

**West Donegal Township
Board of Supervisors Meeting
March 13, 2017**

The regular meeting of the Supervisors was held at 7:05 p.m. at the Township Municipal Building. Chairman, Roger Snyder called the meeting to order with the following Supervisors in attendance: Philip Dunn, John Yoder, Doug Hottenstein, and J. Clair Hilsher. Also in attendance were Zoning Officer, Wayne Miller; Township Manager, Gene Oldham; Roadmaster, Todd Garber; Office Manager, Jennifer Rabuck; Chief of NRLCPD, Mark Mayberry; and Township Solicitor, Josele Cleary.

I. Call Meeting to Order

II. Pledge of Allegiance, Silent Prayer, Tape Announcement

III. Roll Call of Supervisors – All Present

IV. Approval of the February 13, 2017 Regular Meeting Minutes – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the February 13, 2017 Regular meeting minutes. Motion carried.

Chairman Snyder noted that there was an executive session prior to the meeting to discuss a personnel matter.

Supervisor Yoder read a Proclamation declaring March 2017 be observed as DeMolay month.

Manager Oldham read a Proclamation declaring a Disaster Declaration for Snow Storm Stella.

V. Public Comments – None

VI. Presentations

Phil Rudy, White Rudy & Co., presented the 2016 Financial Statements and Audit for West Donegal Township. He noted that the Township is in a good financial position and nothing of major concern transpired during the audit. He noted some adjustments and management items to pay attention to for 2017.

Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to accept the 2016 Financial Statements and Audit. Motion carried.

Deb Drury, Elizabethtown Public Library, presented information to the Board regarding the financial position and programs provided by the library.

VII. Reports - Moved by Supervisor Dunn, seconded by Supervisor Yoder to approve the monthly reports. Motion carried.

VIII. Consent Calendar

Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the following Consent Items A through F. Motion carried.

- A. Approve the escrow reduction for Masonic Village Grand Lodge Parking Lot and Comfort station, WDT 15-15 REVISED – of \$141,723.50 retaining \$8,547.50 for work yet to be completed.
- B. Approve the mowing contract by Brandt's Landscaping for the Municipal Building at \$165.00 per occurrence.
- C. Approve the revised 2017 Fee Schedule (Resolution 04/2017) for West Donegal Township.
- D. Approve a revised accounting of tax Revenues to the general Fund prior to distribution to the Fire, Rescue, and EMS Fund for 2016 in the amount of \$384,985.45.
- E. Approve the establishment of Jennifer Rabuck as a fulltime employee as her 6 month probationary period ended December 27, 2016.

- F. Approve the escrow reduction no. 3 for Ironstone Ranch Star Barn, WDT 15-08, in the amount of \$241,057.86, retaining \$618,041.60 for work to be completed.
- G. Moved by Supervisor Yoder, seconded by Supervisor Hilsher to approve the fulltime employment of Justin Barnes as equipment operator at an hourly rate of \$19.00 as well as benefits. Supervisor Hottenstein abstained due to a conflict of interest. Motion carried.

IX. Actions

- A. Moved by Supervisor Yoder, seconded by Supervisor Hottenstein, to approve the creation of a flag lot for access to the property of Joseph and Roberta Hertz at 626 Rutts Road. Motion carried.
- B. The Supervisors approved the revision to the UCC Municipal Agreement of July 2002 to allow individual municipalities to select their Code Administrator individually, not collectively, as outlined in the agreement. This approval will allow the preparation of a revised agreement or revision for consideration.
- C. Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the Rheems Fire Department 2017 events for coverage under Workers' Compensation with the exception of the three items listed at the bottom that are other events authorized by the Chief, Trustees, or Organization that are not fully defined on the list. Motion carried.
- D. Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the escrow reduction no. 3 for Project MARC – Nordstrom, WDT 13-13A, in the amount of \$558,900.88 retaining \$0 as the project is complete. And authorize Solicitor Cleary to prepare an agreement and have Manager Oldham execute the agreement as a condition regarding the future parking and expansion of the building. The release of the escrow is contingent upon the signed agreement being completed. Motion carried.
- E. Approve the award of the following bids for Liquid Fuel Projects for 2017 Road Construction.
 - 1) Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve Kinsley Construction in the amount of \$156,353.55 for the Bossler Road Widening Project. Motion carried.
 - 2) Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve Pennsy Supply in the amount out \$93,282.42 for the Amosite and Bossler Roads Base Repair project. Motion carried.
 - 3) Moved by Supervisor Dunn, seconded by Supervisor Hottenstein to approve Pennsy Supply in the amount of \$99,949.00 for the Landis Road Overlay project. Motion carried.
 - 4) Moved by Supervisor Dunn, seconded by Supervisor Hilsher to approve Pennsy Supply in the amount of \$31,667.85 for the Hauenstein Road Repair and Overlay project. Motion carried.
- F. Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve the award of the bid in the amount of \$98,277.00 from Hammaker East for the Bituminous Oil and Chip project for 2017 from the Capital Reserve Fund. Motion carried.
- G. Approve the award of the 2017 Material bids for the Township.
 - 1) Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to accept the bid from RE Pierson for stone based on the total actual cost of material and transport as this factor was included in the bid documents. Motion carried.
 - 2) Moved by Supervisor Yoder, seconded by Supervisor Dunn to accept the bid from Pennsy Supply for asphalt material. Motion carried.
- H. Moved by Supervisor Yoder, seconded by Supervisor Dunn to authorize Solicitor Cleary to prepare an advertisement regarding the public hearing notice for Crowe Realty LLC's request for zoning change, as discussed at the February 13, 2017 Supervisors meeting, for the April 10, 2017 meeting. Motion carried.

X. Discussion Items

- A. Clean up day is Saturday, May 13 from 7 am to 12 noon.
- B. Liquid Fuels funds for 2017 will be \$274,172.73 and Road Turnback Maintenance payment will be \$36,840.00
- C. Discussion regarding the Poplar Lane stormwater management basin has been tabled to the April meeting.
- D. PennDot traffic counts March – June 2017 on Alida Street, Dogwood Drive, Bossler Road, Olde Forge Drive, and Scott Avenue.
- E. Walt and Jean Moyer Property – It was consented to have a survey done on the property to determine the property boundaries for future potential purchase. Manager Oldham will gather proposals for the next meeting.
- F. Letters of support for GEARS grant applications – It was consented to support GEARS in their application requests and Manager Oldham will write a letter of support.
- G. EAWA Representative – The Township is still looking for a representative to serve on the EAWA.
- H. Discuss a Township shredding event – It was consented to hold a shred it event through Blue Mountain at a rate of \$340 for the first two hours and \$85 for the third hour.
- I. Manager Oldham noted that Advanced Grow Labs is looking to purchase a property on Blackhawk Lane in hopes of being selected for a medical marijuana grow and process license. However, there must be a host community agreement. In this agreement Advanced Grow labs is agreeing that, as part of their permit application, if they get a permit, they will make donations to the township as they progress. It was noted that the donations are contingent upon all necessary permits being received by Advanced Grow Labs. Moved by Supervisor Yoder, seconded by Supervisor Dunn to authorize Solicitor Cleary to prepare a letter of intent agreement and authorize Manager Oldham to execute the agreement. Motion carried.
- J. There will be a Workshop meeting on March 27 to discuss MS4.
- K. The Maytown Road project agreements are in place and the Highway Occupancy permits has been issued. This project should be going to bid on Thursday, March 16, 2017.
- L. Due to snow storm Stella Trash service has been suspended for the week of March 13, 2017. The hauler will accept double the pick up next week.
- M. Manager Oldham stated that GEARS has reviewed the facilities in the lower level of the Township building for their summer playground program and it appears that GEARS will be using our facility. GEARS may extend their program by days and or hours since the facilities are available.
- N. Manager Oldham noted that since Lancaster County is completing the reassessments he has given the Supervisors a list of frequently asked questions should they be approached by residents.
- O. Information regarding the annual Memorial Day parade was given.

XI. Zoning

- A. Ironstone Ranch – Manager Oldham noted that Ironstone Ranch is looking to make a change in their request. It was stated that the bridge discussed at the previous meeting will not be installed in time for the barn raising event on July 2, 3 & 4, 2017. Ironstone Ranch is seeking a change to the access of their property. They would like to use an alternative route that will have vehicles come in through Neville Road, winding around the property using a service road and eventually have the visitors for this event exit out Hollinger Lane. This alternative route was reviewed by the Etown Fire Department whom noted several spots where trees would need to be removed in order for the fire truck to make the turns. It is the intention of Ironstone Ranch to remove these trees and have the fire department bring their largest and widest truck to drive the route to insure that they can indeed maneuver without any issues.

The fire department noted that they would write a letter to the Township stating that the access road would be sufficient for the fire trucks to maneuver on. Ironstone Ranch's intention is to withdraw, from the Zoning Hearing Board, the pending application in regards to the road access and bridge installation while continuing the application with the three structures they will be erecting on the property. They will then submit a new application for the road access and present their testimony at the April Zoning Hearing Board meeting. Manager Oldham stated that two items that Ironstone stated this evening should be conditioned: 1) that the Fire Department writes a letter saying they think the road is acceptable and 2) and a letter from them after the truck drives the road saying that it really does work. Supervisor Yoder noted that he has a pretty good understanding of the condition of the roadway off Newville Road, but he doesn't have any idea of the condition of the winding portion of the road. It was stated that this alternative route has been maintained at a 12' minimum width with stone as it is used as a service road. Ironstone will be placing additional stone on the roadway. Solicitor Cleary stated that her only suggestion would be is that when Ironstone Ranch requests the fire department to take its truck out to drive the route and the truck sinks that Ironstone pays to get the truck out. Solicitor Cleary stated that they will have to revise the conditions that were previously given because some of them will no longer be valid but she doesn't see any major change from what was done before; just some tweaking to have it make sense. However, since Ironstone Ranch is intending on completing the bridge she suggests that we could also get permission for that bridge from the Board stating the bridge would still need to be installed for 2018.

Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to authorize Solicitor Cleary to work with staff to put the list of conditions together regarding the Ironstone Ranch property for their barn raising event on July 2, 3, & 4, 2017. Motion carried.

- XII. **Executive Session** – There was an executive session prior to the meeting for personnel matters.
- XIII. **Bills Payable (Final Unpaid List)** – Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve the bills payable. Motion carried.
- XIV. **Adjourn** – Moved by Supervisor Yoder, seconded by Supervisor Hilsher to adjourn the meeting at 8:20 pm. Motion carried.

Prepared by Jennifer Rabuck for

Philip Dunn, Secretary