

September 16, 2024

The East Lampeter Township Board of Supervisors met on Monday, September 16, 2024 at 7:00 pm at the East Lampeter Township Office: 2250 Old Philadelphia Pike, Lancaster, PA 17602. The statement of recorded meetings was played for all in attendance, Chairman Corey Meyer called the meeting to order at 7:00 pm, followed by the Pledge of Allegiance. In addition to Mr. Corey Meyer, Supervisors present were Mr. Roger Rutt and Mr. Ted Gallagher, Mr. Ethan Demme and Mr. Mike Thornton. Also present in the meeting room was Mr. Ralph M. Hutchison, Township Manager, Ms. Stephanie Leakway, Administrative Assistant, and Ms. Leigh Obetz, Administrative Assistant.

Call to Order- Mr. Corey Meyer- Chairman

Public Present for meeting:

Stephen Zerbe- ELT PD	Dhaval Dadhania-Divya Motel
Howard Williard-Morgan Stanley	Mursukl Lulumi-Divya Motel
Keith Heigel- Heigel Associates	Dalton Lapp-ELT PD
Lissa Holland-Lancaster Public Library	Greg Dolk- ELT PD
John Shertzer	Dorine/Jerry Offenbaker- ELT PD
Rob Eachus- ELT PD	David E Bravo- ELT PD

Public Comment for Non-Agenda Items:

None

Consent Agenda:

- a. Approval of the September 16, 2024 Board of Supervisors meeting agenda

Chairman Corey Meyer added item 12g which is authorizing staff to defend the Zoning Hearing Board decision regarding 138 Elmwood Road

- b. Approval of the Minutes of the Monday, August 19, 2024 Regular Meeting
- c. Time extension Request to record conditionally approved plan: Gish’s Furniture Land Development Plan #23-5 - 2217 Lincoln Hwy East

Chairman Corey Meyer stated that this was a 90-day time extension for PenDOT, this is the second time extension for this plan.

- d. Time extension Offer for Township Review & Action: Weis Land Development Plan #24-11 – 1631 Old Philadelphia Pike

Chairman Corey Meyer stated that this a 90-day time extension for this plan, and the Board has until January 5, 2025 to act on the plan. This is the second time extension for this.

e. Request for reduction in Financial Security for Christian A. Stoltzfus Jr. Lot Add on and Land Development Plan # 22-01 – 264 Maple Avenue

Chairman Corey Meyer said that this is for a financial security for Christian A. Stoltzfus' lot add on and land development plan. They are requesting a reduction for site improvements, and the Board has a letter dated September 12, 2024 from the Township Engineer indicating \$204,054.56 to be reduced from the posted funds, leaving a balance of \$38,146.65.

f. Approval to pay invoices from all funds: Total - \$1,250,201.61

\$364,083.37- City of Lancaster for quarterly sewage and treatment

\$291,422.50- Shirk Pole Building -Pole building construction

\$7,550.00- Garden Spot Electric for pole Building electric construction

\$25,440.00- Vigilant Solutions- Electric Power cable for Pole Building

\$67,652.00- Quarterly Fire Contributions

\$14,000.00- Lancaster EMS- Quarterly Contribution

Supervisor Ted Gallagher made a motion to approve the consent agenda and Supervisor Mike Thornton seconded. The motion carried unanimously by voice vote.

Recognition of Township Service- Mr. Brent Stoltzfus:

Chairman Corey Meyer recognized Mr. Brent Stoltzfus for his outstanding service to East Lampeter Township having served as a member of the East Lampeter Sewer Authority from September 2019 to September 2024, 5 years of service. The Board of Supervisors presented Mr. Stoltzfus with a plaque and thanked him for his hard work, and showed much appreciation.

