

## BOARD OF SUPERVISORS MEETING AUGUST 15, 2012

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Minutes of the Pequea Township Board of Supervisors meeting held August 15, 2012 at 7:00 p.m. at the Pequea Township Municipal Building, 1028 Millwood Road, Willow Street, PA 17584.

### **Present at the meeting were:**

Board of Supervisors  
Robert L. Porterfield, Chairman  
Jay Reynolds, Vice-Chairman  
Harry Lehman, Supervisor

### **Others present:**

Connie Kauffman, Twp. Secretary  
Mark Deimler, Zoning Officer

Sign in Sheet Attached

### **ANNOUNCEMENTS:**

- Public Meetings may be both audio and video recorded.
- The Board of Supervisors held Executive Sessions on Tuesday, July 31 at 9:00 a.m. and Tuesday, August 7 at 7:30 a.m. to discuss personnel matters.

**MINUTES OF PREVIOUS MEETING:** Supervisor Porterfield moved to approve the minutes of the July 18, 2012 Board of Supervisors meeting as printed. Supervisor Reynolds seconded the motion. All voted in favor, none opposed.

**TREASURERS REPORT:** A copy of the bill list is on the table. I move to approve checks #8039 through #8069 of the General Fund, checks #2276 through #2285 of the Recreation Fund, check #368 of the State Highway Fund, and checks #654 through #655 of the Street Light Fund. Supervisor Lehman seconded the motion. All voted in favor, none opposed.

### **PUBLIC COMMENTS:**

#### **Items not on the agenda:**

Dwayne Funk expressed concern about properties in the township in disrepair.

Supervisor Lehman replied the issue would be addressed in the Nuisance Ordinance agenda item.

Ken Adams questioned the amount of time spent interviewing the Township Solicitor. Mr. Adams suggested the Board adopt a resolution to prevent Supervisors from being employees of the township and questioned the line painting on Penn Grant Road.

Supervisor Porterfield explained the line painting contract.

Mr. Adams asked about the Planning Commission minutes.

Rob Reidenbach commented on the videotaping at our meetings.

Tim Weaver expressed displeasure over the resignation of the Planning Commission Chair.

Bill Schall gave an update on the Planning Commission August 2, 2012 meeting and encouraged citizen input into the process of revising the Comp Plan and creation of a new Zoning Ordinance. Mr. Schall invited any citizens to come to their special meetings, the first one being August 29.

Supervisor Reynolds addressed some of the complaints.

Cynthia Evans Herr said in the future she hopes her resume will be considered.

### **OLD BUSINESS:**

1. Southern Lancaster County Inter-Municipal Agreement (EMC) – Tabled.
2. Millwood Road Parallel Stormwater Management Agreement – Supervisor Porterfield said the Agreement has been fully executed and PennDOT will start the work on Millwood Road. Ken Adams pointed out Millwood Road is dangerous.

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Supervisor Porterfield explained the work PennDOT will be doing to fix the road.

3. Rewrite Zoning Ordinance Scope of Services Discussion – Supervisor Porterfield made a motion to execute the Work Authorization Form authorizing Solanco Engineering to proceed with Phase I Planning Document Revisions. Supervisor Reynolds seconded the motion. Supervisor Lehman said the cost is \$1000.00 for Phase I. Supervisor Reynolds said this is a preliminary stage to determine the parameters of what the Comp Plan and Zoning Map will look like. Supervisor Lehman said there will be two 3-hour public meetings to discuss and review this. All voted in favor, none opposed.
4. Winter Maintenance PennDOT Agreement & Resolution #364-2012 – Supervisor Lehman moved to authorize the signature of Work Maintenance Agreement Resolution #364-2012. Supervisor Reynolds seconded the motion. All voted in favor, none opposed.
5. Old Conestoga Road Heritage Byway Presentation by Kip Van Blarcom – Tabled until September
6. CDL / CMV Driver Recordkeeping – Supervisor Lehman moved we add the following to the Personnel Policy under Section 1: SAFETY: “The Township requires all prospective CMV and CDL Drivers to: 1. Complete the Application for CMV/CDL Employment in addition to the non-CMV/CDL Application. 2. Prior to hiring: Sign the Disclosure Statement Regarding Driver License Reports giving the Secretary permission to review the Applicant’s past 3-year driving history. The Secretary will complete the Employee Initial Review of Driving Record which indicates whether the prospective driver is qualified or disqualified. The Township requires all employees to consider safety as the highest priority in any task they perform. As a minimum, all employees are required to abide by the following rules regardless of job: CDL and CMV Drivers are required (Federal Regulation 49 CFR 383.31) to notify their employer of any conviction for violating a motor vehicle law (except parking) in any type of motor vehicle. Notification must be made within 30 days of that conviction by using the CDL Driver’s Conviction Form. Disclosure Statement signed prior to hiring allows CMV and CDL Driver records to be checked periodically throughout the year.” Supervisor Reynolds seconded the motion. All voted in favor, none opposed.

