

October 3, 2016

The East Lampeter Township Board of Supervisors met on Monday, October 3, 2016, 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. John Blowers, Chairman and was followed by the Pledge of Allegiance. In addition to Mr. Blowers, supervisors present were: Mr. Dave Buckwalter, Mr. Ethan Demme, Mr. Corey Meyer and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager.

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

Dale & Patti Shellenberger, RD #1, Bird In Hand, PA
Charity Kadwill, 113 West Market Street, East Lampeter Township Stormwater Coordinator
Brian & Sean Cloonan, Leola, PA
Lynn Commero, Lancaster Newspapers
Fred Frattaroli, 973 East Main St, representing Triangle Car Wash
Bill Swierniik, David Miller Associates, representing South View Subdivision
Bruce Walton, Sherman & Walton, Inc., representing South View Subdivision
Matt Smith, 536 Mount Sidney Road, Lancaster, PA
S. O'Leary, 33 Washington, Lancaster, PA representing Friends Groups
Birju Surti, 102 Eastbrook Road, Ronks, PA representing Friends Groups
James Noel, 510 Lausch Lane Suite 200, Lancaster, PA, representing Friends Group
Piyush Shah, 84 North Ronks Road, Ronks, PA, representing Friends Group
Raj Patel, 81 Eastbrook Road, Ronks, PA, representing Friends Group
Cathy Linetty, 436 Mount Sidney Road
Linda McMinn, 427 Mount Sidney Road
Pain Heinrich, 431 Mount Sidney Road
Susan Snyder, 435 Mount Sidney Road
Amos King, 439 Mount Sidney Road
Daniel King, 399A Millcreek Road
Henry King, 419 Mount Sidney Road

Minutes of the September 12, 2016 Regular Meeting

Chairman Blowers asked if there were any additions or corrections regarding the minutes of the September 12, 2016 regular meeting as prepared.

A motion was made by Mr. Demme to dispense with the reading of the minutes and approve the minutes as presented. Mr. Meyer seconded the motion and the motion was passed by a vote of four in favor and one abstaining. (Mr. Buckwalter was absent from the September 12, 2016 meeting.)

Bills:

Chairman Blowers presented the bills to be paid from various funds for the total amount of \$405,371.22. Chairman Blowers discussed some of the larger items included in that amount was a payment in the amount of \$8,371.00 to Lafayette Fire Company for 2016 insurance renewal

reimbursement, a payment in the amount of \$4,690.05 to Oceanport LLC for road salt, a payment in the amount of \$8,1875.00 to Witmer Fire Company for 2016 insurance renewal reimbursement, a payment in the amount of \$44,973.00 to Bertolet Construction for Millport Road culvert rehabilitation, and a payment in the amount of \$19,294.00 to Richard T. Wimer Inc. for storm sewer replacement at Greenfield Road and William Penn Way.

A motion was made by Mr. Meyer and seconded by Mr. Demme to approve the payment of the bills as listed in the amount of \$405,371.22. The motion was passed by unanimous voice vote.

Old Business

a. Request for Financial Security Release: Hartman Station Subdivision

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

Mr. Blowers stated that the Township engineer is recommending a full release of financial security in the amount of \$78,603.80 leaving a remaining balance of \$0 for Hartman Station Phase II.

Mr. Buckwalter made a motion to approve the request for a full release of financial security in the amount of \$78,603.80 leaving a balance of \$0 for Hartman Station Phase II per the Township engineer's letter. Mr. Demme seconded the motion and it was passed by unanimous voice vote

b. Request for Financial Security Reduction: CVSD – Horseshoe Road

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

Mr. Blowers stated that the Township engineer is recommending a reduction of financial security in the amount of \$635,723.50 leaving a remaining balance of \$65,909.85 for the Conestoga Valley High School land development plan. Mr. Hutchison stated that the outstanding items are stormwater management related.

Mr. Buckwalter made a motion to approve the request for financial security reduction in the amount of \$635,723.50 leaving a remaining balance of \$65,909.85 for Conestoga Valley High School per the Township engineer's letter. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

c. Request for Financial Security Reduction: Fairfield Inn – 2270 Lincoln Highway East

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

Mr. Blowers stated that the Township engineer is recommending a reduction of financial security in the amount of \$152,462.00 leaving a remaining balance of \$30,721.00. Mr. Hutchison stated that outstanding items are stormwater management related.

Mr. Eberly made a motion to approve the request for financial security reduction in the amount of \$152,462.00 leaving a remaining balance of \$30,721.00 per the Township engineer's letter. Mr. Demme seconded the motion and it was passed by unanimous voice vote.

