

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

The regular meeting of the Board of Supervisors of East Donegal Township was held on Thursday, November 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 Murphy.

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

Roll call of Supervisors: Present were Chairman John Murphy, Vice-Chairman Allen D. Esbenshade, Supervisor Tom Jones and Jeffrey Butler, Township Manager. Also present, representing the Township Solicitor, was Bernadette Hohenadel.

Supervisor Jones introduced Matt Kratz, representing the Pennsylvania Health Service Federation, who presented a First Responders Award to representatives of Maytown East Donegal Township Fire Department, and the Susquehanna Regional Police Department for their lifesaving actions during an incident at the Donegal Mutual Insurance offices. Receiving recognition were, Officer Nick Neely, Susquehanna Regional Police Department, Lt. Robert Eppley, Maytown East Donegal Township Fire Department, Capt. Mike Rhoads, Maytown East Donegal Township Fire Department and Deputy Chief Dan Houseal, Maytown East Donegal Township Fire Department. Susquehanna Regional Police Chief Ed Haugh was present to receive the award on behalf of Officer Neeley who was unable to attend.

Ms. Hohenadel explained that the Board would be conducting a hearing to consider the conditional use application filed by Dale Graybill for approval to permit a riding academy to be located on the 53-acre farm property he owns at 1140 Union School Road, Mount Joy, Pennsylvania 17552 and identified as Parcel ID# 150-30334-0-0000. 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. Dale Graybill, applicant, presented a site plan indicating the location of the proposed school along Union School Road, the area to be used for the riding academy, the locations of existing buildings and parking spaces and the surrounding land uses.

Mr. Graybill stated that there is already an equine facility on the property at which there is boarding, horse riding lessons, and a non-profit horse rescue organization. Mr. Graybill does not live on the property but leases it out to another person who manages the operations on the farm. Mr. Graybill indicated that he would like to continue the lessons and boarding, but

also add a riding academy, which would conduct a few shows per year for students of the riding academy, and also provide equine therapy with a trained therapist. Hours of operation will be 9:00 am to 7:00 pm up to seven days per week. The access to parking areas would utilize the existing drive onto Union School Road.

Mr. Graybill stated that the proposed use will not be adverse to the neighborhood. Any sound or outdoor amplification of sound will not disturb neighbors. Lighting will be standard dusk to dawn LED lighting as would be used on similar properties. Larger horse show events will only occur approximately twice per year.

No one appeared in opposition to the application.

Mr. Craig Underwood, Township Zoning Officer, stated that the application was considered by the Township's Planning Commission which recommended approval. In addition, he stated that the property was properly posted for public notice and the required legal notice was placed in the Lancaster Newspaper.

A motion was made by Mr. Esbenshade, and seconded by Mr. Jones, to close the public hearing on the conditional use application and accept the applicant's exhibits into the record of the hearing. Discussion: None. Vote: Mr. Esbenshade, yes; Mr. Jones, yes; and Mr. Murphy, yes.

A motion was made by Mr. Jones, 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 Riding Academy, pursuant to Section 502.2.B.4. and Section 946. Of the Zoning Ordinance of East Donegal Township, conditioned on the following:

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

Applicant shall operate the riding academy and the other activities on the farm in accordance with all applicable ordinances and regulations.

The entrance and exit for parking in the unimproved areas shall be from the existing paved driveway and not across the berm of adjacent roadways.

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

Mr. Jim Smith, 533 Bent Oak Drive, and Mr. Nevin Stauffer, 513 School Lane, were present representing the Orchards development Homeowner Association. Mr. Smith presented photographs of a commercial vehicle and utility trailer that are parked on Farmview Lane. He stated that he believes that the owner of the vehicles lives in Mount Joy Borough but parks on the Township street. The Board provided an overview of the effort to develop an ordinance that addresses these types of vehicles, along with recreational vehicles, being parked on Township Streets. After a brief discussion, Mr. Butler indicated that staff will explore zoning

ordinance amendments that would address the impact of moving these vehicles from public streets to private property.

Mr. Jones provided an overview of a meeting held with a Pennsylvania Department of Transportation official, and the Township's Traffic Engineer, to discuss options for regulatory signs within the Maytown Square. There was general discussion regarding the potential positives and negatives of making changes to the regulatory signs.

A motion was made by Mr. Murphy, and seconded by Mr. Esbenshade, to authorize contacting the Pennsylvania Department of Transportation to seek the installation of "Yield" signs to be placed on Route 743 at the square, along with temporary flashers, and place "Yield Ahead" signs at the appropriate locates north and south of the square.

