

January 16, 2023

The East Lampeter Township Board of Supervisors met on Monday, January 16, 2023, 7:30 pm 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. John Blowers, Supervisors present were Mr. Corey Meyer, Mr. Ethan Demme, and Mr. Mike Thornton. Also present in the meeting room were Mr. Ralph M. Hutchison, Township Manager, Ms. Tara Hitchens, Assistant Township Manager, and Stephanie Leakway, Administrative Assistant. Supervisor Roger Rutt was in attendance via Zoom.

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 of LNP
Rob Visniski of RAV Associates
Wilmer Glick
Nick Wagner
Claudia Shank of McNees Wallace and Nurick
Tony Sietz of High Associates

Also, In attendance via Zoom:

Alon Maor of ZenCity
Ron and Joyce Leaman
Randy Hess of Hess Builders

Public Comment for Non-Agenda items:

None

Consent Agenda:

- a. Approval of the January 16, 2023 Board of Supervisors Meeting Agenda
- b. Approval of the Minutes of the Tuesday, January 3, 2023 Regular Meeting
- c. Approval to pay invoices from all funds: Total - \$304,062.60
- d. Addition of appointment of Township Citizens to Emergency Services Committee

Mr. Meyer noted that there is an added item to the January 16, 2023 agenda for the appointment of a Township Citizen Representative for the Emergency Services Committee.

Mr. Blowers presented the bills to be paid from the various funds for the total amount of \$304,062.60. Item of note included the following: \$9,589.20 for the code for codification services.

A motion was made to approve the consent agenda with the amendment noted by Mr. Meyer. Motion made by Corey Meyer which was seconded by Ethan Demme. Motion approved by unanimous voice vote.

Appointments to Vacant Positions & Reappointments

- a. Emergency Services Committee Appointment to fill unexpired term ending 12/31/23
Hand in Hand Fire Co. Citizens Representative – John Petersheim
- b. Emergency Services Committee Appointment to fill Township Citizen Representative
Dana Ormerod for a 2-year term ending on 12/31/24

A motion was made to approve the consent agenda as presented. Motion made by Corey Meyer which was seconded by Ethan Demme. Motion approved by unanimous roll call vote.

Old Business:

- a. Indemnification Agreement re: Stormwater Facilities Maintenance – Steudler Land
Development Plan 21-25: 2599 Old Philadelphia Pike

Ralph Hutchison noted that the agreement is for the proposed stormwater facilities within the PA State right of way of Route 340 (Old Philadelphia Pike) which PennDOT would typically require the Township to own and maintain, this agreement transfers that ownership and maintenance responsibility to the developer/landowner.

A motion was made by Corey Meyer which was seconded by Ethan Demme. Motion approved by unanimous roll call vote.

- b. Agreement to permit construction – Mr. Car Wash: Lincoln Highway East 21-29
2175 Lincoln Highway East

Ralph Hutchison indicated the purpose of this agreement is to permit the applicant to proceed at their own risk with construction prior to receipt of the necessary PennDOT Highway Occupancy Permit for the egress and frontage improvements. East Lampeter Township has entered into such agreement previously.

A motion was made for approval by Mike Thornton which was seconded by Roger Rutt. Motion approved by unanimous roll call vote.

New Business:

- a. Resolution re: DEP Sewer Planning Module – Zook Yoder Esh Lot 5 Ben Franklin
Blvd

Ralph Hutchison reminded the Board of their conditional approval of the land development plan for the site in Dec. 2022 with one of the conditions being that the applicant must receive a PA DEP permit through the sewer planning module process. The site is in need of 13 EDUs.

A motion for approval was made by Mike Thornton which was seconded by Ethan Demme. Motion approved by unanimous roll call vote.

b. Leaman Lot Add on Plan #22-23: 1891 Windy Hill Road

Mr. Rob Visniski of RAV Associates indicated the owners were on Zoom and were at a meeting with the Township in 2019 regarding a lot they subdivided off the main property. They would like to revise the lot line for that subdivided lot. This results in a larger lot which is partially in East Lampeter Township and partially in West Lampeter Township. The meeting with West Lampeter Township Planning Commission is scheduled for Thursday, Jan 19, 2023. They are requesting two new waivers of the preliminary and the plan scale and the same modifications that were previously requested in 2019. In addition, the applicants would like the Board of Supervisors to reaffirm the deferrals of sidewalk, curb, and road widening. The East Lampeter Township Planning Commission reaffirmed that a deferral agreement would be required to be recorded. The David Miller Associates letter of 12/21/22 was reviewed and Mr. Visniski noted that all comments can be addressed. Mr. Blowers provided that the Township Board of Supervisors want to ensure that infrastructure is appropriate where necessary and appreciated that the applicants requested the reaffirmation of the deferrals. It was noted that the Township is in receipt of the Lancaster County Planning Commission letter dated 12/6/2022.

Motion to approve by Corey Meyer conditioned on the DMA letter dated 12/21/22 subject to granting waiver request #1 for preliminary plan and #2 for scale of plan. Modification request #3 is denied, #4 is granted, #5, #6, #7 will require a recorded deferral agreement. The approval is further conditioned on the Lancaster County Planning Commission review letter dated 12/6/2022. The motion was seconded by Mike Thornton. Motion carried by unanimous roll call vote.

c. Request re: RACP funding – High Associates site work: Zook/Yoder/Esh

Tony Sietz of High Associates and Claudia Shank of McNees Wallace and Nurick were present representing the request for RACP funding through East Lampeter Township for the Zook Yoder Esh project of High Associates. Mr. Sietz is requesting to work with the Township to move funds from RACP to High Associates. High Associates has been awarded \$11 Million however, will require a local lead to work with so that funds can be transferred. High Associates has always had a valued partnership with East Lampeter Township and wishes to continue such through this process. High Associates will provide an agreement in which the Township would be indemnified of any risk associated with the project or the use of funds. In addition, High Associates will reimburse the Township for any time and expenses. A cooperation agreement will be required, which Ms. Shank will provide the agreement for Township review as the Township would serve as the true applicant to receive the funds.

