

The Board's Minutes of the East Donegal Township Board of Supervisors  
Held on November 2, 2017

The regular meeting of the Board of Supervisors of East Donegal Township was held on Thursday, November 2, 2017, at 7:30 PM in the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta, PA 17547.

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

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

Roll call of Supervisors: Present were Dennis J. Drager, Chairman and Allen D. Esbenshade, Vice Chairman and Jeffrey Butler, Township Manager. Also present was Matthew Creme, Township Solicitor. Supervisor John E. Murphy, Jr. participated in the meeting via a telephone conference call.

Adam Kosheba, Chief, Maytown East Donegal Township Fire Department, was present to discuss the Department's plan to purchase a new Fire Engine to replace the Department's current 1998 Seagrave engine. Mr. Kosheba highlighted terms and rates he received from four lending institutions contacted regarding financing the engine purchase. The Board asked that the information be provided to them for review.

Tania and Greg Cooper, 128 West High Street, were present to discuss the potential of the Township taking ownership of an alleyway next to their property. The unimproved alley extends from West High Street to Apple Street. They have experienced issues with the property owner on the opposite side of the alleyway and believe some of those issues may be addressed if the Township took ownership of the alley. After some general discussion, it was indicated that the Coopers should contact the Township Solicitor to further discuss the situation.

The Board approved the minutes for the October 5, 2017 regular meeting of the Board of Supervisors and the October 12, 2017 special meeting of the Board of Supervisors 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 approve the payment of Township bills. Discussion none. Vote: Mr. Murphy, yes, abstaining from the vote on check #50070 payable to Union Community Bank; Mr. Esbenshade, yes; and Mr. Drager, yes. Motion carried.

Mr. Drager acknowledged the receipt of the Balance Sheets for all Township Funds which were mailed to each Supervisor and dated October 26, 2017.

Old Business.

Request From Removal Of Land Development Plan Note Regarding Number of Driveways - 333 Coffee Goss Road.

Ms. Josele Cleary, representing the property owner of 333 Coffee Goss Road, was present to request that the Board reconsider a condition placed on the approval of a stormwater management plan filed by the property owner and to consider a request that the Township enter into an agreement regarding a plan note on a recorded plan for the property limiting the number of potential accesses.

Ms. Cleary reminded the Board that a stormwater management plan for the property was approved conditioned upon the applicant filing of a land development plan. She indicated that, by definition, the property owner's proposal for the construction of a single family dwelling on the lot does not require the filing of a land development plan.

Ms. Cleary stated that the filing of a land development plan was only discussed as an avenue to remove the notation on a previously approved plan limiting the number of access points to the one currently in existence on the property. She suggested that the restriction imposed by the note could be addressed instead by entering into an agreement by which all affected property owners and the municipality waive any right to enforce the covenant.

Ms. Barbara Stoner, one of the property owners that would be a party to such an agreement, stated she was aware that this approach may be an option but that she had not seen any agreement. She did not want the Board to think she was either in support of, or opposed to, entering into an agreement. She is waiting to see the language of the agreement.

Mr. Creme indicated agreement with the approach to dealing with the plan note, provided however that the Board is open to the property owner adding another driveway on the property and that the other affected property owners are amenable to entering into such agreement. Any agreement between parties would be recorded to provide notice to future property owners.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to accept a written agreement for the removal of plan notion regarding limitation of access and remove the condition placed on the approval of the stormwater management plan for 333 Coffee Goss Road under the circumstances presented, with such agreement being prepared by the applicant's attorney and entered into by all other affected parties.

Vote: Mr. Esbenshade, yes; Mr. Murphy, yes; and Mr. Drager, no.

Final Land Development Plan - Burma Road Associates, 1435 River Road

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the

Burma Road Associates Final Subdivision Plan, prepared by David Miller/Associates, Inc., dated September 8, 2017, last revised October 19, 2017, and grant the following modifications to Township requirements:

Modification to Chapter 22, Part 3, Section 302. –To waive required preliminary plan submission.

Modification to Chapter 22, Part 4, Section 402.3.J. –To waive required preparation of a Traffic Impact Study.

Modification to Chapter 22, Part 4, Section 403.1. –To waive required survey of entire property.

Modification to Chapter 22, Part 4, Section 403.3.C. –To waive required depiction of location, size and invert of existing sanitary sewer, water and storm sewer pipes and associated facilities.

Modification to Chapter 22, Part 5, Section 503.1. –To waive required improvements of existing streets.

The approval of the Final Land Development Plan and the granting of the ordinance modifications are subject to the following conditions:

Compliance with the review comments outline by Becker Engineering in a review letter dated November 1, 2017.

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.

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

#### Shelmar Acres LLC Proposed Finishing Barn Stormwater Management Plan – 580 Colebrook Road

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the Stormwater Management Plan Shelmar Acres, LLC, 580 Colebrook Road, prepared by TeamAg, Inc., dated September 6, 2017, last revised October 18, 2017.

The approval of the Stormwater Management Plan is subject to the following conditions:

Compliance with the review comments outline by David Miller/Associates, Inc. in a review letter dated November 1, 2017.

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.

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

Resolution 2017-9, Planning Module for New Land Development, Stoner Subdivision Plan  
A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to adopt Resolution 2017-9 approving the Sewage Facilities Planning Module for the Stoner Subdivision Plan and its submittal to the Pennsylvania Department of Environmental Protection.

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

#### 2018 Township General Fund Budget.

Mr. Butler presented the highlights of the proposed 2018 General Fund Budget. The County's reassessment process requires the re-calculation of the tax rate to remain revenue neutral. As a result, the tax rate would be reduced from the current 3.95 mills to 3.1165 mills.

The proposed budget projects revenue to be \$4,848,625.00 and expenditures to be \$4,846,651.34.

Mr. Butler stated that 42% of the budget's projected revenue is from real estate taxes. He presented examples of the impact the change in assessed values and the proposed tax rate will have on a Township property owner. The amount of change in a property's assessment value will determine if the amount of Township real estate tax to be paid will increase or decrease.

Other significant sources of revenue include earned income taxes, real estate transfer taxes and local services taxes. All of these are collected by outside agencies on behalf of the Township.

Mr. Butler highlighted the public works projects proposed for 2018. These included the reconstruction of East High Street, the replacement of the Public Works storage shed,

along with various park projects.

Almost 40% of the anticipated expenditures are within the Public Safety category. Police service expenditures are expected to be \$1,358,045.00 while \$447,748.00 is expected to be spent in the Fire Service category.

There are no new employee positions included within the budget from 2017. The budget does include a proposed 3% wage increase for Township employees.

Mr. Butler indicated that 13% of the total real estate taxes paid by Township property owners go to the Township. An additional 12% goes to Lancaster County, while the remaining 75% is collected by the Donegal School District.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to authorize the Township Manager to advertise the proposed 2018 General Fund Budget as available for public inspection and place the adoption of the 2018 General Fund Budget on the agenda for approval at the December 7, 2017 meeting.

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

#### Advertise Intention to Appoint CPA to Complete 2017 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' intention to appoint a Certified Public Accountant to complete the audit of the Township financial statements for the year ended December 31, 2017.

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

#### Snow Season Contractor Agreement with Michael Shearer.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to authorize entering into a Snow Season Contractor Agreement with Michael Shearer at an hourly rate of \$140.00 per hour for the term extending from November 1, 2017 to October 31, 2018.

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

#### Conditional Use Application – Private School Iron Bridge Road

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to acknowledge the receipt of the Conditional Use Application for a Private School use within the Agricultural District (A) and forward the application to the Township Planning Commission for review and recommendation and to schedule the required Public Hearing on the Application for the December 7, 2017 meeting of the Board of Supervisors.

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

#### Letter of Retirement – Joyce Boyer

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to acknowledge the receipt of the October 10, 2017 letter from Joyce Boyer informing the Board of her intent to retire on December 31, 2017.

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

#### Request For Road Closure – Harvest Community Church

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the request of Harvest Community Church for closure of Township streets East High Street and West High Street at the square and acknowledge their application to PennDOT for the closure of South River Street and North River Street at the square on Sunday, December 24, 2017 from 5:00 PM to 8:00 PM.

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

#### Finance Officer Vacancy - Job Description, Legal Ad

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to authorize the Township Manager to advertise the opening for Township Finance Officer.

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

#### MS4 Annual Meeting - Thursday, January 18, 2018

I move to authorize the Township Manager to advertise a special meeting of the Township Board of Supervisors for Thursday, January 18, 2018 at 7:30 PM to update the general public on the status of the Township's ongoing Stormwater Management Program.

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

#### October 2017 Zoning/Building Report

Copies of the October 2017 report were provided to the Board. For the month, 15 Zoning Permits and 5 UCC Permits were issued. The total value of construction authorized equaled \$1,158,861.00. Permit fees collected totaled \$8,361.25.

#### October 2017 Roadmaster Report

The Board received copies of the October 2017 Roadmaster Report prepared by Jake Bair, Public Works Director.

#### Municipality Report - Milanof-Schock Library

The Board received copies of the September 2017 Library Report compiled by Barbara

Basile, Executive Director. In addition, the Board received information regarding the Library's 2018 budget and financial needs.

**Northwest Emergency Medical Services Report**

For October 2017, Northwest EMS responded to 43 calls in East Donegal Township. Year-to-date they have responded to 471 calls in East Donegal Township. The Board also received a Thank You letter for the Township's 2017 donation of \$10,000.00.

**East Donegal Township Sewer Authority**

The Board received copies of the minutes of the September 19, 2017 meeting of the East Donegal Township Sewer Authority.

**East Donegal Township Municipal Water Authority**

The Board received copies of the minutes of the October 17, 2017 meeting of the East Donegal Township Municipal Water Authority.

**2016-2017 Procurement Card Rebate**

The Board received notice that the Township received a check for \$1,123.50 from participation in the Pennsylvania Local Government Investment Trust's Procurement Card Program.

**York County Planning Commission – York County Comprehensive Plan Public Review**

The Board received notice that the draft York County Growth Management Plan is available for public review. Comments on the draft Plan must be received by December 5, 2017.

**Liaison Assignment Reports –**

Administration/Personnel - None.

Finance - Supervisor Murphy – None.

Parks and Recreation - None.

Planning and Development - Supervisor Drager – None.

Public Safety - None.

Public Works - Supervisor Drager – None.

Adjournment

A motion was made by Mr. Esbenshade and seconded by Mr. Murphy to adjourn at 8:50 PM.

Respectfully Submitted,  
Jeffrey L. Butler, Township Secretary

**The next regular meeting of the Board of Supervisors will be held on Thursday, December 7, 2017 at 7:30 PM at the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta PA 17547.**