

# BOARD OF SUPERVISORS MEETING August 21, 2013

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Minutes of the Pequea Township Board of Supervisors meeting held August 21, 2013 at 7:00 p.m. at the Pequea Township Municipal Building, 1028 Millwood Road, Willow Street, PA 17584.

## Present at the meeting were:

Harry Lehman, Chairman  
Bill Schall, Vice-Chairman  
Jay Reynolds, 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 Herr family has offered their Bed & Breakfast farm at Eagles Ridge facility at no charge to hold a fundraiser to benefit our Fire Companies and the Friends of the Southern Regional Police Force. This event includes a pig roast, chicken BBQ, and a live band and will be held October 20, 2013. The goal was to raise between \$8,000.00 and \$10,000.00 and is now \$10,000.00 to \$12,000.00.
- There is an open position on the Park & Recreation Board and on the Planning Commission. Letters of Interest may be sent to the township office.
- The Board of Supervisors held Executive Sessions on August 9 and 21 for the purpose of discussing personnel matters.

**MINUTES OF PREVIOUS MEETING:** Supervisor Lehman moved to approve the BOS minutes dated July 17, 2013. Supervisor Schall seconded the motion. All voted in favor, none opposed.

**TREASURERS REPORT:** A copy of the bill list is on the table. Supervisor Lehman moved to approve checks #8566 through #8604 of the General Fund, checks #1057 through #1062 of the Recreation Fund, check #1009 from the Street Light Fund, and checks #370 through #371 of the State Highway Fund. Supervisor Schall seconded the motion. Supervisors Lehman and Schall voted in favor. Supervisor Reynolds abstained.

## PUBLIC COMMENTS:

## DEPARTMENTAL REPORT:

**Southern Regional Police Department** – July Monthly Report is on the table. Officer Carter delivered the report and described the recently purchased police car fully equipped for the canine. Both Officer Carter and Chief Fiorill expressed thanks for the help with the chicken barbeque fundraiser.

## OLD BUSINESS:

1. Southern Lancaster County Inter-Municipal Agreement (EMC) – Supervisor Reynolds said the Solicitor put this on his priority list and the item was tabled.
2. Approval of New Danville Fire Company & West Willow Fire Company Non-Emergency Events Policy – Supervisor Lehman gave an explanation about the policy to approve Fire Company events and moved to adopt **Resolution 385-2013** the Fire Company Policy Resolution to approve all NDFC and WWFC emergency and non-emergency activities and events. Supervisor Reynolds seconded the motion. All voted in favor, none opposed.
3. Permission to Install Young Lungs at Play Sign at Silver Mine Park playground – Mary Ross, from the YWCA, gave a brief explanation and fielded questions about the sign. Supervisor Lehman

## BOARD OF SUPERVISORS MEETING August 21, 2013

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moved to approve Resolution **386-2013** the whole Resolution regarding the Young Lungs at Play. The motion died for lack of a second.

4. Flag Pole and Flag for Silver Mine Park – Supervisor Lehman tabled the item.
5. Discuss New Job Descriptions for Personnel Policy, Appointment of Assistant Treasurer, Assistant Secretary, Open Records Officer, Chief Administrative Officer, Street Light Tax Collector, Treasurer Bond and Street Light Bond – Supervisor Lehman said this is about cross-training and covering for each other in case of absence. After discussion, it was decided the item should be removed from the agenda until further notice.
6. Discuss Rental Agreement for Farming at Silver Mine Park – Supervisor Reynolds explained that Pequea Township has been renting out approximately twelve (12) acres of ground at the Silver Mine Park and the rental price has not changed since 2001. Supervisor Reynolds said it was suggested that we can advertise the farmland for lease. The first step would be to update the lease. The new lease terms were discussed and a three (3)-year term was recommended. Supervisor Reynolds moved to authorize the Township Secretary, with the help of the Solicitor, to review and update the *Silver Mine Park Farmland Lease Agreement* and its terms. Supervisor Lehman seconded the motion. All voted in favor, none opposed.
7. Discuss & Consider Paying Off the Silver Mine Park Loan – Supervisor Schall said he would like the balance of the Park to be paid. Supervisor Lehman said the budget would need adjusting if we do it this year. Supervisor Schall moved to authorize the Treasurer to pay off the Silver Mine Park loan with funds from the savings or Money Market account. Supervisor Reynolds seconded the motion. Supervisor Lehman clearly stated that he was against arbitrarily doing it until we have facts from our Accountant, Solicitor, and/or PSATS regarding the matter. Supervisors Schall and Reynolds voted “aye.” Supervisor Lehman voted “nay.” This item was revisited at the end of NEW BUSINESS as Item #6 and another motion was made.
8. Personnel Policy Vacation Pay Clarification – Supervisor Lehman mentioned this item was tabled last month and will be part of the new Personnel Policy rewrite.

