

**WEST LAMPETER TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING OF AUGUST 14, 2017**

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, Randy Moyer, Robert Patterson, and Geoffrey Beers. Township Manager, Dee Dee McGuire, and Recording Secretary, Susan Worby, were also present.

PRESENTATION – Lancaster Public Library – Joyce Sands, Director of Public Service

Ms. Sands reported on the number of West Lampeter Township residents who use the library, the number of items borrowed, and the services provided. She requested the township consider increasing their contribution for 2018. E-books and e-resource usage has increased over the last year, but a need for print media continues to grow as well. She thanked the Supervisors for their continued support.

PUBLIC COMMENT

1. Thomas Johnson, 2532 Willow Street Pike spoke about the blasting done at the Willow Valley Crossroads. He said he would have preferred the township staff to be more helpful when he called to report damage to his house, yet was told the matter was unfortunately between the home owner and blasting company. When questioned by the Supervisors, Mr. Johnson responded he had contacted the blasting company and is working with their insurance company to resolve the issue.
2. Rose Ann Schultz, 2532 Willow Street Pike, also spoke about the blasting. She mentioned they had the pre-inspection done by the blasting company, and her husband also took pictures, before and after the blasting.

MINUTES

Regular Meeting, July 10, 2017

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Beers, to approve the Minutes of the Regular Meeting of July 10, 2017 as presented. The motion was approved unanimously 5 to 0.

PLANNING MATTERS

1. RESOLUTION 14-2017 – ACCEPT DEDICATION OF STREETS IN SUMMER BREEZE

Joellyn Warren, Director of Community Development, stated all documentation has been provided as required. The Public Works Department and township engineer completed final inspections, and minor issues have been met. Parkland will be dedicated according to the land development agreement. Supervisor Kauffman asked if accepting dedication will meet PennDOT's deadline requirement for adding to the Liquid Fuels mileage, and Ms. Warren said it would.

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Moyer, to adopt Resolution 14-2017, to accept dedication of streets in the Summer Breeze Development. The motion was approved unanimously, 5 to 0.

2. REQUEST FOR REDUCTION IN LETTER OF CREDIT – Reinhart Café Phase 2 (\$169,918.00)

Supervisor Moyer made a **MOTION**, seconded by Supervisor Beers, to approve the request for a reduction in the letter of credit for Reinhart Café, Phase 2, in the amount of \$169,918.00 leaving a balance of \$117,529.00. The motion was approved unanimously, 5 to 0.

MONTHLY REPORTS

1. Treasurer's Report

Surplus is down a bit this year.

Payment of Bills

Supervisor Patterson made a **MOTION**, seconded by Supervisor Beers, 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

Jim Kreider, Public Works Supervisor, said work at Shiprock and Otsu roads are expected to begin around August 20. There has been a reclaiming issue with the company. Locust Lane work is complete, but on a recent inspection two sections of walkway were found to be poured at incorrect thickness in the concrete. This will be corrected.

Mr. Kreider met with township staff, township engineer and a PennDOT official to begin working on making improvements at the intersection of Strasburg Pike and Rockvale Road. Temporary remedies include painting a stop bar on Rockvale Road (East Lampeter hasn't done this yet on their side), and moving the stop sign back about 10 ft. PennDOT installed "INTERSECTION AHEAD" signs on Strasburg Pike.

The department is working to connect two stormwater pipes from either end of Mackin Avenue to correct a stormwater issue. A home in the way has a two-toned, stamped concrete driveway that would be difficult to replace (cost-wise) if cut. Boring is the only option and was quoted at \$10,000.00 for the boring, \$5,000.00 for pipe and materials. Mr. Kreider would like to postpone the West Willow Road project and use those funds to pay for the boring. Supervisor Moyer asked if funds could be paid for by the homeowner affected by the flooding, but Mr. Kreider replied the township could have corrected the problem nearly 25 years ago but was not; he does not feel it could be passed on to the homeowner. Moving the work out into the roadway is also not a viable option, going so far to get so deep, and then to run into sewer lines. Supervisor Beers made a **MOTION**, seconded by Supervisor Moyer, to approve using the funds from the West Willow Road project to cover the boring costs, not to exceed \$15,000. The motion was approved unanimously, 5 to 0.