Recognition of Promotion to Police Lieutenant-Preson Gentzler :

Chief Zerbe recognized Preston Gentzler, who has been with East Lampeter Police since May 1999. Preston was a patrol officer for East Lampeter, and after a year took a position with the former Clay Township as a detective. In June of 2002, Preston was rehired and worked in the patrol division until August of 2003, when he became the first school resource officer at Conestoga Valley High School. He held that position for 3 years before taking a position in the detective division. In 2016, Detective Gentzler was named a special duty US Marshall by the Federal Bureau of Investigation. This let Detective Gentzler continue his work here at East Lampeter, and also establish Federal connections with which to bring Federal charges when possible. In 2018 Detective Gentzler was promoted to the rank of Sergeant and continued to work in the detective division, over the course of 23 years, he has amassed numerous accolades and commendations for his involvement in cases in East Lampeter Township and around Lancaster County. Preston has completed the process for the rank of Lieutenant. Chief Zerbe is

pleased to recommend the promotion of Preston Gentzler to Lieutenant to the Board of Supervisors. Chairman Corey Meyer swore in Lieutenant Gentler, and the remainder of the Board of Supervisors showed much appreciation and gratitude. Lieutenant Gentzler introduced his family and the Board thanked them for being so supportive.

Presentation from Lancaster Library-

Mr. John Heinly, who is the Director of Donor Advising, along with Lissa Holland, Executive Director of Lancaster Library spoke about the mission and vision of the Lancaster Library. The mission and the vision of the library system is that it inspires, empowers and strengthens our community by connecting people with information, ideas and enriching experiences. Also, by providing equitable access to vital educational resources, exceptional programming and community building opportunities. Mr. Hienly said that about 22% of the East Lampeter residents are library cardholders, and there have been 11,485 materials borrowed in 2023 by East Lampeter residents amounting to \$298,610 worth of materials borrowed by East Lampeter residents. He also said the library downtown, offers a business and reference center, sensory and autism resource center, Lancaster Collection, hotspot devices, eResources, child, youth and adult programming, American Girl dolls, tabletop and lawn games, museum passes, baking pans and musical instruments. He spoke about the outreach librarian and vehicle program starting in 2025, and the additional meeting spaces for groups of all sizes (up to 250 people & flex space). The library generates funds through fundraising, fines, fees and passport processing. 62% of the library's funds are internally generated and 38% Government funding. Pennsylvania has approximately 450 public libraries. A few of the highlights of the programs they run are: Microscope program, Telescope program, Builders lab, Teen/YA laptop lending program, Teen gaming, Explorer bags, Resume Writing, Bits and Bytes:Tech class, Spanish Language story time, Pajama Storytime, Folk Music Time, and Earth Day Extravaganza. There was a 17.04% increase from patrons in 2023, from 2022, a 66.64% increase of program attendees in 2023 over 2022, 6.45% increase of circulation of materials from 2022, 18.84% increase in computer usage sessions, and 111.76% increase in public computer or wireless sessions. \$8,419.50 has been provided by East Lampeter in 2023. Mr. Mike Thornton asked if Mr. Hienly had an idea of what the count was for the materials borrowed from the library in 2022 was? Mr. Hienly said he can definitely find out. Chairman Corey Meyer let Mr. Hienly know that the Board has not approved the budget, however there is typically money to help support the library. Chairman Meyer said that the Township does contribute to the Manheim Township Library, Strasburg Heisler Library, Pequea Valley Library, Lancaster Public library.

Pension Plan Update by Morgan Stanley

Howard Williard spoke about the pension plans. Mr. Williard indicated that the market is slightly choppy and will remain so until after the election. He said that for the Police side, they started with about 9 million, back in 2009 and added almost 3 million between state, township and police payroll in addition to profits of approximately \$23 million which is 7.5% net over the course of that time. Expectations are that the markets are a little expensive right now, so they aren't "jumping in with both feet", but the investments are expected to make some money until the end of the year. The non-uniform essentially follows the same exact path.

