

**The Board's Minutes of the East Donegal Township Board of Supervisors  
Held on May 6, 2010**

The regular meeting of the Board of Supervisors of East Donegal Township was held on Thursday, May 6, 2010 at 8:00 PM in the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta, PA 17547.

The meeting was called to order by Allen D. Esbenshade; Chairman of the Board.

Mr. Murphy led with a Prayer and Pledge to the Flag.

**Roll call of Supervisors:** Present were Allen D. Esbenshade; Chairman, Dennis J. Drager; Vice Chairman, and John E. Murphy Jr.; Member. Also present were Jeffrey L. Butler; Township Manager and Barbara A. Stoner; Assistant Manager, Secretary and Treasurer to the Board.

Public attendance is attached.

An opportunity was given for the public to make comments on items not on the agenda.

Discussion was limited to three minutes.

Mr. Anthony Mohr spoke on behalf of the Maytown-East Donegal Township Fire Department concerning changes to “nuisance” box alarms. As an example he used the automatic fire alarms at the Castleton Development. He stated some days they get two or three automatic fire alarms because of malfunctions in the Castleton alarm system. Never the less they need to respond. Numbers are going down because it is usually a maintenance issue. Mr. Mohr would like to drop back and only have Maytown-East Donegal Township Fire Department respond. Jason Trostle of the Maytown East Donegal Township Fire Department stated he was there one evening two times within an hour of each other and he then sat there an hour and one-half for a representative to come out.

Currently Mr. Mohr stated Bainbridge Fire Department is also responding to the calls. Marietta also did not want to respond to nuisance calls. Mr. Murphy asked if Mr. Mohr was in contact with Bainbridge and Marietta Fire Departments. Mr. Mohr stated he was in contact with Chief Zimmerman and Chief Willenbecker and their Captain Jim Smith and Maytown has a good working relationship with them and they are in agreement. Maytown East Donegal Township previously ran nuisance calls to Little Italy Restaurant in Bainbridge Fire Departments first due area and Bainbridge took Maytown off of that nuisance call also. To clarify Maytown East Donegal Fire Department will be the only fire department answering automatic fire alarm calls within their jurisdiction in East Donegal Township. An engine, rescue and tanker will be responding per Mr. Mohr.

Mr. Butler asked if they were aware of other municipality’s ordinance stating if a fire department is called out for a certain number of false alarms or malfunctions of an automatic alarm system that the business can be fined? Mr. Trostle answered yes. But, this is not something the fire department wanted to see at this time.

Mr. Mohr also asked to change the river rescue alarms. This would mean if a boat broke loose from anchor, etc., and was floating down the river one department with their boat rescue team and equipment would respond instead of two or three departments with boats and all the

equipment responding to a nuisance call.

Mr. Mohr stated that Marietta Fire Department is upset because the Bainbridge tanker is ahead of them on calls within East Donegal Township. The change would be Marietta would be second due and Bainbridge third due. Mr. Mohr said he would like to see this done to try to mend the relationship with Marietta Fire Department.

Mr. Drager asked if they respond and there is an emergency would the upgrade happen? Mr. Mohr said yes. Immediately other departments and equipment would be called. The most lost would be two to three minutes. If there is a fire it gives the first due a little time to get their line laid and set up then the other departments start to arrive.

Mr. Butler explained the procedure is to get something in writing from the Maytown East Donegal Township Fire Department that would explain the changes requested. Then the other fire departments would be notified if they would like to comment. After that the Board of Supervisors would vote on the change at a regularly advertised meeting.

Mr. Murphy gave an update on their Board meeting. There is still an issue with the people who attend sports events at the Fuhrman Park and continue to encroach on the fire department parking lot and could restrict the department from getting fire apparatus in or out. Mr. Murphy would like to get the lot restriped and put the bumper blocks closer to the access drive and put a sign in a bucket with cement concerning the parking. In the wintertime the bucket and sign could be stored. Mr. Butler stated he would look into the problem. The Fire Department was willing to purchase the paint and borrow the township's stripping equipment.

An opportunity was given for the public to make comments on specific items on the agenda. Discussion was limited to three minutes. None was heard.

A motion was made by Dennis J. Drager and seconded by John E. Murphy to approve the Minutes for April 1, 2010. Discussion: None. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes, and Mr. Drager; yes. Motion carried.

A motion was made by John E. Murphy and seconded by Dennis J. Drager to approve the Treasurer's Reports as presented for the Municipality and the Fire Department. Discussion: None. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes, and Mr. Drager; yes but abstaining from Check # 44689. Motion carried.

A motion was made by Dennis J. Drager and seconded by John E. Murphy acknowledging receipt of Balance Sheets and Accounting Sheets (Budget Reports) for all Township Funds for March 2010. Discussion: None. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes, and Mr. Drager; yes. Motion carried.

