

August 15, 2022

The East Lampeter Township Board of Supervisors met on Monday, August 15, 2022, 7:30pm at the East Lampeter Township Office: 2250 Old Philadelphia Pike, Lancaster, PA 17602. The statement of recorded meetings was played for all in attendance. Chairman John Blowers called the meeting to order at 7:30 pm followed by the Pledge of Allegiance. In addition to Mr. Blowers, Supervisors present were Mr. Corey Meyer, Mr. Ethan Demme, Mr. Roger Rutt, and Mr. Mike Thornton. Also present were Mr. Ralph M. Hutchison, Township Manager, Ms. Tara Hitchens, Assistant Township Manager, and Stephanie Leakway, Administrative Assistant. Mr. Colin Siesholtz, Director of Planning/Zoning Officer, Chief Stephen Zerbe, Mr. Charlie Thomas, Director of Public Works, and Mr. Kevin Hostetter, Director of Finance were in attendance.

The meeting was held using Zoom, an internet web conferencing tool. A recorded statement was played regarding the use of Zoom for this public meeting including instructions for the public to use in order to participate in the meeting.

Public Present in Public Meeting Room:

Brenden Curry, LNP
Jade Campos, LNP
Todd Shoaf, Pioneer Management
Randy Martin, Cocalico Creek
Tom Whittington, Dutch Wonderland
Jay Provanzo, Campus Shoppes, LP
Scott Provanzo, Campus Shoppes, LP
Claudia Shank, Esq, McNees, Wallace & Nurick

Also, In attendance via Zoom:

None

Public Comment for Non-Agenda items:

Mr. Blowers announced the passing of Mr. John Esbenshade.

Consent Agenda:

- a. Approval of the August 15, 2022 Board of Supervisors meeting agenda
- b. Approval of the Minutes of the Monday, August 1, 2022 Regular Meeting
- c. Approval to pay invoices from all funds: Total \$392,688.29

Mr. Blowers presented the bills to be paid from various funds for the total amount of \$392,688.29. Items of note include, \$131,580 to Martin Paving Inc. for 2022 Oil & Chip Projects; \$61,143.00 to Morgan Stanley for Police/Non-Uniformed MMO\$58,219.94 to ALPHA Space Control for 2022 road striping; \$18,228 for Lancaster Area Sewer Authority (LASA) for second quarter sanitary sewer transmissions; and \$11,107 to Witmer Fire Company for vehicle insurance reimbursements.

On a motion by Mr. Meyer to approve the consent agenda as presented. Mr. Demme seconded the motion and it passed by unanimous voice vote.

Old Business:

a. Request to Reduce Financial Security: #2020-13 at 289/290 Clearview Road: David Miller/Associates review letter dated August 6, 2022 suggests reduction to \$11,983.50.

On a motion by Mr. Meyer to approve reduction to \$11,983.50 based on Township Engineer letter dated August 6, 2022. With a second by Mr. Demme, the motion was passed by unanimous voice vote.

b. Request to Reduce Financial Security: Crills Subdivision #2016-25, 2009 Meadow Ridge Drive: Security reduction down to \$10,965.39.

On a motion by Mr. Rutt to approve to reduce financial security for Crills Subdivision #2016-25, 2009 to \$10,965.39 based on the Township Engineer review letter dated August 10, 2022. Seconded by Mr. Thornton the motion was approved by unanimous voice vote.

c. Request for Time Extension re: "Agri Tourism" Zoning Amendment: Township staff has not received any amendments. Ms. Hitchens clarified there was an older proposal for another location, this particular amendment is for a different location. Mr. Meyer inquired if the applicant paid a fee before, and asked if another fee would be needed from the applicant to come in again. Ms. Hitchens noted that there was a fee and escrow payment submitted. The escrow fee has been utilized with Township Engineer reviews and the application fee is not refundable. It was clarified that the original request in March of 2022 was for a time extension for a public hearing for this evening, and tonight they are requesting another time extension for later this year.

On a motion by Mr. Demme to deny the time extension based on the Township Engineer review letter dated April 14, 2022 and the Lancaster County Planning Department review letter dated March 29, 2022. Mr. Meyer seconded the motion and it was approved by unanimous voice vote.