### ADDENDUM

1. Examine the R2 Option for Ingerman's Proposed Development at 597 Millwood Road – Supervisor Schall explained at the June BOS meeting a majority decision was made to reject the Text Amendment Petition for the proposed Ingerman development. Supervisor Schall explained how he came to the conclusion that the decision was not in the best interest of the township. Supervisor Schall said because we denied the Neighborhood Design Ordinance (NDO) Petition, Ingerman can come back under R-2 and apply for a Special Exception. Supervisor Schall's solution would be to invite the developer to come back to present to us what they can do under option A, the Text Amendment to the Neighborhood Design Ordinance (NDO) and option B, a Special Exception under the Zoning Ordinance and let the BOS decide. Supervisor Reynolds pointed out that if Ingerman submits a plan they are locked in under the old Zoning Ordinance. Supervisor Lehman said he spent a day with the developer and in his opinion the developer does not want to go through what previous developers have gone through and paid for until they know the BOS are going to say “yes.” Mr. Deimler said there is no intent to change the R-2 Zoning specifications to prevent Ingerman from doing anything on the property, but instead the Zoning Ordinance is being changed to be more modernized.

## BOARD OF SUPERVISORS MEETING August 21, 2013

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Supervisor Reynolds said Ingerman should advocate their own position.

Mr. Deimler said they did that (advocate their own position) by bringing their R-2 zone sketch (Option A) and a modified NDO (Option B) sketch to the Planning Commission. Mr. Deimler said it is a procedural thing that determines how to get to the option everyone likes better.

Supervisor Reynolds stated he doesn't remember seeing Option A and Option B.

Supervisor Schall said he doesn't think the Board ever saw the (R-2) original design.

Mr. Deimler said it may have only been the Planning Commission that saw the R-2 zone sketch (Option A). Ingerman brought Option B sketches to the Board of Supervisors. Mr. Deimler stated that from a land planning standpoint most people would prefer Option B and the problem is how to get to Option B.

Mr. Deimler said the developer could choose the NDO (Conditional Use) Option to get to Option B, but the NDO Option with a Conditional Use being able to grant variances to the Zoning Ordinance is a unique and foreign concept to a developer and that may be why the developer initially had an apprehension.

Supervisor Lehman said the deal has to benefit both parties and the decision in June was not made about a development, but instead to save the (NDO) Ordinance.

### **PUBLIC COMMENTS**

Jeff Frey asked about the timeframe for the Urban Growth Boundary (UGB) adoption and said due to tax implications he would appreciate if we could finish it this year.

Mr. Deimler said the Planning Commission should have a new draft of the Comp Plan at the end of this month and the adoption might happen in December.

Supervisor Lehman said he does not see that happening by the end of the year.

Mr. Deimler said the UGB can be adopted separately like a minor Comp Plan, but that is the Board's decision to do so.

Mr. Deimler agreed when we do the Comp Plan it will resolve the UGB issue and then gave an estimated timeline to get the adoption process officially started so we can have a hearing.