Ms. Shank reviewed the application process to be submitted to the Commonwealth of PA. The funds are awarded first and then the application package must be completed and submitted afterwards. A resolution would need to be adopted by the Township Board of Supervisors agreeing to apply at a public meeting. In addition, a cooperation agreement would need to be entered in to between East Lampeter Township and High Associates that would outline how the pass-through mechanism would operate and include the details mentioned by Mr. Sietz such as indemnification and High's agreement to reimburse the Township for any costs particularly with regard to any staff time, legal or engineering fees. There would need to be an opinion of counsel signed by the Township Solicitor indicating the Township has the ability to contract with the Commonwealth of Pennsylvania and a statement of budget compliance that would need to be signed indicating the Township will adhere to the program's requirements. The goal is to hopefully receive the necessary cooperation from East Lampeter Township and return in February with the necessary documents and move forward with the application process. Mr. Meyer made note that the Board of Supervisors will be meeting on February 6, 2023, not February 13, 2023 so High Associates has one week less in which to provide this documentation.

Ralph Hutchison inquired about whether the Township actually "touches" the funds and Mr. Sietz responded that the funds would flow from the State to the Township then to High Associates. The Township would be responsible for any auditing. Mr. Sietz indicated that he believed the Township would need to establish an account. Mr. Hutchison noted this would be something that would need to be worked through and the funds would be State funds not Federal funds, which is helpful in the auditing process. Mr. Sietz indicated East Lampeter Township staff would have to sign off on reimbursement requests, participate in construction meetings, and in the opening meetings all of which would be reimbursed hours by High Associates. Mr. Meyer and Mr. Rutt stated that they did not perceive any issues with this request.

d. Presentation re: Community Engagement/Community Survey: Zen City

Alon Maor, a local government solution manager of ZenCity presented via Zoom. Mr. Maor discussed that the purpose of ZenCity is to lower the barriers of participation allowing more people to engage with the decision makers and leaders of the community. He indicated communities have their strong points and weak points and ZenCity assists in a data driven decision making process. The goal is to provide a 360-degree view of the community's needs and concerns in real time through this program. Data is collected from official and unofficial data sources. Roger Rutt inquired as to whether the data collected includes feedback from residents and non-residents. Mr. Maor indicated it does not on the individualized level but that it would on the anonymous sites as there is geo-fencing established on comments from community engagements on specific topics, through a separate website to gather data, through surveys asking specific questions and allowing open ended questions, using zip codes of respondents and having an open board about opinions online. There would be reports provided to the Township by a team to provide the most valuable data. ZenCity has data analysts who would work directly with East Lampeter Township staff and provide insights on certain topics chosen by the Township to help make decisions and reach goals.

Corey Meyer asked about the last survey that was sent out for the Bridgeport study. He wanted to know how many respondents there were to the survey. Tara Hitchens indicated it was sent to all four partner municipalities and there was a total of 800 respondents to all of the surveys not just the final one. Mr. Meyer referenced the lack of community members attending meetings and the fact that the Township office hears from the community primarily when something is wrong or there is an increased fee but in a typical year the input from the community is extremely minimal. He loves the concept of ZenCity but he has a concern that the community will still be quiet and the uncertainty of actual interaction from the community as a result of utilizing this program is questionable. Mr. Maor responded by saying they work with smaller communities such as East Lampeter. He gave the examples of Lock Haven and State College in Pennsylvania and others in South Carolina, Tennessee, and Georgia.

Ralph Hutchison stated the staff just wanted to share this program with the Board but there is no expectation of a decision to be made tonight. He indicated there are other alternatives that can be brought to the Board as well. Mr. Blowers thinks some time should be spent at looking further in to programs. Mr. Blowers reiterated Mr. Meyer's concern that it is very difficult to get the community involved in local government. Ethan Demme inquired about some other surveys that had been provided to the Board of Supervisors as options. Tara Hitchens indicated those were done by POLCO and were typical surveys that were once and done, which in her opinion is an outdated way of obtaining community feedback. Mr. Maor indicated ZenCity has the capabilities to reach out to the community as well in other forms and conduct surveys.

Ethan Demme wanted to know if there is a benchmark survey that would provide information from residents with regard to their thoughts about East Lampeter Township. Roger inquired about what demographic group typically responds the best to the ZenCity program. Mr. Maor indicated he has never been asked that question but indicated it varies among the various jurisdictions across the country.

Action Items:

a. Approval of 2023 Fire Company Activities

The listing of activities was provided to the Board of Supervisors and reviewed with regard to worker's compensation coverage.

Motion to approve by Mike Thornton which was seconded by Ethan Demme. The motion was approved by unanimous roll call vote.

b. Resolution accepting Dedication of Bonneville Drive Right of Way

Mr. Hutchison indicated the remaining portion of Bonneville Drive has been completed and inspected in accordance with all guidelines.

Motion to approve the resolution was made by Mike Thornton and seconded by Corey Meyer. Approval made by unanimous roll call vote.

Resolution 2023-06

Manager's Report:

- a. Update re: Codification project

Draft of 1158 pages received and is being reviewed by Staff.

Adjournment:

On a motion by Corey Meyers and a second by Ethan Demme with all voting in favor, the meeting was adjourned at 8:35 pm. The next Board of Supervisors meeting will be held on Monday, February 6, 2023 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