

August 5, 2024

The East Lampeter Township Board of Supervisors met on Monday, August 5, 2024 at 7:00 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 Corey Meyer called the meeting to order at 7:00 pm, followed by the Pledge of Allegiance. In addition to Mr. Corey Meyer, Supervisors present were Mr. Roger Rutt and Mr. Ted Gallagher, and Mr. Mike Thornton. Also present in the meeting room was Mr. Ralph M. Hutchison, Township Manager, Ms. Tara Hitchens, Assistant Township Manager and Ms. Stephanie Leakway, Administrative Assistant.

Public Present for meeting:

Kyle Kurtz of LNP
Susan Snyder
Lloyd Miller
Dwight Yoder-Smoketown Enterprises
David A Beiler- Millcreek Fence and Decks
Randy Dautrich- Millcreek Fence and Decks
Elvin Engle

Public Comment for Non-Agenda Items:

Susan Snyder of 435 Mt. Sidney Road was irritated by solicitors coming to her and her neighbors' doors, after 8pm. She said they were there last week and the week prior for the same business after being told no. Ms. Snyder also stated that she reviewed the policy and feels it should be updated because its from 2013. She feels that they shouldn't be allowed to solicit after 8pm for safety issues. Mr. Corey Meyer said that the Board will review the solicitation policy and that he agrees there may be room for change in the policy. He also said, maybe this could be added as a discussion item for the Board of Supervisors. Mr. Mike Thornton agreed, and said he thought this should be reviewed.

Consent Agenda:

- a. Approval of the August 5, 2024 meeting agenda
- b. Approval of the Minutes of the Monday, July 15, 2024 Regular Meeting
- c. Request for Reduction of Financial Security -Walton Properties/Ambleside Land Development Plan # 19-09 :2017B Old Philadelphia Pike

The applicant requested the release of the financial security posted for site improvements excluding the separate financial security posted for the improvements needed to provide sanitary sewer services. The amount of \$51,888.02 for site improvements has been recommended for release by the Township Engineer. The Township is still retaining the sanitary sewer financial security in the amount of \$17,168.04.

- d. Reinstatement of conditionally approved Land Development Plan # 21-13 : 1782 Lincoln Highway East and request for time extension to record plan

This plan for the construction of 12 new apartment units was conditionally approved by the Board in June of 2022. The applicant failed to satisfy all of the conditions and record the plan within 90 days of Board approval. The applicant is now preparing to record the plan and proceed with construction. The applicant is also requesting a time period of 30 days, from Board action on 8/5, to complete the process and record the plan. The Board imposes all prior conditions of approval on this reinstated land development plan.

e. Request for Reduction of Financial Security- Aspen Home Improvement Land Development Plan #23-10 : 222 Pitney Road

The Township Engineer has provided a letter recommending a reduction of \$143,961.01 from this financial security leaving a remaining balance of \$2,848.99.

f. Offer of Time Extension for Township review & action : Sheetz Land Development Plan # 24-13 :2100 Lincoln Highway East Lampeter Township

The applicant offered a time extension of 90 days in order to provide them with additional time to address review comments provided by the Township Engineer. This will extend the date for Township action to November 11, 2024. The Board meeting where Township action will need to be taken is October 21, 2024.

g. Offer of Time Extension for Township review & action : Walton Properties/Ambleside Land Development Plan # 24-14 : 2071B Old Philadelphia Pike

The applicant offered a time extension of 90 days in order to provide them with additional time to address review comments provided by the Township Engineer. This will extend the date for Township action to November 11, 2024. The Board meeting where Township action will need to be taken is October 21, 2024.

h. Approval to pay invoices from all Funds : Total-\$ 777,279.73 with bills of note:

\$421,515.09 to Allan Myers for 2024 paving work

\$11,989.00 to Lafayette Fire Co. annual apparatus insurance reimbursement

Mr. Ted Gallagher made a motion to approve the consent agenda, and Mr. Mike Thornton seconded. The motion carried unanimously by voice vote.

Old Business:

Discussion re Draft Ordinance for On-Lot Disposal Systems

Mr. Ralph Hutchison noted that Township staff distributed a draft Ordinance regarding On-lot Disposal Systems (septic) at the July 15, 2024 meeting. Township staff is prepared to proceed with advertising the ordinance for a public hearing for a future Board meeting.

New Business:

Supervisor Discussion Items :

Budget Item re Homelessness:

Mr. Ralph Hutchison informed the Board that since the last meeting he has spoken with various homeless service agencies regarding the Board's request to have them attend a meeting for a discussion on homelessness in East Lampeter. Although final commitments have not been received from all to date, most will be attending the August 19 Board meeting.

Other:

Mr. Corey Meyer asked the Board if there were any other items for supervisor discussion for the next meeting or any future meetings. Mr. Mike Thornton brought up the non-solicitation ordinance, and Mr. Corey Meyer asked if maybe Township staff could forward the ordinance out to the Board before the next meeting. Mr. Corey Meyer also mentioned about getting feedback from the police and staff on the solicitation policy. He also stated what Ms. Susan Snyder did , by calling the cops was the right thing to do. Mr. Roger Rutt said about maybe asking counsel what the townships limits are as far as solicitation.

Action Items:

Hearing re zoning amendment proposal for Village General (VG) Zone

The hearing opened, at 7:16pm by Mr. Corey Meyer. Mr. Corey Meyer asked if this was advertised in the newspaper. Mr. Ralph Hutchison advised that the hearing was advertised as required. Mr. Corey Meyer also stated that this has been before Planning Commission, as well as the Townships municipal neighbors and CV School District. The County Planning Commission reviewed the letter that has been provided. The Township Planning Commission reviewed the proposal and recommended adoption of the amendment.

Dwight Yoder from Gribble, Kraybill & Hess representing the applicant noted that the applicant would seek further approvals through a future conditional use process if the Board votes in favor of this amendment. He also noted that David Beiler was present, along with Randy Dautrich, who is the engineer. Mr. Dwight Yoder explained that the proposal is to amend the East Lampeter Township Zoning Ordinance to permit a mixed use manufacturing option within the Village General Zoning District. This option would allow a property with access only to a state road to be used for manufacturing , as long as it is part of a mixed development with multi family housing.

Mr. Dwight Yoder also addressed the concern from some of the neighbors about the higher density development that could be on this property. He said the answer was to possibly have the townhomes on the northeast part of the site, or put some screening up along the site as well. The multifamily townhomes will have one or two bedrooms. The one bedroom building will have 6 units. Ideally stacked on top of each other. The two bedroom units will consist of 4 units in one building. Mr. Yoder let the Board know that the applicant engaged an architect for their design on these homes. LCPD is big on providing for mixed use options, allowing commercial , industrial and multi family residential together. Mr. Mike Thornton asked if there were any other areas where others could see this proposal as an advantage ? Mr. Yoder said possibly the Mulch place, located off Old Philadelphia Pike. Mr. Corey Meyer asked Mr. Yoder how many units short they are based on the current conceptual plan to get from conditional use to by right? Mr. Yoder said about 21-28 units.

A resident asked where the road was going to go, and raised a concern about traffic. Ms. Tara Hitchens explained, this was just for the ordinance change not the Land Development plan. Ms. Hitchens also explained that the township does need housing, and that this would be a good thing.

Mr. Roger Rutt also explained that if this is approved, that there will have to be a traffic study that will have to be done. PennDOT will then review the study. Mr. Corey Meyer closed the hearing at 7:34pm.

Ordinance re Village General (VG) Zone amendment

Mr. Mike Thornton made a motion to approve the amendment to allow Mixed Use Manufacturing and Residential in the Village General District of the East Lampeter Township Zoning Ordinance, and Mr. Ted Gallagher seconded. The motion passed unanimously by voice vote.

Mr. Ted Gallagher offered that he appreciates the time and effort that was put into this Ordinance amendment. He also said that the township needs housing and, is also providing jobs. Mr. Mike Thornton also said that he lives nearby and understands the residents concerns about the turn onto Eastbrook Road. He said that they are not approving a plan tonight, just an amendment to the zoning ordinance. Mr. Corey Meyer explained that this is a multi-step process for approvals and wanted to explain to the residents, this will take some time.

Mr. Roger Rutt spoke about the article in LNP that Garman Builders said you can't talk about saving farmland without talking about density, they are connected. So, we need to look at properties like this that have sewer, water, and public services.

Update to Right to Know Policy

Mr. Ralph Hutchison provided that the Right To Know Law that was passed in 2008. Recently the Township has received a number of requests from an anonymous requestor known as "FOIA Buddy". These are submitted using an unapproved form suggesting that they are actual Right to Know law requests. Many municipalities have been receiving these requests. The PA Office of Open Records has determined that these requests are anonymous and therefore it is not required that municipalities respond to them under the Right to Know law. In response to this development, PSATS prepared a new sample Right to Know policy for Township's to consider adopting. The notable changes from the previously adopted Right to Know policy address anonymous requests and changes to the office of open records approved fee schedule. The Township Solicitor has reviewed this draft Resolution. Mr. Mike Thornton said that he is glad we are trying to make the website easier to the public to use.

Mr. Ted Gallagher made a motion to approve the right to know policy, and Mr. Roger Rutt seconded. The motion carried unanimously by voice vote.

Acceptance of 2023 Audit Reports

Mr. Ralph Hutchison indicated that Herbein CPAs and Advisors has produced the draft audit reports for the Township, ELSA, and ICDA for the Board to accept. Herbein CPAs and Advisors noted that there were no adjustments required and that the recording of finances is in good standing. Deficit spending in 2023 was substantially less than budgeted. ELSA borrowed \$5M in 2023 to cover planned improvements which has yet been expended. These documents were reviewed by Township staff. Mr. Roger Rutt made a motion to approve the 2023 Audit Reports, and Mr. Ted Gallagher seconded. The motion carried unanimously by voice vote.

