

February 6, 2023

The East Lampeter Township Board of Supervisors met on Monday, February 6, 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. Roger Rutt and Mr. Mike Thornton. Also present in the meeting room were Mr. Ralph M. Hutchison, Township Manager, Ms. Tara Hitchens, Assistant Township Manager, and Ms. Stephanie Leakway, Administrative Assistant. Supervisor Mr. Ethan Demme 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:

Sean Krumpke, LCRHA	Rhonda Lord Esq., Saxton & Stump
Tony Seitz, High Associates	Michaela Allwine, LCRHA
Scott Shearer, PFM	Claudia Shank Esq., McNees Wallace Nurick
Kevin Messer	Kari Eshelman
Brenden Curry, LNP	Frank Essis

Also, In attendance via Zoom:

- Harvey Meyer
- NW attempted to view meeting but hadn't initially provided a full name. Around 7:38 p.m. this individual came through Zoom as Nate Wilson and was admitted to the meeting.
- Suzanne Shuman was not able to stay connected continuously. She tried for a third time around 8:14 p.m. and was successful.

Public Comment for Non-Agenda items:

None

Consent Agenda:

- Approval of the February 6, 2023 Board of Supervisors Meeting Agenda
- Approval of the Minutes of the Monday, January 16, 2023 Regular Meeting
- Approval to pay invoices form all funds: Total - \$337,990.56

Mr. Blowers presented the bills to be paid from the various funds in the total amount of \$337,990.56. Items of note include: \$40,713.00 for the Susquehanna Municipal Trust for the first quarter workers compensation payment.

Mr. Corey Meyer indicated there is an item to add which is regarding an escalator clause to allow for price adjustment in Township bidding for the roadway project which will be discussed under Action Items as item f.

Motion made by Corey Meyer to approve the consent agenda as presented with the amendment noted. Mr. Mike Thornton seconded the motion which was passed by unanimous voice vote.

Lancaster County Redevelopment Authority Presentation re: Programs

Michaela Allwine, Director of Housing and Community Development and Sean Krumpe, Acquisition Rehabilitation Program Coordinator at the Lancaster County Redevelopment Authority presented information about the Lancaster County Land Bank Program and Vacant Property Program. The Land Bank Program is a county wide program which was put in place by County Ordinance No 120 in 2016. They have a 7-member Board of Directors. It is staffed by Michaela and Sean and other individuals. It currently consists of 5 Member Municipalities (Advisory Committee) including Columbia Borough, Marietta Borough, Lancaster Township, Denver Borough and Manheim Borough. They are always looking to add additional municipalities. They have a Review Committee within the municipalities who work on behalf of the municipality. The Land Bank does not have the power of Eminent Domain but can begin the process which takes 6-8 months.

The primary purpose of land banks is to acquire, manage, maintain and repurpose vacant, blighted or underutilized properties. Some primary goals are blight elimination, working with real estate development and tax sale transactions to prevent "slum lords" and speculators. Land Banks acquire and sell properties and utilize Land Bank funding sources, assist non-profit development, create affordable ownership and rental opportunities and connect development and municipal partners. They work closely with the Municipality through each step. It could be large scale parcels, commercial properties, or single-family homes. The Tax Bureau sends a list of properties to member municipalities.