Old Business:

a. Divya Motel Stormwater Management Plan # 2023-25 : 170 Eastbrook Road

Keith Heigel of Light Heigel Associates spoke about the stormwater plan for 170 Eastbrook Road. He noted all pipes, will be the 15 inches in diameter. Chairman Corey Meyer went through the DM/A letter dated September 9 2024, and asked Mr. Heigel to go through the letter with the Board. Mr. Heigel let the Board know that all pipes on the property will be replaced and be the 15 inches in diameter. Mr. Hutchison, asked about the cover requirement, and Mr. Heigel said yes, because there is a cover issue as the pipes that are currently 6, 12, 10 inches and will be upsized to 15 inches will need to be deeper because they have a minimum cover of one foot between the top of the pipe and the actual ground subgrade and stone pavement. Mr. Hutchison asked if the pipes will have to extend out closer to the creek? Mr. Heigel said that the pipes are on a slope, and will extend approximately 3-5 ft from where you currently see them on the plans. Mr. Hutchison said they will have to go back to the Zoning Hearing Board for this change, since the approval they have is for where the pipes exist now. Mr. Heigel said that they can lower the pipes and not extend. Mr. Hutchison asked if this was a possibility, and Mr. Heigel said yes they can lower the pipes and not extend them further towards the creek. It would actually be removing soil on the bank to keep the pipe inverted. Mr. Heigel said that they are adding to the financial security, for the stormwater plan. Mr. Hutchison mentioned the easement along the creek, and Chairman Corey Meyer asked Mr. Heigel about this issue. Mr. Hutchison explained that he thought there was concern about having to enter into a deferral agreement, an easement along the creek. Mr. Heigel read a statement from the applicant's solicitor about the easement, and it stated that "it was their understanding the township would not require an easement and or a deferral agreement at this time. "This was an email, between the two solicitors dated September 16, 2024. Chairman Corey Meyer asked the Board about the easement, and said their opinions on the easement or just a note on the plan. Mr. Heigel read the note on the plan, which stated "acknowledges that East Lampeter Township Ordinance 365 adopted an official map, pursuant to Article 4 of the Pennsylvania Municipal Planning Code and the adopted Official Map depicts a proposed trail on the property "that was the note that was worked out between the two attorneys. Supervisor Ethan Demme stated he'd like to hear the other side of the conversation of the two solicitors. Mr. Hutchison said that he felt like he believes that staff was just asking for an easement, not build a trail along the creek. Chairman Corey Meyer said that the Board can either table the motion or make a decision based on the information they have, approve with conditions or deny. Chairman Corey Meyer said he feels like the applicant is trying to follow the rules, and trying to figure this out. He would like to move this forward, the question was to pass as on official easement, or to have it noted on the official map. Mr. Hutchison said that through the official map process, puts the facility on the map and gives the Township the opportunity to have that conversation.

Supervisor Ethan Demme made a motion to approve the Divya Land Development plan located at 170 Eastbrook Raod, conditioned on the DM/A letter dated September 9, 2024 denying the first modification and then accepting the note on the plan as stated about the proposed trail and the official map. Supervisor Ted Gallagher seconded and the motion carried unanimously by voice vote.

New Business:

a. High Gardens Stormwater Plan # 24-08- William Penn Way

Chris Venarchik of RGS Associates was present to represent the stormwater plan for High Gardens, which is a 7.8 acre site located within Greenfield in the Business Park (BP) zoning district. He said what the project is taking a piece of ground and making something where it can be a very special place for people to go. One of the gardens is called a Peace Garden where someone can have some quiet time and reflect in that space. The other two are memorial gardens, which someone can honor prior and current employees of the High organization. The area of disturbance is less than one acre in total, there will be a series of walkways. There is planned to be significant plantings in the gardens and a vegetative and tree option for a more natural way to handle stormwater. They are planning on planting about 80 trees, which are planning to specifically function to uptake some of the storm water. The property is a maximum impervious 75%, the existing condition say is 2.1% impervious coverage. After this project would be implemented, it would be approximately 3.1% of impervious area, there would be a 1 % increase. He stated they have the September 4, 2024 letter from DM/A and they have no objections. Mr. Hutchison asked if part of the project is in the floodplain? Mr. Vernarchik said that they had conversations with staff, and they are going to make sure everything is fixed and set so nothing could float away. He said that's also why they would like to plant so much vegetation.

