

The 2177th meeting of the Upper Leacock Township Board of Supervisors was held on Thursday, May 6, 2010, at 7:00 p.m. Chairman Ron Simmons, Supervisor Richard Heilig, and Supervisor Jim Bennett were present. Mike Morris, Township Manager; Brian Kauffman, Rettew Associates; 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 Simmons announced there was an Executive Session held on April 1, 2010, at the end of the regular Supervisors' meeting to discuss personnel matters.

Supervisor Bennett made a motion to **approve** the April 1, 2010 meeting minutes as presented. Supervisor Heilig seconded the motion. The motion passed.

Recognition of Guests:

Damien Mscisz, representing Bareville Leola Leacock Lions Club, request to use Township roads and a Community Park pavilion for the Lions Club Annual 5K Run on Friday, July 23, 2010. Supervisor Heilig made a motion to **approve** the Lions Club request to use Township roads and a pavilion for their 5K Run on July 23, 2010. Supervisor Bennett seconded the motion. The motion passed.

Public Comments:

Eddie Oberholtzer, Bareville Fire Company, stated that he would like to follow up on his request to have the Lancaster County Fireman's Association Parade and Convention on June 4 and 5, 2010. Mr. Oberholtzer passed out copies of the parade route and answered numerous concerns of the Board of Supervisors as a result of the magnitude of the event.

Old Business:

- A. *Escrow Account* – Beth Hinkle stated that an escrow account has to do with payment of Township and Solicitor fees and they are trying to help the process along. She also stated that she and Barb Dagen, who sets up and monitors the accounts, visited East Lampeter Township. The West Earl Township contact person was not available on the scheduled date. East Lampeter Township had purchased a fairly expensive software package to keep track of their escrow accounts. Upper Leacock Township had recently purchased a zoning program. Mrs. Hinkle contacted the programmer to see if there might be something that can be incorporated into the zoning program, and he said it was a possibility.
- B. *Chapter 94 Report* – Brian Kauffman answered a question that Supervisor Heilig had regarding the five year projections in the Chapter 94 report. Supervisor Heilig was concerned with how high the five year projection numbers were. Mr. Kauffman gave a brief background as to what the Chapter 94 report is used for by DEP.

New Business:

- A. *Campus Mixed Use* (East Lampeter Township) – Ben Bamford, representing High Properties, Zoning Ordinance Amendment to East Lampeter Township to develop a Campus Mixed Use District by amending the East Lampeter Township Zoning Map and Zoning Ordinance. Supervisor Bennett made a motion that the Campus Mixed Use property is generally consistent with the Conestoga Valley Regional Comprehensive Plan. Supervisor Heilig seconded the motion. The motion passed.
- B. *Metzger Final Subdivision Plan* – John Metzger, representing the Metzger subdivision plan located at 182, 186, and 188 West Main Street, presented the plans.
 1. *Final subdivision plan* – Supervisor Heilig made a motion to **approve** the final subdivision plan for Metzger conditioned upon compliance with Rettew’s subdivision and land development comments of April 21, 2010, Rettew’s water and sewer comments of March 22, 2010, Lancaster County Planning Commission comments of March 22, 2010, approval of the sewage planning module, if applicable, and providing for detailed landscaping on the plan. Supervisor Bennett seconded the motion. The motion passed.
- C. *Amos S. Stoltzfus Preliminary/Final Land Development Plan* located at 2600 Stumptown Road, Bird In Hand, Memorandum of Understanding which obligates the applicant to pay Township engineering and solicitor fees. Supervisor Bennett made a motion to **approve and execute** the Memorandum of Understanding for the Amos S. Stoltzfus plan. Supervisor Heilig seconded the motion. The motion passed.
- D. *Eby Cemetery Associates Lot Add-On Plan* located at 51 West Eby Road, Memorandum of Understanding which obligates the applicant to pay Township engineering and solicitor fees. Supervisor Bennett made a motion to **approve and execute** the Memorandum of Understanding for the Eby Cemetery Plan. Supervisor Heilig seconded the motion. The motion passed.
- E. *SKH-Insurance Building Final Subdivision Plan* located at 2466 New Holland Pike, Lancaster, Memorandum of Understanding which obligates the applicant to pay Township engineering and solicitor fees. Supervisor Bennett made a motion to **approve and execute** the Memorandum of Understanding for the SKH-Insurance Building plan. Supervisor Heilig seconded the motion. The motion passed.
- F. *Jacob S. and Barbara E. Stoltzfus Agricultural Security Petition* for property totaling 70 acres located at 94 Snake Hill Road, Bird In Hand, procedure for approval of the petition. Supervisor Bennett made a motion to **follow the standard 180 day procedure** for the Jacob S. and Barbara E. Stoltzfus petition. Supervisor Heilig seconded the motion. The motion passed.

- G. *J. Harold and Patricia Y. Leaman* Agriculture Security Petition for property totaling 21.1 acres located at 2554 Creek Hill Road, Lancaster, procedure for approval of the petition. Supervisor Bennett made a motion to **follow the standard 180 day procedure** for the J. Harold and Patricia Y. Leaman petition. Supervisor Heilig seconded the motion. The motion passed.
- H. *Eid* Land Development Plan located at 2264 New Holland Pike, request to extend the planning deadline. Supervisor Heilig made a motion to **grant** the request to extend the planning deadline to July 21, 2010 for the Eid land development plan. Supervisor Bennett seconded the motion. The motion passed.
- I. *Upper Leacock Township Youth Service Award* - Supervisor Bennett made a motion to **approve** the staff recommendation for the 2010 Upper Leacock Township Youth Service award. Supervisor Heilig seconded the motion. The motion passed.
- J. *Resolution 2010-10*, disposition of public records – Supervisor Heilig made a motion to **approve** Resolution 2010-10, disposing of the specified records listed in the packet. Supervisor Bennett seconded the motion. The motion passed.
- K. *2010 Pool Concession Stand Agreement* – Mr. Morris stated that Encks will now be open when the pool is open and if the pool closes and then reopens due to weather conditions, the concession stand will also reopen. Supervisor Heilig made a motion to **approve** the 2010 Pool Concession Stand Agreement between Enck’s Catering and Upper Leacock Township. Supervisor Bennett seconded the motion. The motion passed.
- L. *Official Map Committee* - Supervisor Heilig made a motion to **appoint** Jack Younker, Zoning Officer; Jim Bennett, Supervisor; and Ed Hinkle, Planning Commission, to the Regional Official Map Committee. Supervisor Bennett seconded the motion. The motion passed.
- M. *Ron Simmons’* resignation from Leola Sewer Authority. Supervisor Heilig made a motion to **accept** Ron Simmons’ resignation from the Leola Sewer Authority. Supervisor Bennett seconded the motion. The motion passed.
- N. *Resolution 2010-09*, appointment of Michael S. Reed to the Leola Sewer Authority. Supervisor Heilig made a motion to **approve** Resolution 2010-09, appointing Michael S. Reed to the Leola Sewer Authority. Supervisor Bennett seconded the motion. The motion passed.

Supervisor Concerns:

There were no concerns at this time.

Solicitor’s Report:

There was no report at this time.

Payment of Bills:

Supervisor Bennett made a motion to **pay** bills totaling \$13,018.01 from the State/Liquid Fuels Fund, \$1,272,059.70 (this includes pay back excess to sewer in the amount of \$889,633.24) from the General Fund, \$41,876.47 from the Water Fund, and \$122,367.83 from the Sewer Fund. Supervisor Heilig seconded the motion. The motion passed.

The receipts to the General Fund were \$164,075.66.

Correspondence:

All correspondence was reviewed and discussed.

Managers Report:

- ✦ *Recycling, draft ordinance creation* – Mr. Morris went through the draft recycling ordinance and addressed areas of concern. A clean draft will be ready at the next meeting.
- ✦ *Radon* – Mr. Morris stated that there is a real problem with radon in Pennsylvania. Radon is odorless, colorless, and attributes to lung cancer. A few townships have adopted an appendix which states that, in new home construction, you have to have a minimum requirement of a way to mitigate radon. Mr. Morris stated that he thinks it would be a good idea to have appendix F adopted into the Township's current building code. This would only affect new home construction. The Board was not inclined to include additional regulations at this time.
- ✦ *Resolution 2010-11, Designation of Agent Resolution* - Supervisor Heilig made a motion to **approve** Resolution 2010-11, appointing Michael Morris as the designated agent. 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 9:50 p.m. for an executive session.

The regular meeting of the Board of Supervisors reconvened at 10:40 p.m.

Supervisor Heilig made a motion to **amend** the Employee Handbook to reflect changes in the medical coverage of spouses of employees effective June 1, 2010. Spouses will no longer be covered under the Township's plan as long as they are offered coverage somewhere else. Supervisor Bennett seconded the motion. The motion passed.

Supervisor Heilig made a motion to **amend** the Employee Handbook relevant to Educational Assistance and cap the amount. The Township will pay up to \$1,500 per semester subject to completion of the course and approval of the course by the Township Manager. This change is effective immediately and if for person(s) employed with the Township for at least one year. Supervisor Bennett seconded the motion. The motion passed.

Supervisor Bennett made a motion to **grant** employees a 2% salary increase effective next pay. Supervisor Heilig seconded the motion. The motion passed.

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On a motion made by Supervisor Heilig and seconded by Supervisor Bennett, the meeting was **adjourned** at 10:45 p.m. The next regular meeting of the Board of Supervisors will be May 20, 2010 at 7:00 p.m. in the Community Building meeting room.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael Morris', with a long horizontal line extending to the right.

Michael Morris
Secretary