

March 1, 2010

The East Lampeter Township Board of Supervisors met on Monday, March 1, 2010, 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. Roger Rutt, Mr. Michael Landis, Mr. John Shertzer, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager.

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

Kevin Weems, 1851 Lincoln Hwy. East, Lancaster, PA 17602, representing Lancaster Door Service  
Ken Hertz, 407 Larkspur Loop, Lancaster, PA 17602

Rodrigo Zapata, 444 Garland Circle, Lancaster, PA 17602, representing Lancaster Door Service  
Ron Nolt, 122 Waterfront Estate Drive, Lancaster, PA 17602, representing Lafayette Fire Company  
Scott Hershey, 1934 Lincoln Hwy. East, Lancaster, PA 17602, representing Lafayette Fire Company  
Robert Schenke, 3000 Lincoln Hwy. East, Paradise, PA 17562, representing Paradise Candles  
Dolores Cutillo, 413 Larkspur Loop, Lancaster, PA 17602, representing Eastwood Meadows Residents Association

Chairman Buckwalter indicated that copies of the agenda and minutes from the February 16, 2010 special meeting and February 16, 2010 regular meeting were available in the back of the room for review.

Minutes of February 16, 2010 Special Meeting:

Chairman Buckwalter explained that these minutes were for a special meeting that was held on February 16, 2010 prior to the regular meeting. This special meeting was for conducting a public hearing to consider revisions to the Zoning Ordinance of East Lampeter Township involving both the zoning map and zoning text. He asked if there were any corrections or additions to the minutes. There were no comments.

A motion was then made by Mr. Landis and seconded by Mr. Rutt to dispense with the reading of the minutes and approve the minutes as presented. The motion was passed by unanimous voice vote.

Minutes of February 16, 2010 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes from the February 16, 2010 regular meeting as prepared. There were no comments.

A motion was then made by Mr. Shertzer 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 indicated that bills represented by various funds in the amount of \$105,405.22 were presented for payment. Chairman Buckwalter indicated a few of the items to be paid included the purchase of three (3) new computers for the police department in the amount of \$4,864.00 and the purchase of Office '07 software upgrades in the amount of \$5,976.78. A motion was made by Mr. Eberly and seconded by Mr. Rutt to approve payment of bills as listed in the amount of \$105,405.22. The motion was passed by unanimous voice vote.

## Lafayette Fire Company 2009 Annual Report – Chief Ron Nolt

Chairman Buckwalter recognized Chief Ron Nolt of the Lafayette Fire Company and asked him to present his annual report. Chief Nolt then reviewed the report of the fire company's activities for 2009. He noted that given the state of the economy, they replaced an aging pumper with a used apparatus. They were able to purchase it for about half the price of buying new. With this purchase, they should not need to purchase any major apparatus until 2023.

Chief Nolt stated that the fire company responded to 522 calls for the year, which is reduced about four percent (4%) from the previous year. He then reviewed the types of calls and noted that the biggest drop in calls was for automatic alarms, which was a twenty-five percent (25%) drop.

Mr. Shertzer asked Chief Nolt about the Stevens Technology students who volunteer.

Chief Nolt explained that these students come from other volunteer fire companies. He noted that two (2) students are from Downingtown Fire Company and one (1) from Mifflintown.

Mr. Eberly questioned the status of the new building.

Chief Nolt responded that the final land development plan was received from PennDOT. The Highway Occupancy Permit has also been completed. He added that they are still waiting to hear if they will receive money from the stimulus plan which they had applied for.

Chairman Buckwalter thanked Chief Nolt and the Lafayette Fire Company for their service to the community.

## Old Business:

### a. Request for Release of Financial Security for Bilick Subdivision – South View Drive

Chairman Buckwalter noted that this is a request for release of financial security for Bilick Subdivision – South View Drive and asked if there was anyone present for this item. There was no one present. He stated that Scott Hain of David Miller Associates had inspected and approved the stormwater management revision construction and is recommending the release of \$10,229.49 being held in escrow.

A motion was made by Mr. Eberly to grant the release of financial security for the Bilick Subdivision on South View Drive in the amount of \$10,229.49. Mr. Shertzer seconded the motion and it was passed by unanimous voice vote.

### b. Request for Reduction of Financial Security for High Lot 230 – Independence Court

Chairman Buckwalter stated that the Township engineer has visited this project site and is recommending a reduction in the amount of \$35,000.00, which will leave a remaining balance of \$34,779.38.

Mr. Landis made a motion to approve the financial security reduction for High Lot 230 on Independence Court in the amount of \$35,000.00, leaving a balance of \$34,779.38, as recommended by the Township engineer. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

c. Resolution re: DEP Sewer Planning – Warrington Development: New Holland Pike

Mr. Hutchison explained that what is typical of any land development or subdivision is the Department of Environmental Protection planning process that must be gone through by both the developer and the Township to verify that there is adequate capacity in the system to accommodate the development. Because of the size of the Warrington project, there was also an additional requirement for a public comment period that had to pass after it was advertised by the applicant. This has now passed and is ready for Township action which is by resolution. This information will then be forwarded to DEP for their action on the application.