Supervisor Ethan Demme made a motion to approve the High Gardens plan conditioned on the letter from DM/A dated September 4, 2024 and Supervisor Roger Rutt seconded. The motion carried unanimously by voice vote.

b. Sheetz Land Development Plan# 24-13-2100 Lincoln Highway East Lampeter Township

Chairman Corey Meyer announced the plan, and unfortunately there were no representatives present for this plan. In the interest of moving this plan forward, Chairman Corey Meyer questioned the movement of vehicles on the property and would like to speak to the representative from Sheetz. The Board looked at the Land Development plan He also brought up the parking spaces, drive through lane and people moving around the building. Supervisor Ethan Demme mentioned how at the Planning Commission meeting, they were concerned about the traffic as well. Supervisor Ethan Demme said that the traffic count through the drive through was 10% of their volume on a good day. He said it would be used for people who have already placed an order and just need to pick it up. Mr. Hutchison suggested the Board take action on the plan as a conditional action given the time frame was unknown at this meeting. Chairman Corey Meyer is concerned about the traffic impact on Lincoln Highway, which is a right in/right out only. He said he hopes that someone who wants to go left, will turn right and go down to the light by Wawa and turn around. Mr. Hutchison said their plan and the Western Gateway Improvements are being coordinated as well. Mr. Hutchison noted they are also planning on providing picnic tables, bike racks and bike maintenance equipment in proximity to the trail. He also mentioned that the bus stop to the western side of the proposed Sheetz store would need to be planned for in coordination with the Township, PennDOT and SCTA (Red Rose Transit Authority) as PennDOT will no longer install this with the Western Gateway project. Chairman Corey Meyer asked if the bus stop would be on the future lot, on the Sheetz property or somewhere else. Mr. Hutchison noted it would be within the right of way in front of the future lot. Supervisor. Mike Thornton made a motion to approve the Sheetz land development plan at 2100 Lincoln Highway East conditioned on all the recommended Township Planning Commission

recommendations, subject to the review comments provided by our Township engineer and the Lancaster County Planning Department. Also including working with staff to ensure that the planned bus stop is moved near the intersection of Lincoln Highway and South Oak View Drive. Also, the condition that PennDOT confirms they will not be providing the bus stop, but Sheetz will provide that shelter in coordination with RRTA and that Sheetz will provide the bike rack, bike maintenance facility, and picnic tables on the western portion of the property in proximity to the trail. Supervisor Ted Gallagher seconded and the motion carried unanimously by voice vote.

Supervisor discussion items:

a. Budget item re Homelessness-

Mr. Ralph Hutchison spoke about homelessness and said that CV Seeds provided the Board with a proposal regarding how they would utilize the \$10,000 that the Board of Supervisors had budgeted in 2024. He let the Board know that staff came up with the idea of using the house adjacent to Nolt Mill on Old Philadelphia Pike as a potential opportunity to house a family in need within East Lampeter Township. Organizations like Bridge of Hope could help the Township place a family in the house, and when that family moves, place another family. Chairman Corey Meyer said the Board has the authority to approve the \$10,000 to help homelessness to be used by CV Seeds per their proposal. Supervisor Ethan Demme stated that CV Seeds presentation provided the most immediate need. Which would be gathering the data and then connecting the folks who are experiencing homelessness in our community with resources that currently exist in the county. He said it requires a lot of leg work of building relationships, walking down the street, working with CV social workers to identify families who are living in hotels and actually doing the outreach to get to know them. Then they share that data and connect them to services that could help them. Supervisor Roger Rutt agreed with Supervisor Ethan Demme and noted that he felt CV Seeds came with the most passion to help people. Supervisor Mike Thornton asked about the house adjacent to Nolt Mill and if the \$10,000 could be used towards the house. Supervisor Mike Thornton felt like the house would be a great option to help people in the community. Supervisor Ethan Demme spoke about Bridge of Hope, and said that you don't have to rent to tenants at below market rate, they have donors that will help subsidize a family moving in and they provide a social worker to work with the family. They also connect that family with resources, and church congregations provide wraparound community care. People who are friends, people who can provide transportation, transportation to interviews, doctors and other appointments. Bridge of Hope is always looking for landlords who have a property they are looking to fill. They will provide the security deposit and first month rent, and then they subsidize the family and the goal is to get that family to where they can pay full rent on their own over a period of time.

