget. Mr. Hutchison indicated that his recollection was that the two collective bargaining agreements require raises of 4% and that the same percentage is proposed for all other employees as well. Ms. Snyder then asked for an explanation as to why some of the pension costs would be paid for out of the Sewer Fund. Mr. Hutchison explained that since some of the Township employees are paid either wholly or partially from the Sewer Fund that the benefit costs, including pension costs, for those employees are shared by the Sewer Fund.

Fred Daum, 2142 New Holland Pike, asked where in the budget the Townships costs for legal representation are shown. Mr. Hutchison said that those costs would be allocated to the area where the legal costs are associated. For examples he indicated that issues which relate only to the Board of Supervisors legislative powers would be included under the Governing Body while issues which relate to Zoning would be included under Planning and Zoning.

Mr. Sollenberger then made a motion to adopt the proposed 2008 Township Budget for all funds including the changes recommended by the Township staff. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- b. Resolution re: 2008 Real Estate Tax Millage Rate

Chairman Eberly indicated that in order to implement the adopted budget that the Board is required to set the 2008 Real Estate Tax Millage Rate and that the proposed rate is the same as the 2007 rate of 1.14 mills.

Mr. Buckwalter then made a motion to adopt the Resolution to set the 2008 Real Estate Tax Millage Rate at 1.14 mills. The motion was seconded by Mr. Rutt and passed by unanimous voice vote. (Resolution number 2007-16)

c. Resolution re: Street Light Assessment Rates

Chairman Eberly asked Mr. Hutchison to explain the Street Light Assessment Rates resolution. Mr. Hutchison indicated that the rates are proposed to increase in order to continue to cover the PPL costs to the Township for street lights. He said that the street light fund operation is designed to cover the electric costs charged by PPL and some small administration costs associated with the street lighting program. He stated that PPL rates are increasing and so these increases are being passed on to those who benefit from street lights in the Township. He also indicated that the proposed rates are 12% higher than the 2007 rates.

Dan Lehman, 162 Greenland Drive, asked if there were any exceptions under the street light assessment program because he indicated that he has a lot of street frontage in comparison to others. There was a brief discussion regarding Mr. Lehman's question.

Mr. Sollenberger then made a to adopt the Resolution to set the Street Light Assessment Rates. The motion was seconded by Mr. Rutt and passed by unanimous voice vote. (Resolution number 2007-17)

d. Authorization to defend Agricultural Security Area Decision in response to appeal

Chairman Eberly indicated that this authorization is necessary in order to have the Township Solicitor defend the Board's decision.

Mr. Sollenberger then made a motion to authorize the Township Solicitor to Defend the Board's decision regarding the Agricultural Security Area in response to the appeal which had been filed. The motion was seconded by Mr. Buckwalter and passed by a vote of four in favor and one opposed. (Mr. Landis voted against the motion)

Mr. Buckwalter then requested that the Township staff track the Township's legal costs related to this appeal as well as the appeal of the Township's adoption of the Zoning Ordinance regarding the Optional Density Incentive. He indicated that he would like the Board to have this information so that they can monitor the running totals of these legal costs generated by appeals of the Board's decisions. He also said that he would like to have the Township Solicitors input on how best to make this information public.

Public Comment:

Lois Duling, 824 Stumpf Hill Drive, asked Mr. Eberly if had been able to get a document from Mr. Kraybill. Mr. Eberly said that he had not.

Mrs. Duling then reported that she had recently seen Mrs. Stoltzfus who is doing well and continuing to recover from her injuries. She also wished the Board members a Merry Christmas.

Dan Lehman, 162 Greenland Drive, said that he wanted to share his thoughts regarding the Lancaster Mennonite High School project under construction near his home. He shared some photographs with the Board members. Mr. Lehman indicated that his family moved to 162 Greenland Drive in 2000. He said that they had many uninvited students from LMH unintentionally trespassing on his property because they didn't know where the property line is. He also indicated that he attempted to work with the school to resolve these issues but was unable to do so. He then said that beginning in 2003 he planted a tree line in order to mark the property line separating his property from the school property. He said that the tree line was effective in addressing the problem.

Mr. Lehman went on to say that he was aware that the school was planning a project that would create an access from Greenland Drive to the parking lot and the other related changes. He also indicated that he expected that the plans for this project would include all of the Township Ordinance requirements for landscaping. He then said that he doesn't believe that the plans for the project provide for all that the ordinances require. Mr. Lehman further stated that he contacted Mr. Young via email regarding the plans and that Mr. Young indicated to him that the plan was to be reviewed by the Township Planning Commission on August 20 and that the required landscaping provisions are included on the plans. Mr. Lehman then said that he believes that the landscaping is missing from the plans and that he would like to have it added in accordance with the provisions of the Township's Ordinance.

Chairman Eberly asked Mr. Lehman if the landscaping had not yet been planted or if it was not shown on the plans. Mr. Lehman said that he believed that it was not on the plans. Chairman Eberly then asked Mr. Lehman if he attended the Township meetings when the plans were being discussed and acted upon. Mr. Lehman said that he asked Mr. Young if public input was needed in order to require the landscaping and that Mr. Young informed him about the August 20 meeting when the Planning Commission would be discussing the plan.

Chairman Eberly then asked Mr. Lehman to explain what kind of fence or landscaping he was asking for. Mr. Lehman then read some of the sections of the zoning ordinance which relate to landscaping. Chairman Eberly then asked Mr. Lehman if the parking lot which is of concern to him is an existing parking lot. Mr. Lehman said that it was an existing parking lot. Chairman Eberly then asked Mr. Lehman if the plan for the new parking lot conformed to the current ordinances. Mr. Lehman indicated that he was aware

that the school is concerned with security issues which could be created by tall and thick landscape screening. He said that despite this concern he felt that something should be provided.

Chairman Eberly indicated that the Township would have to look into whether or not an existing parking lot can be required to meet the current code. He asked Mr. Hutchison if existing conditions are usually required to meet the current ordinances. Mr. Hutchison that so long as the property feature is not being changed, it is not required to comply with the current ordinance.

Mr. Hutchison asked Mr. Lehman when he came in to the Township office to look at the plans. Mr. Lehman said that he did not come into the Township office but that LMH representatives showed him the plans. He also said that Mr. Young told him that the landscaping shown on the plans was limited. Mr. Lehman also indicated that the screening on the plans shown to him by LMH was limited to the area between the new parking lot and Greenland Drive.

At the conclusion of the discussion, Chairman Eberly indicated that the Township staff would review the plans to determine compliance with the Township ordinance requirements and to see if anything further can be done.

Susan Snyder indicated that she was reviewing the budget information which indicated that the Manager's salary was increasing by about 8% for 2008 rather than 4% as stated earlier. Mr. Hutchison explained that in 2008 there will be 27 biweekly pay dates rather than the typical 26 pay dates because of how the pay dates fall in the calendar year. He indicated that this additional pay date during the calendar year must be reflected in the 2008 budget and this causes all of the wage categories to be larger. He also stated that the actual increase in the pay rate is in fact only 4%.

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 Monday, January 7, 2008 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison  
Township Manager