New Business:

a. Cocalico Creek Land Development Plan #2022-06: 2335 Lincoln Highway East: Mr. Todd Shoaf of Pioneer Management presented on behalf of his client, Mr. Randy Martin, owner of Cocalico Creek Home. Mr. Shoaf described that the property consists of a home goods/retail store of about 12,000 square feet and the applicant is looking to add approximately 3,990 square feet for strictly warehouse space related to the retail space. Currently, the applicant stores merchandise off-site and it would be more economical to expand and bring everything to the current tract. The Martin's acquired 0.8 acres of the neighboring tract which will give increase the current tract acreage to 2.07 acres as required by Zoning District. The property is non-conforming as related to impervious coverage, a little over so by adding additional acreage they will be over minimum lot size and under maximum impervious. There is a sales agreement in place and close to fruition. In receipt of David Miller/Associates August 3, 2022 letter, the applicant is looking for conditional final plan approval and approval of the multiple waivers/modifications. There are only two outstanding items to include an agreed upon amount for financial security which has since been approved by the Township Engineer. The applicant

is currently speaking with lenders to obtain the Letter of Credit should the plan be approved. The second outstanding comment is to update the cover sheet to list the approvals of waivers, if granted this evening. Conditional approval of preliminary plan process. Provide all approvals associated to preliminary plan. The applicant has received HOP from PennDOT for sidewalk relocation, receipt of Lancaster County Conservation District approval, and water capacity along with design approval from City of Lancaster, and Lafayette Fire Company approval. The proposed sidewalk relocated beyond the 5' setback requirement as the tract sits lower than Lincoln Highway East, a retaining wall needs to be installed. The applicant obtained HOP from PennDOT; structural engineer for wall design and associated HOP will be a part of a larger Township project along Lincoln Highway. Applicant understands developer's agreement which states the township will install retaining wall and sidewalk and the applicant will be responsible for the cost of the sidewalk.

On a motion by Mr. Demme to conditionally approve the land development plan based on the August 3, 2022 David Miller/Associates review letter and conditioned on the Developer's Agreement being reviewed to the satisfaction of the Township Solicitor. Two additional conditions that the applicant will pay for installation of sidewalk and the Township to cover the retaining wall. Seconded by Mr. Thornton, the motion was approved by unanimous voice vote.

b. Dutch Wonderland Stormwater Management Plan #2022-09: 2249 Lincoln Highway East-Mr. Tom Whittington presented on behalf of Dutch Wonderland. The applicant has received clean review letters, the most recent letter from HRG which indicated there are no further issues and will complying with any other items. The David Miller/Associates review letter dated August 4, 2022 have items which have all been addressed. There are minimal items for Stormwater Management, probable costs listed as \$42,010.00 and referenced HRG review letter dated August 12, 2022 which has four notes. Mr. Hutchison explains Dutch Wonderland is putting in concession stands where games are currently standing. This plan will reduce impervious surface through removal of asphalt and change in buildings.

On a motion by Mr. Demme to conditionally approve the submitted Stormwater Management Plan conditioned on the David Miller/Associates letter dated August 4, 2022 and HRG review letter dated August 12, 2022. The motion was seconded by Mr. Rutt, the motion carried by unanimous voice vote.

c. Time Extension for Township Review & Action: Zook/Yoder/Esh Lot 5 Land Development Plan #2022-13-Ben Franklin Boulevard-The applicant has requested a Time Extension through February of 2023.

On a motion by Mr. Demme to accept the time extension to review and act until February 28, 2023 for the Land Development Plan of Zook/Yoder/Esh Lot 5. Mr. Thornton seconded the motion with all voting in favor by unanimous voice vote.

d. Time Extension for Township Review & Action: 525 Greenfield Road Land Development Plan #2022-14-Applicant is requesting time extension and township review through December 15, 2022.