Mr. Jones stated that the signs could be removed should it pose a problem after installation. Mr. Murphy indicated that he had a concern of creating a problem with new signage that currently is not there. Vote: Mr. Jones; yes, Mr. Esbenshade; yes, and Mr. Murphy; no. Motion carried.

The Board approved the minutes for the October 3, 2019 regular meeting and the October 22, 2019 special meeting of the Board of Supervisors by a motion made by Mr. Esbenshade and seconded by Mr. Jones. Discussion: None. Vote: Mr. Jones; yes, Mr. Esbenshade; yes, and Mr. Murphy; 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.

Mr. Murphy acknowledged the Board's receipt of the Balance Sheets for the period ending September 30, 2019 for all Township Funds.

Old Business.

Request for Release of Financial Securities – Donegal Springs Airpark Stormwater Management Plan

A motion was made by Mr. Jones, and seconded by Mr. Esbenshade, to approve a reduction of financial securities posted for the Donegal Springs Airpark Stormwater Management Plan of \$69,360.00 as recommended by David Miller Associates, Inc. in the review letter dated November 6, 2019.

Vote: Mr. Jones; yes, Mr. Esbenshade; yes, and Mr. Murphy; yes. Motion carried.

Request for Release of Financial Securities – Kreider Farms Poultry Expansion Stormwater Management Plan

A motion was made by Mr. Esbenshade, and seconded by Mr. Jones, to approve a

reduction of financial securities Letter of Credit SB1817170001 posted for the Kreider Farms Poultry Stormwater Management Plan in the amount of \$48,542.00 as recommended by David Miller Associates, Inc. in the review letter dated October 11, 2019 and approve that no reduction be made to Letter of Credit SBSB2038730001 as recommended in the same letter prepared by David Miller/Associates, Inc.

Vote: Mr. Jones; yes, Mr. Esbenshade; yes, and Mr. Murphy; yes. Motion carried.

New Business.

Ordinance 2019 – 3 Authorizing Amendment to Regional Police Agreement

A motion was made by Mr. Esbenshade, and seconded by Mr. Jones, to approve Ordinance 2019-3 authorizing East Donegal Township to join Conoy Township and Marietta Borough to amend the existing merger agreement providing for mutual police protection, all of which is pursuant to the Intergovernmental Cooperation Act, for the purpose of administrating and operating a regional police force.

Mr. Murphy indicated that the other municipalities that comprise the Susquehanna Regional Police Commission will be considering the same ordinance to implement changes to the merger agreement. Vote: Mr. Jones; yes, Mr. Esbenshade; yes, and Mr. Murphy; yes. Motion carried.

2020 Township General Fund Budget.

Mr. Butler presented the highlights of the proposed 2020 General Fund Budget. The proposed budget does not anticipate an increase in the Township's current tax rate. As a result, the tax rate would remain 3.1165 mills.

The proposed budget projects revenue to be \$4,591,300.00 and expenditures to be \$4,785,107.00. The difference of \$193,807.00 to balance the budget will come from existing General Fund reserves.

Mr. Butler stated that approximately 46% of the budget's projected revenue is from real estate taxes. Other significant sources of revenue include earned income taxes, real estate transfer taxes and local services taxes. Combined these account for almost 80% of the revenue anticipated in the proposed budget. All of these are collected by outside agencies on behalf of the Township.

Mr. Butler highlighted the public works projects proposed for 2020. The most significant effort will be the start of a program to repair alleys within the Maytown area. Other 2020 roadway projects will be funded with from the Township's Highway Aid Fund.

Over 43% of the anticipated total expenditures are within the Public Safety category. Police service expenditures are expected to be \$1,686,142.00, a 1 1/2% decrease from

2019.

There are no new employee positions included within the budget from 2019. The budget does include a proposed 2% 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. Jones, and seconded by Mr. Esbenshade, to authorize the Township Manager to advertise the proposed 2020 General Fund Budget as available for public inspection and place the adoption of the 2020 General Fund Budget on the agenda for approval at the December 5, 2019 meeting.

Vote: Mr. Jones; yes, Mr. Esbenshade; yes, and Mr. Murphy; yes. Motion carried.

Advertise Intention to Appoint CPA to Complete 2019 Audit.

A motion was made by Mr. Esbenshade, and seconded by Mr. Jones, 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, 2019.

Vote: Mr. Jones; yes, Mr. Esbenshade; yes, and Mr. Murphy; yes. Motion carried.

Snow Season Contractor Agreement with Twin Lane LLC.

A motion was made by Mr. Jones, and seconded by Mr. Esbenshade, to authorize entering into a Snow Season Contractor Agreement with Twin Lane LLC at an hourly rate of \$140.00 per hour for the term extending from November 1, 2019 to October 31, 2020.