### NEW BUSINESS:

1. Road Repairs Seal Coat Baumgardner Road – Supervisor Porterfield said we received three separate proposals for each of the three separate projects. Supervisor Porterfield moved to award those projects to Long’s Asphalt, first project being W. Boehm’s/Baumgardner intersection for a cost of \$17,100.00, the second area being the intersection of Radcliffe Road and Byerland Church Road for a cost of \$8,300.00 and the third area being the bridge on Ship Rock Road for a total of \$2,600.00. Supervisor Lehman seconded the motion. All voted in favor, none opposed. Supervisor Porterfield said the seal coat part of the project will be put off because it is too late in the year, but it can be completed next year.
2. Oak Hill Partners (Penn Grant Commons) set date for hearing – Supervisor Porterfield moved to set the date for the Oak Hill Partners (Penn Grant Commons) hearing to September 18, 2012 at 7:00 p.m. at the Pequea Township Municipal Building. Supervisor Lehman seconded the motion. Zoning Officer Mark Deimler explained the Conditional Use is for Phase 4 of the Project to redesign the southernmost phase of the project allowing for commercial use within that phase. All voted in favor, none opposed.
3. Accept the resignation of Robert Reidenbach from Planning Commission – Supervisor Porterfield moved to accept the resignation of Robert Reidenbach from the Pequea Township Planning Commission. Supervisor Reynolds seconded the motion. All voted in favor, none opposed.

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4. Appointment of new member to Pequea Township Planning Commission to fill the unexpired term of Robert Reidenbach until January 2013 – Supervisor Lehman moved to appoint Carmen D. Swinehart to the Planning Commission for the term ending January 2013. Supervisor Porterfield seconded the motion. All voted in favor, none opposed.
5. Amos King Apartments – Supervisor Lehman moved to authorize Robert Porterfield, Chairman to sign the Amos King Apartments Final Subdivision and Lot Add-On Plans. Supervisor Reynolds seconded the motion. All voted in favor, none opposed.  
A brief recess was taken at 7:32 p.m. while the plans were signed.  
The regular meeting reconvened at 7:36 p.m.
6. Traffic Signal LED Retrofit Quote – Supervisor Porterfield explained it would be a savings to the township to change the traffic lights to LED lights. Supervisor Porterfield said the amount to change over would be \$9,417.00 and the LED lights would pay for themselves in three years. Supervisor Lehman asked for this item to be put in the budget file for the Treasurer.
7. Accept the resignation of Robert Porterfield as Roadmaster – Supervisor Reynolds stated that we received written notice July 31, 2012 of Robert Porterfield's resignation as Roadmaster. Supervisor Reynolds moved that we accept the resignation of Robert Porterfield as Roadmaster. Supervisor Lehman seconded the motion. All voted in favor, none opposed.
8. Appoint New Roadmaster – Supervisor Reynolds made a motion to appoint Jeremy Chester as our Roadmaster. Supervisor Lehman seconded the motion. All voted in favor, none opposed. Supervisor Lehman moved starting wage for Roadmaster Chester be \$20.00 per hour and after a six month successful review the wage be increased to \$22.00 per hour. (The intention of this motion was to be effective immediately which would begin August 16, 2012). Supervisor Reynolds seconded the motion. All voted in favor, none opposed.
9. Nuisance Ordinance – Supervisor Lehman and Mr. Deimler explained the template for a Nuisance Ordinance. Supervisor Lehman moved we instruct our Solicitor to prepare a Nuisance Ordinance with the use of a template provided by our Zoning Officer. Supervisor Reynolds seconded the motion. All voted in favor, none opposed.

### **ADDENDUM:**

1. Traffic Signal Maintenance Contract – Supervisor Lehman moved to enter into a two-year traffic signal agreement with Republic ITS beginning August 18, 2012 superseding the prior approved motion of July 18, 2012. Supervisor Reynolds seconded the motion. All voted in favor, none opposed.

**Road Crew** – Report on file.

**Zoning/Code Officer** – Report on file.

**Southern Regional Police Department** – July Monthly Report is on the table. Officer Carter gave the report.

**Southern Regional Police Commission** – July Meeting Minutes are on the table.

**Southern Lancaster County Inter-Municipal Council** – Supervisor Reynolds

**Emergency Management Coordinator** –

**PEQUEA TOWNSHIP ZONING HEARING BOARD:** – Meeting held August 7.

### **ADVISORY BOARD REPORTS:**

**Pequea Township Planning Commission** – Meeting held August 3.

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**Pequea Township Park & Recreation Board** – Meeting held August 8, 2012. Minutes are on the table.

### **PUBLIC HEARING – PROPOSAL TO INCLUDE THE FARM LOCATED AT 1029 Millwood Road, Willow Street, PA in the PEQUEA TOWNSHIP AGRICULTURAL SECURITY AREA**

**Announcement:** This special hearing has been advertised and posted in accordance with the requirements of the Sunshine Act and the Second Class Township Code. Property has been posted in accordance with Section 609(b)(1) of the Pennsylvania Municipal Planning Code.

**Background:** Landowners Jeffrey and Sue Ann Frey submitted a petition on May 9, 2012 and receipt of the petition was acknowledged on May 16, 2012 at the Board of Supervisors meeting. The Ag Preserve Board's Solicitor recommended the "fast track" process instead of the 180-day process. On June 20, 2012 Board of Supervisors approved the "fast track" process and Supervisor Jay Reynolds was appointed to serve as Chairman of the Ag Security Committee. Notice was published in the Lancaster Newspapers on June 23, 2012 to begin the process. Notices were also posted at several locations throughout the township. For fifteen (15) days, the public was free to submit proposed modifications to the petition. None were received.

The Pequea Township Ag Security Committee met and reviewed the petition on July 19, 2012 and the Pequea Township Planning Commission met and reviewed the petition on August 2, 2012. Reviews showed recommendations were given to the Board for adoption. Advertisement of the public hearing was in the Lancaster Newspapers on July 21, 2012. Notice was also posted and given to the landowner / applicant on July 19, 2012.

#### **NEW BUSINESS:**

1. ASA Proposal (Petition) for the Farm Located at 1029 Millwood Road, Willow Street, PA. – Supervisor Reynolds moved to adopt the ASA proposal for the Jeffrey R. and Sue Ann Wertz Frey 83.121 acre farm located at 1029 Millwood Road into the Pequea Township Agricultural Security Area. Supervisor Lehman seconded the motion. All voted in favor, none opposed.

#### **CLOSED HEARING at 8:08 p.m.**

Supervisor Porterfield read a letter addressed to the Board stating that he is resigning from his position as Supervisor effective no later than November 21, 2012.

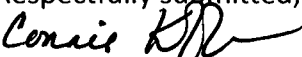
Supervisor Reynolds moved to accept the resignation of Robert Porterfield in accordance with the terms he spelled out in his letter of resignation dated August 15, 2012. Supervisor Porterfield seconded the motion. All voted in favor, none opposed.

An Executive Session will be held with Matt Crème to explain the process.

Supervisor Lehman said the Board will be having a personnel meeting August 20, 2012 at 7:30 a.m. about the position of Road Worker.

#### **MEETING ADJOURNED at 8:12 p.m.**

Respectfully submitted,

  
Connie Kauffman, Township Secretary

Sign-In Sheet

2012-08-15 BOS meeting

Patti Lehman

Jackie Johns

Thumpy Hugg

Jane Reynolds

Bill Shall

Richard Conway

~~Jim~~

Quay Frank

Tim Weaver

~~Phil~~

Rob Keenan

MARK & DIANE MEYER

Amos King

Joan & Steve Gogoy

~~John~~ Cynthia T. Evans-Hart

DR. FILER, CHARTER

Jeff Fung

Maryann Roberts