First, they identify a property in need of a vacant property reinvestment. Next, they research the property in depth with regard to title and estate issues, municipal and utility liens and then work with a municipal advisory committee to establish an end use strategy. The next step in the process is to decide whether they want to move forward with an acquisition of the property. If they do, they identify funding sources, reach out to the owner to negotiate a sale if the owner is interested in doing so and go through the settlement process. When the sale is finalized the Land Bank wants to immediately mitigate any hazardous conditions of the property which is done by an inspector who will seal and secure any hazards. The inspector will go through the property to determine the scope of work such as what is necessary to bring the property back to code to make it useable. At this point they request proposals to reach the point of having a purchaser developer agreement in place. The developer would begin the rehabilitation of the property and the agreement contains a stipulation that the Land Bank's inspector can periodically access the property to monitor the construction being done. If the developer does not do the work that is expected there will be a quit claim deed to take back the property. Rehabilitation funds typically have affordable requirements but not all of them. When the program first started, they used CDBG but rarely use any longer and instead use funds which allow for more creativity in projects. Once the work is done accordingly a certificate of occupancy would be issued for the property so it can be sold. The final step is to sell the property to occupy or lease. There is a \$1,000 annual fee for a member municipality, an agreement with the municipality and with the school district for the municipality to become a member of the Land Bank. There are tax provisions so if there are liens against the property higher than what the property is worth the liens can be discharged if appropriate. While Lancaster County Redevelopment Housing Authority (LCRHA) holds the property, it is tax free. Once the property is sold and redeveloped,

the taxes will be split for 5 years between the municipality/LCRHA and school district/LCRHA for LCRHA to recoup funding for a future project within the Township.

Blighted and vacant properties program require certification through the Township and County Planning Commission and then move forward with eminent domain which is a 6-8-month process but eminent domain is a last resort for residential, commercial and mixed-use properties.

Corey Meyer would be interested in how these programs would work with the TIF in the same area as Michaela mentioned with larger commercial properties. The Land Bank does not operate in Lancaster City because they have their own program. Mike Thornton asked how does one scale this with 5-6 municipalities and was told Sean is focused and dedicated to the Land Bank rehabilitation and acquisition. He is currently working on 7-8 properties at various stages. Roger Rutt wanted to know which municipality was first to be a part of this program. Columbia was the first and put \$200,000 and LCRHA contributed \$400,000 for commercial, residential and mixed-use projects. They are the most active municipality and meetings are held monthly. Lancaster Township has been solely residential in this program. Ralph Hutchison asked for a template of the agreement. John Blowers is interested in finding creative ways to keep improvements moving forward.

Mr. Blowers requested they send the Board the draft agreements required and any additional information for them to review and the Board will follow up.

Old Business:

- a. Request for release of Financial Security (sewer facilities only): 2232 Lincoln Hwy East

John Blowers referenced a letter from HRG, ELSA engineer, indicating an amount of \$23,237.50 to be released which was confirmed by Ralph Hutchison. This will leave a \$0.00 balance for the sewer facilities for this project.

Roger Rutt made a motion to approve the request which was seconded by Corey Meyer. Motion was passed by unanimous voice vote.

New Business:

- a. Time Extension for Township Review & Action: Stormwater Management Plan #22-19 - 1724 Lincoln Hwy East

The request is for an extension from February 28, 2023 to May 29, 2023.

Corey Meyer made a motion to approve the extension request. This was seconded by Roger Rutt and approved by unanimous voice vote.

- b. Time Extension for Township Review & Action: Stoltzfus Subdivision Plan #22-21 - 458 Mt Sidney Rd

A request has been received for an extension from February 16, 2023 to May 17, 2023

Mike Thornton made a motion to approve the extension request which was seconded by Corey Meyer. The motion carried by unanimous voice vote.

Action Items:

a. Ordinance re: East Lampeter Sewer Authority (ELSA) Borrowing

Rhonda Lord and Scott Shearer were present to discuss the ELSA borrowing and the Township guarantee of such. It was noted that ELSA began discussing this in the Fall of 2022 and that Mr. Shearer was before the Township Board of Supervisors Meeting in December to discuss the borrowing structure that was preferable.

The proposal is for a \$5,000,000.00 loan for the East Lampeter Sewer Authority. The best proposal was from M&T Bank which has offered an interest rate of 3.85%.

Ms. Lord pointed out the important item of a debt service schedule and guarantee agreement from the Township for this borrowing.

Corey Meyer inquired about what the amount of \$5 million or about \$5,065,000 includes and Mr. Shearer replied if we keep the transaction at less than \$5 million then it is not subject to arbitrage, which means the money can earn more interest than is being charged by the lender.

