

**WEST LAMPETER TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING OF MARCH 12, 2018**

Chairman Barry Hershey called the Regular Meeting of the West Lampeter Township Board of Supervisors to order at 7:00 p.m. with the Pledge to the Flag. Those in attendance were Supervisors Terry Kauffman, Robert Patterson, Randy Moyer and Geoffrey Beers. Township Manager Dee Dee McGuire, Finance Coordinator Vicki Harnish, and Recording Secretary Susan Worby were also present.

**RECOGNITION LETTER**

Chief Wiczkowski read a letter received from the National US Marine Corps Toys for Tots program recognizing Officer Matthew Neidinger for his support and work for the organization and needy children during the holiday season. Chief Wiczkowski also praised Officer Neidinger for his work with Special Olympics, Shop with a Cop, Community Outreach Group, Susquehanna Burn Camp for Kids, Camp Cadet, and American Legion Riders.

**CORRESPONDENCE**

Chairman Hershey read a letter that was received from Owen Julian, age 7, resident of West Lampeter Township. Owen, his parents and twin sister were in attendance at the meeting. Owen wrote about what he noticed was a dangerous intersection at Gypsy Hill Road and Long Rifle Road asking the Supervisors to consider making it a three-way stop at the bridge. He included a diagram of what he proposed the intersection to be with the stop signs. Chairman Hershey told Owen how much he appreciated him writing to the township in such a pleasant and positive way. He said the township has been working on plans to improve the intersection and Owen's diagram, interestingly, closely resembles township's design. Both diagrams were shown on the overhead projection screen. Owen then got to shake hands with all the Supervisors who thanked him for his letter of concern.

**2017 AUDIT REPORT**

Megan Senkowski and Krista Showers from Trout, Ebersole & Groff, were present to go over the audit of 2017 financials. Ms. Senkowski explained the township received a Clean Opinion again this year. She thanked Ms. McGuire and Ms. Harnish for their assistance during the audit.

Total Assets for 2017 of \$17,138,863 was an increase of \$1.8 million. The increase was due mostly to dedicated roads (1.4% of total assets) and a positive prior period adjustment of \$232,248 related to the Financial Edge transition of assets. Liabilities in 2017 decreased primarily to scheduled debt payments. The net position at year-end is \$15,076,599.

General Fund Revenues for 2017 increased from \$6.2 million to \$6.475 million, with increases in permit revenue and the receipt of an \$182,000 DEP grant. General Fund Expenses increased from \$4.9 million to \$5.2 million, with higher attorney and engineering fees incurred. Revenues were \$348,988 over budget, and expenses under by \$165,145. Total ending Fund Balance in the General Fund was \$3.4 million.

The Capital Improvements Fund increased by approximately 6% from \$2,153,690 to \$2,283,405. This was less than the budgeted amount by approximately \$223,400 due to deferment of some road projects.

The balance of Long Term Debt was reduced to \$1,894,607 from year-end 2016 of \$2,154,423.

The Parks Capital Projects Fund ending fund balance for 2017 increased from \$138,575 to \$169,838.

The State Highway Aid Fund (Liquid Fuels) revenues increased to \$469,158 due to the state allocations received. Projects for the year totaled \$397,435, leaving a fund balance for 2017 of \$537,383.

Other Post-Employment Benefits Trust Fund, new this year, is for post-retirement health insurance coverage for police. Interest income and payouts for insurance premiums resulted in a net positive of \$451. Added to the opening balance of \$450,000 the ending fund balance is \$450,451.

She concluded her presentation by explaining the differences between the fund balances, as nonspendable, restricted, committed, assigned and unassigned, with the total of all fund balances being \$6,378,847.

**REQUEST FOR WAIVER OF VILLAGE PARK FIELD FEES – Dustin Knarr, L-S Youth Soccer, LS-Boys & Girls Lacrosse**

Mr. Knarr made the request on behalf of the Lampeter-Strasburg Youth Soccer, and Boys and Girls Lacrosse. As in previous years, the group will maintain the fields they use and clean up after use. Supervisor Beers made a **MOTION**, seconded by Supervisor Patterson, to approve the request to waive the fees for use of the Village Park Fields for the coming 2018 season for L-S Youth Soccer, Boys and Girls Lacrosse. The motion was approved unanimously, 5 to 0.

