

December 18, 2012

The East Lampeter Township Board of Supervisors met on Tuesday, December 18, 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. 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. John Blowers. Also present was Mr. Ralph Hutchison, Township Manager. Mr. Glenn Eberly was absent.

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

Matt Bono, 1837 Timothy Lane, Lancaster, PA 17602, representing ELTESC/Witmer Fire Company
David Keens, 342 Woodcrest Drive, Lancaster, PA 17602, representing Lafayette Fire Company
Robert Neff, 1401 Bearcreek Road, Elizabethtown, PA 17022, representing Nolts Mill of Witmer
Tom Matteson, Diehm & Sons, Inc., 15 Toll Gate Road, Lititz, PA 17543, representing Bob Neff
Lynn Commero, representing Lancaster Newspapers
Charles Suhr Esq., Stevens & Lee, 17 North Second Street, 16th Floor, Harrisburg, PA 17101,
representing Lancaster Host
Mark Magrecki, PennTerra Engineering, 4909 Louise Drive, Suite 105, Mechanicsburg, PA 17055,
representing Golden Corral
Parker Mount, Milestone Development Group, 717 Light Street, Baltimore MD 21230, representing
Lancaster Host
Tom Smithgall, 1853 William Penn Way, Lancaster, PA 17601, representing High Associates/Mill Creek
Square

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

Minutes of December 3, 2012 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes from the December 3, 2012 regular meeting as prepared.

A motion was made by Mr. Shertzer to dispense with the reading of the December 3, 2012 minutes and approve the minutes as presented. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

Bills:

Chairman Buckwalter indicated that bills to be paid from various funds were \$240,274.44. Chairman Buckwalter stated that one of the larger items included in that amount is for the line painting of the Township roads for \$33,510.90 to Alpha Space Control Company Inc.

A motion was made by Mr. Landis and seconded by Mr. Blowers to approve payment of the bills as listed in the amount of \$240,274.44. The motion was passed by unanimous voice vote.

Old Business:

a. Request for Release of Financial Security: Fisher – Hartman Station Road

Chairman Buckwalter stated that this request was for the release of financial security for the Henry K. Fisher project on Hartman Station Road. He asked if anyone was present for this item. No one was in attendance. Chairman Buckwalter explained that the township engineer, David Miller Associates, has reviewed this project and is recommending a full release of financial security in the amount of \$8,394.00, which will leave a balance of \$0.00, as noted in their letter dated December 11, 2012.

Mr. Landis made a motion to release the remaining financial security balance of \$8,394.00 to Henry K. Fisher for the Hartman Station Road project as recommended by the township engineer, which will leave a balance of \$0.00. Mr. Shertzer seconded the motion and it was passed by unanimous voice vote.

b. Request for Time Extension to Permit Temporary Use and Buildings: Millcreek Fence – Mt. Sidney Road

Mr. Tom Matteson of Diehm & Sons, Inc. introduced himself as representing Millcreek Fence and Bob Neff. He explained that they were before the Board in September 2012 for a conventional time extension on the project. There has been some further development since then. The Board originally approved the establishment of temporary buildings on the site to accommodate Mr. Beiler's Millcreek Fence business until the new buildings could be constructed to permanently house the business. There have been numerous delays with the project. The project applicant is being changed from Mr. David Beiler to the owner of the property, Mr. Bob Neff. Mr. Neff and his partners intend to keep and develop the property as an investment. Mr. Beiler and Millcreek Fence will become a tenant of the site, rather than the developer. Mr. Neff is now moving forward with the original plans. The deadline for Mr. Beiler to move the temporary buildings out is at the end of the month. They are asking for a new deadline of December 31, 2013 or 30 days after the new permanent buildings are certified for occupancy, whichever occurs first.

After a brief discussion among the Board members, Mr. Shertzer made a motion to grant the request for time extension to permit temporary use and buildings for Millcreek Fence on Mt. Sidney Road with the new deadline of December 31, 2013 or 30 days after the new permanent buildings are certified for occupancy, whichever occurs first. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

New Business:

None

Other Business:

a. Request re: Traffic Signal – Lancaster Host Driveway and Rt. 30

Mr. Charles Suhr, an attorney with Stevens & Lee, introduced himself as representing Hospitality Associates of Lancaster who are the owners of the Lancaster Host. He explained that the owners of Lancaster Host were contacted by a developer who is proposing to build a Golden Corral across Route 30 from the Lancaster Host and have been advised that the Golden Corral project will warrant the installation of a traffic signal at the Lancaster Host driveway. Lancaster Host is requesting that the Board apply the

\$137,500 they received from the developer of Mill Creek Square for condition number 7 of the approval for the Mill Creek Square Conditional Use zoning application for the installation of a signal at Route 30 and the Lancaster Host driveway.