On a motion by Mr. Rutt to accept the time extension for review and action of Land Development Plan #2022-14 for 525 Greenfield Road. Seconded by Mr. Demme, the motion carried by unanimous voice vote.

e. Time Extension for Township Review & Action: 624 Willow Road Stormwater Management Plan #2022-12-The applicant is requesting a time extension of 90 days from August 15, 2022 would be November 13, 2022.

On a motion by Mr. Demme to accept the 90-day request for a time extension for review and action of the Stormwater Management Plan. Mr. Thornton seconded the motion and it carried by unanimous voice vote.

Action Items:

a. Public Hearing re: Proposed Zoning Ordinance Amendment-Mixed Use District-Mr. Hutchison stated the process all planning partners and provided necessary time for review and comment. Public hearing for this evening to take public input on proposal. Applicant is in attendance if summary is desired by the Board of Supervisors. Mr. Hutchison recommends opening the hearing then to close the hearing before acting. Ms. Claudia Shank presented on behalf of Campus Shoppes, LP and explained the property is the catalyst for amendment located at 1625 Old Philadelphia Pike which is improved with four-story mixed-use building known as “Squares at Bridgeport.” The upper three floors are residential use with the first level used for mix of retail and offices. Property also includes a bank site however the bank is not operational. Currently, the first floor is mostly vacant. The amendment is designed to facilitate the first floor of building and the bank pad site. Mr. Jay Provanzo and Mr. Scott Provanzo of Campus Shoppes, also presented to the Supervisors the plans they have should the amendment be approved. There has been a recent decline in commercial/office use. Mixed Use allows for financial institution, restaurant, commercial recreation, retail baker/confectioner and self-storage within the building. East Lampeter Township Planning Commission wants to see a cap of 75% square footage for self-storage, whereas Township staff wants to see the exiting drive thru to be allowed in the future. There have not been a great number of retail bites on this location. Currently have power train as a personal trainer, car wash, gas station, gym (Anytime Fitness). All 30 units were leased out within three months and many tenants ask for storage. Looking at 5-10 trips per week 11,000 square feet on first floor. 1,700 square feet for power train, looking at 3,000 – 4,000 square feet for retail/office and 5,000-6,000 square feet for self-storage. Mr. Blowers extended appreciation to applicant’s creativity with uses on the site. There was no public comment. Mr. Siesholtz stated the amendment is tailored to this property and is minor. Mr. Thornton added the amendment is consistent with Township comprehensive plan and serving of locals. Mr. Blowers closed the public hearing.

b. Action re: Zoning Ordinance Amendment re Mixed Use District

On a motion Mr. Thornton made a motion to approve the Zoning Amendment for Section 15, Mixed Use amended to include new sections as advertised. With a second by Mr. Demme, the motion was passed by unanimous voice vote.

c. Authorize distribution of SALDO for planning partners to review & comment: Authorize distribution, removed sketch plan, park/rec fee updated to assessed value modified by common level ration, 45-day public comment, and public hearing set for October 17th. Mr. Siesholtz explained the process moving forward if authorized, the SALDO will be sent out to all planning partners, and Lancaster County Planning Department. Mr. Hutchison added the 45-day timeline for public comment, advertise for consideration of October 17th and hold a public hearing for the Board to consider for adoption.

On a motion by Mr. Meyer to authorize the distribution of the SALDO to planning partners for review and comment and seconded by Mr. Demme, the motion carried with all voting in favor by unanimous voice vote.

