

April 2, 2012

The East Lampeter Township Board of Supervisors met on Monday, April 2, 2012, 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. Mike Landis, Vice Chairman and was followed by the Pledge of Allegiance. In addition to Mr. Landis, supervisors present were: Mr. John Shertzer, Mr. Glenn Eberly, and Mr. John Blowers. Also present was Mr. Ralph Hutchison, Township Manager. Mr. Dave Buckwalter, Chairman, arrived at 7:50 p.m.

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

Mark A. Vergenes, 69 Cambridge Village, Lancaster, PA 17602, representing CVCC for East Lampeter Township

Lynn Commero, representing Lancaster Newspapers

Larry Snyder, 456 Garland Circle, Lancaster, PA 17601, representing Eastwood Meadows Residents Association (EMRA)

Vice Chairman Landis indicated that copies of the agenda and minutes from the previous meeting were available for review.

Minutes of March 20, 2012 Regular Meeting:

Vice Chairman Landis stated that with the absence of Chairman Buckwalter they do not have a quorum to approve the minutes. This item will be addressed later in the meeting when Chairman Buckwalter is present.

Bills:

Vice Chairman Landis indicated that bills to be paid from various funds in the amount of \$165,430.21 were presented for payment. He stated that some of the larger items included in that amount is a payment of \$9,265.26 for the Dell training program for the new police records management system, a debt interest payment of \$22,535.31 to PNC Bank, and a payment of \$6,559.39 to PennDOT for ADA improvements to Lincoln Highway (Rt. 462).

A motion was made by Mr. Blowers and seconded by Mr. Shertzer to approve payment of the bills as listed in the amount of \$165,430.21. The motion was passed by unanimous voice vote.

Old Business:

a. CVCC Update – Mr. Mark Vergenes

Mr. Mark Vergenes explained that he is an East Lampeter Township resident and was asked by Supervisor John Blowers to serve as a representative of the community on the CVCC strategic planning committee. Mr. Vergenes gave a brief history of CVCC and explained that they had sold a piece of the property to The Outpouring of Lancaster, a church group. CVCC has until April 30, 2012 to vacate the property. They have asked Outpouring of Lancaster to give them until the end of 2012 to find a new location. Outpouring of Lancaster proposed that CVCC would pay \$9,000.00 at the beginning of each month for leasing the space until they find a new location. He talked about other community centers in the area and asked the Board what their vision was for the community center.

Mr. Blowers thanked Mr. Vergenes for serving on the CVCC planning committee. He mentioned that Mrs. Mary Clinton had approached the Board of Supervisors and school district to ask for members to serve on the CVCC Board. The Board of Supervisors did not want to step into this role since there had been decisions that were made by CVCC that they were not involved with. She then asked if they could provide names of residents that might want to serve on the CVCC planning committee. He asked if the CVCC Board has a business plan and if they are generating some sort of direction to the planning committee.

Mr. Vergenes replied that he believes a reconstitution of the CVCC Board should be encouraged and added that there are a lot of good will and good hearted people on the Board who want to do good for the community. Unfortunately, the business acumen is not there.

Mr. Shertzer asked if the planning committee is aware of what the financial situation is for the center at this point.

Mr. Vergenes stated that the last auditor's report showed that they have some cash and have enough to operate a building that is no more than \$5.00 per square foot. They could afford about 8,000 square feet, but it would be a challenge to operate since the current building is 22,000 square feet.

Vice Chairman Landis asked if Mr. Vergenes was going to be a part of the process to develop a business plan.

Mr. Vergenes replied that if it is something that they are going to move forward with, he would like to take part in that.

Vice Chairman Landis and the Board thank Mr. Vergenes for his update.

At this point, Vice Chairman Landis turned the meeting over to Chairman Buckwalter to chair.

b. Request for Release of Financial Security: LaQuinta – Eastbrook Road

Chairman Buckwalter asked if anyone was present for this item. No one was in attendance. He explained that LaQuinta Inn & Suites located at 25 Eastbrook Road, Ronks is requesting a release of financial security. The township engineer, David Miller Associates, visited the site on March 29, 2012 and is recommending a full release of financial security in the amount of \$20,000.00, which will leave a balance of \$0.00.

Mr. Eberly made a motion to release the full financial security for LaQuinta Inn & Suites in the amount of \$20,000.00, as recommended by David Miller Associates, leaving a balance of \$0.00. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

c. Request for Release of Financial Security: Ames Roofing – Old Philadelphia Pike

Chairman Buckwalter asked if anyone was present for this item. No one was in attendance. He stated that Ames Roofing on Old Philadelphia Pike is requesting the release of the remaining financial security being held. The township engineer, David Miller Associates, visited the site on March 22, 2012 and determined the constructed macadam curb and water bar to be adequate and in agreement with design plans from McCarthy Engineering Associates. David Miller Associates are recommending a full release of the remaining financial security once a revised maintenance agreement is submitted and recorded covering the new proposed stormwater controls and referencing the revised plan.

Mr. Shertzer made a motion to release the remaining financial security for Ames Roofing on Old Philadelphia Pike conditional to the revised maintenance agreement being submitted and recorded. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

d. Request for Reduction of Financial Security: Devon's Creek – New Holland Pike

Chairman Buckwalter asked if anyone was present for this item. No one was in attendance. He stated that Devon Creek (Warrington) are requesting a reduction of financial security in the amount of \$17,550.00, which will leave a remaining balance of \$993,186.03. The township engineer, David Miller Associates, visited the site on March 23, 2012 and is recommending a reduction of financial security in the amount of \$12,746.25, which will leave a balance of \$1,022,133.75.

Mr. Eberly made a motion to grant the request for reduction of the financial security for Devon Creek (Warrington) in the amount of \$12,746.25, as recommended by David Miller Associates, leaving a balance of \$1,022,133.75. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

e. Request for Reduction of Financial Security: Chick-Fil-A – Rt. 30

Chairman Buckwalter explained that Chick-Fil-A on Rt. 30 is requesting reduction of financial security for two (2) separate escrow accounts. The township engineer, David Miller Associates, visited the site on February 8, 2012 and noted items to be addressed in a letter dated April 2, 2012. They are recommending a reduction of \$287,305.00 for the East Lampeter Township escrow account, which will leave a remaining balance of \$163,859.00. They are denying a reduction for the escrow account with East Lampeter Township and PennDOT.

Mr. Landis made a motion to grant the request for reduction of the East Lampeter Township financial security for Chick-Fil-A on Rt. 30 in the amount of \$287,305.00, as recommended by David Miller Associates, leaving a balance of \$163,859.00 and denying the request for reduction for the East Lampeter Township and PennDOT escrow account. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

New Business:

None

Other Business:

a. Memorandum of Understanding – Lancaster County Conservation District

Mr. Hutchison explained that East Lampeter Township has annually entered into an agreement with the Lancaster County Conservation District. This year they have modified the agreement to try to update things in conformance with the MS4 requirements.

Mr. Landis made a motion to approve the agreement with East Lampeter Township and the Lancaster County Conservation District. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

b. Resolution re: PA DOT Reimbursement Agreement – Rt. 340 ADA Improvements

Mr. Hutchison explained that whenever PennDOT or a municipality does maintenance work on one of their highways, they have to update any of the facilities that are on the highways to make them ADA

compliant to current standards. Mr. Hutchison gave an example of when they recently repaved Rt. 462, where there was existing sidewalks, curb cuts had to be brought up to standards. They put in detectable warning systems at the curbs and those sorts of things. PennDOT will be doing the same thing on the Rt. 340 project when they put it out for bid later this year and have offered to include in that project local roads that would be involved. They will be paying for the ones that serve as crossings across state highways. The Township would be responsible for paying for the ones that serve as crossings across local roads. This resolution serves as the agreement between the Township and PennDOT for reimbursement of costs for the Rt. 340 improvements.

A motion was made by Mr. Landis and seconded by Mr. Blowers to adopt the resolution for the PADOT Reimbursement Agreement for the Rt. 340 ADA Improvements. The motion was passed by unanimous voice vote.

Minutes of March 20, 2012 Regular Meeting (continued):

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes from the March 20, 2012 regular meeting as prepared. There were no comments.

A motion was made by Mr. Eberly and seconded by Mr. Landis to dispense with the reading of the minutes and approve the minutes as presented. The motion was passed by a vote of three in favor and two abstaining. (Mr. Shertzer and Mr. Blowers abstained due to being absent from that meeting.)

Public Comment:

Mr. Raymond Leaman, 1660 Old Philadelphia Pike, Lancaster, PA 17602, addressed the Board about an agreement that he had with HACC and Mr. Redcay. He questioned how PennDOT could eliminate commercial access to his property. Mr. Hutchison explained that approximately three or four years ago, Mr. Redcay had made efforts to obtain right of way that was needed to make improvements at the intersection of Rt. 340 and Campus Drive. He came before the Board stating that he was unable to do so. The Board agreed to go through the eminent domain procedure to acquire the right of way that was needed for the improvement. This involved property owned by Mr. Tomlinson and Mr. Leaman. The process was completed and payments were made to the property owners. Mr. Leaman stated that the agreement he had with Mr. Redcay was that the property line would be moved and Mr. Redcay would provide a new driveway for Mr. Leaman. There was further discussion among Mr. Leaman and the Board members. Mr. Hutchison directed Mr. Leaman to explore with PennDOT whether or not the commercial access was eliminated from his property. He added that it was possible that the information about limited access that Mr. Leaman received from HACC or their representatives may have been erroneous.

Adjournment:

A motion was made by Mr. Landis and seconded by Mr. Eberly to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Tuesday, April 17, 2012 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager