

November 14, 2011

The East Lampeter Township Board of Supervisors met on Monday, November 14, 2011, 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. Mike Landis, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager. Mr. Roger Rutt was absent.

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

John Blowers, 102 Strasburg Pike, Lancaster, PA 17602
Robin Weaver, East Lampeter Township Police Department
Lynn Commero, representing Lancaster Newspapers

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

Minutes of October 18, 2011 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes from the October 18, 2011 regular meeting as prepared. There were no comments.

A motion was then made by Mr. Landis and seconded by Mr. Shertzer 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 to be paid from various funds in the amount of \$603,303.02 were presented for payment. Chairman Buckwalter stated that some of the larger items included in that amount is a payment of \$165,524.88 to the City of Lancaster for third quarter sewer treatment, \$12,465.60 to LASA for third quarter transmission charges, and a payment of \$22,140.36 to Rettew Associates for engineering services for the Millcross Road bridge project.

A motion was made by Mr. Shertzer and seconded by Mr. Eberly to approve payment of the bills as listed in the amount of \$603,303.02. The motion was passed by unanimous voice vote.

Recognition of Life Saving Actions:

Chief John Bowman introduced Lt. Rob Eachus, Officer Lisa Gehr, and Officer Mark Manley. Chief Bowman explained that on September 1, 2011, officers responded to a call for a two-year-old drowning victim on Maple Avenue in Bird-in-Hand. Officers Gehr and Manley were the first to arrive on the scene and were met there by folks who had started some life saving efforts. The officers arrived quickly and calmly took over resuscitation efforts using an Automated External Defibrillator (AED) device and rescue breaths. The child was then transported to the Hershey Medical Center, responded to pain stimulants, and ended up recovering. Chief Bowman introduced Mr. Stephan Stoltzfus, the father of the child, who presented each of the officers with a gift and thanked them for their life saving actions on that day. Representatives of Gordonville Ambulance were also thanked. Chief Bowman presented Lt. Eachus, Officer Gehr, and Officer Manley each with a life saving pin and certificate for their actions on that day. On behalf of the Board, Chairman Buckwalter thanked the officers and stated how proud the Board is of them. The other Board members and Mr. Hutchison also thanked them.

Recognition of Years of Service:

Chief Bowman invited Captain Steve Zerbe to come forward to be recognized for his twenty (20) years of service to the East Lampeter Township Police Department. Chief Bowman noted some highlights during Captain Zerbe's twenty years of service which included being nominated Officer of the Year in 1993 and 2000.

Chief Bowman introduced Officer Ron Bezzard who also was being recognized for his twenty (20) years of service to the East Lampeter Township Police Department. Chief Bowman noted some of Officer Bezzard's arrests and stated that he has served as the Township motor vehicle inspection specialist.

Lt. Jim Ely was recognized for his thirty (30) years of service to the East Lampeter Township Police Department and the numerous promotions he has had over those years including being certified as an accident reconstruction specialist.

Recognition of Retirement:

Chief Bowman announced the retirement of Officer Ken Crouse who served the Township for twenty-five (25) years. He stated that Officer Crouse has received numerous commendations for police work including Officer of the Year in 1996.

Old Business:

a. Earned Income Tax Ordinance Adoption

Chairman Buckwalter explained that because of Act 32, there is a requirement that the Board adopt a new Earned Income Tax Ordinance.

Mr. Hutchison stated that this was on the Board's agenda at the last meeting and was discussed. Representatives from American Music Theatre were present at that meeting and asked a few questions. Mr. Hutchison had a follow-up meeting with them to discuss their concerns. As a result of that meeting, a new version of the EIT Ordinance was prepared for the Board to adopt. This new version includes a provision which limits the application of the non-resident Earned Income Tax to those who work in the Township for at least five (5) days during the tax year.

After a brief discussion, Mr. Shertzer made a motion to adopt the Earned Income Tax Ordinance as prepared. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

Mr. Shertzer added that Mr. Hutchison has been involved with this Earned Income Tax issue for a long time and has sort of led the charge in seeing things happen. He appreciates all of Mr. Hutchison's efforts and the other Board members agreed and thanked him.

b. PADCVB Request for Waiver of Land Development Planning re: Mr. Sticky's

Mr. Dan LaFauci of the PA Dutch Convention and Visitors Bureau introduced himself and Mr. Phil Poorman, owner of Mr. Sticky. Mr. LaFauci explained that at the December 21, 2010 meeting of the East Lampeter Township Board of Supervisors, they were granted a waiver of land development plan processing for this operation, with the condition that the Board would review and act on this waiver annually in November. He added that Mr. Sticky's operation has been a success and has gone without any complications or complaints. They are before the Board to request this waiver for another year.

