

September 13, 2010

The East Lampeter Township Board of Supervisors met on Monday, September 13, 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. In addition to Mr. Buckwalter, supervisors present were: Mr. John Shertzer, Mr. Roger Rutt, Mr. Michael Landis, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager.

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

Robert Schwartz, 2007 Millstream Road, Lancaster, PA 17602

Christian Esh, 2571-D Siegrist Road, Ronks, PA 17572

E J Walsh, McCarthy Engineering Associates, 1121 Snyder Road, West Lawn, PA 19609, representing Christian Esh

Daniel Mazaheri, Esq., PO Box 10035, Lancaster, PA 17605, representing Gary Hoover/Miles Towing

Chairman Buckwalter indicated that copies of the agenda and minutes from the previous meeting were in the back of the room for review.

Minutes of August 17, 2010 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes from the August 17, 2010 regular meeting as prepared. There were no comments.

A motion was then 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 unanimous voice vote.

Bills:

Chairman Buckwalter indicated that bills represented by various funds in the amount of \$429,593.76 were presented for payment. Chairman Buckwalter indicated that a few of the larger amount items included a payment of \$145,582.00 to Fulton Financial Advisors for 2009 debt service, a semi-annual contribution of \$6,783.00 to the Lancaster County Drug Task Force, a \$6,000.00 quarterly contribution to the Lancaster County Library, a \$44,800.00 quarterly contribution to be dispersed between the four (4) Township fire companies, a payment of \$85,000.00 to Morgan Stanley for the police and non-uniform pension, and a payment of \$29,022.00 to Susquehanna Municipal Trust for workmen's comp insurance. A motion was made by Mr. Rutt and seconded by Mr. Shertzer to approve payment of bills as listed in the amount of \$429,593.76. The motion was passed by unanimous voice vote.

Recognition of Police Department Reaccreditation:

Chief John Bowman explained that the police department recently went through its second reaccreditation process. The process consisted of a team from the Pennsylvania Law Enforcement Accreditation Commission coming on-site and spending two (2) days examining the police department files. There are 132 different standards that the department must meet. The East Lampeter Township Police Department was compliant for 113 of those standards. The other 19 did not apply. Chief Bowman reviewed some of the standards required and stated that Sergeant Marlene Leighty took on the task of the accreditation

manager and did an outstanding job preparing for the reaccreditation. Chief Bowman then presented a plaque to Chairman Buckwalter to be displayed in the building. The plaque displays the date of the reaccreditation. Chairman Buckwalter thanked Chief Bowman and stated that the Board is proud of the excellent job performed by Chief Bowman and his staff.

Old Business:

a. Request to Reduce Financial Security – High Associates Building #354: Independence Court

Chairman Buckwalter asked if anyone was present for this item. No one was in attendance to represent this item. Chairman Buckwalter stated that High Associates is requesting a financial security reduction for building #354 on Independence Court. The township engineer, David Miller Associates, reviewed the project and noted items of concern in a letter dated August 23, 2010. It is their recommendation to approve a financial security reduction in the amount of \$5,000.00, which will leave a new outstanding financial security balance of \$5,000.00.

Mr. Landis made a motion to reduce the financial security for High Associates Building #354 by \$5,000.00 as recommended by David Miller Associates. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

b. Request to Reduce Financial Security – Beiler Subdivision: Lynwood Road

Chairman Buckwalter stated that this request for financial security reduction is for the Beiler subdivision on Lynwood Road. He asked if anyone was present for this item. No one was in attendance. Chairman Buckwalter stated that the township engineer, David Miller Associates, reviewed the project and noted items of concern in a letter dated August 24, 2010. It is their recommendation to approve a financial security reduction in the amount of \$19,672.42, which will leave a new outstanding financial security balance of \$5,000.00.

Mr. Rutt made a motion to reduce the financial security for the Beiler subdivision by \$19,672.42 as recommended by David Miller Associates. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

c. Four Points Hotel Land Development – Storm Water Management Agreement

Chairman Buckwalter explained that the purpose of this agreement is that the Township must accept responsibility for maintaining these facilities, but has an agreement with the owners of Four Points that they maintain it.

Mr. Hutchison added that there are two purposes of this agreement. The first being because it is along a state highway and the land development involves storm water improvements that will be located within the state highway, PennDOT is requiring that the Township be the applicant for the permit to install the facilities. The Township transferred the maintenance burden to the property owner through the agreement. The second purpose for the agreement is that there are other storm water facilities being installed on the private property and through the land development process the property owner is obligated to maintain those facilities once they are constructed.

