

East Donegal Township
Board of Supervisors
Meeting Minutes
December 3, 2015

The regular meeting of the Board of Supervisors of East Donegal Township was held on Thursday, December 3, 2015 at 7:30 PM in the library of the Donegal Intermediate School, 1177 River Road, Marietta PA 17547.

The meeting was called to order by Supervisor Dennis J. Drager. It was noted for the record that all Board members were present.

Supervisor Esbenshade led with a Prayer and Pledge to the Flag.

Public Hearing – Proposed Zoning Text Amendment – Adaptive Reuse of Historic Resources. Ms. Paula Leicht, attorney representing John Jarboe and Randy Wagner, the requesters of the zoning amendment, was present to discuss this proposed ordinance to permit adaptive reuse of historic resources.

Ms. Leicht stated that the proposed amendment revises Chapter 27, Zoning, Part 5 of the Township Code of Ordinances by adding provisions for the adaptive reuse of historic resources identified in the Township Historic overlay District. The additional uses would be permitted by condition and would require compliance with the specific regulations proposed in Part 5 as well as the conditional use criteria provided for in Part 9 of Chapter 27. In addition, as a conditional use, the applicant would have the burden of proving compliance with the conditional use criteria listed in Section 1208 of Chapter 27.

Ms. Leicht presented a list of historic resources identified and governed under the Historic Overlay District. Of the 41 site identified has Historic Resources, 22 of them would meet the minimum lot area requirement proposed by the zoning amendment, and therefore a potential site for an adaptive reuse application.

Ms. Leicht acknowledged the Township Planning Commission's concern regarding the potential broad nature of the definition of "spa". She suggested that an expanded definition could be provided by the applicant to address any concern the Board may have.

Mr. Keith Vogt, member of the Township Zoning Hearing Board asked if the application for these additional uses would require action by the Zoning Hearing Board. As conditional uses, the applications would be reviewed by the Township Planning Commission before the Board of Supervisors would hold a public hearing. The Board of Supervisors would render the decision on any application filed for an adaptive reuse of an historic resource.

Mike Cassidy, a resident of Maytown, asked about the applicability of Section 1208. of the Township zoning provisions. I was explained that Section 1208. applies to all conditional use applications, not just those filed as proposed adaptive reuse of historic resources. Mr. Cassidy

stated that the Board needs flexibility to turn down applications. He stated that there has been a real problem with apartments, particularly in Maytown, and there is a need to be careful with such applications.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to close the public hearing on the proposed amendment to the Township Code of Ordinances.

The Board approved the minutes for November 5, 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; Mr. Esbenshade, yes; and Mr. Drager, yes.

Mr. Drager acknowledged the receipt of the Balance Sheets for all Township Funds which were mailed to each Supervisor dated and November 17, 2015.

Old Business.

Request for Reduction of Financial Securities – Stormwater Management Plan for Mitch Shellenberger Swine Operation.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the release of the Financial Securities posted for the Stormwater Management Plan for Mitch Shellenberger Swine Operation totaling \$48,874.00, as recommended in the letter from David Miller/Associates, Inc., dated November 25, 2015.

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

Request for Reduction of Financial Securities – Stormwater Management Plan for Joe Hess Ag Waste Storage and Composting Facility

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to approve the release of the Financial Securities posted for the Stormwater Management Plan for Joe Hess Ag Waste and Composting Facility totaling \$40,278.00, as recommended in the letter from David Miller/Associates, Inc., dated December 3, 2015.

New Business.

Armstrong – Marietta Plant, 1507 River Road – Stormwater Management Plan.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the Stormwater Management Plan for Armstrong-Marietta Plant, prepared by David Miller/Associates, Inc., dated October 15, 2015, and grant the following modification to Township requirements:

Modification to Chapter 28, Part 3, Section 307.C.3.b. –To waive the required placement of a structure at changes in pipe direction.

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

Compliance with the review comments outlined by Becker Engineering, Inc. in a review letter dated November 30, 2015.

The Applicant's written acceptance of any 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.

Resolution #2015-12 adopting the 2016 Fiscal Budget and Establishing the Real Estate Tax Millage Rate for the Fiscal Year 2016.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to adopt Resolution 2015-12 adopting the 2016 Fiscal Budget and establishing the 2016 tax rate of 3.95 mils.

Meeting Dates for the Board of Supervisors and Township Planning Commission for the Year 2016.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to establish the following meeting dates for the East Donegal Township Board of Supervisors and East Donegal Township Planning Commission.

January 4, 2016 at 5:00 PM – Board of Supervisors Only - Reorganization/Regular Meeting

January 7, 2016 – Planning Commission Only

February 4, 2016

March 3, 2016

April 7, 2016

May 5, 2016

June 2, 2016

July 7, 2016

August 4, 2016

September 1, 2016

October 6, 2016

November 3, 2016

December 1, 2016

Planning Commission meetings are scheduled for 6:30 PM and the Board of Supervisors meetings, except as noted, are scheduled for 7:30 PM. Meetings are

held at the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta PA 17547.

2016 Holiday Schedule.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to approve following schedule of holidays for 2016:

New Year's Day – ½ Day December 31, 2015 and January 1, 2016

President's Day – February 15, 2016

Good Friday – ½ Day March 24, 2016 and March 25, 2016

Memorial Day – May 30, 2016

Independence Day – July 4, 2016

Labor Day – September 5, 2016

Columbus Day – October 10, 2016

Veterans Day – ½ Day November 10, 2016 and November 11, 2016

Thanksgiving Day – ½ Day November 23, 2016 and November 24, 2016

Day after Thanksgiving – November 25, 2016

Day before Christmas – ½ Day December 22, 2016 and December 23, 2016

Christmas Day – December 26, 2016

Advertise Intention to Appoint CPA to Complete 2015 Audit.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to authorize the Township Manager to advertise the Township Board of Supervisors' intent to appoint a Certified Public Accountant to complete the audit of the Township financial statements for the year ending December 31, 2015.

Request of Township Manager for Compensation for Unused Vacation Time.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to approve the request of the Township Manager for compensation for 10.5 days of unused vacation time that would otherwise be lost at the end of the year.

Opening for Public Works Director/Roadmaster.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to authorize the Township Manager to advertise the opening for Township Public Works Director/Roadmaster.

November 2015 Roadmaster Report

It was noted that there was not a November 2015 Roadmaster Report prepared.

November 2015 Zoning/Building Report

Copies of the report were provided to the Board. For the month of November 2015, Permit # 015156 through Permit # 015165 were issued for a total value of \$2,492,278.00. Total Zoning Fees collected equaled \$11,780.00.

Representative to the Lancaster County Tax Collection Bureau Board

Mr. Butler presented a memo from the Lancaster County Tax Collection Bureau regarding the need for the appointment of a municipal representative to the Bureau's Board of Directors. Mr. Murphy indicated an interest but would like some additional information regarding the appointment.

Pennsylvania Farm Show and Fairs and Public Officials Day on Wednesday, January 13, 2016.

Mr. Butler presented the Board with an invitation to attend the annual Public Officials Day at the Pennsylvania Farm Show. Members are to contact Mr. Butler if they are interested in attending the January 13, 2016 event..

P-Card Program Rebate

Mr. Butler presented the Board with information regarding the amount of the rebate received from the PLGIT P-Card program. The rebate received totaled \$2,546.18.

Notice of Sale/Purchase of Agricultural Easement

Mr. Butler presented the Board with a notice from the Lancaster County Agricultural Preserve Board informing the Township that the landowner of 1071 Iron Bridge Road, Michael S. Brubaker, has submitted an application to sell an agricultural conservation easement to the County and that the Agricultural Preserve Board has recommended the approval of the sale.

Municipal Building Renovation/Addition Project

Mr. Butler presented the Board with a Change Order Summary for the Municipal Building Renovation/Addition project. The Summary, dated November 19, 2015, indicates that total change orders are less than 5% of the initial contract amount. Change orders not requested by the Township or required by other agencies totals less than 2.5% of the initial contract amount. Mr. Butler noted that the most costly change order was for the computer/telephone network cabling, totaling \$36,200.00. The installation of the network cabling throughout the building was originally budgeted to be done outside of the contract with the electrical contractor. However, based on estimates received, it was shown to be more cost effective to have the installation completed by the electrical contractor through a change order.

Mr. Butler indicated that the building is scheduled to be completed in time for the January 2016 meeting of the Board of Supervisors.

Northwest Emergency Medical Services Report

For November 2015 Northwest EMS responded to 46 calls in East Donegal Township. The total calls within East Donegal Township for the year is 494.

Fire Department Mount Joy Report

The November 2015 FDMJ Monthly Incident Report Summary indicates 2 First Due Calls within East Donegal Township.

Maytown East Donegal Township Fire Department

Meeting minutes from the October 19, 2015 meeting of the Department indicate 67 calls for October..

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 – None.

Planning and Development - Supervisor Drager – None.

Public Safety - Supervisor Murphy – None.

Public Works - Supervisor Drager – None.

Adjournment

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to adjourn at 8:25 PM.

Respectfully Submitted,
Jeffrey L. Butler, Township Secretary

The next meeting of the Board of Supervisors will be held on Monday, January 4, 2016 at 5:00 PM. The meeting will be held at the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta, PA 17547.