- d. Request for Time Extension to Record Conditionally Approved Plan #15-22: Triangle Car Wash – 5 Strasburg Pike

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

Mr. Hutchison stated that the applicant has made significant progress since the Boards last time extension. He stated they have obtained their PennDOT Highway Occupancy Plan for the driveway and they have obtained their NPDES permit. He stated that the applicant is requesting an additional 60 days to complete the conditions of approval.

Mr. Demme made a motion to grant a 60 day time extension to record the conditionally approved plan #15-22 for Triangle Car Wash at 5 Strasburg Pike. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

- e. Sewer Planning Module Resolution re: 100 Hartman Bridge Road

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

Mr. Hutchison explained that the Board previously approved this resolution but DEP rejected the resolution due to it not stating that the site would have a composting toilet so DEP is asking the Board to adopt a new resolution with that change to the document. Mr. Meyer stated that it would have an on-lot system and a composting toilet.

Mr. Meyer made a motion to adopt the sewer planning module resolution for Stephen S. Fisher at 100 Hartman Bridge Road. Mr. Demme seconded the motion and it was passed by unanimous voice vote.

Resolution #2016-14

- f. Decision re: Conditional Use Application – 2601 Lincoln Highway East

Chairman Blowers read the Conclusions of Law portion of the decision as follows:

1. The applicant has not demonstrated that the proposed use would be a “country inn facility” as required for approval.
2. The proposed use is not desirable to enable the preservation, restoration or rehabilitation of the property and, in fact, is somewhat counterproductive in that it converts what was formerly a rural or agricultural property into a hospitality type of use.
3. The applicant has not demonstrated that the use is compatible with the surrounding area. In fact, the proposed use is incompatible with the existing farm properties which are adjacent to the property, and in particular, with those properties located generally to the east which are going through the steps to be preserved for agricultural use.

4. The Board concludes that the applicant has essentially proposed a 72 unit hotel or motel, which is not permitted within the Historic Overlay District or within the Rural District.

He stated that the Conclusion of Law portion are the basis for the decision that the Township solicitor has rendered upon their behalf. He read the Decision portion as follows: “The East Lampeter Township Board of Supervisors denies the request for conditional use approval under the terms of Section 1403-B of the Zoning Ordinance of 1990. This Decision was made this 3rd day of October, 2016, following hearings on Monday, June 20, 2016 and Monday, August 1, 2016.”

Mr. Buckwalter made a motion to approve the Conditional Use Decision per the Township Solicitor’s written decision to deny the application. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

New Business

- a. Time Extension re: South View Subdivision Plan #16-18: South View Drive

Chairman Blowers asked if anyone was present for this agenda item. Mr. Bill Swiernik and Mr. Bruce Walton were present.

Mr. Swiernik, of David Miller Associates, is representing the applicant Sherman & Walton Inc. Mr. Swiernik explained that the plan is for a 13 lot subdivision on the south side of South View Drive. He stated that they are proposing a cul-de-sac. He stated that it was presented to both the Planning Commission and the Board of Supervisors in concept because they are utilizing an innovative approach to the stormwater management. He stated that they have received the review comments from the Township engineer and they are requesting additional time to address the comments until December 6, 2016. He stated that they would also need the Board to consider the request for a Sewer Planning Module agenda item 6B for the project.

Mr. Hutchison stated that the applicant would like to move forward with the planning module process so the Board would have to act on the resolution. He stated that he wanted the applicant to present the plan to the Board before acting on the Sewer Planning Module. He stated that it will be a public sewer system and have individual on-lot wells.

Mrs. Susan Snyder expressed concern for the impact the new wells will place on the current homes that have wells. Mrs. Kathy Linetty also expressed her concern about the water supply. Ms. Paivi Heinrich asked why public water cannot be brought out to service the area. Mr. Hutchison replied that there are several challenges in getting water to that part of the Township including having a railroad crossing. Mr. Blowers stated that the Zoning Ordinance allows for the development as long as the plans meet both the Zoning Ordinance and SALDO requirements. Mr. Matt Smith asked the size of the project. Mr. Swiernik replied 6.6 acres. Mr. Amos King expressed concern about the development and its impact on the wells and having to pay for a new well if his current well stops working. Mr. Henry King expressed concern about stormwater issues from a storm drain pipe that comes off of South View Drive. Mr. Swiernik stated that they are currently working on a solution but it is not finalized.

Mr. Eberly made a motion to grant the time extension request until December 6, 2016 for the South View Subdivision Plan #16-18 for review and action. Mr. Buckwalter seconded the motion and it was passed by unanimous voice vote.

b. Sewer Planning Module Resolution re: South View Subdivision

Mr. Hutchison explained that the resolution is to allow the planning process to move forward. He stated it states how the development will be serviced for water and sewer. He stated that it will have public sewer and individual lot wells. He stated that it is sent to DEP for their approval.

Mr. Eberly made a motion to adopt the Sewer Planning Module Resolution for the South View Subdivision. Mr. Buckwalter seconded the motion and it was passed by unanimous voice vote.