3. Police Report

Sgt. Billy Wilson was present for the Department. The department is ready to move forward on the purchase of the CODY records management system. Cost paid outright will be \$42,324.09, which includes \$32,324.09 for CODY, \$5,000.00 for the Prex conversion, and \$5,000.00 for the CAD dump. Friends of the Force will pay \$15,400.00 towards the purchase, making the net cost around \$27,000.00 for a three-year contract. An annual fee after that will be roughly \$6,145.60: \$4,880.60 for the annual subscription fee and \$1,265.00 for the TraCS interface. The \$4,880.60 subscription fee is subject to a 3-5% annual increase over the three-year contract term. Supervisor Kauffman made a **MOTION**, seconded by Supervisor Beer, to approve the purchase the CODY system outright for \$42,342.09, accepting the payment of \$15,400.00 from Friends of the Force for a cost to the township of approximately \$27,000.00 for a three-year contract, and an annual subscription fee of \$4,880.60 for the first year. The motion was approved unanimously, 5 to 0.

4. Community Development Department Report

The clean fill project going on at the Millport Road farm is getting better. Department staff meets with the farmer every two-weeks to keep him on track. Complaints have been made about the duck farm, and Jim Kreider met with the farmer and suggested using an additive to the manure to keep the flies and smell down.

Ms. Warren received a letter from the township's third-party inspection company, ABI. The company has been sold and the previous owner may stay with the company for a year or two. There have been no issues working with the company, but no one in the department knows the new owner, nor do they know anything of his reputation. Ms. Warren is asking the Supervisors to appoint the new company ABI, LLC for the balance of the year, and then the department will work on a RFP to make a recommendation for an appointment in 2018.

Supervisor Beers made a **MOTION**, seconded by Supervisor Kauffman, to appoint ABI LLC as third-party building inspection service for the balance of 2017. The motion was approved unanimously, 5 to 0.

Ms. Warren reported the department is ready to move forward with the Willow Street Pike (North) Streetscape grant for new sidewalks and curbs, some stormwater. ELA prepared a consulting estimate for scoping field work. This is done prior to the design phase. The funds have been allocated but an agreement is needed to meet PennDOT requirements. Supervisor Kauffman made a **MOTION**, seconded by Supervisor Moyer, to approve the consulting agreement for scoping the Willow Street Pike (North) Streetscape project, costs not to exceed \$5,672.00. The motion was approved unanimously, 5 to 0.

5. Township Manager's Report

The Lancaster Christian School property on Lampeter Road is in the process of being sold to a church. The township owns a 3.5 acre plot adjacent to the property that is currently used as open space/ball field. The township purchased this lot in the 1980s for green space. The lot has always been used and maintained almost exclusively by the school, except for a Christian baseball league. Currently the township does not maintain or mow the property, nor does the township use the field or coordinate its use. The church has been discussing the possibility of purchasing the lot from the township if the Supervisors are so inclined.

Supervisor Moyer said it is a perfect location for open space or park if and when the two farms adjacent and near this site become developed. Supervisor Kauffman agreed. The Board is not anxious to give up open space. It was suggested to begin negotiation with the church about the maintenance, upkeep, etc.

TOWNSHIP ADMINISTRATION MATTERS

1. RESOLUTION 15-2017 – OTHER POST-EMPLOYMENT BENEFITS TRUST

Discussed at a number of previous Board meetings, the account in question would be used exclusively for post-employment benefits. PLGIT will manage the investment, but the Trust would control the account funds, approximately \$500,000.00. A resolution is needed for the Trust to join with other local government units as settlor of PLGIT.

Supervisor Moyer made a **MOTION**, seconded by Supervisor Patterson, to adopt Resolution 15-2017 authorizing the West Lampeter Township Other Post-Employment Benefits Trust to join PLGIT. The motion was approved unanimously, 5 to 0.

2. RESOLUTION 16-2017 – APPROVE DISPOSAL OF SPECIFIC TOWNSHIP RECORDS

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Beers, to adopt Resolution 16-2017, to approve the disposal of specific township records according to the state records retention schedule. The motion was approved unanimously, 5 to 0.

3. AWARD CONTRACT FOR RE-ROOFING TOWNSHIP BUILDING

Bids were opened on July 27, 2017 and three companies bid on the project. The results are as follows:

COMPANY	BID PRICE
Detwiler Roofing, New Holland, PA	\$31,488.00
Spotts Brothers, Schuylkill Haven, PA	\$42,460.00
KLA Roofing, Everett, PA (no bid bond provided)	\$56,080.00

Supervisor Moyer made a **MOTION**, seconded by Supervisor Patterson, to conditionally award the re-roofing contract to Detwiler Roofing, for the bid price of \$31,488.00, providing the Township Manager and Public Works Supervisor receive references from Detwiler. The motion was approved unanimously, 5 to 0.

4. REVIEW AGREEMENT FOR CAPITAL CAMPAIGN

Supervisor Moyer reviewed the agreement and made a few minor changes to the consultants' agreement. Supervisor Kauffman is comfortable with the agreement, but would like more specific protection for the township's cost; make the agreement more structured, less generic. Supervisor Moyer also felt there was some vagueness in the language, but stated a termination clause can provide that protection. Ms. McGuire said the Directors of the Foundation will monitor the consultants' progress, and Supervisor Moyer agreed, adding it is not a matter for the Board of Supervisors to approve, but the Foundation's.

5. APPROVE PENNDOT WINTER SERVICES AGREEMENT

Supervisor Moyer made a **MOTION**, seconded by Supervisor Kauffman, to approve the PennDOT Winter Services Agreement for the snow plowing of Lime Valley Road for the 2017-2018 winter season. The motion was approved unanimously, 5 to 0.

6. REVIEW PERSONNEL POLICY UPDATES

Ms. McGuire said she and Vicki Harnish, Finance Coordinator, and department heads have been reviewing the current policies and updating where needed. A red-lined copy was prepared for the Board to point out some areas that may need changing or correcting. Most of the changes are technical in nature, and/or to clarify intent and direction.

The area of most concern was with short-term disability (STD) and sick leave (pages 21, 27 & 28). Accrued sick time in past practice has been accumulated and used in excess of the 150 days stated in the handbook. For some unknown reason – for more than 20 years – the maxing out of sick time was never enforced for employees. There are currently ten employees who have banked well over the 150 maximum days. Ms. Harnish explained accrued time off is printed on the paychecks. Chairman Hershey felt 150 days is 150 days, maximum, regardless of what is banked. Supervisor Moyer suggested that those employees with more than the maximum keep what they have, and cap that number starting on a specific date. Then any new hires and those with less than the maximum would be held to the maximum when/if reached. When asked it was explained the amount of sick time paid out to an employee at termination of employment is capped at 150 days, paid at \$20 a day, regardless of what is banked (use or lose). The police bargaining unit does not cap off an amount.

The situation arose recently when an employee went on sick leave, and did not use short term disability (STD) or long term disability (LTD), and instead relied on unused sick time that had been accruing well beyond the 150 days. Supervisor Kauffman understands the need for the policy as it is, but stated earned sick leave is generally banked to be used for any catastrophic health need. He doesn't like forcing anyone to go on STD when they have earned sick time to use. He feels the policy is counterproductive, and could hurt recruiting new employees. Ms. McGuire said it also becomes a staffing problem with someone out so long, and the policies do not indicate how long a position should be held open for the employee on leave. After much discussion it was determined that Ms. McGuire should make an inquiry to the labor attorney on the following:

1. The legality of capping earned sick time for employees with more than the allowable, considering the current policy and the past practice of non-enforcement;
2. Would employees be able to keep the amount of sick time currently banked beyond 150 day; and
3. How long can a position be held for an employee's return when not utilizing the family leave act (does not apply to employers with less than 50 employees, but is in the township's employee policy handbook), short-term and long-term disability.

Vacation time (Section 4.10) for new employees was also discussed. Ms. Harnish found that there was a discrepancy in the way vacation time was calculated for new employees. It appeared, as the policy is written, that new employees who start at the end of a calendar year gained more vacation time than those who started at the beginning of a year. A proposed change is to allow vacation time to accrue on a prorated basis for new hires with eligibility to use only after completion of the introductory period (six months). Vacation hours would

continue to accrue each pay period until their second year work anniversary (not to exceed 56 hours for 27 week years).

Section 4.18, "Leave of Absence Without Pay" was discussed, and the Supervisors agreed to remove the section all together. "Volunteer Leave" (Section 4.17) was also discussed in relation to those who are volunteer fire fighters. The area in the appendix dealing with Workers Compensation for Volunteer fire fighters was only corrected to reflect the current agency providing the coverage (State Workers Insurance Cooperative, or SWIF). Another area of note was Section 5.9 "Use of Township Property" on page 41. There was no mention of CDL drivers in the paragraph dealing with driving and being involved in an accident. It was suggested to include a footnote directing the employee to the CDL driver's policy in the appendix.

OTHER BUSINESS

None.

EXECUTIVE SESSION

Chairman Hershey announced the Supervisors would enter into Executive Session to discuss Personnel issues. The Board entered the session at 9:20 p.m.

ADJOURNMENT

The Supervisors reconvened to Open Session and with no other business to be conducted was adjourned at 10:30 p.m.

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