Mr. Eberly made a motion to approve the Sewer Planning Module for Warrington Development on New Holland Pike. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

New Business:

a. Request for Waiver of Land Planning – Paradise Candles: 3000 Lincoln Hwy. East

Mr. Hutchison explained that in a letter from Mr. Lee Young, Zoning Officer, dated February 26, 2010, he indicated that the Zoning Hearing Board had granted approval for this project. Mr. Schenke is requesting the Board of Supervisors to waive the land planning process.

There was a brief discussion between the Board members and Mr. Schenke in regards to road improvements and curbing and sidewalks.

Mr. Eberly made a motion to approve the request for waiver of Land Planning for Paradise Candles at 3000 Lincoln Hwy. East, including the deferral of frontage improvements until the Board would decide it necessary for these improvements. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

b. Request for Waiver of Land Planning – Lancaster Door Service: 1851 Lincoln Hwy. East

Mr. Kevin Weems, owner of Lancaster Door Service, introduced himself. Mr. Weems explained that his business sells and installs overhead doors. He is planning to expand his business into windows and entrance doors with a second business name.

The Board members and Mr. Weems further discussed his business and the letter dated February 26, 2010 from Mr. Lee Young.

Mr. Landis made a motion to approve the request for waiver of Land Planning for Lancaster Door Service at 1851 Lincoln Hwy. East, conditioned upon the comments in the letter dated February 26, 2010 from Mr. Lee Young and including the deferral of frontage improvements until the Board would decide it necessary for these improvements. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

Other Business:

a. Presentation of 2009 Police Department Annual Report – Chief Bowman

Chairman Buckwalter then recognized Chief Bowman and asked him to present his report. Chief Bowman then reviewed the activities of the Police Department for 2009 which included 13,069 calls for the year. Of this total, 2,417 calls were for criminal violations, 876 arrests were made, 3,498

motorists were cited for vehicle codes and violations, 114 drivers were arrested for driving under the influence of alcohol or controlled substance, 1,039 vehicle crashes were investigated, and the number of responses to false alarms was 849 which was down 213 from last year's total.

Chief Bowman stated that they have two (2) Youth Aid Panels working with the department. He added that the new school resource officer has started at the Conestoga Valley High School.

The Board members thanked the Chief and commented on the outstanding work of the department.

b. Contract re: DCED Grant for Police Department Purchase of Taser Equipment

Mr. Hutchison explained that this is a grant that is available through the Department of Community and Economic Development. After the purchase of the taser equipment, the information is then submitted and the Township will be reimbursed.

Mr. Eberly made a motion to approve the DCED Grant for the police department's purchase of taser equipment. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

c. Request for Township Approval of 10K Race – 3/27/10: CV Buckskin Boosters

Mr. Hutchison explained that the route they originally submitted involved having to get a permit from PennDOT. The route has been changed to cross Mt. Sidney Road from the middle school driveway onto Stumptown Road. PennDOT has indicated that this will not require a permit. He added that Upper Leacock Township will also need to give approval since part of the race involves roads in their township.

Mr. Shertzer made a motion to approve the request for the CV Buckskin Boosters 10K Race to be held on March 27, 2010, conditioned upon Upper Leacock Township's approval. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

Public Comment:

Chairman Buckwalter asked if there were any public comments.

Ms. Dolores Cutillo, 413 Larkspur Loop, Lancaster, PA 17602, introduced herself as representing Eastwood Meadows Residents Association. She thanked the Board members for Flory Park and stated how much she enjoys going there. Ms. Cutillo then asked the Board members if they could advise her on what procedures are needed to be taken to terminate the Eastwood Meadows Residents Association. She added that they feel that it does not function the way that it was originally set up. There are no longer any recreational facilities and the only thing left is a lot that has been neglected by the Association for many years. Chairman Buckwalter asked Mr. Hutchison if this would be a civil issue. Mr. Hutchison replied that he believes so. Mr. Hutchison added that the Township was involved with the common areas that are owned by the Association. Ms. Cutillo stated that the residents have tried contacting the Association Board, but they do not respond to phone calls or emails. The Association Board violated the bylaws by taking it upon themselves to fix the sidewalks without discussing it with the residents. They hired someone to fix them without getting a permit and then slapping the residents with extra costs. Ms. Cutillo stated that she has a petition with 120 names of residents who are dissatisfied with the Association Board members. Chairman Buckwalter suggested that the Township solicitor could be contacted to advise the Township of their rights to get involved. Mr. Eberly agreed that it would be a good idea to contact council to find out if the Township has rights to contact the Association to enforce them to maintain the common open space/recreation areas.

Mr. Shertzer asked where Eastwood Meadows boundary starts and stops with the rest of the Eastwood Development.

Mr. Ken Hertz, 407 Larkspur Loop, Lancaster, PA 17602, responded to Mr. Shertzer and explained the boundary of Eastwood Meadows. He further explained the problems with the Association.

Chairman Buckwalter stated that the Township will contact their council to see what actions they can take to help the residents of Eastwood Meadows.

Ms. Dolores Cutillo asked if anything can be done in Flory Park with people walking their dogs and not picking up their waste. Mr. Hutchison responded that there are signs posted and stations with bags available. He added unless there would be a police officer there and would see it happen, there is really little that can be done about this matter.

Adjournment:

A motion was made by Mr. Eberly and seconded by Mr. Landis to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Tuesday, March 16, 2010 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison  
Township Manager