ELSA will take action at their meeting on Wednesday, February 8 at 4:00 p.m. Scott indicated that typically with a bond issue action must be on the same day but with a bank loan it allows for more time to be taken in between for the Board and the Authority.

A motion was made by Corey Meyer to approve the ordinance for the Sewer Authority borrowing which was seconded by Mike Thornton. Motion carried by unanimous voice vote.

ORDINANCE 364

b. Cooperation agreement re: RACP application with High Properties as sub recipient

Claudia Shank of McNees Wallace Nurick and Tony Sietz represented High Properties regarding the funding through the Redevelopment Assistance Capital Program (RACP). It was stated at the January Board meeting that High Properties received an award of \$11 million for what was indicated as the Greenfield North project, which includes Lots 1, 4, and 5 of the Zook/Yoder/Esh property. In order for High Properties to receive the funds, they must partner with a governmental agency to serve as the applicant and pass through for the grant funds. At the January meeting the Board of Supervisors indicated a willingness to explore serving as the applicant and pass through agency. High Properties has agreed to absorb any costs on behalf of the Township for Staff time or for consultants and other expenses and to indemnify the Township. High Properties requests approval of the agreement contingent on satisfaction of all outstanding issues noted by Ms. Shank and the Township's solicitor.

A motion was made by Mike Thornton to approve the cooperation agreement with the contingency that the agreement meet the conditions of the Township Solicitor which was seconded by Roger Rutt. The motion carries by unanimous voice vote.

c. Resolution for RACP application re: Greenfield North site improvements

Given that the Board of Supervisors approved the cooperation agreement with High Properties, The Board must now pass a resolution to apply for the RACP funds with High Properties as partner.

A motion to approve was made by Corey Meyer and seconded by Mr. Rutt. The motion was approved by unanimous voice vote.

RESOLUTION 2023-07

d. Authorization for consultant services to prepare a C2P2 grant application for the Lancaster Heritage Pathway (east section)

Ralph Hutchison stated PA DCNR (Pennsylvania Department of Community Natural Resources) has indicated their C2P2 (Community Conservation Partnership Program) currently has an open grant funding period. It has been noted that the PennDOT funds currently being used to construct the Lancaster Heritage Pathway alongside the Walnut Street Extension may be used as a match under the program. Mr. Hutchison indicated the idea is to make an application to continue the trail northeast to the vicinity of Geist Rd which is approximately at the Township boundary. A complete application must be prepared and submitted by April 5, 2023. A full application includes a detailed cost estimate, concept plan, and online application. Staff does not have the time or full ability to prepare all the components of the application in this timeframe. Township staff has reached out to consultants for assistance if the Board is willing to allow for a consultant to handle the application process. There is plenty of room in the right of way to continue the trail on the south side and on the north side there could be an equestrian facility as is called for in the Lancaster County Active Transportation Plan. The Township has engaged in conversations with PennDOT as they would need to give approval since this is their right of way. Mr. Hutchison indicated the more difficult part is that DCNR requires the applicant give assurance they have control over the land area where the money will be spent for at least 25 years. After conversations, PennDOT is willing to provide a letter indicating that there are no plans to do anything with this right of way within the next 25 years. Mr. Hutchison indicated the Township reached out to two consultants at this point for quotes. The 2023 budget includes a line item of \$25,000 for consultant fees. Corey Meyer feels there should be a maximum amount of funds to be spent on a consultant and the Board agreed with him. He expressed concerns of Amish buggies possibly causing issues such as creating ruts in the crushed stone. The other members of the Board did not feel it would be a significant issue.

Motion to authorize Township Staff to seek consultant services made by Mike Thornton which was seconded by Roger Rutt. Motion approved by unanimous voice vote.

e. Resolution re: Destruction of Township records (SALDO 2013-2019)

Many files within the Planning and Development area have been scanned at this point, so the Township staff is seeking approval of a resolution for the destruction of Township records that

can now be accessed through digital records. Mr. Hutchison indicated the Commonwealth will need to give approval before the destruction can actually be completed.

