

The 2174th meeting of the Upper Leacock Township Board of Supervisors was held on Thursday, February 18, 2010, at 7:00 p.m. Chairman Ron Simmons, Supervisor Richard Heilig, and Supervisor Jim Bennett were present. Michael Morris, Township Manager, and William Cassidy, Solicitor, were also present.

Chairman Simmons called the meeting to order and then asked all present to rise and recite the Pledge of Allegiance.

Supervisor Heilig made a motion to **approve** the January 4, 2010 reorganizational meeting minutes. Chairman Simmons seconded the motion. The motion passed.

Supervisor Heilig made a motion to **approve** the January 4, 2010 regular meeting minutes. Chairman Simmons seconded the motion. The motion passed.

Supervisor Bennett made a motion to **approve** the February 4, 2010 meeting minutes. Chairman Simmons seconded the motion. The motion passed.

Recognition of Guests:

- A. John Bowman, Chief, East Lampeter Township Police – 2009 Yearly Report – Chief Bowman stated there were 133 total calls for the month of January 2010 including 16 traffic citations, 7 arrests for criminal offences, and response to 14 accidents. Chief Bowman also presented a report for 2009. There was a total of 2,522 calls including 428 criminal violations, 133 arrests for crimes code violations, 554 vehicle code violations, 33 drunk drivers, 192 vehicle accidents, and 138 burglary or robbery alarms. Chief Bowman reported on the Curfew Ordinance, as required, stating that in 2009 there were 4 juveniles taken into custody for violation of Upper Leacock Township Curfew Ordinance, he received no citizen complaints and the police had no difficulty enforcing the Ordinance.

Public Comments:

There was some concern from a resident regarding cars parked on the sidewalk on School Drive prohibiting children from using the sidewalks to walk to school.

There was also some discussion regarding snow removal from sidewalks and fire hydrants.

Old Business:

None

New Business:

- A. Jim Bennett, resignation from Upper Leacock Township Planning Commission - Supervisor Heilig made a motion to **accept** Jim Bennett's resignation from the Upper Leacock Township Planning Commission. Chairman Simmons seconded the motion. The motion passed.
- B. Roger Fry, Fry Surveying, representing Samuel F. King, lot add-on plan located at 507 Beechdale Road, Bird In Hand. Mr. Fry presented the proposed plans.

1. Waiver request, Section 602.13, minimum required sight distances – Supervisor Heilig made a motion to **approve** the waiver request for minimum sight distance. Supervisor Bennett seconded the motion. The motion passed.
 2. Lot add-on plan – Supervisor Heilig made a motion to **approve** the lot add-on plan for Samuel F. King conditioned upon compliance with Lancaster County Planning comments of January 25, 2010. Supervisor Bennett seconded the motion. The motion passed.
 3. Form B Waiver – Supervisor Bennett made a motion to **approve and execute** the request for Planning Waiver and Non-Building Declaration, Form B waiver, for Samuel F. King. Supervisor Heilig seconded the motion. The motion passed.
- C. Metzger minor subdivision plan, 182-188 W. Main Street, Leola, Memorandum of Understanding, which obligates the applicant to pay Township Engineering and Solicitor fees. Supervisor Heilig made a motion to **approve and execute** the Memorandum of Understanding for the Metzger minor subdivision plan. Supervisor Bennett seconded the motion. The motion passed.

At 7:30 p.m., the regular meeting of the Board of Supervisors adjourned the regular meeting to hear the Conditional Use Hearing for Kent Nolt, applicant, to establish an office at 57 West Main Street, in the Mixed Use Zone.

The meeting of the Upper Leacock Township Supervisors reconvened at 7:55 p.m. After a brief discussion, Supervisor Heilig made a motion to **approve** the conditional use application to establish an office at 57 West Main Street in the Mixed Use Zone. Supervisor Bennett seconded the motion. The motion passed.

Supervisor Concerns:

- ✦ Chairman Simmons congratulated the Public Works Department for a job well done with the latest snow storms.
- ✦ Leaf Waste Options – Mr. Morris asked the Board to review the draft Ordinance and return it to him with their notes at the next meeting.

