

The Board's Minutes of the East Donegal Township Board of Supervisors
Held on December 7, 2017

The regular meeting of the Board of Supervisors of East Donegal Township was held on Thursday, December 7, 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 Murphy 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, Supervisor John E. Murphy and Jeffrey Butler, Township Manager. Also present was Bernadette Hohenadel, representing the Township Solicitor.

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 briefly discussed the loan terms and rates he provided to the Board from lending institutions he contacted. He received loan information from Union Community Bank, Fulton Bank, Seagrave's financing option of 911Leasing.com, PNC Bank and Northwest Bank.

Mr. Kosheba indicated that it was assumed that the Township would provide a contribution of \$150,000.00 toward to purchase. However, the proposed 2018 budget includes a contribution of \$100,000.00 toward the purchase. He stated that it's anticipated that \$25,000.00 will be gained from the sale of the existing engine, \$10,000.00 raised through a fund drive and \$20,000.00 is available from existing Fire Department funds. Therefore the amount of the loan may need to reach \$500,000.00.

In response to the Board's question regarding prepayment penalties, Mr. Kosheba attempted to reach his representative without success. The Board indicated that action on this matter would be considered later in the meeting.

Bernadette Hohenadel explained that the Board would be conducting a hearing to consider the conditional use application filed by Levi F. Stoltzfus for a Private School use that would allow for the construction and operation of a private Amish school serving grades 1 through 8 on property owned by Michael G. Miller, and located at 743 Anderson Ferry Road. She provided the Board and those in attendance with the general format for the public hearing on the application. She also indicated that a stenographic record of the hearing was being made.

In response to Ms. Hohenadel's inquiry regarding those seeking party status to the hearing, no one indicated an interest.

Mr. Todd Smeigh, representing the applicant, presented a site plan indicating the location of the proposed school along Iron Bridge Road, the size of the area to be leased for the school, the size of the school building and small accessory building and the surrounding land uses.

Mr. Smeigh indicated that the proposal has been before the Township Zoning Hearing Board to allow for the use of a development right for the proposed school. The approval granted by the Township Zoning Hearing Board is subject to restrictions that prohibit any other use being placed in the building should the school cease operation there.

Mr. Smeigh stated that the school will be brick construction. No utilities will service the site. On-lot privies will be used for sanitary sewage disposal. The site will be served by a 12-foot wide gravel driveway, however, students that don't walk to the school will arrive via a school bus and dropped off at the end of the driveway. A fence will surround the lease area, however no other landscaping features are proposed.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to accept the applicant's exhibits into the record of the hearing. Discussion: None. Vote: Mr. Esbenshade, yes; Mr. Murphy, yes; and Mr. Drager, yes.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to close the public hearing on the conditional use application. Discussion: None. Vote: Mr. Esbenshade, yes; Mr. Murphy, yes; and Mr. Drager, yes.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to approve the Applicant's request for conditional use approval to permit the proposed use of the Property for a Private School, conditioned on the following:

Applicant is bound by the testimony and evidence presented by the hearing.

Applicant shall obtain all necessary permits and approvals as required by applicable ordinances and regulations of the Township as well as Commonwealth and Federal agencies including but not limited to compliance with the building code.

Applicant will comply with all conditions imposed by the Agricultural Preserve Board in its letter dated September 28, 2017.

Once the School is no longer used for school purposes and such use is abandoned, the Property must be returned to an agricultural use.

No other uses beyond a Private School and related activities may be conducted in the school building or on the school campus.

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

The Board approved the minutes for the October 24, 2017 special meeting of the Board of Supervisors and the November 2, 2017 regular 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. Murphy and seconded by Mr. Esbenshade 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 #50111 payable to Union Community Bank; Mr. Esbenshade, yes, abstaining from the vote on check #50072 payable to him; and Mr. Drager, yes, abstaining from the vote on check #50085 payable to him. Motion carried.

Mr. Drager acknowledged the receipt of the Balance Sheets for all Township Funds which were mailed to each Supervisor and dated November 27, 2017.

Old Business.

Request for Reduction of Financial Securities – Stormwater Management Plan for Donegal Varsity Softball Field.

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 the Donegal Varsity Softball Field totaling \$9,180.85, as recommended in the letter from David Miller/Associates, Inc., dated November 10, 2017.