d. Announce proposed Revisions to East Lampeter Township's Chesapeake Bay Pollution Reduction Plan (PRP) which is available for public review on the Township website or in the Township building. Mr. Siesholtz announced that the public review period commences with this meeting. East Lampeter is currently under the 2018-2023 MS4 permit cycle, this PRP is for said cycle. PRP has been updated to include new potential projects and to formalize the approval received from DEP to aggregate all the watersheds within the Township. This will go through 30-day public comment period after which the document will be submitted to DEP at the end of September for approval. Some of the projects include, added Agriculture properties to install AG BMPs, GreenLeaf will retro fit basins, High Properties for retro fits, HACC and Community Park with streambank restoration and I2 Capital Revolving Water Fund opportunity in which the Township has diligently been working to formalize. Some of these projects will carry into next permit cycle. Please be reminded that each MS4 permit cycle is a 5-year period. DEP isn't indicating that we need to prepare for the next cycle at this point as they have not required submission of a NOI (Notice of Intent) as they had in 2017 for the 2018-2023 permit cycle. This current cycle might go longer, and Township does not know what DEP will do with next cycle. Mr. Blowers asked if Township is reaching out to property owners or are owners reaching out to township for retro fitting. Mr. Siesholtz responded both are happening and Township and owners are working well in partnering together for these credits. Mr. Rutt questioned if the twelve properties discussed in the prior meeting were generated by I2 or were they generated by Township staff? Mr. Siesholtz responded that they were part of I2 Capital. Mr. Siesholtz reviewed the process with I2 which includes who will pay for what, maintenance, what credits they receive for Stormwater Fee. Pollution Reduction credits Township will get for any projects when working with private land owners.

Manager's Report:

a. 2023 Budget Discussion: Mr. Hutchison explained staff is looking for guidance from the Supervisors. Review where we are currently with 2022 budget balances. Focused on general fund and sewer funds as they are the two largest funds.

Kevin Hostetter, Director of Finance, explained the Township holds a healthy sewer fund \$3M; with sewer fees will reach revenues but all tapping fees may not happen. Debt service costs favorable but \$1.2M principle payment due October 1, 2022. Moving into the General fund, currently healthy at \$7.4M reserve balance and projection exceeds 18% of requirement. As far as budget versus actual, Real Estate anticipation is to exceed budget amount slightly and will receive

a bump with transfer taxes. The earned income tax revenue currently exceeding estimates by about 10%. Admissions Taxes, unsure where that will end up, thinking it will be close but not reach budgeted revenue. In total, Township did reach budgeted amount. General fund expenditures for the year, likely to exceed slightly, difficult to tell with current inflation rates. Mr. Thornton asked where Township found most significant impact from inflation? Mr. Hostetter replied vehicle fuel, IT purchases, and larger equipment purchases. Mr. Demme asked about interest earnings which are up almost 1000%. Mr. Hostetter explained Township is trying to keep as much as possible with PLIGIT, which the current rates include 1.87% at lowest and highest just above 2%. Mr. Demme inquired about the recycling grant to which Mr. Hostetter stated it was a one-time receipt. Mr. Blowers mentioned PA grants \$10,000. Mr. Hutchison stated \$25,000 from last year went to truck scales, through Senator Martin. Mr. Hutchison also added Township would need to go back and look at the line items, as managers did not anticipate to go line by line but assured the Supervisors they would get an answer. Mr. Blowers inquired about the PA Shared Revenue to which Mr. Hostetter said the state aid was received in one lump sum. Mr. Meyer asked about Public Works being under that Mr. Hostetter responded no all purchases were completed and vacant employment spots have not been filled. Mr. Hutchison recapped the financial picture and added the department heads were asked to attend and provide ideas for 2023 budget.

Mr. Charlie Thomas, Director of Public Works noted that a large remaining purchase for 2022 Public Works is the tractor which is to be delivered in September. Mr. Thomas explained the 2023 "Wish List" from Public Works includes playground equipment at Flory Park at a cost of \$50,000; a pavilion at Lafayette Park which would be smaller than the pavilion at the Clark Pavilion at Flory Park, but with restrooms. Looking to purchase a bucket truck and portable traffic signals for work zones; Sewer pit dump building in the 2022 budget will be out to bid in the near future. In 2023 the construction of the pole building 100' x 100' on campus; continuing paving projects and will look to update robotics as we are now four or five years into the project. Mr. Thomas is budgeting for new fire alarm panel for both buildings as parts are unavailable for current fire panel. Mr. Thomas continued with Gibbons Park improvements, parking lot, bridge, walking rails such as frontage improvements, new entrance, possible exit out between existing home and mill, parking lot with about 38 spaces; making a pull off for dry hydrant for fire department, the bridge over mill creek to include walking trail on both sides. Mr. Hutchison added the plan for a canoe launch. Mr. Blowers stated all of that will need to be paid for so the Board will need to make decisions about where to spend funds. Mr. Blowers questioned if this is the time to invest in Township parks? Mr. Hutchison stated one thing included in the rec plan include further development for Flory Park. Mr. Demme added that as population grows by a certain percentage point over the next decade, Township will expend more funding but what is the allocation for total general fund. How much should be put into budgeting fees and use it for saving up and doing capital improvement or put to debt service on a bond to reduce our bonds? Mr. Demme continued that he thinks general funds for allocation for regional recreation. Mr. Blowers pointed out the Township does the same thing within our municipality for fire apparatus, intention in establishing over years of turnover, reinvest, percentages of investments, and asked if Township can come up with the same thing for parks? Mr. Hutchison replied with priority for the board, staff can come up with options to finance the priorities. Mr. Hutchison also wanted to add budgeting regarding municipal building, there have been requests to add ADA accessible doors to the front of the building, which is being researched.