Solicitor's Report:

Attorney Cassidy stated that there are several developers who ended up having amounts due to Rettew for the consulting of expenses associated with a land development plan as well as inspection of improvements that might have been installed for a particular project that weren't paid. These did get paid after a letter from Attorney Cassidy was sent out. The question is how can we address this in the future to prevent this kind of thing from happening. One idea is to establish an escrow account, up front, when the initial plan is submitted.

Payment of Bills:

Supervisor Heilig made a motion to pay bills totaling \$5,937.67 from the State/Liquid Fuel Fund, \$156,310.74 from the General Fund, \$51,934.34 from the Water Fund, and \$30,235.51 from the Sewer Fund. Supervisor Bennett seconded the motion. The motion passed.

The receipts to the General Fund were \$24,290.47.

Correspondence:

There was no correspondence at this time.

Managers Report:

- ✦ Mr. Morris stated that the Upper Leacock Fire Company celebrated their 100th year of dedicated service to the community. There was a banquet held on February 6, 2010 where the Township was awarded a plaque thanking them for their support.
- ✦ Snow Emergency Plan / Municipal Disaster Proclamation – Mr. Morris stated that there is a memo in their packets from the Public Works Director stating the costs accrued from the latest snow storms which totaled approximately \$41,245.00. This included 278 regular labor hours which totaled \$5,376.00; labor overtime hours which totaled \$29,184.00; and salt and anti-skid material which totaled \$2,309.00. There were several repairs needed such as the windows on truck #10; spreader repair; #15 dump truck repair; tractor hydraulics repair; alternator repair; and trucks getting stuck. Mr. Morris stated that in order to make one pass through the Township the cost is approximately \$5,300.00 for 80 tons of the salt/stone mixture plus payroll. Mr. Morris also stated that the Township has the potential for Federal Disaster Aid and he read the letter from the County of Lancaster dated February 9, 2010. Attached to this letter was a copy of the Disaster Declaration for the Township to utilize. After a brief discussion, Supervisor Heilig made a motion to approve the Declaration of Disaster Emergency for the February 10, 2010 blizzard. Supervisor Bennett seconded the motion. The motion passed.

On a motion made by Supervisor Heilig and seconded by Supervisor Bennett, the meeting was **adjourned** at 8:20 p.m. for an executive session. The next regular meeting of the Board of Supervisors will be March 4, 2010 at 7:00 p.m. in the Community Building meeting room.

Respectfully submitted,



Michael H. Morris
Secretary



Upper Leacock Township Board of Supervisors

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TOWNSHIP MANAGER

February 18, 2010

Subject: Minutes of the Upper Leacock Township Board of Supervisors. The Conditional Use application of Kent Nolt in connection with a property at 57 West Main Street, in the Mixed Use Zone, was heard for a Conditional Use under Sections 210.3.12, 704, and 444 of the Upper Leacock Township Zoning Ordinance, and is seeking approval for an in-home office and placement of a sign in front of the property. CU#1116

On Thursday, February 18, 2010, at 7:30 p.m., the Upper Leacock Township Board of Supervisors recessed their regular business meeting in order to continue the Conditional Use Hearing mentioned above.

Present at the hearing were the following:

- ◆ Ronald Simmons, Chairman, Board of Supervisors
- ◆ Richard Heilig, Vice-Chairman, Board of Supervisors
- ◆ James Bennett, Member of the Board of Supervisors
- ◆ William Cassidy, Solicitor
- ◆ Michael Morris, Township Manager
- ◆ Mrs. Kent Nolt, Applicant

Attorney Cassidy stated that this hearing had been advertised in the newspaper on two occasions to comply with the Township Ordinance and the Municipalities Planning Code and the property had been posted.

Mrs. Nolt presented the plans for the proposed office space.

Supervisor Simmons closed the testimony and the Conditional Use hearing at 7:55 p.m.

Respectfully submitted,

Michael Morris
Secretary