

The Board's Minutes of the East Donegal Township Board of Supervisors
Held on February 7, 2019

The regular meeting of the Board of Supervisors of East Donegal Township was held on Thursday, February 7, 2019, at 7:00 PM in the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta, PA 17547.

The meeting was called to order by Chairman John E. Murphy.

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

Roll call of Supervisors: Present were Chairman John E. Murphy, Vice-Chairman Allen D. Esbenshade, Supervisor Tom Jones and Jeffrey Butler, Township Manager.

Mr. Paul Namey, of Flaherty & O'Hara, was present to represent Sheetz, Inc.'s request for approval of an inter-municipal transfer of a restaurant liquor license. The request is allow for the transfer of a license from West Donegal Township for use at the Sheetz store located at 1158 River Road, known as Sheetz #236. The license to be transferred is License Number R-17641.

Mr. Matthew Creme, Township Solicitor, explained the inter-municipal transfer process, the requirement for a public hearing and the action requested by the applicant.

Mr. Namey agreed that the hearing on the request was held within the timeframe agreed to by Sheetz, Inc.

Mr. Namey provided the Board with a handout that explained the 2-step process Sheetz, Inc. must complete to achieve the transfer. The first step is to gain municipal approval prior to submitting the application to the Pennsylvania Liquor Control Board (PLCB). The PLCB ultimately decides whether to approve restaurant liquor license transfer as the second step. Statutorily the PLCB can't render a decision without a municipal approval resolution.

Mr. Namely provided the Board with a brief history of the Sheetz convenience stores. Currently Sheetz has 127 stores that hold a liquor license and are conducting sales, 8 more stores have approval but are under renovation to allow sales and 22 stores have applications for sales pending.

Sheetz has found that alcohol sales currently comprises 12% of business activity and does not generate additional traffic to and from the store.

According to Mr. Namely, beer sales would occur Monday through Saturday from 7:00 am to 1:45 am. Sunday beer sales would be from 9:00 am to 1:45 am. He indicated that the coolers

stocked with beer would lock at end of sales hours and customers purchasing beer must check out by 2:00 am. Wine sales hours would have the same start times but would end at 11:00 pm every day.

Purchase would be for takeout only. There would be no on-site consumption permitted. Customers can purchase up to 192 fluid ounces of beer or up to 3,000 milliliters of wine during a single visit to the store.

Mr. Namely explained the age verification policy and system used to confirm the age of purchasers. In addition, he highlighted the employee training and store security used to ensure compliance.

Mr. Namely indicated that there would be no changes in the existing food service of the store. No changes to the current floorplan of the building would be required. One of the existing checkout registers will be designated for alcohol sales, separate from fuel sales.

There was general discussion regarding any outside advertising that might be added to the site. Mr. Namely stated that a canopy banner is typically added. The Board of Supervisors expressed concern about an additional banner advertising beer sales. Mr. Namely indicated that Sheetz would agree not to use such a banner sign at this location.

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

A motion was made by Mr. Murphy, and seconded by Mr. Jones, to adopt Resolution 2019-4 approving the Applicant's request for inter-municipal transfer of a restaurant liquor license to 1158 River Road conditioned on the following:

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

Applicant shall not utilize any canopy banner sign to advertise sales of alcoholic products.

Discussion: None. Vote: Mr. Esbenshade, no; Mr. Jones, yes; and Mr. Murphy, yes.

The Board approved the minutes for the January 7, 2019 regular meeting of the Board of Supervisors by a motion made by Mr. Jones and seconded by Mr. Murphy. Discussion: None. Vote: Mr. Murphy; yes, Mr. Esbenshade; yes and Mr. Jones; yes. Motion carried.

A motion was made by Mr. Esbenshade and seconded by Mr. Jones to approve the Treasurer's Reports for the Township and approve the payment of Township bills. Discussion none. Vote: Mr. Jones, yes; Mr. Esbenshade, yes; and Mr. Murphy, yes. Motion carried.

Mr. Murphy acknowledged the Board's receipt of the Balance Sheets for the period ending

December 31, 2018 for all Township Funds.

Old Business.

Request for Reduction – John L. Fisher Greenhouse Stormwater Management Plan, 1117 Long Lane

A motion was made by Mr. Jones, and seconded by Mr. Esbenshade, to approve the reduction of financial securities posted for the John L. Fisher Greenhouse Stormwater Management Plan in the amount of \$38,182.00, as recommended in the letter from David Miller/Associates, Inc., dated January 28, 2019.

Discussion: None. Vote: Mr. Jones, yes; Mr. Esbenshde, yes; and Mr. Murphy, yes.

Request for Reduction – Donegal Insurance Group - Boiler Building Stormwater Management Plan

A motion was made by Mr. Jones, and seconded by Mr. Esbenshade, to approve the release the remaining financial securities posted for the Donegal Insurance Group-Boiler Building Stormwater Management Plan in the amount of \$7,528.00, as recommended in the letter from David Miller/Associates, Inc., dated January 8, 2019.

Discussion: None. Vote: Mr. Jones, yes; Mr. Esbenshde, yes; and Mr. Murphy, yes.

Resolution 2019-3 Adopting Lancaster County Hazard Mitigation Plan.

A motion was made by Mr. Esbenshade, and seconded by Mr. Jones, to approve Resolution 2019-3 Adopting the 2019 Lancaster County Hazard Mitigation Plan as the Official Hazard Mitigation Plan for East Donegal Township.

Discussion: None. Vote: Mr. Jones, yes; Mr. Esbenshde, yes; and Mr. Murphy, yes.

Inter-Municipal Agreement with Mount Joy Borough.

A motion was made by Mr. Jones, and seconded by Mr. Esbenshade, to authorize the Township Manager to prepare and advertise an ordinance authorizing the Township to enter into an Inter-Municipal Agreement concerning a joint composting facility.

Discussion: None. Vote: Mr. Jones, yes; Mr. Esbenshde, yes; and Mr. Murphy, yes.

Advertise for the Receipt of Bids for Roadway Materials (Asphalt and Aggregate) for 2019.

A motion was made by Mr. Esbenshade, and seconded by Mr. Jones, to authorize the Township Manager to advertise for the receipt of bids for the roadway materials as required for the completion of projects undertaken by Township Public Works.

Discussion: None. Vote: Mr. Jones, yes; Mr. Esbenshde, yes; and Mr. Murphy, yes.

Advertise for the Receipt of Bids for Oil & Chip Roadway Projects.

A motion was made by Mr. Jones, and seconded by Mr. Esbenshade, to authorize the Township Manager to advertise for the receipt of bids for oil and chip roadway

treatment to Carmany Road, Trout Run Road, Ashley Drive and Engle Tollgate Road.

Discussion: None. Vote: Mr. Jones, yes; Mr. Esbenshde, yes; and Mr. Murphy, yes.

Advertise for the Receipt of Bids for Roadway Improvements to Long Lane and Koser Road
A motion was made by Mr. Esbenshade, and seconded by Mr. Jones, 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 Long Lane and Koser Road.

Discussion: None. Vote: Mr. Jones, yes; Mr. Esbenshde, yes; and Mr. Murphy, yes.

Paula's School of Baton 5k Race - Saturday, April 27, 2019

A motion was made by Mr. Jones, and seconded by Mr. Esbenshade, to approve the request of Paula's School of Baton to hold a 5k race on Saturday, April 27, 2019, subject to submittal of the appropriate Certificate of Insurance citing East Donegal Township as an additional insured party.

Discussion: None. Vote: Mr. Jones, yes; Mr. Esbenshde, yes; and Mr. Murphy, yes.

Copies of the January 2019 Zoning/Building Report were provided to the Board. For the month, 6 Zoning Permits and 5 UCC Permits were issued. The total value of construction authorized equaled \$92,520.00. Permit fees collected totaled \$1,212.00.

The Board received copies of the January 2019 Roadmaster Report prepared by Jake Bair, Public Works Director.

The Board received copies of the December 2018 Milanof-Schock Library Report.

For December 2018, Northwest EMS responded to 41 calls in East Donegal Township. For the year 2018, Northwest EMS has responded to a total of 559 calls in East Donegal Township.

For December 2018, Fire Department Mount Joy responded to 2 first due call in East Donegal Township. For the year 2018, the Department responded to a total of 40 first due calls in East Donegal Township.

The year-end report from the Maytown East Donegal Township Fire Department indicated that the Department responded to a total of 766 incidents for the year. There were 277 EMS incidents and 489 fire incidents. A total of 142 incidents were mutual aid assists to other Departments.

The Board received copies of the January 15, 2019 meeting minutes of the East Donegal Township Municipal Authority.

The Board received copies of the January 8, 2019 meeting of the East Donegal Township Board of Auditors. The minutes indicate that the 2019 wage rate for Supervisors performing work for the Township was set at \$19.00 per hour.

The Board received notice of an upcoming MS4 Municipal Stormwater Forum to be hosted by the Lancaster County Clean Water Consortium on June 3, 2019.

The Board received notice of an upcoming Northwest Emergency Management Services Municipal Officials Meeting to be held Wednesday, February 13, 2019 at the Mount Joy Township office.

The Board received copies of the application for PA Department of Conservation and National Resources Community Partnership Program Grants. The Township Park Commission recommended an application be prepared and filed for the completion of a Master Plan for Chickies Day Use Area.

The Board received copies of the January 31, 2019 meeting minutes of the East Donegal Township Park Commission.

The Board received copies of the Maytown Historical Society Newsletter.

The Board received copies of the PSATS NewsBulletin and PSATS Legal Defense Partnership.

The Board received copies of the October 23, 2018 meeting minutes of the Northwest Lancaster County River Trail Advisory Committee.

The Board was reminded of the upcoming Township MS4 Annual Meeting scheduled for Thursday, February 21, 2019 at 7:00 PM

The Board received copies of the Lancaster County Emergency Management Newsletter.

The Board received copies of the Lancaster County Drug Task Force 4th Quarter and Year End report for 2018.

Liaison Assignment Reports

Administration/Personnel – Supervisor Jones - None.

Finance – Supervisor Murphy – None.

Parks and Recreation – Supervisor Murphy – None.

Planning and Development – Supervisor Esbenshade - None.

Public Safety – Supervisor Jones – None.

Public Works – Supervisor Esbenshade indicated that some work has been completed to the farmhouse in Chickies Day Use Area. The work is intended to help seal the building from weather.

Adjournment

A motion was made by Mr. Jones and seconded by Mr. Esbenshade 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 Thursday, March 7, 2019 at 7:00 PM at the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta PA 17547.