Motion to approve made by Corey Meyer which was seconded by Roger Rutt. Motion carries by unanimous voice vote.

RESOLUTION 2023-08

f. Resolution re: Price Adjustment of Bituminous Materials for Small Quantities

Ralph Hutchison stated as the Township prepares to put out requests for bids on asphalt paving and oil and chip materials there is an opportunity to add an escalator clause which would allow contractors who are submitting bids to not have to be as concerned with what the price of oil is going to be in the future when the project is scheduled to begin as compared to the price at an earlier date when they submit their bids. The contractors would need to be informed of this upfront.

Motion to approve the Resolution made by Mike Thornton which was seconded by Corey Meyer. Motion passed by unanimous voice vote.

RESOLUTION 2023-09

Manager's Report:

a. Lincoln Highway Lancaster Streetscape Implementation Efforts

Western Gateway project from Strasburg Pike to Harvest Road is in design currently which is scheduled to be bid in late 2024 with construction beginning in 2025. The trail project that would traverse through Flory Park to Oakview Road which has been funded through LC Smart Growth Transportation funding, which will be matched by Township funds.

In addition, the Phase 3 Project being done from Tanger/Dutch Wonderland intersection to approximately Bowman Road has received multi-modal funding from PennDOT and Commonwealth Financing Authority as well as RACP funding involves moving the southside curb in towards the center line to make space for the 12 ft wide shared bike/pedestrian facility on the southside of the highway. Some design compromises are necessary to avoid some very expensive utility relocations which are being discussed with the Township's design consultant. These compromises involve marginally reducing the width of the trail in some areas and weaving in and out in certain areas.

The Rockvale Trail portion of the project is expected to be a part of the Rockvale master plan so the Township will not be directly involved with it but will be indirectly involved in the project.

The intersection at Lincoln Highway and Route 896 is a PennDOT project scheduled to be bid later this year with the project most likely beginning construction in 2024. There will be a change to the traffic signals which currently have poles on the corners and span wires. These would change to poles with mast arms that will be the same design and color as what is currently at the Tanger/Dutch Wonderland intersection.

With regard to the ICDA projects Mr. Hutchison indicated he hopes that the business improvement district can be put up for another vote and receive some direct involvement from the business community. The project that was entered in to last year with a consultant created the brand that will be used which is being called “Lincoln Highway Lancaster”. There will be a wayfinding system that the Township is seeking PennDOT approval of for directional signage to help those navigating the corridor. There are also gateway features at either end of the corridor. The western gateway that is within the PennDOT project and is west of Oakview Road will be a landscaped area and it would be within that area of the right of way on the east end of the project facing westbound traffic. The eastern gateway is being worked on by the Township and consultant regarding design and location which will require involvement with private property owners for easements and access.

There are a number of private projects underway as well along the corridor. The location adjacent to the Sonic has recently had some activity with PennDOT and sewer design. The Rockvale master plan is expected to be presented at a March Board of Supervisors meeting at which point the Board could potentially be asked to take action on the plan.

Public Comment:

A resident, Kevin Messer, inquired about the Pleasant/Della neighborhood as part of the streetscape plan with a potential street through the rear of the neighborhood. Mr. Hutchison noted that there is nothing being worked on currently although it was included in the plan but nothing will happen for quite some time. Mr. Messer then inquired about a proposed bike path as well. Ralph Hutchison responded that the Lincoln Highway Streetscape Plan calls for there to be a 12-foot wide shared bike/pedestrian facility along the Highway but it will not go through the neighborhood.

Another issue was brought up by Mr. Messer about how the neighborhood has “rolled over” with regard to having a lot of children living there now. He indicated that there is no “Children at Play” signage and there is a lot of turnaround traffic that comes in to the neighborhood. Mr. Hutchison referred him to the website where there is a form for him to complete with his request for such signage.

Adjournment:

On a motion by Corey Meyers and a second by Mike Thornton with all voting in favor, the meeting was adjourned at 8:53 pm. The next Board of Supervisors meeting will be held on Monday, March 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