**REQUEST FOR WAIVER OF VILLAGE PARK FIELD FEES – Dave Scranton, Strasburg-Willow Street-Baseball-Softball Association (SWSBA)**

Mr. Scranton is new to the organization, and made the request on behalf of the Strasburg-Willow Street-Baseball-Softball Association. The group in previous years maintained and lined the fields they used, applied DiamondTex to the fields every other year, and cleaned up after use. The same will take place this year. Supervisor Moyer made a **MOTION**, seconded by Supervisor Beers, to approve the request to waive the fees for use of the Village Park Fields for the coming 2018 season for SWSBA. The motion was approved unanimously, 5 to 0.

**PUBLIC COMMENT**

None.

**MINUTES**

**Regular Meeting, February 12, 2018**

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Moyer, to approve the Minutes of the Regular Meeting of February 12, 2018 as presented. The motion was approved unanimously, 5 to 0.

**SUBDIVISION AND LAND DEVELOPMENT MATTERS**

**1. Preliminary Plan for Existing Chapel Relocation – Willow Valley Associates**

Applicant/Property Owner: Willow Valley Associates, Inc.

Location: Willow Street Pike and Willow Valley Drive

Project description: Applicant seeks a lot add-on and relocate an existing chapel across Willow Valley Drive behind the DoubleTree Resort.

Tim Harrison, representing Willow Valley Associates, and Tom Engerth, Site Design Concepts, were present to discuss the plan.

Mr. Harrison explained the history of the plan, from rezoning golf lots to movement of the chapel and relief granted by the Supervisors and Zoning Hearing Board. One modification request is being made, Section 240-15.E(3) – Reports. Several of the required reports have previously been filed. The Planning Commission recommended approval of the preliminary plan per comments listed on the staff memorandum of March 6, 2018. Questions from the Supervisors included alignment of sidewalks and the pedestrian crosswalk (LCPC comment #2), trees and plantings as recommended by the LCPC. Mr. Harrison stated it would take approximately three weeks of site preparation, one day to move the chapel, and three weeks renovation of the lot.

Kathy Mitman, 702 Woodhall Drive, asked where the chapel is being moved to on the property, and Mr. Harrison showed the spot on the overhead projection screen.

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Beers, to approve the Preliminary Plan for Willow Valley Associates for Chapel Relocation at the Crossroads, and grant the waiver modification request of Section 240-15.E(3) Reports as noted in the township engineer's letter of February 8, 2018, staff memorandum of March 6, 2018, Lancaster County Planning Commission's (LCPC) comments of February 13, 2018 and the Lancaster County Conservation District's letter of January 31, 2018. The motion was approved 4 in favor, 0 against, with 1 abstention (Moyer, work conflict).

**2. Preliminary Plan for Phase III, Crossroads – Willow Valley Associates**

Applicant/Property Owner: Willow Valley Associates, Inc.

Location: 2416 Willow Valley Drive, northwestern corner of Long Lane and Willow Street Pike

Project Description: Applicant seeks to construct commercial, retail, restaurant uses and redevelop existing parking lot.

Tim Harrison, representative for Willow Valley Associates, and Craig Smith, RGS Assoc., were present to discuss the plan and show an architectural rendering of the shops and restaurant on the proposed site.

The project lies across the street from the proposed CVS and Fulton Bank, and will include a restaurant, Mick's All American Pub, confirmed. Retail stores of 7,600 sq. ft. have no confirmations at this time. A coffee shop with drive thru is also proposed, although the company has not confirmed. The Planning Commission recommended conditional approval of the preliminary plan. A waiver of Section 240-24.R(3)(h) – Access Drive/Clear Sight Triangle is being sought. Supervisor Kauffman is looking for comments from the emergency services units regarding the turning lane access to the site. Mr. Smith responded and showed several templates indicating turning lanes for emergency vehicles, as well as tractor trailer access routes. Delivery vehicles would not come during the restaurant's service hours. Mr. Harrison said the fire service replied they are okay with the plan. Supervisor Kauffman said he has two letters that say the opposite. Mr. Smith stated the plan was modified from the first time the fire company saw the plans, and the fire company is now okay with the modified plan. Fire stops would be discussed during code review, and the architect is planning to meet with the fire company to go over the firefighting attack plan.

Supervisor Kauffman also asked about the photometric plan where an area south of the pond shows a little "bleed over". Mr. Harrison responded the lighting plan will be resubmitted to reflect some of the comments already received on this, but it will be checked again.

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Beers, to approve the Preliminary Plan application for Willow Valley Associates, Crossroads Phase III, and grant the waiver of Section 240-24.R(3)(h) Access Drive, Clear Sight Triangle as per staff memorandum of March 7, 2018, the township engineer's letter of February 8, 2018, and the Lancaster County Planning Commission's comments of January 23, 2018, and the Lancaster County Conservation District's letter of January 29, 2018. The motion was approved 4 in favor, 0 against, with 1 abstention (Moyer, work conflict).

**3. Request Partial Release of Letter of Credit – Garrett Weaver Land Development**

Ms. Warren inspections have been completed, and the engineer feels comfortable with releasing all but \$4,000.00 in the escrow account. Supervisor Kauffman has some reservations about whether that will be enough to complete the remaining items should the applicant not do so. It was asked and decided to reduce the amount to be released. Supervisor Beers made a **MOTION**, seconded by Supervisor Moyer, to release \$90,991.00 leaving a balance of \$8,000.00 in the letter of credit. The motion was approved unanimously, 5 to 0.

**4. Request to Release Final Escrow – Reinhart Café, Phases 1 & 2**

Ms. Warren said the work is complete and as-built drawings have been submitted. Supervisor Moyer made a **MOTION**, seconded by Supervisor Patterson, to release \$5,775.00 from the

Phase 1 escrow account, and \$5,774.00 from Phase 2, closing out both. The motion was approved unanimously, 5 to 0.

## MONTHLY REPORTS

### 1. Treasurer's Report

Supervisor Patterson remarked that to date revenue is slightly ahead of 2017, expenses are below 2017, with a net increase of \$17,140.

#### Request to Remove Interest Charges from Various Accounts Receivables

Supervisor Patterson made a **MOTION**, seconded by Supervisor Moyer to eliminate the charges made as interest to the following invoices, totaling \$32.39:

Invoice	Date	Name	Balance
ESC-17-32	7/20/2017	Stumpf/Country Meadows IV	\$ 7.24
ESC-17-33	7/20/2017	Stumpf/Country Meadows III	\$ 5.51
ESC-17-43	10/9/2017	Deluxe Bev/Savani	\$ 5.19
ESC-17-50	12/7/2017	O'Neill/Rocky Springs Ent. Ctr.	\$ 2.20
ESC-17-53	12/21/2017	WP Partnership LP/Peony Rd	\$ 1.23
ESC-18-02	1/5/2018	O'Neill/Rocky Springs Ent. Ctr.	\$ 2.70
ESC-18-03	1/5/2018	Deluxe Bev/Savani	\$ 5.32
PD-18-01	1/9/2018	Kmart - False Alarm	<u>\$ 3.00</u>
<b>TOTAL</b>			<b>\$ 32.39</b>

The motion was approved unanimously, 5 to 0.

#### Payment of Bills

Supervisor Beers made a **MOTION**, seconded by Supervisor Moyer, to accept the Treasurer's Report, and authorize the staff to satisfy the ordinary and routine obligations incurred by the township in order to take advantage of discount and allowances, and to avoid delinquent penalties and carrying charges. The motion was approved unanimously, 5 to 0.

### 2. Public Works Report

Mr. Kreider, Public Works Supervisor, reported it was a quiet month. He has about two bins half-full of road salt left for the season.

Mr. Kreider noted bids were opened on Thursday, March 8 for paving and aggregate materials. The lowest bidder for paving did work for the township on Peach Bottom Road some years back. The asphalt mix (from a York County supplier, where there is less limestone) did not hold up, and there are top sections of Peach Bottom Road elevated and cracking due to the mix used. He is meeting with the low bidder to discuss the project and confirm the asphalt mix will come from a Lancaster County supplier with the higher amount of limestone. A recommendation for award will be done at the April meeting, within the sixty (60) day requirement to make an award.

### 3. Police Report

Chief Wiczowski asked if the Supervisors received the information put out by the L-S School Board regarding safety issues and the desire to have a school resource officer (police) included in their budget next school year (2018-19). Chief Wiczowski said his department would not be available until 2019. He and Ms. McGuire will be meeting with school administration officials to begin the discussion, and funding the resource officer will be discussed. The Supervisors are agreeable to this meeting.

Supervisor Beers thanked the Chief and his department for their recent trip to Martin Meylin middle school to play "dodge ball" with the students. Chairman Hershey asked if/when the

bike patrol would resume, and Chief Wiczkowski answered that it depends on manpower needs.

**4. Community Development Department Report**

Ms. Warren stated two property maintenance issue cases will be heard by the District Justice soon: 901 Village Road property with a dilapidated structure and expired building permits; 410 Woodhall Drive, with junk cars and a driveway installed without a permit. Neither property owner has contacted the court since service was made.

Ms. Warren again reminded the Supervisors to take the survey for the Bridgeport Transportation plan for their opportunity to provide comment about the large multi-municipal project. The survey is on the township website and available through early April. A draft survey report will be provided later in April. Also on the township website is the request for proposals for professional services for the Groff Farm Floodplain Restoration project.

**5. Township Manager's Report**

Ms. McGuire received a letter from Terry Sweigart, L-S School Business Administrator, about waiving school building permit fees, and possibly reviewing the over \$30,000 in permits paid and inspections performed for the school athletic field project to refund monies not used or billed in excess. Ms. Warren stated a zoning fee was refunded after the department discovered a resolution that non-profits not be charged the zoning fee. Chairman Hershey said this is not the first time the school has made the request, and it was never approved in the past. He does not want to open the door that other non-profit groups could request the same. Supervisor Kauffman said the fees are set up to cover the actual costs, not to make money. During the budget season several permits and fees were reviewed and found the fees were not excessive. Supervisor Beers recommended rejecting the request, and the other Supervisors agreed.

**TOWNSHIP ADMINISTRATION MATTERS**

**1. Resolution 5-2018 – Appoint Alternate Member to Zoning Hearing Board**

Supervisor Moyer made a **MOTION**, seconded by Supervisor Kauffman to adopt Resolution 5-2018 appointing Thomas Stem to serve as an Alternate Member of the Zoning Hearing Board, whose 5-year term will expire on December 21, 2020. The motion was approved unanimously, 5 to 0.

**2. Resolution 6-2018 – Suburban Lancaster Sewer Authority (SLSA) Financing Resolution**

There was much discussion about the reason, liability, and need for the Supervisors to adopt this resolution. It was determined that no one received much advanced notice, but Mr. Blakinger, attorney for SLSA did provide information about the need for the resolution. Ms. McGuire said the township solicitor, first unsure himself about the resolution, was then satisfied with the explanation provided by Mr. Blakinger. Supervisor Beers (through his experience with such financing) and Township Land Use Solicitor (in the audience awaiting the Executive Session) both explained to the Supervisors about the IRS code and funding from authorities for non-profits to receive better financing options for projects eligible for tax-exempt status. As part of the resolution it states the Township is not liable for the debt itself, as was of great concern to the Supervisors. The true borrower is the Presbyterian Homes under the LIDA code, but acceptance requires local oversight (i.e., the township).

Supervisor Beers made a motion earlier in the discussion that was then withdrawn. Supervisor Moyer then made a **MOTION**, seconded by Supervisor Beers to adopt Resolution 6-2018 regarding a financing resolution for a project funded through SLSA for the Presbyterian Homes in Chester County, conditioned upon the Township Manager satisfactorily approving the provisions that SLSA and the Township can in no way be liable for the debt. The motion was approved 3 in favor to 2 against (Hershey, Kauffman).

**3. Authorize DCED Village Park Grant Application**

Supervisor Moyer made a **MOTION**, seconded by Supervisor Beers, to authorize making application for a DCED Village Park Grant. The motion was approved unanimously, 5 to 0.

**4. Approve Professional Services Agreement with ELA Group, Inc. – Village Park Land Planning and Engineering Services**

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Moyer to approve the professional services agreement with ELA Group for Village Park Land Planning and Engineering Services at a cost of \$142,500.00 and reimbursement expenses of \$3,500.00. The motion was approved unanimously, 5 to 0.

**OTHER BUSINESS**

None.

**EXECUTIVE SESSION**

Chairman Hershey announced that the Board of Supervisors would hold an executive session to consult with the Township Solicitor/Land Use Counsel regarding information and strategy in connection with potential litigation relating to the use of the property located at 1518 Millport Road.

The Board entered the session at 9:21 p.m. and reopened public session at 10:37 p.m.

Supervisor Moyer made a **MOTION**, seconded by Supervisor Kauffman, that the Township Solicitor and Land Use Counsel, Morgan, Hallgren, Crosswell & Kane, P.C., and the Township staff be authorized to institute and pursue such enforcement proceedings, including actions seeking injunctive relief, as they deem necessary regarding the earth disturbance, grading, dumping, and filling activities occurring at 1518 Millport Road. The Chairman or Vice Chairman of the Board of Supervisors or the Community Development Director/Zoning Officer are each authorized to execute such complaints and other documents as may be necessary in connection with any enforcement proceedings. The motion was approved unanimously, 5 to 0.

With no further business to be conducted, the meeting was adjourned at 10:38 p.m.

Respectfully Submitted,  
Robert E. Patterson, Township Secretary-Treasurer