The Board pulled item d from the consnt calendar to discuss it and vote only on this item.

d. Approved the Preliminary/Final Land Development Plan, for the Donegal School District, new Donegal High School as prepared by Kurowski & Wilson, LLC, and Justin L. Kuhn P.E. Discussion was held on the proposal. Chief Haugh of Susquehanna Regional Police Department stated he has a meeting in the coming week to go over transportation and safety of the proposed Donegal High School with the consultant to give his input on the project.

Mr. Murphy questioned the basin to the north of the project. Justin Kuhn of Kurowski and Wilson explained the basin area is designed with artificial turf in mind just in case it is used on a football field which may be constructed in the future. Artificial turf may create more run off than natural grass, all depending how the area below the turf is constructed.

Curbing was discussed along Koser Road. The Board of Supervisors supported the consultants designing something that will give safety protection to those using the paved walkway. Even though there may be other areas of the township that do not have curbing along a macadam trail or walkway the Board stressed their safety concerns. The consultants stated they will look into the safety issues and recommend doing a visual barrier and or something that may be satisfactory to the township staff to take care of their concerns, either 30 " low lying shrubs, placing those shrubs in a raised area, curbing, or any other items that would satisfactorily meet the boards safety concerns.

The Lancaster County Planning Commission review letter dated March 23, 2010 was received.

After other discussion a motion was made by John Murphy and seconded by Dennis Drager to give conditional approval to the project subject to the review letter dated May 6<sup>th</sup>, 2010, as prepared by Scott Hain of DM/Associates, a letter prepared by Jeffrey L. Butler; Township Manager dated April 29, 2010, and because of safety concerns, having the consultants of Kurowski and Wilson to meet and work with township staff to address the Boards concerns of safety along the macadam walking trail on Koser Road and see if there is an alternative to constructing curbing, such as adjusting grade, planting low lying shrubs mounding the planting areas, etc, and the Donegal School District entering into an agreement with the Township that would require the District to complete the requirement of a traffic study regarding the possible need for a right turn lane on Anderson Ferry Road at the time the Middle School moves over to the existing Donegal High School. Discussion: The Board of Supervisors do understand the storm water issues in construction curbing and the cost of installing piping and interfering with the sheet flow of water onto grass areas, but they are very concerned for the welfare of the walkers.

#### Consent Calendar:

A motion was made by Dennis Drager and seconded by John E. Murphy to approve items a, b, c, e, f, g, and h on the consent calendar. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes, and Mr. Drager; yes. Motion carried.

- a. Approved the Extension of Time as granted by Susquehanna Bancshares, Inc., until August 5, 2010 in which to consider the land development plan as prepared by David Miller Associates dated March 17, 2008, last revised March 22, 2010. This extension is requested for additional time needed to finalize the Letter of Credit now that the PA DOT and HOP design issues seem to be worked out as part of the arrangement between the Township and PA DOT.
- b. Approved the request of Michael Guinivan to close Saint Mary's Drive for Mary Mother of the Church, located at 625 Union School Road to hold a Summer Festival type affair on July 28, 29, 30 and 31. Wednesday and Thursday the event will be from 5:00 PM to 10:00 PM and on Friday and Saturday it will be from 5:00

to 11:00 PM. It will be family oriented. There will be 10 to 12 rides from Clark Summit, PA, Mount Joys French Fry Wagon, several tents, small games of chance, children's games and nightly music. The committee will notify the Susquehanna Regional Police Department and all surrounding neighbors.

- c. Approved Resolution #2010-6 "Designation of Agent" for the February 2010 Snowstorm. That the Board of Supervisors of East Donegal Township appoint Jeffrey L. Butler; Township Manager as the authorized executive on their behalf to sign and submit all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707).

e. Approved the release of the Fulton Bank established joint/custodial account between East Donegal Township and Anthony Spickler for the newly constructed retention basin located on his property at 1231 Donegal Springs Road. The basin was built at the request of the Township to address run-off from the nonpermeable surfaces on the property. The design was by Strausser Surveying and approved by the Township Engineer and will capture all the rain water and channel it to an underground retention basin on his property. Balance in the account is \$14,630.40. This will leave a zero balance.

f. Approved the Easement Agreement between Nelson R. Lehman, Gerald E. Miller, Robert H. Brewer, James D. Herr, and Donald E. Playfoot partners, dba NG&R, a Pennsylvania general partnership, with offices at 1159 River Road, Marietta, PA 17547 and East Donegal Township.

Whereas, NR&G desires to enter into an agreement whereby they grant East Donegal Township a ten (10) foot wide public, pedestrian easement centered on the proposed Walkway (herein "Walkway") as more fully described herein and in said Plan as reviewed by Bradford J. Harris; Attorney for East Donegal Township.

g. Approved the release of the retainer in the amount of \$12,527.77 to Able Construction. This is in relationship to the work done to the Northwest Trail areas at the Riverfront Park. This is the final payment.

h. Approved Resolution #2010-7 Authorizing the Township to enter into a Reimbursement Agreement with the PA Department of Transportation for the construction of improvements to the intersection of Ore Mine Road and SR 441 as part of the Department's SR 441 paving project. Mr. Butler stated there will be some financial impact to the Township for this project. Castleton has agreed to contribute \$46,897.10 to the intersection improvements to include center turn lanes, signal upgrades and pedestrian crossings. Penn Dot has a paving project scheduled for this summer on Route 441. Penn Dot will complete the improvements and bill the Township and we will reimburse Penn Dot with the funds we collect from Castleton, The Susquehanna Bank (for their improvement costs), and the Lancaster County Transportation Grant for some pedestrian improvements at the corner where we installed the pedestrian walkway along Route 441. Mr. Butler stated it is a big cost savings overall for Penn Dot to complete the improvements, if any one of the parties would have undertaken the improvements independently they would have been responsible for the complete overlay of Route 441 from project end to end.

i. A motion was made by Dennis Drager and seconded by John Murphy to approve a \$1,500 donation to Dream Ride Projects per Mike Ridgeway. Discussion: This donation is the same as 2009. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes and Mr. Drager; yes. Motion carried.

j. A motion was made by Dennis Drager and seconded by John Murphy to approve the following road materials and Wheel Loader: Vote: Mr. Murphy; yes, Mr. Esbenshade; yes, and Mr. Drager; yes. Motion carried.

<b>* Stone:</b>	R.E. Pierson Material		
	F.O.B	Job Delivery	Delivered as Directed
500 Ton 3A Aggregate	5.00	7.50	7.50
4,000 Ton 2 A Aggregate	5.25	7.75	7.75
500 Ton Ashto #57	6.25	8.75	8.75
400 Ton Ashto #8	7.50	10.00	10.00
200 Ton Anti-skid 1/4"	(No Bid)		

**\* Widening Rock Point Road**  
 Highway Materials \$66,704.00

**\* Seal Coat**  
 Martin Paving \$ 37,380.00

**\* ID In Place**  
 Highway Materials \$153,050.00

<b>* Binder and Wearing Course</b>		
Highway Materials	FOB	Delivered
1,500 ton 9.5 mm HMA Wearing Course	51.75	56.60
1,000 ton 19.0mm HMA Binder Course	46.00	50.85
300 ton 25.0mm HMA Binder Course	42.75	47.60
300 n 25.0 HMA Base Course	42.75	47.60

**\* Wheel Loader:**

One bid was received from Groff Tractor for a Wheel Loader, Case, Model 721D, Serial #JEE0139893. Delivery Date three working days after date of award. F.O.B. Township Yard. Purchase Price \$89,600.00 - Trade In \$20,000.00 - Net is \$69,600.00

The Board did not accept the bid for the following:

**\* One Tennis Court for Bridle Path Park**  
 One bid was received at 12:50 PM from Pawling Masonry Inc., in the amount of \$38,777.00. The advertisement in the paper stated all bids are to be dropped off before 12 Noon. The documents Mr. Pauling picked up from Scott Hain; Township Engineer stated 1:00 PM.

The tennis court will be re-bid with an expanded scope of work.

**Police Report: For the month of March 2010.** The Susquehanna Regional Police Department

responded to 248 incidents for the month of March, 44 in Conoy Township, 140 in East Donegal Township, 64 in Marietta Borough.

**Zoning Officers Report:** For the month of April 2010, Permit# Z 010034 thru Permit 010056 were issued. The amount submitted by Nancy Lenge, Zoning Officer was \$2,121.00.

**Maytown/East Donegal Township Fire Department:** For the month of February, March and April 2010 no report was received.

**Northwest Emergency Medical Services, Inc.:** The ambulance and MICU activity for April 2010 was 44 calls. Their coverage of our area has been 156 calls to date.

**Fire Department Mount Joy:** For the month of April the Department responded to three first due calls and 1 mutual aid calls in East Donegal Township.

**Rheems Fire Department:** No report given at this time.

Mr. Esbenshade asked if there was any other business to be brought before the Board.

None was heard

There being no further business to come before the Board a motion was made by John Murphy and seconded by Dennis Drager to adjourn at 9:20PM.

Respectfully Submitted

Barbara A. Stoner  
Secretary

**Announcement:**

The next regular meeting of the Board of Supervisors will be held on Thursday, June 3, 2010 at 8:00 PM