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

Resolution #2017- 10 adopting the 2018 Fiscal Budget and Establishing the Real Estate Tax Millage Rate for the Fiscal Year 2018.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to adopt Resolution 2017-10 approving the 2018 Fiscal Budget and establishing the 2018 tax rate of 3.1165 mills.

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

Ordinance 2017 No. 2017-5, Zoning Amendment

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to adopt Ordinance No. 2017-5, an ordinance to repeal Chapter 14 of the Township Code of Ordinances and amending Chapter 27, Zoning, of the Township Code of Ordinances.

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

New Business.

Final Subdivision Plan for Kline's Mobile Home Village

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the Final Subdivision Plan for Kline's Mobile Home Village, prepared by D.C. Gohn Associates, Inc., dated October 10, 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 403.1. –To permit the plan to be prepared at a scale of 1"=30'.

Modification to Chapter 22, Part 4, Section 403.2.T. –To permit a clear site triangle of 83', subject to compliance with calculated adequate minimum safe stopping distances.

Modification to Chapter 22, Part 4, Section 403.2.U. –To waive required depiction of typical street cross-sections.

Modification to Chapter 22, Part 4, Section 403.3.C. –To waive depiction of existing and proposed utilities, except for those in the project area.

Modification to Chapter 22, Part 5, Section 503.1. –To waive required improvements of existing streets and the installation of sidewalks until such time as directed by the Township.

Modification to Chapter 22, Part 6, Section 603.1. –To waive required placement of concrete monumentation.

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

The applicant preparing and entering into a Developer's Agreement with the Township to address the applicant's obligation to fund and install roadway improvements, to include curb and sidewalk, waived with the filing of this plan and the timing of such improvements.

Compliance with the review comments outline by David Miller/Associates, Inc. in a review letter dated October 30, 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.

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

Mr. Todd Smeigh, representing the applicant presented a request for an additional waiver. He presented a request for the Board to waive the payment of a fee-in-lieu of dedication of parkland. He stated that the proposed residential units replace formerly existing dwelling units.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the additional modification request to waive the payment of the fee in lieu of dedication for the Final Subdivision Plan for Kline's Mobile Home Village, prepared by D.C. Gohn Associates, Inc., dated October 10, 2017.

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

Preliminary/Final Subdivision Plan for Stoner Subdivision – Extension of Time

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to accept the extension of time for consideration of the Preliminary/Final Subdivision Plan for Stoner Subdivision until March 8, 2018 as granted by the applicant.

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

Request For Waiver Of Subdivision and Land Development Plan Processing – Iron Bridge School, Iron Bridge Road

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to approve the request of the School Board of the Iron Bridge School to waive the subdivision and land development plan processing procedures as required by Chapter 22 of the Code of Ordinances of East Donegal Township for the construction of a proposed 1-room private Amish schoolhouse and accessory building, in accordance with the request dated October 18, 2017, subject to the applicant filing a stormwater management plan compliant with Township regulations.

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

Resolution #2017- 11 Prohibiting The Location Of A Category 4 Licensed Casino Facility Within The Township

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to adopt Resolution 2017- 11 prohibiting the location of a Category 4 Casino Facility within East Donegal Township.

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

Resolution 2017- 12. A Resolution approving borrowing by the Maytown-East Donegal Township Fire Department.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to adopt Resolution 2017-12 approving borrowing by the Maytown-East Donegal Township Fire Department of an amount not to exceed \$500,000.00 for the purposes of purchasing new fire apparatus.

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

Appointment of CPA to Complete 2017 Audit.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to approve the selection of White, Rudy & Company, LLP to complete the audit of the Township financial statements for the year ended December 31, 2017.

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

Engagement of Payroll Services.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to approve the selection of Inova Payroll, Inc. to perform payroll services for the Township beginning January 1, 2018.

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

Meeting Dates for the Board of Supervisors for the Year 2018.

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

January 2, 2018 at 5:30 PM –Organization/Regular Meeting

February 1, 2018

March 1, 2018

April 5, 2018

May 3, 2018

June 7, 2018

July 5, 2018

August 2, 2018

September 6, 2018

October 4, 2018

November 1, 2018

December 6, 2018

Board of Supervisors meetings, except as noted, are scheduled for 7:00 PM.

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

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

Meeting Dates for the Township Planning Commission for the Year 2018.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to establish the second Thursday of every month at 7:00 PM as the meeting dates for the East Donegal Township Planning Commission. Meetings are held at the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta PA 17547.

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

Meeting Dates for the Township Zoning Hearing Board for the Year 2018.

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to establish the second Monday of every month at 7:00 PM as the meeting dates for the East Donegal Township Zoning Hearing Board. Meetings are held at the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta PA 17547.

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

2018 Holiday Schedule.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to approve following schedule of holidays for 2018:

- New Year's Day – January 1, 2018
- President's Day – February 19, 2018
- Good Friday – ½ Day March 29, 2018 and March 30, 2018
- Memorial Day – May 28, 2018
- Independence Day – July 4, 2018
- Labor Day – September 3, 2018
- Columbus Day – October 8, 2018
- Veterans Day – November 12, 2018
- Thanksgiving Day – ½ Day November 21, 2018 and November 22, 2018
- Day after Thanksgiving – November 23, 2018
- Day before Christmas – December 24, 2018
- Christmas Day – December 25, 2018

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

Bid Documents and Advertisement for Construction of Public Works Storage Shed

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to authorize the Township Manager to have the appropriate bid documents prepared and to advertise for the receipt of bids for construction of a public works storage shed.

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

Advertise for the Receipt of Bids for Roadway Improvements to the Southwest Corner of East High Street and South River Street.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to authorize the Township Manager to have the appropriate bid documents prepared and to advertise for the receipt of bids for the completion of roadway improvements to the southeast corner of East High Street and South River Street.

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

Advertise for the Receipt of Bids for Farming of Riverfront Park

A motion was made by Mr. Esbenshade, and seconded by Mr. Murphy, to authorize the Township Manager to have the appropriate bid documents prepared and to advertise for the receipt of bids for farming rights for lands within Riverfront Park.

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

Concert – Fuhrman Park

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to authorize Milton Grove United Methodist Church youth leader Richard List to hold a Youth Music Festival event at Fuhrman Park on Saturday, June 2, 2018 from 3:30 PM to 8:30 PM, subject to the applicable fee structure for use of park facilities.

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

November 2017 Zoning/Building Report

Copies of the November 2017 report were provided to the Board. For the month, 10 Zoning Permits and 3 UCC Permits were issued. The total value of construction authorized equaled \$212,864.00. Permit fees collected totaled \$1,787.00.

November 2017 Roadmaster Report

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

Municipality Report - Milanof-Schock Library

The Board received copies of the October 2017 Library Report compiled by Barbara Basile, Executive Director.

Northwest Emergency Medical Services Report

For November 2017, Northwest EMS responded to 44 calls in East Donegal Township. Year-to-date they have responded to 516 calls in East Donegal Township.

East Donegal Township Sewer Authority

The Board received copies of the minutes of the October 17, 2017 meeting of the East

Donegal Township Sewer Authority.

East Donegal Township Municipal Water Authority

The Board received copies of the minutes of the November 21, 2017 meeting of the East Donegal Township Municipal Water Authority.

Susquehanna Regional Police Commission

The Board received copies of the September 2017, October 2017 and November 2017 Susquehanna Regional Police Commission Meeting Minutes. In addition, the Board received the Commission's 2016 Financial Statement.

2018 Organizational Meeting, Tuesday, January 3, 2018.

The Board reminded those in attendance that the Board's organizational meeting will be held on Tuesday, January 3, 2018 at 5:30 PM.

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.

Township Planning Commission and Township Park Commission member Mike Guinivan extended his appreciation and thanks to Supervisor Drager. Supervisor Drager is completely his third term as Supervisor and will vacate his seat at the end of 2017. Supervisor Esbenshade, Supervisor Murphy and Township Manager Butler all thanked Supervisor Drager for his dedication and hard work as a Township Supervisor.

Supervisor Drager offered his thanks to all involved in Township operations. He stated that he enjoyed serving his community and that he looks forward to continuing to work in the Township Parks.

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 organizational meeting of the Board of Supervisors will be held on Tuesday, January 2, 2018 at 5:30 PM at the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta PA 17547.