Mr. Shertzer commented that he was a bit disappointed with the owners of Lancaster Host. When the developer of Mill Creek Square made the contribution for making improvements to the Route 30 corridor, the Township was looking for some cooperation from Lancaster Host to try to connect the two properties. Lancaster Host was not supportive at that time and he is concerned that their expectation now is that the Board is obligated to use this money to do something that could have been done before if there would have been a different spirit of cooperation between the two property owners.

There was a lengthy discussion among the Board members and Mr. Suhr about the traffic study that was performed for the Golden Corral.

Mr. Tom Smithgall, representing High Associates/Mill Creek Square, spoke in regards that they were the ones who made the contribution to the Township and are just following how the money will be used and if it will be for a new traffic signal.

Chairman Buckwalter thanked Mr. Suhr for his presentation. No action was necessary for this agenda item

b. Adoption of 2013 Township Budgets for All Funds

Chairman Buckwalter stated that a Draft Budget for 2013 was published in November 2012 for the public to view. During previous Supervisor meetings, groups have attended to weigh in on particular line items. There were a few changes that were made to the draft as a result of new information. Mr. Hutchison reviewed the proposed changes as listed by staff.

Mr. Shertzer asked about a response to the four (4) Township fire companies who attended the last meeting to request an increase in funding in the budget for each of the fire companies.

Mr. Blowers replied that the Emergency Services Committee has been working on putting together an end of the year assessment of the finances of all four (4) fire companies in the Township. He is proposing an increase in the draft budget amount for the four (4) fire companies which currently line 411.530 of the general fund budget shows a total contribution to the fire companies \$195,000.00, which breaks down to each of the fire companies receiving \$48,750.00. This is an increase of a little over 8 percent from the 2012 contribution. Mr. Blowers talked about the commitment and service of the volunteer firefighters to the Township. In 2009, the Township contribution was \$56,000.00 per fire company and he is proposing to return the contribution levels from the general fund budget back to that amount for 2013.

Mr. Shertzer made a motion to approve the amended 2013 budget that includes the changes that Mr. Hutchison reviewed and the addition of the change to item 411.530 of the general fund for contributions to the township fire companies be increased from \$195,000.00 to \$224,000.00, with this amount being capped for 2014 pending strategic planning process. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

c. Resolution Setting the 2013 Real Estate Tax Rate – 1.60 Mills

Mr. Landis made a motion to adopt the 2013 Real Estate Tax Resolution as prepared with the millage set at 1.60. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

d. Approval of Non Contract Employee 2013 Pay Rates

Mr. Landis made a motion to approve the 2013 non contract employee pay rates as presented. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

e. Authorization to Transfer Funds to Capital Reserve Fund

Chairman Buckwalter noted that this is to authorize the transfer of \$200,000.00 from the General Fund to the Capital Reserve Fund.

Mr. Shertzer made a motion to approve the authorization to transfer \$200,000.00 from the General Fund to the Capital Reserve Fund. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

f. Adoption of Street Light Assessment Ordinance

Chairman Buckwalter explained that this ordinance does not change the rates, but changes the incentives to pay the bill on time.

Mr. Hutchison added that another thing this changes is some old language that was in the existing assessment ordinance that had the tax collector collecting these amounts. This arrangement has not been done in a very long time and has been updated in this ordinance. The ordinance also indicates that the Board is empowered to change the street light rate through resolution at any time in the future.

Mr. Landis made a motion to adopt the Street Light Assessment Ordinance. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

g. Adoption of Street Light Assessment Rate Resolution

Mr. Hutchison explained that the rates are the same as they have been, but this resolution adds the ten percent (10%) discount for payments made within thirty days of the assessment.

Mr. Blowers made a motion to adopt the Street Light Assessment Rate Resolution. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

h. Adoption of Sewer Service Rate Resolution

Chairman Buckwalter stated that this resolution imposes a rate increase from \$60.00 per E.D.U. to \$65.00 per E.D.U. for owners of properties served by the East Lampeter Township Sewer System.

Mr. Landis made a motion to adopt the Sewer Service Rate Resolution. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

Public Comment:

Mr. Matt Bono, 1837 Timothy Lane, Lancaster, PA 17602, expressed his concern about the general fund balance and asked if there is a goal that they shoot for. Mr. Hutchison replied that the rule of thumb that staff has used is 10% of the expenditures. Mr. Bono talked about the cuts that the fire company took over the last few years and stated that he believed these cuts were unnecessary and that the general fund balance would have been fine.

Mr. David Keens, 342 Woodcrest Drive, Lancaster, PA 17602, introduced himself to the Board as the 2013 Fire Chief for Lafayette Fire Company and added that he has been a volunteer firefighter for the past 25 years. He discussed the future of the four Township fire companies and how some of the larger businesses within the Township don't even make any contributions.

Adjournment:

A motion was made by Mr. Landis and seconded by Mr. Shertzer to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Monday, January 7, 2013 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager