

East Donegal Township  
Board of Supervisors  
Meeting Minutes  
May 7, 2015

The regular meeting of the Board of Supervisors of East Donegal Township was held on Thursday, April 2, 2015 at 7:30 PM in the meeting of the Milanof-Schock Library, 1184 Anderson Ferry Road, Mount Joy, Pa, 17552.

The meeting was called to order by Supervisor Dennis J. Drager.

Supervisor Esbenshade led those in attendance in Prayer and the Pledge to the Flag.

Debra M. Rosser-Hogben, MSLS, Executive Director, Milanof-Schock Library welcomed the Board of Supervisors to the library. She took the opportunity to briefly present an overview of the programs to be held over the summer months at the library. In addition, she indicated that there are continuing capital improvements being made to the facility, with planning for more, to address the aging of the building and the needs and comforts of library users.

Adam Kosheba, Chief, Maytown East Donegal Township Fire Department, was present to discuss the Department's plans for renovation/expansion to the existing fire station. He introduced Aaron Camara, Monarch Enterprise, Inc., the contractor now working with the Department.

Chief Kosheba explained that the Department has been working for approximately one year in the planning phase of the project. The proposed project would remodel the face of the building and add a large addition to the east side of the building that would house three pieces of equipment.

Chief Kosheba displayed a front elevation of the building following the renovation/expansion project. He indicated building plans are ready for review to obtain the necessary permits. He stated that it's hoped that the Department would obtain additional funding and initiate construction by July 1, 2015.

To fund the project, Chief Kosheba indicated that the Township's approved budget includes an allocation of \$150,000 for capital improvements. Another \$10,000 has been raised through a fundraising effort that targeted residents of the Township. The balance of the estimated project cost, approximately \$425,000 would be secured through a commercial loan. The Department is currently soliciting loan proposals from financial institutions. He indicated that the proposals would be presented to the Supervisors for approval at the June 4, 2015 meeting. A fund drive targeted to businesses has not been started and would be added in at the end of the project.

Chief Kosheba briefly explained how the work will be performed. Department member Dan Houseal would undertake the water service to the building and the upgrade the 3-phase

electrical service. Mr. Camara, Monarch Enterprise, Inc., would undertake the renovation/expansion of the structure.

Mr. Butler asked if the project would result in the need to install a sprinkler system, and whether the issue was discussed with the Township third-party building code enforcement agency. Mr. Camara indicated that the project has not been discussed with the code officials, but their understanding is that sprinklers would not be required.

There was discussion regarding the need to upgrade to 3-phase electrical service. Department members indicated that future improvements to the building, including the installation of a vehicle exhaust handling system, would require the upgraded service. They indicated additional information could be provided regarding future and potential loads and operating costs.

Mr. Dave Eichler, D.Ed, WFR, Physical and Outdoor Education Teacher, Donegal High School, was present to discuss the duck box project at Riverfront Park. Mr. Eichler shared photos of Donegal High School student installing duck boxes in the wetland areas of the Township's Riverfront Park. Students will continue to monitor and maintain the boxes installed in the park. Mr. Eichler indicated there may be opportunities for other projects in the park.

The Board approved the minutes for April 2, 2015, by a motion made by Mr. Esbenshade and seconded by Mr. Murphy. Discussion: None. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes, Mr. Drager; yes. Motion carried.

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to approve the Treasurer's Reports for the Township and Maytown East Donegal Township Fire Department and approve the payment of all bills. Discussion none. Vote: Mr. Murphy, yes, abstaining from check #48609 payable to him; Mr. Esbenshade, yes, abstaining from check #48575 payable to him; and Mr. Drager; yes, abstaining from check #48592 payable to him.

Mr. Drager acknowledged the receipt of the Balance Sheets for all Township Funds which were mailed to each Supervisor dated April 10, 2015.

#### Old Business.

##### East Donegal Township Board of Supervisors Scholarship Program – Announcement of 2015 Recipient

Supervisor Drager introduced Michaela Smith, the first recipient of the Township Board of Supervisors' Scholarship. Ms. Smith is a graduating Donegal High School Senior. The scholarship program provides the recipient with a \$1,000 award toward tuition at a post-secondary educational institution. Ms. Smith is planning to attend Williams College to major in biology or chemistry, with a concentration in neuroscience. Ms. Smith will be recognized again at the Donegal School District Senior Awards night.

Public Hearing – Conditional Use Application, Former American Legion Building (16 North King Street, Maytown) – Request for Residential Conversion Units

Mr. Mel Stoltzfus, representing MelandTracyProperties, LLC., property owners of 16 North King Street, and Mr. Tony Groff, project contractor, were present to discuss the request of MelandTracyProperties, LLC to convert the former American Legion Building into two dwelling units. Mr. Stoltzfus indicated that he has received and reviewed the zoning requirements of Chapter 27, 5, Section 505.2.B.(1) and Chapter 27, Part 9, Section 938 of the Township Code of Ordinances.

Mr. Michael Cassidy, East High Street, expressed a concern that too many multi-family units are being created in Maytown. He stated that the property owners of rental units, along with the tenants, do not care for properties as well as those that live in the dwelling units they own. He used an example of a property close to his that has become a problem due to inconsiderate tenants, storage of trash cans in sight of neighbors and other problems.

Mr. Gordie Nell, Stackstown Road, asked if there would be sufficient off-street parking. Mr. Stoltzfus shared information that included the number of required off-street parking spaces. Mr. Nell asked about the handling of trash. Mr. Stoltzfus indicated that trash bins could be placed in a shed on the property or screened from view in another manner.

There was general discussion regarding the size, layout and access to the proposed dwelling units. Plans for the units were shared with those in attendance.

There were general comments from those in attendance regarding the desire to limit rental properties due to potential on the neighborhoods. The Board indicated that the zoning ordinance provides for such uses and if the ordinance requirements are met, it's difficult to deny approval of such uses. The use proposed with this application, Residential Conversion Units, was a use added with the last re-write of the Township zoning provisions. This, and other issues, will be part of the zoning ordinance review and revision just initiated.

Mr. Butler indicated to the Board that the Township Planning Commissions reviewed the application and supported the request.

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to close the public hearing. Discussion: none. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Public Hearing – Nelson and Mary Ginder, Addition to Agricultural Security Area

Mr. Butler indicated that the Township received a petition from Nelson and Mary Ginder requesting that their farm, located at 508 Pinkerton Road, Mount Joy PA, be added to the East Donegal Township Agricultural Security Area. The subject

property is referred to as Tax parcel No. 1500165900000 and is approximately 46.33 acres in size.

In accordance with the Agricultural Area Security Law, the petition was forward to the Township Agricultural Security Area Advisory Committee for review and comment. The Township Agricultural Security Area Advisory Committee met to review the request on Monday April 13, 2015. The Advisory Committee recommended that the parcel be added to the Township Agricultural Security Area.

There were no comments from those in attendance regarding the request.

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to close the public hearing. Discussion: none. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

#### New Business.

John Martin Proposed Poultry Barn, 1796 Hauenstein Road – Stormwater Management Plan  
A motion was made by Mr. Murphy and seconded by Mr. Esbenshade to approve the Stormwater Management Plan for John Martin Poultry Barn, prepared by TeamAg, Inc., dated February 9, 2015, last revised April 14, 2015 subject to the following conditions:

Compliance with the review comments outline by David Miller/Associates, Inc. in a review letter dated April 28, 2015.

The Applicant's written acceptance of the conditions within thirty (30) days from receipt of written notice of plan approval by the Township Board of Supervisors, on a form provided by the Township.

If the conditions are not accepted, the approval by the Board of Supervisors will be revoked, and the application will be denied for the reasons listed as conditions of approval of the Plan.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager; yes.

Request for Reduction/Release of Financial Securities – Final Land Development Plan for New Donegal High School.

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to approve the reduction in the Financial Securities posted for the Final Land Development Plan for the New Donegal High School by \$70,349.43, as recommended in the letter from David Miller/Associates, Inc., dated April 15, 2015. Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager; yes.

Mitch Shellenberger Swine Operation, 580 Colebrook Road – Stormwater Management Plan  
A motion was made by Mr. Murphy and seconded by Mr. Esbenshade to approve the Stormwater Management Plan for Mitch Shellenberger Swine Operation, prepared by Red Barn Consulting, Inc., dated January 5, 2015, last revised March 24, 2015 and grant the following modification to Township requirements:

Modification to Chapter 28, Part 4, Section 402.D. –To permit plan to be prepared at a plan scale other than 1"=50'.

The approval of the Stormwater Management Plan and the granting of ordinance modifications are subject to the following conditions:

Compliance with the review comments outline by David Miller/Associates, Inc. in a review letter dated April 9, 2015.

The Applicant's written acceptance of the conditions within thirty (30) days from receipt of written notice of plan approval by the Township Board of Supervisors, on a form provided by the Township.

If the conditions are not accepted, the approval by the Board of Supervisors will be revoked, and the application will be denied for the reasons listed as conditions of approval of the Plan and ordinance modification.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager; yes.

Resolution No. 2015-5, A Resolution of the Board of Supervisors of the Township of East Donegal, Lancaster County, PA establishing a schedule of fees.

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to approve the adoption of Resolution No. 2015-5 establishing a schedule of fees for East Donegal Township.

Discussion: Mr. Butler explained that the fee schedule provides for a complete list of Township fees. Fees were previously contained in various ordinances and the Township's code of ordinances. In response to a question from the general public, Mr. Butler indicated that the fee schedule will be placed on the Township website, replacing the partial list currently provided. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager; yes.

Resolution No. 2015-6, A Resolution of the Board of Supervisors of the Township of East Donegal, Lancaster County, PA authorizing the execution of documents regarding sale of stock.

A motion was made by Mr. Murphy and seconded by Mr. Esbenshade to approve the adoption of Resolution No. 2015-6 authorizing the Chairman of the Board of Supervisors to sign the letter seeking to sell common stock received from an

insurance company through a demutualization process and currently held by the Township.

Discussion: Mr. Murphy explained that, under the Second Class Township Code, the Township cannot hold common as an investment. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager; yes.

Resolution No. 2015-7, A Resolution of the Board of Supervisors of the Township of East Donegal, Lancaster County, PA approving the addition of lands owned by Nelson K. and Mary L. Ginder to the East Donegal Township Agricultural Security Area.

A motion was made by Mr. Murphy and seconded by Mr. Esbenshade to approve the adoption of Resolution No. 2015-7 approving the addition of lands owned by Nelson K. and Mary L. Ginder to the East Donegal Township Agricultural Security Area.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager; yes.

Mary Mother of the Church, 625 Union School Road – Request for Waiver of Land Development Process

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to approve the request of Mary Mother of the Church, 625 Union School Road for waiver of the land development process for the proposed parking lot expansion project.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager; yes.

Ordinance No. 2015-5, An Ordinance Providing for the Imposition and Collection of Fees

A motion was made by Mr. Murphy and seconded by Mr. Esbenshade to approve the adoption of Ordinance 2015-5 amending the Township Code of Ordinances deleting references to specific Township fees and adding references to the Township Schedule of Fees adopted by resolution.

Discussion: Mr. Butler explained that this ordinance is the companion to the resolution establishing the schedule of fees. This ordinance deletes all the fee references currently spread through the Township Code of Ordinances. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager; yes.

Replacement of Concession Stand roof in Fuhrman Park.

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to award the work for the roof replacement on the Fuhrman Park concession stand building and porch to Grove's Construction in the amount of \$4,650.00 as provided on quote dated March 27, 2015.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, abstained due to family relation with owner of Grove's Construction.

Request for use of Chickies Creek Day Use Area – Native American Social and Round Dance

A motion was made by Mr. Murphy and seconded by Mr. Esbenshade to approve the request of the Lancaster County Department of Parks and Recreation for the use of the Chickies Creek Day Use Area for a Native American Social and Round Dance on Friday, June 12, 2015, subject to submittal of the appropriate Certificate of Insurance naming East Donegal Township as an additional insured party.

Discussion: Mr. Butler indicated that this is the first request from a group wanting to hold an event at the Township's newly acquired Chickies Creek Day Use Area. The pavilion in the park has already been reserved a number of times for group outings.

Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Advertise for the Receipt of Bids for roadway paving of Bridge Street and Wasp Street

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to authorize the Township Roadmaster to advertise for the receipt of bids for the roadway paving of Bridge Street and Wasp Street.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Advertise for the Receipt of Bids for roadway paving of Gay Street

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to authorize the Township Roadmaster to advertise for the receipt of bids for the roadway paving of Gay Street.

Discussion: Mr. Butler indicated that this paving project will be done in conjunction with Marietta Borough. The Borough will be paying for its portion of the roadway being paved. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Advertise for the receipt of bids for oil and chip treatment of Greider Road and Landis Road

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to authorize the Township Roadmaster to advertise for the receipt of bids for oil and chip roadway treatment to Greider Road and Landis Road.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Advertisement for Full-time Public Works Position

A motion was made by Mr. Murphy and seconded by Mr. Esbenshade to authorize the Township Manager to advertise for the hiring of a full-time Public Works crew member.

Discussion: Mr. Butler indicated that the opening occurred in late fall of 2014 and the Board decided to wait until spring of 2015 to try and fill the position. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Conditional Use Application, Former Legion Building – Request for Residential Conversion Units

A motion was made by Mr. Murphy and seconded by Mr. Esbenshade to approve the conditional use application of MelandTracyProperties, LLC for a Residential Conversion use at 16 North King Street, in accordance with Chapter 27, Part 5, Section 505.2.B.(1) and Chapter 27, Part 9, Section 938 of the Township Code of Ordinances and subject to compliance with the supporting information provided with the letter of application and the testimony provided during the public hearing on the application.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

2015 Contribution to the Milanof-Schock Library

A motion was made by Mr. Murphy and seconded by Mr. Esbenshade to approve a contribution of \$33,575.00 to the Milanof-Schock Library for the year 2015.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

2015 Contribution to American Legion Post 809 for Memorial Day Parade

A motion was made by Mr. Murphy and seconded by Mr. Esbenshade to approve a contribution of \$3,050.00 to the American Legion Post 809 for expenses associated with the 2015 Memorial Day Parade to be held Monday, May 25, 2015.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.

Conditional Use Application – William Furnia, 2380 Donegal Springs Road – Proposed Bed and Breakfast Establishment

A motion was made by Mr. Murphy and seconded by Mr. Esbenshade to forward the Conditional Use Application for a Bed and Breakfast Establishment within the Agricultural District (A) to the Township Planning Commission for review and recommendation and schedule to required Public Hearing on the Application for the June 4, 2015 meeting of the Board of Supervisors.

Discussion: None. Vote: Mr. Murphy, yes; Mr. Esbenshade, yes; and Mr. Drager, yes.



#### Reduction of Speed Limit in Rowenna

Mr. Butler informed the Board that Township staff was exploring the potential of reducing the posted speed limit on streets located within the Village of Rowenna. The speed limit is currently posted as 35 mile per hour. A speed limit of 25 miles per hour seems more appropriate. The reduction in the posted speed limit will require the preparation and adoption of an ordinance.

#### National Trails Day, June 6, 2015

Mr. Butler informed the Board that the Pennsylvania Department of Conservation and Natural Resources is coordinating an event at Riverfront Park to celebrate National Trails Day. They are bringing attention to the multi-agency cooperation that has taken place with the planning and development of the Northwest Lancaster County River Trail. The event starts at 11:00 AM with speakers from the various groups involved, and will be followed by a ride/walk on the trail.

#### Memorial Day Parade

Mr. Butler informed the Board that the Memorial Day Parade is being held on Monday, May 25, 2015. The parade steps off at 5:00 pm. It was noted that the parade route has been slightly modified from previous years. Parade information has been circulated by the parade committee and will be posted on the Township website.

#### Donegal Intermediate School Mosaic at Riverfront Park

Mr. Butler informed the Board that the work by the students on the mosaic project in Riverfront Park continues. They have added May 12, 2015 and May 16, 2015 as work days for the group.

#### April 2015 Roadmaster Report

Copies of the report were provided to the Board.

#### April 2015 Zoning/Building Report

Copies of the report were provided to the Board. For the month of April 2015, Permit #Z-015017 through Permit #Z-015040 was issued for a total value of \$4,918,337.00. Total Zoning Fees collected equaled \$23,702.00.

Northwest Emergency Medical Services Report: For April 2015 Northwest EMS responded to 41 calls in East Donegal Township. The total calls within East Donegal Township for the year is 170.

Fire Department Mount Joy Report: Two first due calls in East Donegal Township for April 2015.

Maytown East Donegal Township Fire Department: No report was given at this time.

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

#### Liaison Assignment Reports

Administration/Personnel - Supervisor Esbenshade – None.

Finance - Supervisor Murphy – None.

Parks and Recreation - Supervisor Esbenshade.

Planning and Development - Supervisor Drager – None.

Public Safety - .

Public Works - Supervisor Drager – None

#### Adjournment

A motion was made by Mr. Murphy and seconded by Mr. Esbenshade to adjourn at 9:15 PM.

Respectfully Submitted,  
Jeffrey L. Butler, Township Secretary