Resolution #2016-15

Other Business:

a. Zoning Hearing Board Alternates Appointments

Chairman Blowers explained that the Zoning Hearing Board has 3 members and that there are 3 alternates who serve periodically if one of the members cannot attend a meeting. He stated that all 3 alternate members' terms are expiring. He stated that Mr. Scott Enterline and Mr. Bryan High have stated that they would like to continue to serve as alternates. He stated that the service is for a 3 year term.

Mr. Eberly made a motion to approve the Zoning Hearing Board Alternate Appointments for Scott Enterline and Bryan High for a three year term ending October 2, 2019. Mr. Buckwalter seconded the motion and it was passed by unanimous voice vote.

b. MS4 Report

Mr. Hutchison introduced Ms. Charity Kadwill the Township's new Stormwater Management Coordinator. Ms. Kadwill stated that she has been providing educational tips, sending notices to home owners involving stormwater issues and helping with small projects. Mr. Hutchison congratulated Ms. Kadwill on obtaining her license as a landscape architect. He also stated that Ms. Kadwill has sent out letters to home owners along Mill Creek for another cleanup on October 22, 2016. He stated that staff met with the other municipalities who partnered with the Township to analyze the Pequea Creek watershed to review the report provided by Land Studies.

c. Appointment of Auditing Firm for 2016 Audit

Mr. Hutchison stated that the Board had asked for proposals for auditing services to the Township. Ms. Jeanne Glick advertised the request for proposals and the Township received 3 proposals from Weinhold, Nickel & Co, LLP, MaherDuessel, and SEK & Co. He stated that based upon the price quotes MaherDuessel and SEK & Co. are very close. He stated that they are recommending MaherDuessel.

Mr. Demme made a motion to appoint the auditing firm of MaherDuessel for the 2016 Audit. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

d. Pension Plans Investment Policy Revision

Chairman Blowers stated that the Township's investment advisors Mr. Stephen Kepchar and Mr. Howard Williard have made revisions to the policy per the Board's previous recommendations. Mr. Hutchison stated that the only change is in the box under investments to the asset classes' minimum and maximum percentage.

Mr. Meyer made a motion to adopt the Pension Plans Investment Policy revision as presented. Mr. Demme seconded the motion and it was passed by unanimous voice vote.

e. DEP Grant Agreement re: On Site Stormwater Retrofits

Mr. Hutchison explained that the Township had applied for a grant to make changes to the Township complex basins by converting them to bio-retentions. He stated the Township was awarded \$170,842 in grant funding and in order to move forward the Township needs to enter into an agreement with DEP.

Mr. Buckwalter made a motion to approve the DEP Grant Agreement for onsite stormwater retrofits for the Township complex at 2250 Old Philadelphia Pike. Mr. Demme seconded the motion and it was passed by unanimous voice vote.

Public Comment:

Mr. Fred Frattaroli spoke on the agenda item for Triangle Car Wash. Chairman Blowers informed him that his time extension had been granted.

Mr. Dale Shellenberger asked if there is any state aid available for a private property owner for stormwater management facilities. Ms. Kadwill replied that there are programs available.

Adjournment:

A motion was made by Mr. Eberly and seconded by Mr. Meyer to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Monday, October 17, 2016 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison

EAST LAMPETER TOWNSHIP
2250 Old Philadelphia Pike
Lancaster PA 17602
(717) 393-1567
FAX (717) 393-4609
Board of Supervisor's Meeting
October 3, 2016

General Fund
Between Meetings
Ck#61412-61413
\$1254.75

Cks#61414-61498
\$221,235.19

Highway Aid Fund
Ck#552-554
\$67,190.07

Mastercard Acct#6708, Stmt. #2016-08
AutoWD Plgit GF [REDACTED]
\$7,027.35

IIC/Benecon/Med/Den/Clms/Oct'16 Deposits
\$104,194.41

ICMA-EE Contributions ACHd to ICMA from [REDACTED]
PR#19 - \$2,655.15

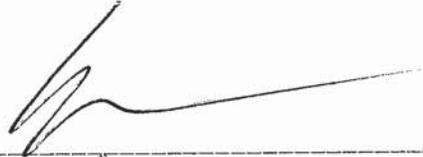
HSA Highmark Admin Fees
September, 2016 \$175.50

Bank of NY/PFM Auto WD/[REDACTED] for
#1S/F-September'16 ELT Int/Fees \$1,229.10
#2S/F-September'16 ELT Int/Fees \$409.70

Grand Total: \$405,371.22

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221,235.19 +
67,190.07 +
7,027.35 +
104,194.41 +
2,655.15 +
175.50 +
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405,371.22 +

SIGNATURE 1: 

SIGNATURE 2: 