Mr. Siesholtz shared a few projects for Planning/Zoning/Building to include continue scanning, comprehensive zoning update, and comprehensive plan update. Mr. Siesholtz added possibly after Zoning Ordinance update, maybe a type of housing study to feed into the comprehensive plan which will provide hard numbers to see where we are and what we have. Mr. Demme will look at land on Millport, R-2, and how many units, and asked if Township will look at future as well? Will tell us what we have now, and make decisions on where we want to be. Mr. Blowers stated that the goal is to have the conversation as to what it would be like to collect, what is at Township's disposal and provide insight on current situation and answer what is the plan going forward. Mr. Hutchison shared his opinion that rather than update existing comprehensive plan, Township should look at a new comp plan, 2025ish is about 20 years since last it was updated. Mr. Hutchison also added there are large projects which will be close to competition such as the route 30 streetscape, walnut street, new housing developments, and the new school. Additionally, the Township is involved in two regional comp plans and if the desire to continue regional, then Township will need to start laying ground work. Many municipalities in LIMC have already gone out and done their own new individual plans. Finally, Mr. Hutchison suggested to focus on Conestoga Valley region and see if a comp plan in that region in order to continue with that concept.

Chief Zerbe explained ELT Police Department (PD) currently owns vehicles, 3-4, replacement based on mileage; Ford is the only game in town, Explorer, we don't have the dodge charger. The lower dollar option isn't an option. \$55,000 that is upfitted and previous model decommissioned. All in per unit. Second item: update to CODY records management system; system has been in use since 2012 and CODY is releasing a new product to be pathfinder product which has a lot of new things that would help the PD do what it does in time savings and things of that nature and would like to consider as there is a three-year projected cost. Third item includes taser replacement. PD is currently using second generation tasers that are at end of life. Taser units are about \$1,500 and PD needs about 12-15 puts at \$22,500. New cartridges and test cartridges used for training, but there is no price on carts. Fourth item: BODIE hits, using system for 3 years. Sends DNA samples to create profiles, hold info and is beneficial to any PD in nation. Trending, especially solving old crimes, currently \$3,000 - \$5,000 dollars which are 25 samples, but PD would like to see 175 samples; this is a \$20,000 ticket item, which is fluctuating and could be negotiated. Final item: personnel, not that we need personnel, only down one, but PD is currently facing a situation not seen before. Last Friday, county consortium of 55 applications wet out and only 28 returned. Compared to Dauphin county, which ran in July, had a total of 60 application. Compounded some applicants won't show and some will fail testing. Probably going to have less than 40 apps complete testing for county in over 20 PD's going after them rapidly. Last year East Lampeter PD washed out the first twelve applicants due to background issues. Even with limited numbers, there are still issues getting qualified people. The Township needs to consider other alternatives given that there are currently three officers who have signed the drop, there are fourteen officers that could retire between tomorrow and 2027 which is one third of the department. Chief Zerbe stated this is the perfect storm, seeing it happening nationally and here locally, people are not interested in Law Enforcement. Mr. Blowers clarified PD could lose 17 employees over the next 36 months. Mr. Rutt asked when was last time ELT advertised and hired own their own officers to which Chief Zerbe responded more than 5 years ago, closer to 10-year mark. Chief Zerbe added that for the last 8 years, ELTPD have used consortium solely. When asked if dealing with consortium, does PD have greatest needs get first pick? Chief explained that all PDs grab the list, grab the phones,