Proposal for Audit Services

Mr. Ralph Hutchison noted that the Board is in receipt of a Proposal for Audit Services. Herbein CPAs and Advisors was under contract through the 2023 audit process with East Lampeter Township. In response to a request for a proposal of services for future audits, a five-year proposal was provided to Township staff. The proposal provides for an increase in 2025 of approximately \$1,500 for the 2024 audit. Subsequent years provide for similar increases. The increases for ELSA are \$500 per year after the 2024 audit. The increase for ICDA are \$150 per year after the 2024 audit. Both the ELSA and ICDA audits are wrapped into the Township audit. Township policy requires that a new lead of an auditing firm take over every five years. The current lead for the East Lampeter Township audit has been in that position for the past three years and is retiring at the end of this year, thus a new lead will be taking over for Herbein for the 2024 audit process.

Mr. Mike Thornton made a motion to approve the proposal for audit services for a five year period with Herbein as the consultant group, and Mr. Roger Rutt seconded. The motion carried unanimously by voice vote.

Approval of Intermunicipal Agreement re Bike Share

Ms. Tara Hitchens noted that the Board previously discussed the Bike Share Program with the City of Lancaster as a partner. The City of Lancaster would like to partner with East Lampeter Township to expand the bike share program outside of the City limits. In 2024-25 there will be one station in East Lampeter Township located near the roundabout of Walnut Street Extension and the Lancaster Heritage Pathway. The station will have 5 bikes to start. These stations allow people to rent a bike, and ride around and then drop the bike off at another station. Hopefully in the coming years, East Lampeter Township will look to expand the number of stations. As directed by the Board, Township staff worked with City staff to determine locations for bike share facilities. As a first step in the expansion of the City Bike Share, an intermunicipal agreement is needed. The cost to East Lampeter for 2024 will be \$2,200 for five (5) bikes and a docking station with 80% of the cost being provided by CMAQ (congestion mitigation and air quality) funds. These costs will increase as CMAQ funding is only available over a three-year period. Mr. Corey Meyer asked if CMAQ is a federal program? Mr. Ralph Hutchison said that it is a federal program, and is a congestion mitigation air quality funding program. Mr. Hutchison also said there is a possibility that the city pursues with its own program, and will try to get sponsors to help with covering costs. Ms. Hitchens also said that future locations would be along route 30 and along Old Philadelphia Pike. Mr. Ted Gallagher asked if these bikes are regular bikes or ebikes? Ms. Hitchens said the bikes are normal bikes, and not ebikes as ebikes are twice as costly. Mr. Mike Thornton asked if we had a report from Lancaster City on how this program has been going, such as usage? Mr. Hutchison said that we can get a report from them. Mr. Corey Meyer said that he thinks it would be a great idea and is worth the investment with 80% of the cost being supplemented by CMAQ. Mr. Mike Thornton asked where this would be? Ms. Hitchens said that this will be located where the Pennsylvania College of Health Science building was located, in the rear of the site near the Lancaster Heritage Pathway.

Mr. Mike Thornton made a motion to approve, and Mr. Ted Gallagher seconded. The motion carried unanimously by voice vote.

Managers Report

Budget Workshop to be advertised for August 21, 2024 beginning at 3pm

Mr. Hutchison indicated that the budget workshop will be advertised to be held on Wednesday, August 21 beginning at 3 pm. The focus of this first meeting regarding the 2025 budget will be on larger / more significant projects, programs and purchases scale to be considered by the Board. Township Department heads will be present to provide an overview and answer Board questions. Mr. Corey Meyer asked if the meeting will be on ZOOM or in person, and Ms. Tara Hitchens said that a ZOOM option can be made available.

Completion of Pole Building

The planned and budgeted new pole building for the Public Works Department has been completed. The Public Works Department is now working to move the various pieces of equipment and materials into this new space and will begin to make use of it for their operations.

Mr. Corey Meyer also mentioned that the roads around the township look great, and many thanks to Allen Myers and the public works staff. Mr. Hutchison said the contractor did a great job, with both before and after preparation for the paving being completed by the public works staff. He said they are putting up the speed monitoring sign on some of the roads, because newly paved roads seem to become a racetrack. Mr. Ted Gallagher asked how much the speed monitoring signs cost, and Mr. Hutchison said about \$5,000.

Adjournment,

Supervisor Mr. Mike Thornton made a motion to adjourn the meeting at 7:57pm and Supervisor Mr. Ted Gallagher seconded. The motion passed unanimously by voice vote.

Next regular meeting of the Board of Supervisors is scheduled for Monday, August 19, 2024, 7:00 pm at the East Lampeter Township Building.