Mr. Eberly made a motion to approve the Four Points Hotel Land Development Storm Water Management Agreement. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

New Business:

- a. Esh Subdivision Final Plan #10-24: 2571 Siegrist Road

Mr. E. J. Walsh of McCarthy Engineering Associates introduced himself as representing Mr. Esh. Mr. Walsh reviewed the plan and discussed the waivers listed on the letter dated July 20, 2010 from David Miller Associates.

Chairman Buckwalter stated that the East Lampeter Township Planning Commission reviewed this plan and is recommending approval based on complying with the comments in the letter from David Miller Associates dated July 20, 2010.

Mr. Shertzer made a motion to approve the Esh Subdivision Final Plan for 2571 Siegrist Road, meeting the comments and the waivers listed on the July 20, 2010 letter from David Miller Associates. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

Other Business:

- a. Ordinance re: ELSA Capital Borrowing - \$6 Million Drawdown Line of Credit

Mr. John Frey of Public Financial Management, Inc. introduced himself as the Sewer Authority's financial advisor for this financing. Mr. Frey then gave a presentation.

Mr. Hutchison added that the projects that the Sewer Authority is in the process of funding are essentially projects that the Township, through the authority, has obligations to the City of Lancaster. These projects include upgrades to the pumping stations and upgrades to the treatment facility. Starting in November, the Authority will need \$3 million dollars immediately to fund their obligations and the remainder will be for other projects.

After a brief discussion, Mr. Eberly made a motion to approve the Ordinance #284 for the ELSA Capital Borrowing of \$6 million dollars. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- b. Cable Television Franchise Public Hearing

Chairman Buckwalter explained that the current agreement with Comcast will expire in February 2012 and it is required that a public hearing be held.

Mr. Hutchison added that the public hearing is part of the preliminary portion of the franchise renewal process. The Township has the opportunity to review the cable operators past performance and identifies the Township's future cable related community needs. Comments are invited from the public.

Chairman Buckwalter asked if there was anyone in the audience interested in this item. There was no response. After a brief discussion between the Board members and Mr. Hutchison, Chairman Buckwalter then closed the hearing.

c. Authorization for Signing PA DOT Right of Way Plan re: North Cherry Lane

Mr. Hutchison explained that PennDOT is working to close all of the Amtrak lines at grade crossings which include the crossing at Irishtown Road. The point of that crossing is actually in Leacock Township, but the solution that PennDOT is pursuing to close that crossing is the extension of Irishtown Road on the north side of the railroad tracks to connect with Harvest Drive in Leacock Township. On the south side of the road the extension of North Cherry Lane to connect with Irishtown Road on the south side of the tracks. The extension of North Cherry Lane from where it ends currently, to connect up with Irishtown Road, a portion of that is in East Lampeter Township. PennDOT will build this connection and then turn the right of way back over to the Township after it is constructed for Township maintenance. PennDOT is asking the Township to authorize the Township Secretary to sign the right of way plan indicating that the Township will accept this right of way as a Township road.

Mr. Eberly made a motion to grant the authorization for signing the PennDOT Right of Way Plan for North Cherry Lane. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

d. Approval of 2011 Pension MMO Calculations

Mr. Hutchison explained that every year the township is required by law to prepare this calculation for each of the pension plans, one for the police pension and one for the non-uniform employee pension. This is essentially a budgeting tool for the Township as they prepare the 2011 budget. This plan must then be submitted to the state as part of the ongoing Act 205 requirements. This identifies the minimum amount that has to be deposited to each of the pension plans in the coming year. Employee contributions are through payroll deductions and then you are left with the minimum municipal obligation. The minimum municipal obligation is funded using state grant funds which are received annually and the remainder is then funded by the Township.

Chairman Buckwalter added that the amount for the police pension is \$513,749.00 and for the non-uniform employees it is \$85,678.00.

Mr. Landis made a motion to approve the MMO pension plans for 2011. Mr. Shertzer seconded the motion and it was passed by unanimous voice vote.

e. Reappointment to Zoning Hearing Board Alternate Position – Terms Ending October 2, 2013:
Mr. John Blowers, Mr. Walt Siderio, Mr. Josh Bare

Chairman Buckwalter stated that the terms for Mr. John Blowers, Mr. Walt Siderio, and Mr. Josh Bare to serve as Zoning Hearing Board Alternates are about to expire. Mr. Blowers and Mr. Siderio have indicated their willingness to serve for another three (3) years. Mr. Bare has not been able to be contacted. Mr. Hutchison indicated that Mr. Bare recently joined the Board to fill an unexpired term and felt that he would be willing to serve for three (3) years.

Mr. Shertzer made a motion to appoint Mr. John Blowers, Mr. Walt Siderio, and Mr. Josh Bare to the East Lampeter Township Zoning Hearing Board Alternates for a three (3) year term ending on October 2, 2013. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

Public Comment:

There were no comments.

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, October 4, 2010 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager