

**West Donegal Township
Board of Supervisors Meeting
July 11, 2016**

The regular meeting of the Supervisors was held at 7:00 p.m. at the Township Municipal Building. Chairman, Roger Snyder called the meeting to order with the following Supervisors in attendance: Doug Hottenstein, Philip Dunn, John Yoder, and J. Clair Hilsher. Also in attendance were Zoning Officer, Wayne Miller, Township Manager, Gene Oldham, Township Roadmaster, Todd Garber, Office Manager, Jennifer Rabuck, and Chief of NRLCPC, Mark Mayberry. Township Solicitor, Josele Cleary was absent.

I. **Call Meeting to Order**

II. **Pledge of Allegiance, Silent Prayer, Tape Announcement**

III. **Roll Call of Supervisors** – all of the Supervisors were present with the exception of Supervisor Dunn who absent during roll call. Supervisor Dunn then arrived at 7:08 pm due to work.

IV. **Approval of the June 13, 2016 Meeting Minutes (June Workshop was cancelled)** – Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve the June 13, 2016 meeting minutes. Motion carried.

V. **Public Comments** – Peggy Noreikis, 239 Stonemill Drive, noted that she talked to Chief Mayberry regarding speeding issues on Stonemill Drive. She would like to see a speed bump/speed table put on Stonemill Drive to slow drivers down. Chief Mayberry noted that his department has performed some enforcements in that area and he agreed that it is a problem area. He stated that he would look into additional details for that area. It was noted that 4:00-6:00 pm is the worse time of day for speeding in that area.

Robert Yahara, 207 Masonic Drive, wanted to know when Masonic Drive would be extended to Maytown Road. It was noted that the Township has not received any final plans for the next phase of the Conoy Crossings development.

VI. **Reports** – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the monthly reports. Motion carried.

VII. **Presentations** – There were no presentations

VIII. **Actions**

A. Approve/Reject Ordinance No. 224-2015 to amend the West Donegal township Code of Ordinances, Chapter 220, Vehicles and traffic, to establish speed limits on certain streets within the Township, to establish stop intersections; to establish traffic signals to establish directions of traffic; and to impose parking prohibitions – Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve Ordinance 224-2015. Motion carried.

B. Approve/Reject the Memorandum of Understanding Agreement with the Lancaster County Planning Commission – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the Memorandum of Understanding Agreement with the Lancaster County Planning Commission. Motion carried.

C. Approve/Reject the bid for the Rutts Road/Bainbridge Road construction project – Manager Oldham noted that no bids were received. He stated that he consulted with PennBid and they indicated that a lot of potential bidders looked at the project, however, none chose to bid. It was indicated that there were two factors that may have contributed to no bidding; 1) The 60 day timeframe for construction was too short and 2) The bids were to be received right after the 4th of July holiday.

Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve the readvertisement for bids for the Rutts Road/Bainbridge Road construction project to include a 90 day timeframe for construction and the removal of the wearing course from the contract. Motion carried.

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- D. Approve/Reject the issuance of letters to property owners regarding sidewalk repairs – Discussion and a slideshow of affected areas was held. It was noted that there are currently 101 noncompliant properties within the township including the Township Building. After much consideration it was agreed to table any action tonight and have staff reword the letter for informational purposes only making the property owners aware of the potential issues, ordinance and Americans with Disabilities Act (ADA) regulations; also mentioning in the letter that the Township found issues with its own property that they will be addressing.
- E. Approve/Reject the fireworks for National Night Out (NNO) and waive the fee – Moved by Supervisor Hottenstein, seconded by Supervisor Yoder to approve the fireworks for NNO and waive the fee. Motion carried.
- F. Approve/Reject the expenditure of (4) bikes and \$1,000 for NNO fireworks display – Manager Oldham noted that he already received approval for the purchase of the bikes. This is only for the contribution for the fireworks should the Police Department need it. Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve a contribution of \$1,000 towards the fireworks display should the police department be in need of the funds. Motion carried.
- G. Approve/Reject the Change Order for the Landis Road Project in the amount of \$5,066.04 – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the change order for the Landis Road Project in the amount of \$5,066.04. Motion carried.
- H. Approve/Reject a proposal to allow any Board of Supervisor member to have the approval to sign Stormwater Agreements and Declarations of Easements prior to recording – Moved by Supervisor Yoder, seconded by Supervisor Dunn to allow any Board of Supervisor member to sign Stormwater Agreements and declarations of Easements prior to their recording. Motion carried.