Mr. Shertzer asked if this waiver request is necessary every year and how staff feels about this.

Mr. Hutchison replied that it is not necessary every year if the Board would like to waive further planning on the addition of the business at this location.

Mr. Shertzer made a motion to grant the request for waiver of land development planning for Mr. Sticky's at the PA Dutch Convention and Visitors Bureau as it is and where it is. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

c. Release of Financial Security re: High Steel Plant #2 – 142 Greenfield Road

Chairman Buckwalter stated that High Associates is requesting a full release of financial security in the amount of \$10,920.53 for the expansion at the High Steel Plant #2 at 142 Greenfield Road. The township engineer visited the site and is recommending full release of funds.

Mr. Eberly made a motion to grant the release of the remaining \$10,920.53 financial security to High Associates for the High Steel Plant #2 expansion, as recommended by David Miller Associates. Mr. Landis seconded the motion and it was passed by a vote of three in favor and one abstaining. Chairman Buckwalter abstained due to his employment with the High organization.

d. Release of Financial Security re: High Building #354 – 170 Independence Court

Chairman Buckwalter explained that High Associates is requesting a full release of financial security in the amount of \$3,000.00 for Building #354 located at 170 Independence Court. The township engineer visited the site and is recommending full release of funds.

Mr. Eberly made a motion to grant the release of the remaining \$3,000.00 financial security to High Associates for Building #354, as recommended by David Miller Associates. Mr. Landis seconded the motion and it was passed by a vote of three in favor and one abstaining. Chairman Buckwalter abstained due to his employment with the High organization.

New Business:

None

Other Business:

a. Authorization to Advertise Draft 2012 Budgets

Mr. Hutchison explained that the draft budget proposes a 9.4% increase in real estate taxes. There would still be expenditures of approximately \$247,000.00 greater than revenues in the general fund, so part of the fund balance would be used to cover this gap. He added that this increase will put the Township in a more favorable position looking forward into future years, especially 2013. There are a variety of capital commitments that the Township has which are related to the county radio system and the purchase of fire apparatus. There are no proposed increases for sewer fees or street light assessments. Expenditures have only been increasing by one percent (1%) each year for the last three (3) years. The problem is on the revenue side being that earned income taxes have dropped off dramatically and real estate transfer taxes have diminished significantly. The Board has not increased taxes for the last two years. If adopted, property taxes would be going from 1.462 mils to 1.6 mils. The Board would need to vote on adopting this budget at the December 20, 2011 meeting.

Mr. Landis made a motion to authorize the advertising of the 2012 Draft Budget. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

b. Reappointment to Planning Commission – Mr. Curt Stumpf: Term to 11/19/15

Mr. Shertzer made a motion to reappoint Mr. Curtis Stump to the Planning Commission for a four (4) year term ending on November 19, 2015. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

c. Reappointment to Zoning Hearing Board – Mr. Dave Petrisek: Term to 11/12/14

Mr. Eberly made a motion to reappoint Mr. Dave Petrisek to the Zoning Hearing Board for a three (3) year term ending on November 12, 2014. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

d. Authorization to Purchase New Police Records Management System Using Forfeiture Funds

Mr. Hutchison stated that the police department has been struggling with the current records management system that they have. It was developed at the county level and is not serving the departments needs. Since we have been participating in the DEA program with one of our officers assigned there, we have been receiving forfeiture funds through that program. We must use the funds to benefit the police department in some way. Chief Bowman and other leaders in the department have gone out looking for an improvement in the records management systems. They have found a system developed by CODY that they believe will meet their needs.

After a brief discussion, Mr. Eberly made a motion to authorize the purchase of the new police records management system using forfeiture funds. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

Public Comment:

Mr. John Blowers, 102 Strasburg Pike, Lancaster, PA mentioned the election on November 8, 2011 and that he will become a member of the Board of Supervisors in January. Chairman Buckwalter indicated that the Board looks forward to working with him.

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, December 5, 2011 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager