

April 17, 2023

The East Lampeter Township Board of Supervisors met on Monday, April 17, 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 7:33 pm followed by the Pledge of Allegiance. In addition to Mr. John Blowers, Supervisors present were Mr. Roger Rutt, Mr. Corey Meyer, Mr. Ethan Demme and Mr. Mike Thornton. Also present in the meeting room was Mr. Ralph M. Hutchison, Township Manager, Ms. Tara Hitchens, Assistant Township Manager, Chief Stephen Zerbe, ELTPD and Ms. Stephanie Leakway, Administrative Assistant.

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

Public Present in Public Meeting Room:

Stephen Zerbe – ELTPD
Paul Fisher – Bird In Hand Fire Company
Gerald Petersheim - Bird In Hand Fire Company
Brenden Curry – Manhiem Township - LNP
Ken Johnson – 160 Newport Rd – CVSD
Lonnie Kauffman - Bird In Hand Fire Company
Henry King – 419 Mt. Sydney Rd

Also, In attendance via Zoom:

Erdman Martin – Joined meeting at 7:45pm

Public Comment for Non-Agenda items:

None

Consent Agenda:

- a. Approval of the April 17, 2023 Board of Supervisors meeting agenda
- b. Approval of the Minutes of the Monday, April 3, 2023 Regular Meeting
- c. Approval to pay invoices from all funds: Total: \$291,790.62

Of the funds, Mr. Blowers noted that \$71,208.07 will be paid for the Witmer Fire Company's Tanker Refurbishing for the final payment and \$40,713 will be paid to Susquehanna Municipal Trust for the second quarter Worker's Compensation premium.

Motion made by Corey Meyer to approve the Consent Agenda which was seconded by Ethan Demme and unanimously approved by voice vote.

Volunteer Fire Service Recognitions

Chairman John Blowers recognized the Hand In Hand Fire Company for the Volunteer Fire Service Recognitions.

Gerald Petersheim - Hand In Hand Fire Company - 2022 Volunteer of the Year
Lonnie Kauffman – Hand In Hand Fire Company - 25 years of Service

John Blowers and Michael Thornton, who also represents the Emergency Services Committee, presented a plaque and a clock to Gerald Petersheim for the 2022 Volunteer of the Year award. Lonnie Kauffman was presented with a plaque and his name will also be added to the plaque in the Township's lobby for 25 years of service. Mr. Kauffman served as Chief for 12 years from 2007-2018. The Board and Township Staff thanked them for their service.

Police Department Annual Report – Chief Zerbe

Chief Zerbe presented to the Board of Supervisors the 2022 Annual Report for the Police Department. Officers were dispatched and responded to a total of 19,226 calls in 2022. Of those calls, 9,838 were for East Lampeter and 2,314 were for Upper Leacock that required a report be completed. Of those requiring completion, 2,339 East Lampeter calls and 379 Upper Leacock calls were officer initiated. East Lampeter had the 4th highest call volume in Lancaster County. East Lampeter had been 3rd for many years. The Department issued 2,056 citations for vehicle code violations and arrested 107 drivers for driving under the influence of alcohol or a controlled substance. There was a total of 1,132 crashes in 2022. There were 4 fatal crashes in East Lampeter and 0 in Upper Leacock. Total crashes were down since 2021. ELTPD responded to 734 burglary, robbery, panic or false alarms in East Lampeter Township. That number was up from 2021 by 18%.

There were 9 incidents involving 15 juveniles during 2022 for curfew ordinance violations. That number is up from 2021. The ELTPD has received no citizen complaints regarding the curfew ordinance. They have not had any issues enforcing the ordinance and have not seen that the ordinance has had a negative impact on the community. The ELTPD continues to believe that the curfew ordinance regulates the problems of crimes committed by and against juveniles during the night time hours, promotes the safety and welfare of citizens under the age of 18 and strengthens parental responsibilities for children.

There were 31 Use of Force events in 2022 which is 9 more than 2021. Of the 31 events, 4 were with the use of a taser, 24 were with the use of control / restraint and 3 were with the pointing of a weapon or firearm. There were 0 citizen complaints against an officer's conduct in 2022. ELTPD did internally investigate 3 Use of Force instances and all 3 officers were exonerated in all of those instances.

In 2022, East Lampeter Township's Sworn Police Officers utilized 3,323.25 hours of sick time which included 214.5 hours of Family Sick Time and Non-Sworn Officers utilized 131.5 hours of sick time which included 0 hours of Family Sick Time. 490.25 hours of Worker's Comp were utilized in 2022. 756.75 hours of COVID related Workers Comp were utilized. 1301.50 hours of Light Duty were utilized in 2022. 72 hours for Sworn Police Officers and 0 hours for Non-Sworn Officers was utilized for Bereavement in 2022. The ELTPD utilized \$304,589.38 of Overtime in 2022. The net cost to the Township was \$238,258.83. This is a 10% increase from 2021.

March and August remain the busiest months with Friday being the busiest day of the week. There were no homicides in 2022. There were 2 robberies, 35 sex offences, 19 prostitution arrests, 17 burglaries, 98 fraud investigations, 70 domestic related assaults, 139 other assaults, 265 retail theft arrests and 223 thefts in 2022. There were 37 overdoses in 2022 which is almost 50% less than 2021 with 23 uses of Naloxone.

There were 11 vehicle pursuits in 2022. Of those, 7 were discontinued by officers, 2 resulted in an accident and 3 resulted in an arrest. The highest volume intersection crash locations were Route 30 / Old Philadelphia Pike (Ramp) and Lincoln Highway East / Route 30 (E-Town Mall Spur). Top crash location by block is Lincoln Highway East 2100 block followed by Lincoln Highway East 2000 block.

Mr. Blowers asked the Chief to reemphasize that the average county dispatches in 2021 and 2022 was 10% lower than the previous 5 years. Mr. Thornton stated that the most significant statistic reported was the almost 50% decrease in overdoses and asked Chief Zerbe what he contributes that number to. Chief Zerbe answered that there have been subtle changes to the drugs they are seeing on the streets. In the past, there was a lot of heroine on the streets. Heroine is a progressive type of drug that the body builds a resistance to so the user needs to take more and more of it in order to have the same effect. This contributed to a large number of overdoses. The ELTPD is seeing the trend of heroine on the streets come down and methamphetamine come up and the reemergence of cocaine usage. Chief Zerbe stated that he is not saying that heroine is going away but the less use of it has contributed to the number of overdoses being in decline. The other contributing factor that Chief Zerbe is contributing to these numbers is the availability of Naloxone to the public. Mr. Thornton asked what is contributing to the decline of heroine. Chief Zerbe says it is because of the reemergence of cocaine on the streets. Mr. Thornton also asked if the juveniles that violate the curfew laws are generally driving. Chief Zerbe tends to think that the juveniles are on foot. Mr. Thornton also asked if there was any reaction from the staff to the use of body cameras. Chief Zerbe answered that the staff is very supportive of the body cameras. They have realized that not only is there a protective element to the cameras but they also do not have to depend solely on their own recall when completing reporting after the fact. They can utilize the footage as well for documentation. Mr. Thornton believes that body cameras contributed to the 0 number of complaints against police officers.

Mr. Demme asked if the ELTPD was seeing fentanyl being used to cut the cocaine and methamphetamine on the streets. Chief Zerbe answered that fentanyl is being seen on a very regular bases but it was most seen with the cutting of heroine. Mr. Demme read that the fentanyl rise has pushed out heroine. Methamphetamine cut with fentanyl is creating a new methamphetamine that has a completely different chemical compound.

Mr. Blowers stated that 7 hotels show up as 2/3 of the issue of hotel crime, 2 of which are huge outliers. Mr. Blowers is looking for future discussions and efforts on behalf of the Board of Supervisors, Township Staff and Police Department with the possibility of ordinances to address the issue. Mr. Blowers also stated that prostitution has been a large point of discussion in the Township and County for quite some time even though it is 3% of the total crime committed in these hotels. The other crimes conducted are Criminal Trespass 3%, Harassment/Assaults 9%, Drug Related 25%, Domestic Violence 19% and All Others 41%. He does not want to lose sight of the fact that there are a lot of other issues going on at these hotels. Chief Zerbe stated that he thinks the reported prostitution number is low. Mr. Demme stated that it is harder to prosecute on a prostitution charge than it is to prosecute on a drug charge. Chief Zerbe did report that ELTPD has done sting operations for both the Johns and the prostitutes and they were very equal. There has been an uptick in arrests where social media is being used to schedule these crimes and arrests have been made when there is activity on a known person's social media pages.