Mr. Butler indicated that the hourly rate contained in the Agreement is the same as 2018. Vote: Mr. Jones; yes, Mr. Esbenshade; yes, and Mr. Murphy; yes. Motion carried.

Intergovernmental Insurance Cooperative Surplus Funds.

A motion was made by Mr. Esbenshade, and seconded by Mr. Jones, to approve utilizing the claim fund surplus received from the Intergovernmental Insurance Cooperative totaling \$108,556.59 for payment of health insurance premiums.

Vote: Mr. Jones; yes, Mr. Esbenshade; yes, and Mr. Murphy; yes. Motion carried.

Request For Road Closure –Memorial Day Antique, Art Craft and Collectible Show

A motion was made by Mr. Jones, and seconded by Mr. Esbenshade, to approve the request of the American Legion Auxiliary Unit #809 for closure of Township streets East High Street from Queen Street to the square, West High Street from King Street to the

square and acknowledge their application to PennDOT for the closure of South River Street from Elizabeth Street to the square, and North River Street from Jacob Street to the square on Monday, May 25, 2020 from 6:00 AM to 5:00 PM.

Vote: Mr. Jones; yes, Mr. Esbenshade; yes, and Mr. Murphy; yes. Motion carried.

2019 Contribution to Lancaster County Drug Enforcement Task Force.

A motion was made by Mr. Esbenshade, and seconded by Mr. Jones, to approve a contribution of \$7,755.00 to the Lancaster County Drug Enforcement Task Force for the year 2019 based on statements by District Attorney Stedman at a meeting of the Lancaster County Association of Township Supervisors that municipal contributions fund the salaries of Drug Task Force officers.

Vote: Mr. Jones; yes, Mr. Esbenshade; yes, and Mr. Murphy; yes. Motion carried.

MS4 Annual Meeting - February, 2020

Mr. Murphy indicated that Board members should check their calendars for potential dates to hold the required MS4 Annual Meeting in February 2020.

Copies of the October 2019 Zoning/Building Report were provided to the Board. For the month, 10 Zoning Permits and 5 UCC Permits were issued. Staff performed 16 zoning inspections and 35 UCC inspections for the month. The total value of construction authorized equaled \$679,017.00. Permit fees collected totaled \$10,011.50.

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

The Board received copies of the September 2019 Milanof-Schock Library Report.

For September 2019, Northwest EMS responded to 60 calls in East Donegal Township. For the year, Northwest EMS responded to 458 calls in East Donegal Township

For September 2019, Fire Department Mount Joy responded to 4 first due calls in East Donegal Township.

Maytown East Donegal Township Fire Department – No report received.

The Board received copies of the October 24, 2019 meeting minutes of the East Donegal Township Park Commission.

The Board received copies of the September 12, 2019 meeting minutes of the East Donegal Township Planning Commission.

The Board received copies of the September 17, 2019 meeting minutes of the East Donegal Sewer Authority.

The Board received copies of the October 15, 2019 and October 28, 2019 meeting minutes of the East Donegal Municipal Authority.

The Board received notice that the Township has received a \$2,441,14 rebate from the use of the PLGIT procurement card program for purchases.

The Board received copies of the October 2019 NewsBulletin newsletter prepared by the PA State Association of Township Supervisors.

The Board received copies of the Fall Township Legal Defense Partnership newsletter prepared by the PA State Association of Township Supervisors.

The Board received a Thank-You note from the East Donegal/Conoy Area Christian Food Bank for the donation of CommunityAid gift cards.

The Board received a Thank-You letter from Scott Kingsboro, Executive Director of Northwest EMS, for the donation made for 2019.

The Board received information regarding the November 21, 2019 meeting of the Township Zoning Hearing Board.

The Board received a Thank-You note from a Township resident for the Board's decision to change the date of Trick-or-Treat due to pending weather.

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 indicated that the Maytown East Donegal Township Fire Department Board of Directors, at its meeting on October 21, 2019, implemented a policy that will require receipt of three written bids for work done to the facilities estimated to exceed \$2,500.00.

Mr. Murphy stated that with the acceptance of revisions to the Police Commission Merger Agreement, the contract with the Police union extends another seven years.

Public Works – None.

Adjournment

A motion was made by Mr. Esbenshade and seconded by Mr. Jones to adjourn at 8:45 PM.

Respectfully Submitted,

Jeffrey L. Butler, Township Secretary

The next regular meeting of the Board of Supervisors will be held on Thursday, December 5, 2019 at 7:00 PM at the East Donegal Township Municipal Building, 190 Rock Point Road, Marietta PA 17547.