

**West Donegal Township
Board of Supervisors Workshop Meeting
September 25, 2017**

The Workshop 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: Phil 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, and Township Solicitor, Josele Cleary. Chief of NRLCPD, Mark Mayberry was absent.

I. Call Meeting to Order

II. Pledge of Allegiance, Silent Prayer, Tape Announcement

III. Roll Call of Supervisors – All Present

IV. Presentation: Donegal Woods LLC regarding Lot 115 in Phase 2 as dedication for park land

John Mateyak, of Brubaker Connaughton Goss & Lucarelli, spoke on behalf of the developer of Donegal Woods LLC. He stated since the Township declined Lot 115 it then reverts to the Home Owners Association (HOA) for maintenance per the terms of the ordinance. The HOA is open to accepting the land for park use as it is restricted as such. Solicitor Cleary noted she looked over the HOA documents and there is provisions in those documents that if the Township does not accept dedication of that lot then it is to be conveyed to the association who will be required to maintain it and designate it as open space per the requirements.

Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to authorize the Township Manager and or Zoning Officer to send a letter stating the board has reviewed and is not inclined to accept dedication of Lot 115 Donegal Woods Phase 2 at this time. Motion carried.

V. Approval of the September 11, 2017 Regular Meeting Minutes – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the September 11, 2017 Regular Meeting Minutes. Motion carried.

VI. Public Comments – None

VII. Consent Items

Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve Consent Items A-D as stated below:

- A. Approve the authorization of Mackin Engineering Co. through Lancaster County to undertake the biannual bridge inspections.
- B. Approve the increase in hourly rate for Justin Barnes to \$20.50 with the completion of his probationary period.
- C. Approve the payment of compensation to the West Donegal Township Planning Commission for additional meetings required for the Regional Comp Plan including the meeting of August 31, 2017.
- D. Approve Masonic Village – Woodshop Project, WDT 15-22, Escrow Reduction No. 2 in the amount of \$6,821.51 retaining no funds for the project.

Motion carried.

VIII. Discussion Items

- A. Poplar Lane – Continue discussion of the access drive to the Timber Villa Retirement Community Solicitor Cleary stated the plans approved by the Lancaster County Planning Commission (LCPC) had inconsistent language from plan to plan. A note on a plan is a restrictive convenient but such a note can only be enforced by the plan approving entity which is not the Township, it is the LCPC; and owners of lots created by that plan. Any restrictive convenient is to be interpreted in favor of the land owner and against implied restrictions on development. In this case there are plans approved by LCPC which at some point stated it was an emergency access drive but did not state it was limited to any one particular use. Supervisor Hottenstein asked when this transaction took place. Solicitor Cleary noted

there are a series of plans including 1986 and 1988 which were well before the Township had a subdivision ordinance; the Township Subdivision Ordinance 144'2003 was adopted in August 2003.

Dorinda Nolan, 274 Poplar Lane – Ms. Nolan stated since there is a no outlet sign at the beginning of Timber Villa Retirement Community this to her would imply they were not going to allow the road to be used as access. She has concerns that this is a new use of the road and should comply with the Township Ordinances since motorists are accessing a public road. Ms. Nolan also referenced a newspaper article referencing the LCPC.

Peter Graustein, 286 Poplar Lane – Thanked Todd Garber and Gene Oldham for being very responsive and professional. Mr. Graustein referenced a letter by the Township from April 1999 which referenced the road would only be opened by Township personnel under certain circumstances. This said to him the Township assumed having control of the road at that time; rather than in 2003. Mr. Graustein also had concerns regarding the increased traffic and speed control on Poplar Lane.

Solicitor Cleary stated there is no Ordinance that would stop the use since the driveway was already constructed. It was constructed as part of the Timber Villa Street system which was completed a very long time ago governed by a driveway ordinance in 1986. She is not aware if the township driveway ordinance had any language that would say a driveway is so limited. Solicitor Cleary clarified 2003 is when the Township adopted a Subdivision & Land Development Ordinance; anything prior was handled by the LCPC. She also noted the interpretation of the April 1999 letter merely stated the Township has access to the gate for emergency purposes as would be accustomed.

It was agreed the Township would place speed limit signs on Poplar Lane advising the speed limit of 25 MPH. Supervisors also suggested the homeowners on Poplar Lane speak with the HOA of the Timber Villa retirement community.

- B. 2018 Liquid Fuels is estimated as \$285,014.02. Turnback Allocation is estimated as \$36,840.00 for a total of \$321,854.02.
- C. High Street striping and parking – Manager Oldham stated it is a 28' road way and there could be a 7' park lane with (2) 10'½" drive lanes; however, the lines would have to be eradicated at a cost of \$3,900. Roadmaster Garber spoke of several options regarding the roadway. This area is in his 5 year plan to be micro surfaced at a rough cost of \$10,500. He will obtain a better cost estimate to have the road micro surfaced in 2018 and not stripe the roadway.
- D. Route 230 road closure – Manager Oldham noted PennDot is requesting a letter stating they can use the Township streets as a detour, only if there is an incident on Route 283, while they complete a 2 week bridge project on Route 230. It was agreed by the Supervisors that PennDot was allowed to use the Township streets as part of the detour.
- E. 2018 Budget Draft – The 2018 budget was reviewed along with the 2018 road project schedule. High Street micro surfacing will be added to the Liquid Fuels Budget. Further discussion will be held next month.
- F. October 23rd Workshop – The County will not be attending to discuss the comp plan. There will be a regional elected officials meeting on November 30th that all supervisors and planning commission members should attend.
- G. Bishop Woods Phase 3 – Manager Oldham stated he received Bishop Woods Phase 3 which will extend Greenbriar Drive to Bossler Road. He would like to get a cost estimate to widen Bossler Road in the right of way to Zeager/Industrial Road. There are offsite improvement funds that can be used for the project. It was consented to have David Miller Associates put together a cost estimate.
- H. Manager Oldham stated the Bermuda grass is shrinking on the fields at the Township Park. However, the fields now need to be aerated and reseeded. He would like to use \$1800.00 from the park fund to complete the process. All supervisors were in favor.

- IX. **Executive Session** – Chairman Snyder stated there will be an executive session for personnel matters following the meeting but no action will be taken.
- X. **Bills Payable (Final Unpaid List)** – Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve the bills payable. Motion carried.
- XI. **Adjourn** – Moved by Supervisor Yoder, seconded by Supervisor Dunn to adjourn the meeting at 8:05 pm. Motion carried.

Prepared by Jennifer Rabuck for

Philip Dunn, Secretary