Mr. Blowers thanked Chief Zerbe for his reporting.

Old Business:

- a. Request for Release of Financial Security: #1905 Stormwater Management Plan at 2850 Harvest Drive

The April 6, 2023 DMA Letter shows the current balance is \$3,236.00 and the recommended reduction is \$3,236.00 for the remaining balance of \$0.

Motion made by Michael Thornton for the full release of Financial Security of #1905 Stormwater Management Plan at 2850 Harvest Drive which was seconded by Ethan Demme and unanimously approved by voice vote.

- b. Request for Release of Financial Security: #21-16 Stormwater Management Plan at 289 Clearview Rd

The April 10, 2023 DMA Letter shows the current balance is \$40,514.10 and the recommended reduction is \$32,676.60 for the remaining balance of \$7,837.50.

Motion made by Roger Rutt to approve the reduction of Financial Security for #21-16 Stormwater Management Plan at 289 Clearview Rd. by \$32,676.60 for the remainder of \$7,837.50 which was seconded by Ethan Demme and unanimously approved by voice vote.

- c. Request for Reduction of Financial Security: # 21-23 Stormwater Management Plan for LMS – 2176 Lincoln Highway East

The March 29, 2023 DMA Letter shows the current balance is \$84,204.39 and the recommended reduction is \$15,277.90 for the remaining balance of \$68,976.49.

Motion made by Mike Thornton to approve the reduction of Financial Security # 21-23 Stormwater Management Plan for LMS – 2176 Lincoln Highway East by \$15,227.90 for the remainder of \$68,976.49 which was seconded by Corey Meyer and unanimously approved by voice vote.

- d. Request for Release of Financial Security: #21-34 Stormwater Management Plan at 2179 Lois Lane

The April 10, 2023 DMA Letter shows the current balance is \$36,657.36 and the recommended reduction is \$36,657.36 for the remaining balance of \$0.

Motion made by Roger Rutt for full release of Request for Release of Financial Security for #21-34 Stormwater Management Plan at 2179 Lois Lane which was seconded by Corey Meyer and unanimously approved by voice vote.

- e. Request for Reduction of Financial Security: # 22-04 Land Development Plan for LMS – Lincoln Highway East

The March 29, 2023 DMA Letter shows the current balance is \$482,449.00 and the recommended reduction is \$337,369.78 for the remaining balance of \$145,079.22.

Motion made by Ethan Demme to approve the reduction of Financial Security # 22-04 Land Development Plan for LMS – Lincoln Highway East by \$337,369.78 for the remainder of \$145,079.22 which was seconded by Mike Thornton and unanimously approved by voice vote.

- f. Request for Reinstatement and Time Extension to record conditionally approved Stormwater Management Plan and Waiver of Land Development: # 21-26 for CVSD – Mt. Sydney Road

Ken Johnson was in attendance on behalf of the school. He stated that a time extension is needed but everything is in order. They should be ready for signatures and will plan accordingly.

Motion made by Ethan Demme to approve Request for Reinstatement and provide a 30-day Time Extension to record the previously conditionally approved Stormwater Management Plan and Waiver of Land Development: # 21-26 for CVSD – Mt. Sydney Road with all conditions of original plans still in force which was seconded by Corey Meyer and unanimously approved by voice vote.

- g. Request for Reinstatement and Time Extension to record conditionally approved Stormwater Management Plant: # 21-33 at 419 Mt. Sydney Road

Motion made by Mike Thornton to approve Request for Reinstatement and Time Extension to record conditionally approved Stormwater Management Plant: # 21-33 at 419 Mt. Sydney Road for 30 days with all conditions of original plan still in force which was seconded by Roger Rutt and unanimously approved by voice vote.

- h. Time Extension for Township Review and Action: # 22-07 Land Development Plan for Chick fil A - 2467 Lincoln Highway East

180 days extension requested from May 25, 2023 to November 21, 2023. Actions needs to be taken by Board at November 13, 2023 BOS meeting.

Mr. Hutchison reported that there is zoning set back issues for a proposed large canopy over the drive-thru area and some building coverage issues that are unresolved. Mr. Meyer recommended that the applicant be made aware that this will be the final extension. Mr. Blowers would like the applicant to know that the Board is not standing in their way but would like to keep the project moving along. Mr. Thornton stated that the applicant has been a good partner with the Township.

Motion made by Roger Rutt to approve Time Extension for Township Review and Action for # 22-07 Land Development Plan for Chick fil A - 2467 Lincoln Highway East for 180 days from May 25, 2023 to November 21, 2023 with action taken at Board by November 13, 2023 BOS meeting which was seconded by Ethan Demme and unanimously approved by voice vote.

New Business:

None

Action Items:

- a. Resolution re Budget change for Witmer's Tanker Refurbishing

Motion made by Corey Meyer to approve Resolution of the Budget Change for Witmer's Fire Tanker Refurbishing which was seconded by Ethan Demme and unanimously approved by voice vote.

Manager's Report:

- a. Community Survey

Mr. Hutchison reported that the Community Survey is out on the Township's Website, Facebook Page, ELTPD Facebook page and now in the newsletter and encouraged anyone who is watching to take the survey.

- b. Lancaster Heritage Pathway Funding

Mr. Hutchison reported that after the Board authorized the submission for funding in the prior meeting, the Township has applied for the DCNR C2P2 grant to extend the LHP and are expecting to get answers, feedback and determination sometime in the Fall of 2023. The Township did ask for a little over \$2.8 million. Mr. Hutchison stated that even though the Township's application was strong, there is good competition for the grant for other trails. He would like the Board to consider other resources to come up with the money to complete the project.

- c. Review of PSATS Resolutions for 2023 Conference

Mr. Hutchison will be attending the PSATS Annual Educational Conference and Exhibit Show where there will be a voting session on resolutions and wanted the Board's feedback on the resolutions. Mr. Demme stated that Section 23-21 seems excessive where PSATS seek legislation to authorize municipalities to enact ordinances regulating the land applications of biosolids in Northhampton County. Mr. Hutchison stated that PA DEP controls the issue and the PSATS is looking to gain some control from the local level. Mr. Demme opposes Section 23-25 where the PSATS seek legislation confirming that municipalities may require owners of short-term rentals to comply with licensing, permitting and inspection requirements, regardless of whether the municipality doesn't have zoning. He opposes Section 23-31 where PSATS seek legislation to amend Act 12 of 2016 to prohibit for-profit private utilities from acquiring municipal and authority owned water and sewer systems based on "fair market value" as defined in Act 12 instead of "book value" which was the validation method used prior to Act 12 and that "fair market value" be used when purchasing water or sewer systems from distressed municipalities or municipal authorities. Mr. Demme opposes Section 23-32 where PSATS seek legislation to amend Act 12 of 2016 to permit for-profit private utilities to purchase only distressed municipal and authority owned water and sewer systems in Buck's County. Mr. Demme agreed that Section 23-33, where PSATS seek legislation to require for-profit privately-operated water and sewer utility companies to comply with the same mandates as municipality owned systems, and Section 23-34, that requires that a municipality served by a municipal authority approve the sale of the authority's assets to a private entity, should be opposed. Mr. Demme opposed where PTATS urge the Independent Regulatory Review Commission to reject the proposed carbon dioxide budget trading program regulation and make the rejection the Association's official public comment on the proposed carbon dioxide budget training program regulation. He stated municipalities should not take a position in opposition and lobbying energy should not be wasted. Mr. Demme opposes Section 23-51 which states

the PSATS oppose any legislation that would dissolve municipalities into unincorporated territory governed by the county. Mr. Hutchison explained that the interest is as Mr. Demme suggested. There are places where there are problems having too many small municipal entities that make it difficult to function. Mr. Hutchison believes the wording needs to include a population threshold. Mr. Meyer stated the resolution is very general using the word any. Mr. Blowers stated that the use of the word any is extreme. Mr. Demme does not want as many municipalities in Pennsylvania and Mr. Thornton agreed.

Adjournment:

On a motion by Mr. Corey Meyer and a second by Mr. Ethan Demme with all voting in favor, the meeting was adjourned at 8:32 pm. The next Board of Supervisors meeting will be held on Monday, May 8, 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