Supervisor Ethan Demme made a motion to approve the \$10,000 to go to CV Seeds, and Supervisor Mike Thornton seconded. The motion carried unanimously by voice vote.

Action Items

a. Action re Resolution for Lincoln Highway Lancaster Business Improvement District (BID)

Mr. Hutchison let the Board know Ben Kaplin who was engaged by the Industrial Commercial Development Authority was brought in to assist in the process of creating the Business Improvement

District along Lincoln Highway. Mr. Kaplin and Supervisor Ethan Demme have been going out and meeting with property owners along Lincoln Highway about the business improvement district. Mr. Hutchison informed the Board that part of the process for creation of the business improvement district, is that the Board adopt a resolution. Mr. Kaplin spoke about the Business Improvement District noting that it was meant to improve upon the Neighborhood Improvement District Act of 2000, and its been modified a little bit but it's a concept that has been around for 25 years. The idea is to take districts that need a little assistance, but with the nimbleness and kind of local control and flavor and sense of place that you might get from a neighborhood initiative or a Economic Development Corporation. It kind of pairs that convening power and the secure funding, long term planning that comes with the local government and pairs it with that local control that unified voice that sense of place, and empowers them. Mr. Kaplin said that today they're asking the Board to pass the resolution that would authorize the final plan, then there would be a public hearing that is required by law on October 21, 2024. From there a letter would be sent with exhibits around October 28th which would give the Township time to solicit feedback and vote on the final plan. Then on November 18, 2024 constituents would respond. They would have 45 days to respond and that leads up to December 19th, which gives the Board time to interview prospective board members and then make appointments at the January 6, 2025 reorganization meeting. This would get the Business Improvement District up and running by mid-January 2025.

Supervisor Ethan Demme made a motion to approve the resolution for the Business Improvement District and Supervisor Roger Rutt seconded. The motion carried unanimously by voice vote.

b. Resolution to convey Right of Way to PennDOT (N. Oakview Rd)

Mr. Hutchison informed the Board that as part of the Land Development Plan for Treehouse Foods there were proposed frontage improvements. This would be along Laurel Oak, Old Philadelphia Pike, and North Oakview Road. Treehouse has gone through the design process with PennDOT noting that some of the facilities will be located outside the existing right of way controlled by PennDOT. The Township had acquired additional right of way on the east and west side of Oakview Road during the intersection project. That right of way would now be conveyed from the Township to PennDOT.

Supervisor Ethan Demme made a motion to approve the resolution to convey right away to PennDOT on North Oakview Road and Supervisor Ted Gallagher seconded. The motion carried unanimously by voice vote. A resident in the audience asked if there would be any road widening in this area. Mr. Hutchison noted that the improvements involved curbing and a sidewalk on all three sides of the Treehouse property.

c. Authorize staff to proceed to Sheriff sale for delinquent accounts

Mr. Hutchison stated that the Township adopted a policy regarding delinquent accounts and collection. There was some discussion within the Board with Chairman Corey Meyer inquiring if the required notices and letters had been sent to these property owners? Mr. Hutchison said yes that there had been many given the number of liens on these properties and there would still be more with the movement towards sheriff sale.

Supervisor Roger Rutt made a motion for staff to move forward with the sheriff sale process for these properties and Supervisor Mike Thornton seconded. The motion carried unanimously by voice vote.

d. Approval of 2025 Pension Plans MMO calculations

Mr. Hutchison provided that it is a requirement that the Board review the plans, and approve the calculations. Please note that the police plan minimum municipal obligation next year is \$413,000 and the Township is expecting to get \$ 431,000 from the State. Supervisor Corey Meyer said he hopes that the pension plans will stay in good shape.

