

The Board of Supervisors met at the Township Office Building for their regular meeting on June 18, 2020, 7:30PM with Jere Swarr, Lowell Fry & Mark Erb present. The meeting was called to order by the Chairman and followed with the Pledge of Allegiance. The meeting was open to the public and was also conducted by phone.

Mr. Swarr announced that an executive session with Township Solicitor Susan Peipher to discuss personnel issues was held prior to the meeting.

The minutes of the June 4th Meeting were distributed. **Mr. Fry made a motion to approve the Minutes as presented; second by Mr. Erb. All voted in favor.**

POLICE REPORT

Chief Joe Stauffer reported on the statistics for May 2020 that included 26 traffic tickets, 2 non-traffic tickets, 6 criminal arrests, 21 warnings, 5,792 vehicle miles, 160 incident reports and 16 traffic accidents. Chief Stauffer also encouraged the use of Crime Watch which pushes out alerts to individual devices. Chief Stauffer said that in light of the George Floyd incident, he wanted to assure residents that the Manheim Borough Police Department holds the accountability of their officers to high standards of which has been in place for over 10 years. He said their policy is reviewed yearly and feels they have a very good department with very good officers. There were some peaceful demonstrations that took place on the Manheim Square between June 2 and 5. Aggressive Driving Details are being run throughout the township due to a grant and some serious criminal violations were given. When asked by the Board, Chief Stauffer said that the protests did not impact the level of service given by the Manheim Borough Police Department.

PUBLIC COMMENTS

Darryl Rock of 1267 Willow Creek Drive thanked the Board for addressing the water concerns that he had brought before them previously. He showed pictures of improved drainage after rains and said that Phil Frey of the Crest Apartments and Township Zoning Officer Dave Eggert worked to find a resolution and feels the problem is solved.

CHAIRMAN'S COMMENTS

Public Works Director John Haldeman said the Oak Tree Road Bridge has been back filled. The guiderail is scheduled to be installed the first week in July. Also the Public Works Department has completed the resealing of the playground at the Rapho Community Park and the new play area is now open.

CONDITIONAL USE HEARING #2020-35

M5v2/Messick's

1475 and 1575 Strickler Road

The applicants propose a heavy-duty farm equipment sales, rental, and service center on two consolidated tracts, under Section 304.B.2.c.19 of the Zoning Ordinance. The applicants propose to construct a 3-story building in two phases, with a final building footprint of 358,100 square feet. All site improvements required for Phases 1 and 2 of the building, including all access drives, parking, loading, and stormwater management facilities, would be constructed as part of Phase 1. The property is located in the Industrial Zoning District, and would be served by public water and sewer.

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Township Solicitor Susan Peipher explained the procedure for a Conditional Use Hearing to all in attendance and those joining by phone. Township staff said the hearing was properly advertised and posted according to NPC requirements. Ms. Peipher asked if anyone in attendance would like to be a party to the hearing. No one responded.

Attorney for the applicant, **Reilly Noetzel** of Barley Snyder, introduced **Jay Gainer** the general manager of Messick's Farm Equipment and **Mike Huxta** the landscape architect from ELA. Mr. Noetzel reviewed the history of the property located at 1475 and 1575 Strickler Road. The two principle uses proposed for this property are Vehicle Sales Rental Heavy Duty and Vehicle Service and Repair Heavy Duty. He also reviewed the variances that were granted by the Rapho Township Zoning Hearing Board. He said the plan was recommended for approval by the Rapho Township Planning Commission at their June 2nd meeting subject to a list of conditions.

Mr. Gainer said he has been the general manager for 42 years with Messicks. He explained the types of equipment sales and repairs that this family owned business conducts. Mr. Gainer reviewed the Phase 1 and Phase 2 plans showing the buildings and site improvements proposed. The access drives, parking areas, loading docks and customer parking areas were reviewed and discussed. Mr. Gainer explained that there would not be outside storage of junk or broken equipment. Mr. Fry asked if they part out equipment that would be sitting on this property for long periods of time. Mr. Gainer said that equipment brought to the site for repair would sit no longer than 30 days. Mr. Huxta reviewed the site improvements including the various stormwater management facilities that are proposed. The traffic flow inside the property boundaries was discussed. It is proposed that the truck traffic would all flow one way even though the drive allows for 2 way traffic. Truck delivery times were discussed along with what happens when deliveries are made before or after hours of operation. Mr. Gainer said they do not plan to have the entrance to the proposed facility gated so that if trucks do come outside of operating hours they can park at the loading docks.

Don Falkinburg of 1413 Willow Creek Drive asked what guarantees the township can put in place so that there is not broken down equipment and junk stored on this property. Mr. Gainer testified that junk will not be stored on this property. Mr. Falkinburg asked if there will be a turn lane on Strickler Road that truck will use to turn into the access drives. Mr. Huxta said there will be no road improvements based on the traffic study that was completed. Mr. Falkinburg asked if there are tax breaks for this business. Mr. Gainer said there are no breaks for property taxes.

Mr. Fry made a motion to close testimony; second by Mr. Erb. All voted in favor. Mr. Fry made a motion to approve Conditional Use Hearing #2020-35 for M5v2/Messick's located at 1475 and 1575 Strickler Road subject to the conditions as presented by the applicant and adding the condition that the access drives shall not be gated; second by Mr. Erb. All voted in favor.

PLANNING

Mr. Fry made a motion to grant the request for an extension of the Chad Diffenderfer Stormwater Management Plan #20-389 located at 2668 Lebanon Road until July 30, 2020; second by Mr. Erb. All voted in favor.

A request for the reduction of financial security in the amount of \$5,065.00 was received for the Matthew and Trisha White Major Land Disturbance Plan #17-340 located at 185 Whispering Pine. Mr. White was in attendance and asked the Board to consider releasing rather than reducing the financial security. He said the project has been completed for 2 years. Mr. White said that with everything happening due to COVID-19 his engineers will not be able to fulfill the outstanding comments listed on the Rettew letter dated June 16, 2020 until late in the year. Mr. Fry asked Mr. White about his outstanding invoices with the township. He

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also said he feels there needs to still be some financial security held in case the property owners do not complete what is needed. Mr. Erb said he would be more comfortable to table this decision until the next meeting. It was decided to table the financial security reduction or release until the July 2, 2020 meeting.

A Code Enforcement Update was received from Mr. Eggert regarding 1032 Drager Road that also included recommendations by the Township Solicitor. **Mr. Fry made a motion to support the Code Enforcement Officer's recommendations concerning 1032 Drager Road; second by Mr. Erb. All voted in favor.**

OLD BUSINESS

2020 Budget - Mr. Fry distributed a chart/graph of the Earned Income Tax distributions received by the township for the years 2017, 2018, 2019 and so far in 2020. He pointed out that to date there has not been an impact since the distributions are back about 2 months. He would like to be able to review this report each month since this is a major source of revenue for the township. Mr. Haldeman reported that the Auction Road paving project will be completed in 2020. These funds will be taken from the township's Liquid Fuel Fund and will not impact the General Fund.

NEW BUSINESS

Mr. Fry made a motion to accept and approve the General Release with Sara Gibson; second by Mr. Erb. All voted in favor.

There was some discussion on appointing an interim manager and to begin the search process for a township manager. **Mr. Fry made a motion to pursue an agreement with Rettew Associates to serve as Rapho Township interim manager and to lead the personnel search for a permanent township manager; second by Mr. Erb. All voted in favor.**

Mr. Fry said that an administrator is needed for the township's pension plan and healthcare plan. The Township Manager had been appointed but he feels until a new manager is hired, one of the Board members should fill that role. Mr. Fry volunteered to be the administrator. Mr. Erb said he feels that since Lindsey Brenner has worked with the administrator she should be appointed. Mr. Fry explained that he feels it is good business practice to have dual signatures. He said Lindsey would still be doing exactly what she has been doing. **Mr. Swarr made a motion to appoint Lowell Fry as administrator for the Rapho Township Pension Plan and Healthcare Plan; second by Mr. Fry. Mr. Swarr and Mr. Fry voted in favor. Mr. Erb was opposed.**

CORRESPONDENCE

LCPC – Receipt of Request of Plan Review – 2127 Kulp Rd – Rapho Twp

LCPC – Recommended Disapproval of Zoning Ordinance Amendments – East Hempfield Twp

Northwest EMS – May report

Letter from Darryl Rock – 1267 Willow Creek Dr

APPROVAL OF THE DISBURSEMENT LIST - Mr. Erb made a motion to approve the disbursement list and pay the bills; second by Mr. Fry. All voted in favor.

Transfer \$78,500 from General to Fire Capital Fund - The Board decided that until they see how the Earned Income Tax distributions come in, no funds will be transferred to the Fire Capital Fund at this time. This does not affect the operational distributions to the fire companies.

There being no further public business or public comments the meeting adjourned at 9:23PM.

Respectfully Submitted,

Melva J. Kready
Recording Secretary