and start calling to get apps in as fast as possible. Mr. Rutt suggested that ELT PD own advertising would result in a good selection, as consortium method scares off those that want to move from one agency to another. Mr. Thornton questioned if financial incentive is needed? Chief Zerbe responded not yet, but may need to pay probation rate and academy fee for their first year; Looks like \$6,500 + one-year probation offers; \$5,000-\$6,000 for first year. Mr. Meyer stated he saw the Newark, DE PD Facebook hiring bonus, entrance exams, and added that Manheim is using social media. Mr. Blowers clarified that the PD needs to hire 3 employees over the next 12 months, to which Chief Zerbe replied, yes. Mr. Blowers added whatever can be done to get Police Department and Public Works staff suggesting that without people, we will get nothing done and this need to be an immediate focus. Mr. Thornton suggested utilizing new approaches with East Lampeter Township and Conestoga Valley School District newsletters, and potentially could work with or for Public Works department too.

Mr. Hutchison stated Township contributes in regional park efforts of which Supervisors have a draft to review. Next step, if this moves forward, would be to hire a recreation director for the region and each participant would contribute to that effort. Would plan to apply for grant to cover costs associated. Declining grant program, goes down after 4 years. If commitment, need budgetary commitment. Should be self-sustaining in the future, municipalities with school district's involved, some annual commitment of dollars going in and hopefully be a flat amount going forward. Still have Route 30 streetscape plan, phase 3, Strasburg Pike to Oakview Road trail, and western gateway. Still involved in gateway signage, branding, and wayfinding signage project. Intent is to get gateways up, needs funding for that. Hopefully Business Improvement District will get off ground and help with efforts. Bridgeport mobility plan implementation is being looked at carefully and would need matching funds for those improvements. Lancaster Heritage Pathway, number of grant applications pending related to that which if awarded will need to fund. MS4 program, ongoing with various PRPs as mentioned by Mr. Siesholtz. Smaller expenses include improvements for meeting room for sound and video; had community survey in budget, costs associated are much higher than anticipated. ARPA dollars: last time talked wanted to do as part of 2023 budget process. Replacing HVAC system in this building and dealing with fire apparatus replacement program. There is a lot on the plate, but wanted to review with the board, as board members have ideas, staff wants to hear those and what priority to attach to these and what ideas come out. Mr. Blowers encouraged staff to focus on best return on investments on people hired. Mr. Thornton suggested how fire companies are utilizing different approaches, for example, in schools, the Fire Club and Police Safety Club could also be helpful from school for Public Works. There are those students who could be interested.

Mr. Demme added Lancaster County just released their capital improvement budget and suggested it would be good for East Lampeter Township to look at whether roads, have some plans but look at long-term, increasing code enforcement (3rd party/staff); street cleaning, Fire/EMS folks and what can township do, like maintenance at site with mowing or increase general contribution; communications plan/social media and budget implications.

Mr. Thornton stated he appreciates the early heads up regarding budget as new board member. Mr. Meyer agreed and likes the early discussion, a lot of focus area/priorities. Mr. Rutt added that the budget can never start too early. Mr. Blowers concluded an intentional early start to get thoughts from Board of Supervisors. Time for East Lampeter Township to think boldly, continue to look at

significant projects in Township, consider sharing staff; may need more third-party services, need to add staff, come back to the board with budget that reflects our needs.

Adjournment:

On a motion by Mr. Demme and a second by Mr. Thornton with all voting in favor, the meeting was adjourned at 9:26 pm. The next Board of Supervisors meeting will be held on Monday, September 12, 2022 at 7:30 pm in the East Lampeter Township Office, 2250 Old Philadelphia Pike, Lancaster, PA, 17602 and via ZOOM, check the Township website at www.eastlampetertownship.org for more information.

Respectfully submitted,

Ralph M. Hutchison
Township Manager