Supervisor Ethan Demme made a motion to approve the minimum municipal obligation calculations for 2025 and Supervisor Mike Thornton seconded. The motion carried unanimously by voice vote.

e. Opposition to Assessment appeal – Mill Creek Square Shopping Center

Mr. Hutchison noted that Mill Creek Square Shopping Center is seeking an appeal to their assessed value. Given the amount of the assessment currently, the Township would expect that it would be more than the \$500,000 threshold that was set within the policy of the Board some time ago. In accordance with the policy, the Township would like to work with Conestoga Valley School District to have a unified opposition to the proposed appeal.

Supervisor Mike Thornton made a motion to oppose the appeal of the Mill Creek Shopping Center working with Conestoga Valley School District and Supervisor Roger Rutt seconded and the motion carried unanimously by voice vote.

f. Appointment of Comprehensive Plan Consultant

Mr. Hutchison noted that the steering committee has been going through a selection process and is recommending HRG Consultants. Supervisor Corey Meyer stated that we currently use them for engineering on the sewer authority and a few other things. Supervisor Roger Rutt is on the committee and said that HRG is already up to speed, which is great.

Supervisor Roger Rutt made a motion to approve HRG Constants to update the Township Comprehensive Plan and Supervisor Ted Gallagher seconded. The motion carried unanimously by voice vote.

g. Authorize staff to defend-131 Elmwood -Zoning Hearing Board Decision

Mr. Hutchison informed the Board that the Township was notified that the property owner for 131 Elmwood has filed an appeal of the decision of the Zoning Hearing Board's for this property. The property owner has indicated a desire to negotiate a resolution, a settlement of the matter but in order to do that they had to appeal. Mr. Hutchison said staff is looking for an authorization to defend the appeal so that the Township solicitor can file the necessary paperwork, but the staff will not do anything until a meeting with the property owner can be set up. Supervisor Ethan Demme feels that our Zoning Hearing Board made the right decision, he said if it does go to the Court of Common Pleas, the outcome wouldn't be

detrimental to the Township. Mr. Hutchison asked the Board for their recommendation to authorize to defend, so they can have the chance to talk to the property owner. Otherwise the Zoning Hearing Board will have to defend themselves. Chairman Corey Meyer agreed and said he would love to see the Township negotiate this out with the property owner.

Supervisor Ethan Demme made a motion to approve the defense of the Zoning Hearing Board decision for 131 Elmwood and Supervisor Roger Rutt seconded. The motion carried unanimously by voice vote.

Managers Report

a. Solicitation Ordinance education efforts

Mr. Hutchison indicated that since their last meeting, staff has been working on putting together educational efforts which included putting things together for the October newsletter and providing the solicitation permits on the Township website. This would include information such as who has active solicitation permits, which will be helpful for residents. Chairman Corey Meyer asked if it was proper to call the non-emergency police line, if a resident encounter someone they question soliciting? Mr. Hutchison said yes, absolutely. Chairman Corey Meyer thanked Ms. Snyder for her input on this issue during Township meetings.

b. MOU re Rec programs use of CV facilities

Mr. Hutchison informed the Board that Conestoga Valley School District approved the Memorandum of Understanding regarding recreational usage of the school facilities. Given both parties have approved of the Memorandum, it is finalized. Chairman Corey Meyer let the Board know that Lisa Cleveland, the Township Recreational Director is doing a great job. He has gotten very good feedback from people in the Township.

c. Request for Additional funding for trail project: Strasburg Pike to Oakview Rd.

Mr. Hutchison stated that there has been a request for additional funding made to the County Metropolitan Planning Organization (MPO) for the trail from Strasburg Pike to Oakview Road which was originally funded through Lancaster County Smart Growth Transportation funds in 2019. Mr. Hutchison noted that the amount of construction funding that was being provided wasn't sufficient. Mr. Hutchison said that the estimate at this point is about \$1.5 million and what was allocated previously was 1.1 million. Mr. Hutchison noted that construction costs have increased and he is awaiting a decision of the MPO.

A resident in the audience informed the board that she was observing the Board meeting for her school project and was appreciative to be there.

Adjournment

Supervisor Ethan Demme made a motion to adjourn and Supervisor Ted Gallagher seconded. The motion passed unanimously by voice vote.