IX. Discussion Items

- A. Lisi Stormwater Issues – Township Manager Oldham and Township Roadmaster Garber met with the Mrs. Lisi on Wednesday, July 6, 2016. Manager Oldham recommends that they create a swale down along the field to convey the water to a point where it will spread out. The water will still come across her lawn but it won't be uncontrolled from the pipe. Mrs. Lisi's number one concern was where it was washing out around the trees. Manager Oldham noted that they would take the grader out and create a swale, plant it, put some kind of matting in so it holds. He stated that the Township could even install a splash pool to try and slow the water down. Once the swale is complete the homeowner will be able to mow it. Manager Oldham stated that he explained to the Mrs. Lisi that prior to the completion of the swale the Township will have an agreement written by the Solicitor that the Township will not be responsible for repairs or fixes for the water runoff. Manager Oldham noted that they will potentially complete the project in the fall. Supervisor Hottenstein noted he would like to see the project done this year so it is not washing out over winter/spring. Manager Oldham noted that he will contact the farmer regarding the area that the Township will need to access in order to complete the project.
- B. Poplar Lane Stormwater Basin – Supervisor Yoder noted that he spoke to one of the owners of 250 & 262 Poplar Lane regarding the stormwater management basin. Manager Oldham noted that there is a note on the plan regarding management and responsibility of the property owners and that the Township has the right to enter and repair and lien the property. After discussion the Solicitor was directed to draft a letter reiterating to the homeowners the Township's position regarding repairs.
- C. PIRMA costs for Lisa Bailey defense – Manager Oldham noted that he put a letter in the agenda that the Township have expended so much money and that the township has to come up with 15% but they haven't billed the Township yet. He stated that the Township was served again by the Human Relations Commission saying they are preceding again and have asked for all the same documents in which the Township has 15 days to respond. A copy has been forwarded to the Insurance Solicitor Sheryl Brown. Manager Oldham noted that the Township is being challenged as a disabilities discrimination.
- D. Mini Cell Tower – It was noted that the Supervisors would like to see a draft ordinance prepared by the Solicitor for the August meeting.

- E. Alternate Member for Zoning Hearing Board – Moved by Supervisor Yoder, seconded by Supervisor Dunn to appoint John Martin as an alternate member to the Zoning Hearing Board replacing Gary Barton whose term expires 12/31/2016. Motion carried.
- F. Member for the Planning Commission – Moved by Supervisor Yoder, seconded by Supervisor Hilsher to appoint James Miller as a member of the Planning Commission replacing Phil Dunn whose term expires 12/31/2017. Motion carried.
- G. Zoning concerns and hearing applications – Zoning Officer Miller noted that there will be a zoning hearing board meeting in August. There is a gentleman that purchased a tract of land on Turnpike Road with a barn on it. He is looking to sell high end vehicles over the internet from the property. He would be using the barn to refurbish the vehicles before selling them. Mr. Miller noted that if any of the supervisors has any questions or concerns regarding this variance to let him know. It was noted that Mr. Miller would send a copy of the variance application to the supervisors.
- H. PA One Call Membership – Manager Oldham noted that the Township was not a member of PA One Call since the Authority had left. It is a requirement for the Township to be a member. He stated that it would cost roughly \$500-\$600 a year. He will be completing the necessary paperwork needed to join.
- I. Residential fireworks displays – Manger Oldham stated that there has been some discussion regarding residential firework displays and new legislation in Pennsylvania that may make it easier for residents to purchase. He wondered if the Supervisors wanted to look at creating some sort of regulation. Currently, those registered in Pennsylvania have to come get a permit and submit an insurance certificate. As of now, no fireworks that leave the ground are permitted to be set off by residents. This law may make it easier for residents to set off those kinds of fireworks.
- I. Elizabethtown Fire Department – Manager Oldham mentioned that he was approached by the E-town fire department regarding firework displays that are approved by the board. Due to the amount of time it takes to review them the fire department takes a piece of equipment to the site to inspect the display and then they stay there and walk the site afterwards to make sure all embers are extinguished. Currently, this is done free of charge. The Fire Department is requesting that when the township issues a fireworks permit that they collect a \$100.00 donation to the fire department as well for the fire departments service. It was noted that this will be put on the next fee schedule to be approved by the supervisors.
- J. National Night Out (NNO) – NNO will be held Tuesday, August 2, 2016 from 6:00 – 9:00 pm. Due to pedestrian issues on W. Ridge Road last year he is requesting W. Ridge Road to be one way traveling West bound from the Township Building to the next road down after the water tower because we can't stop people from walking down the road even though the Township provides shuttle service. He would like to hire Flagger Force so the road closure is set up correctly. He has requested Roadmaster Garber to look into the price it would cost to hire Flagger Force and they will meet with police department to finalize the plan.
- I. **Executive Session** – there was no executive session.
- II. **Bills Payable (Final Unpaid List)** – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the bills payable. Motion carried.
- III. **Adjourn** – Moved by Supervisor Yoder, seconded by Supervisor Dunn to adjourn the meeting at 8:20 pm. Motion carried.

Prepared by Jennifer Rabuck for

Philip Dunn, Secretary