

July 8, 2013

The East Lampeter Township Board of Supervisors met on Monday, July 8, 2013, 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. In addition to Mr. Buckwalter, supervisors present were: Mr. Mike Landis and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager. Mr. John Shertzer and Mr. John Blowers were absent.

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

Mary Clinton, 2460 New Holland Pike, Lancaster, PA 17601, representing CVCC

Diane Giles, 2460 New Holland Pike, Lancaster, PA 17601, representing CVCC

Steve Gergely, Harbor Engineering, Inc., 41 S. Main Street, Manheim, PA 17545, representing Volleyball Corner

Bill Helm, 2160-2 Lincoln Hwy. East, Lancaster, PA 17602, representing Volleyball Corner

Ben Bennett, Speedwell Construction, Inc., 637 Ditz Drive, Manheim, PA 17545, representing Volleyball Corner

Lynn Commero, representing Lancaster Newspapers

Mark Magrecki, PennTerra Engineering, 4909 Louise Drive, Suite 105, Mechanicsburg, PA 17055, representing Golden Corral

Barry Fitzgerald Jr., 310 Laurel Oak Lane, Lancaster, PA 17602

Chairman Buckwalter indicated that copies of the agenda and minutes from the previous meeting were available in the back of the room for review. He also announced that item 3 of the agenda would be deleted.

#### Minutes of June 18, 2013 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes of the June 18, 2013 regular meeting as prepared. There were no comments.

A motion was made by Mr. Landis and seconded by Mr. Eberly to dispense with the reading of the June 18, 2013 minutes and approve the minutes as presented. The motion was passed by unanimous voice vote.

#### Bills:

Chairman Buckwalter indicated that bills to be paid from various funds in the amount of \$513,969.21 were presented for payment. Chairman Buckwalter noted some of the larger items included in that amount was a payment of \$51,000.00 to Morgan Stanley for the police and non-uniform pension plans, \$36,735.00 to Susquehanna Municipal Trust for the third quarter workmen's comp insurance premium, \$237,554.00 to Bird-in-Hand Fire Company for the new tanker truck purchase, and \$15,975.00 to Weinhold, Nickel and Company for the 2012 year-end audit.

A motion was made by Mr. Eberly and seconded by Mr. Landis to approve payment of the bills as listed in the amount of \$513,969.21. The motion was passed by unanimous voice vote.

#### Recognition of Service to the Township: Sgt. James McElheny – 20 Years:

Chief Bowman invited Sgt. James McElheny to come forward to be recognized for his twenty (20) years of service to the East Lampeter Township Police Department. Chief Bowman mentioned some highlights of

Sgt. McElheny's career, stating that he started with the department in May of 1993 and was one of the first DARE officers to teach the program to fifth graders in the Conestoga Valley School District. In August of 1997, Sgt. McElheny was promoted to the rank of Corporal in the Patrol Division, which in January 2003 carried the title change to Sergeant. Before coming to East Lampeter Township Police Department, he honorably served his county in the US Army from 1979 until 1985 and also served as a civilian dispatcher for Lancaster County-Wide Communications. Sgt. McElheny currently serves on the Lancaster County SERT team as one of the police chaplains and also helps and assists the East Lampeter Township Police Department with that calling, in that capacity as well. Over the years, he has received numerous letters of commendation and recognition for his service in the community as well as his police work. Chief Bowman and the Board members thanked Sgt. McElheny for his twenty years of service to the Township. Sgt. McElheny introduced members of his family who were present in the audience.

#### Recognition of Promotion to Rank of Sergeant – Randy Shrom:

Chief Bowman invited Sgt. Randy Shrom to come forward to be recognized for his promotion. Chief Bowman explained that in May of 2013, the department went through a process for a promotion to fill a sergeant's vacancy in the Patrol Division. Sgt. Shrom went through the process and was the top candidate on the list and was promoted effectively on July 7, 2013. Sgt. Shrom is a nine (9) year veteran of the police department and began his police career in July of 2004 as a patrol officer. In August of 2006, he was assigned to the Conestoga Valley School District as the School Resource Officer. This is one of the most demanding jobs in the department, having to deal with students, parents, and teachers. He served in this position for over three (3) years. In 2011, he was assigned to the criminal investigative division and served in that position for over (2) years. Over the years, he has received recognition for his work and he is also trained and certified as a crisis intervention team officer through the County of Lancaster. Sgt. Shrom will be supervising Platoon #3 of the Patrol Division. Chief Bowman and the Board members congratulated Sgt. Shrom on his promotion. Sgt. Shrom introduced members of his family who were present in the audience.

#### Old Business:

- a. Release of Financial Security re: Regent's Park Phase 1 and Phase 2

Chairman Buckwalter stated that Regent's Park Phase 1 and Phase 2 are requesting a release of financial security in the amount of \$52,470.62 for Phase 1 and \$31,400.00 for Phase 2. Rettew Associates visited the site and are recommending a full release of financial security in the amount of \$52,470.62 for Phase 1 subject to the receipt of an as-built plan which includes a certification of completion and full release of financial security for Phase 2 in the amount \$31,400.00.

Mr. Eberly made a motion to release the full financial security for Regent's Park Phase 1 in the amount of \$52,470.62 subject to the receipt of an as-built plan which includes a certification of completion and full release of financial security for Phase 2 in the amount \$31,400.00, as recommended by the Township engineer, Rettew Associates. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- b. Request for Time Extension to Record Conditionally Approved Plan: Neff Land Development Plan #10-29: 360 Mt. Sidney Road

Chairman Buckwalter asked if anyone was present for this project. No one was in attendance to represent this item. The applicant is requesting a 127-day time extension to record the final plans for Neff Land Development Plan #10-29 for 360 Mt. Sidney Road. This would retroactively extend the deadline from June 17, 2013 to October 22, 2013. Mr. Eberly asked what the progress was for this plan.

Mr. Hutchison responded that the next item on the agenda is one that they still need to fulfill. The remaining items have to do with approval of the sewer facilities by the Sewer Authority and the DEP planning module.

A motion was made by Mr. Eberly to grant the request for the 127-day time extension to record the final plans for Neff Land Development Plan #10-29 for 360 Mt. Sidney Road with the deadline set for October 22, 2013. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

- c. Neff Land Development Plan #10-29: 360 Mt. Sidney Road – Curb & Sidewalk Deferral Agreements

Mr. Hutchison explained that when the Board acted on the plan, one of the conditions of approval was that they also prepare and record an agreement deferring the curb and sidewalk on both the Neff property and the Hershey property on the plan. These two agreements satisfy that condition.

A motion was made by Mr. Eberly to except the agreements for the deferment of curb and sidewalk for the Neff Land Development Plan #10-29 for 360 Mt. Sidney Road for both the Neff and Hershey properties. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

- d. Request for Time Extension to Record Conditionally Approved Plan: Golden Coral Restaurant Plan #12-25 – 2291 Lincoln Highway East

Mr. Mark Magrecki of PennTerra Engineering introduced himself as representing Golden Coral Restaurant. He stated that they are working on the process of getting approvals from PennDOT for the project and are requesting a ninety (90) day time extension to record conditionally approved plan #12-25.

A motion was made by Mr. Eberly to approve the ninety (90) day time extension to record conditionally approved plan #12-25 for Golden Coral Restaurant at 2291 Lincoln Highway East. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

- e. Request for Time Extension – Lapp’s Stormwater Management Plan #13-02: 2220 Horseshoe Road

Chairman Buckwalter asked if anyone was present for this project. No one was in attendance to represent this item. The applicant is requesting a ninety (90) day time extension to comply to the condition of a stormwater management plan required as part of the April 16, 2013 approval of the waiver of land development for the site located at 2220 Horseshoe Road.

A motion was made by Mr. Landis to approve the request for a ninety (90) day time extension the Lapp’s Stormwater Management Plan #13-02 for 2220 Horseshoe Road. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

- f. Developer’s Agreement re: Volleyball Corner Land Development Plan #13-13: 2007 Lincoln Highway East

Mr. Steve Gergely of Harbor Engineering, Inc. introduced himself as representing Volleyball Corner. He also introduced with him Mr. Bill Helm, owner of Volleyball Corner and Mr. Ben Bennett of Speedwell Construction, Inc. He discussed the draft copy of the Developer’s Agreement he submitted to the Township, which outlines the responsibility for sidewalk improvements.

Mr. Landis made a motion to approve the Developer's Agreement for Volleyball Corner Land Development Plan #13-13 for 2007 Lincoln Highway East with a date for completion within five (5) years. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

New Business:

- a. Resolution re: 1857 Colonial Village Lane Land Development Plan #13-16: DEP Planning Module

Mr. Hutchison stated that this is a resolution that indicates that the property will be served by public sewer and DEP requires the Board to act on this resolution.

A motion was made by Mr. Eberly and seconded by Mr. Landis to approve the DEP Sewer Planning Module resolution for 1857 Colonial Village Lane Land Development Plan #13-16. The motion was passed by unanimous voice vote.

Other Business:

- a. Resolution re: ROW Acquisition for Strasburg Pike / Windy Hill Road / Millstream Road

Mr. Hutchison explained that related to this intersection improvement, there was a right-of-way plan prepared by the Township engineer and the right-of-way to be acquired to complete the project is based upon that plan. PennDOT requires the Township to adopt a resolution authorizing the Township to acquire the right-of-way in accordance as shown on that plan. There are six (6) properties involved.

A motion was made by Mr. Eberly to approve the resolution for the right-of-way acquisition for Strasburg Pike/Windy Hill Road/Millstream Road. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

- b. Approval of ROW Settlement Agreements re: Strasburg Pike / Windy Hill Road / Millstream Road Intersection Improvement Project

Mr. Hutchison explained that the Township hired a right-of-way acquisition company to do appraisals on the value of the properties being impacted by this intersection improvement. Three (3) of the properties owners have settled and three (3) are still pending.

A motion was made by Mr. Eberly to approve the Right-of-Way Settlement Agreement for the Strasburg Pike/Windy Hill Road/Millstream Road intersection improvement project as presented. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

- c. Appoint Tara Hitchens as Township Building Code Official (BCO)

Chairman Buckwalter explained that Tara Hitchens, Director of Planning/Zoning Officer for East Lampeter Township went through an exam to demonstrate her qualifications and passed to become a Building Code Official (BCO).

Mr. Landis made a motion to appoint Tara Hitchens as the East Lampeter Township Building Code Official (BCO). Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

d. Transition Plan for ADA Accessibility in Township Rights of Way

Chairman Buckwalter stated that every time improvements are made which require curbs and sidewalks to be installed, sidewalk cuts with ramps and traction pads are also needed.

Mr. Hutchison added that the ADA accessibility locations need to be brought up to current standards when resurfacing or reconstructing a road. A plan needs to be on record in order to comply with the ADA law. This plan states that when the Township is reconstructing or resurfacing roadway, these areas will be reviewed and brought up to standards.

A motion was made by Mr. Landis to adopt the transition plan for ADA accessibility in East Lampeter Township rights of way. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

e. Non Contract Positions Pay Policy

.Chairman Buckwalter stated that as a Board they have been working on developing a policy to address salaries and salary ranges.

Mr. Hutchison added that he recommended and the Board agreed last fall to do some market research on pay ranges for the non contract positions that the Township has. Nancy Hess of N. J. Hess Associates did some market research in the south central area of Pennsylvania and developed policy language as well as proposed ranges of pay for those positions and recommended them to the Board. This policy will guide what salary to pay for those positions in future years.

A motion was made by Mr. Eberly to approve the Non Contract Positions Pay Policy as presented. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

Public Comment:

Ms. Diane Giles, 2460 New Holland Pike, Lancaster, PA 17601, introduced herself as the Director of the Conestoga Valley Community Center (CVCC). She stated that she was misquoted in an article that appeared in the newspaper saying that the Township has not helped them financially and this is not true. She was explaining that it is important to have a commitment from the three (3) townships because it does open up a world of grants that they can get from state down. Ms. Giles presented the Board members with copies of the business plan which included the budget. Mr. Eberly asked what the businesses are looking for when they ask for proof that the townships are helping the CVCC. Ms. Giles replied that the businesses want to see how the CVCC is being supported. She contacted the parks and recreation department in Harrisburg and was told that there are grant opportunities available if the townships sign on for a term instead of a year to year contribution.

Request to Use Township Roads for BIH Half Marathon Event:

Chairman Buckwalter stated that he had received a letter requesting the use of township roads for the Bird-in-Hand Half Marathon. This is an event that raises money for the Bird-in-Hand Fire Company and has occurred in previous years without any incidents. The Township has received a certificate of insurance for the event. The Bird-in-Hand Half Marathon will be held September 6 and 7, 2013.

A motion was made by Mr. Eberly to approve the request for use of Township roads for the Bird-in-Hand Half Marathon event on September 6 and 7, 2013. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

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 Monday, August 5, 2013 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison  
Township Manager