### **NEW BUSINESS:**

1. Silver Mine Park Memorial Tree Policy Change – Supervisor Lehman moved to adopt the upgraded Silver Mine Park Memorial Tree Policy. Supervisor Schall seconded the motion. All voted in favor, none opposed.
2. Approval of Wage Increase for Full-Time Road Crew Worker – Supervisor Lehman explained the Roadmaster recommended a higher wage increase and moved we increase Jeff Fry's wages to \$19.00 per hour retroactive and effective August 5, 2013. Supervisor Schall seconded the motion. All voted in favor, none opposed.
3. Approval of Wage Increase and Status Change for Road Crew Worker – Supervisor Lehman said we hired a temporary employee under the agreement that once he passed his CDL test he would become part-time. The Roadmaster recommended a wage increase since the CDL test was passed and Supervisor Lehman moved to set the wage for James Roop at \$15.50 per hour effective August 1, 2013 and to change his employment status from temporary to part-time employee. Supervisor Reynolds seconded the motion. All voted in favor, none opposed.
4. Authorize Donations to Fire Companies – Supervisor Lehman moved to disburse \$25,000.00 to the New Danville Fire Company and to disburse \$25,000.00 to the West Willow Fire Company. Supervisors Schall and Reynolds seconded the motion. All voted in favor, none opposed.

## BOARD OF SUPERVISORS MEETING August 21, 2013

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5. Authorize Sale of Personal (Township) Property at County Auction September 21, 2013 – After a brief discussion, Supervisor Schall moved to donate these items except for the mailbox to an appropriate agency that will take it and leave it up to Connie to decide. Supervisor Lehman seconded the motion. All voted in favor, none opposed.
6. (Revisited from OLD BUSINESS Item #7) Discuss & Consider Paying Off the Silver Mine Park Loan – Supervisor Lehman explained how funds to pay off the Park could be transferred from the 436.45 Ditches category to the 470.003 Debt Service Community Park category. Supervisor Lehman moved we prepare the necessary resolutions for the transfer of funds in categories to pay off the Silver Mine Park. Supervisor Schall seconded the motion. All voted in favor, none opposed.

### **PUBLIC COMMENTS (items not on the agenda)**

Jason Topper said September 21, 2013 from 8 a.m. until 12 p.m. the Fire Company will be holding a Tanker Drill and will affect Byerland Church Road, Mount Hope School Road, Hill Road, Radcliffe Road, and Rawlinsville Road. The only road that will be closed will be Mount Hope School Road from Creek Road to Byerland Church Road.

Daniel Butt from Run Valley Road complained that the Millwood substation is lit up 24/7 like a Wal-Mart parking lot. He contacted PP&L who said it is a security issue. Mr. Butt asked if there was anything the township could do.

Supervisor Lehman said he would talk to PP&L.

Mr. Butt asked if he could do some archery hunting at the Silver Mine Park.

Supervisor Reynolds said it is a designated Park.

Supervisor Lehman said the north side gets used a lot and because it is a liability issue, we cannot help out with this request.

### **DEPARTMENTAL REPORTS:**

**Road Crew** – Report on file.

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

**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** – Hearing held August 6.

### **ADVISORY BOARD REPORTS:**

**Pequea Township Planning Commission** – Meeting held July 31, 2013.

**Pequea Township Park & Recreation Board** – Meeting held August 14, 2013.

**MEETING ADJOURNED** at 8:25 p.m.

Respectfully submitted,



Connie Kauffman, Township Secretary

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Sign-In Sheet

2013-08-21 BOS meeting

Patti Lehman  
Koffel  
Mary Row - YWCA

Jeff Fray

Tom WPTZ

Gene Jaynes

Paul Hryg

PAUL KRALICEK

Elaine Jones

NP MacAdam

Rob Glynn

~~Tom~~

Earl Hy Wtorn

Andrew Strauss

Tommy Todd

Carly  
John Hoell