

BOARD OF SUPERVISORS MEETING April 16, 2014

Minutes of the Pequea Township Board of Supervisors meeting held April 16, 2014 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
Rob Reidenbach, Vice-Chairman
Cynthia Evans-Herr, Supervisor

Others present:

Jill Kennedy, Twp. Secretary
Mark Deimler, Zoning Officer/Twp. Engineer
Bruce Frymyer, Twp. Roadmaster
Sign-in sheet attached

ANNOUNCEMENTS:

- Public Meetings may be both audio and video recorded.
- Chief Fiorill received the Meritorious Service Award for his rescue of a Conestoga twp resident. The reward was presented on April 8th by the Red Rose 16 Lodge of the Fraternal Order of Police.
- Supervisor Evans-Herr attended the PSATS convention and found it to be very productive

MINUTES OF PREVIOUS MEETING Chairman Lehman moved to approve the minutes of the March 19, 2014 regular meeting. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed.

TREASURERS REPORT: Chairman Lehman moved to approve checks #8945 through #9001 of the General Fund, and checks #1107 through #1112 of the Recreation Fund Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed.

PRESENTATION:

A presentation was given by Sue Lackmann of the Lancaster General Health Wellness Center about the Young Lungs at Play Initiative. This program is promoted by the Pennsylvania Board of Health and encourages municipalities to adopt tobacco-free play areas. The goal of the program is to decrease youth smoking initiation and exposure to second hand smoke as well as increasing the number of adults modeling positive behavior. Chairman Lehman explained that signs would be posted at the baseball field, soccer field and playground along with a laminated copy of the resolution. Chairman Lehman moved to adopt the Young Lungs at Play Resolution 401-2014. Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed.

Non-Legislative Hearing

AG SECURITY: PROPERTY AT 2167 NEW DANVILLE PIKE

Background: Landowners submitted a petition from Elias B. Groff on December 4, 2013 to place the 104.7 acre property located at 2167 New Danville Pike in the Agricultural Security Area. Receipt was acknowledged on February 19, 2014 at the Board of Supervisors meeting. Notice of the petition was published in the Lancaster Newspapers on February 21, 2014 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.

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The Pequea Township Ag Security Committee reviewed the petition on March 25, 2014 and the Pequea Township Planning Commission met to review the petition on March 26, 2014. An advertisement of the public Hearing was in the Lancaster Newspapers. Notice was also posted and provided to the landowner / petitioner.

PUBLIC COMMENTS: None

1. **Resolution # 402-2014** to adopt the approximately 104.7 acre farm located at 2167 New Danville Pike into the Agricultural Security area – Supervisor Evans-Herr moved to adopt **Resolution # 402-2014** for the approximately 104.7 acre farm located at 2167 New Danville Pike owned by Elias Groff to be included in the Agricultural Security Area. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed.

Hearing closed

STORMWATER MANAGEMENT ORDINANCE:

- Notice has been properly advertised and a copy of the proposed Ordinance for Stormwater Management has been made available at the Township office as well as at the *Lancaster Newspapers, Inc.* office.

PUBLIC COMMENTS ON THE PROPOSED ORDINANCE: None

1. **Ordinance # 179-2014** to adopt the Stormwater Management Ordinance as mandated by the state of Pennsylvania. Chairman Lehman moved to pass **Ordinance #179-2014** Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed.

Hearing Closed

OLD BUSINESS:

1. Millwood Road Industrial Park Road Dedication – Tabled until the next Board of Supervisors Meeting May 21, 2014

NEW BUSINESS:

1. Pipitone Appeal- Consideration of Township intervening to monitor appeal on behalf of the township - Chairman Lehman moved to authorize the solicitor to file a notice of intervention on behalf of the township in the appeal of Nathan and Lynare Pipitone. Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed.
2. Corn Wagon/PADOT Indemnification/Maintenance Agreement for Proposed Storm Sewer and Flashing Beacon - Execution of PADOT Permit Application Authorization for Proposed Storm Sewer (Form M-950AA) and Signal Installation (TE-952) Property Maintenance Code – Attorney Mark Stanley presented the authorization and the agreement for the maintenance of the facilities. He indicated that a deed reference needed to be added to front cover of the agreement. Chairman Lehman moved to authorize the signing of the installation and maintenance agreement

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and PennDOT form 950-AA. Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed.

3. Property Maintenance Code – Chairman Lehman moved to have the secretary with the help of the solicitor advertise for the hearing to establish a new property maintenance code and an ordinance hearing to be held on May 21, 2014 at 7pm. Supervisor Evans-Herr seconded the motion. Supervisor Evans-Herr felt that the township should have a copy of the 2009 Code which will be referenced in the proposed ordinance on file and available at the township building. Chairman Lehman agreed. The Zoning Officer will be sure that a copy is given to the township. Jackie Johns was granted permission to comment and indicated that she was concerned with the ambiguity of the language in the ordinance. She requested a summary to make the information more easily accessible to residents.
4. Discuss the merits of requesting the Zoning Officer and the Solicitor to provide a draft Rental Ordinance. Chairman Lehman stated that he would like to readdress the creation of a rental ordinance next year. Supervisor Evans-Herr wanted to postpone the item and have it added on the January agenda. Vice Chairman Reidenbach stated he was against it at this time but would be open to revisiting the issue in the future. Chairman Lehman stated that the item should be tabled until further notice.
5. **Resolution 403-2014** Stormwater Management Fees. The Zoning Officer explained that this fee schedule will facilitate collection of funds for stormwater management permits. Chairman Lehman moved to approve **Resolution 403-2014** The Board of Supervisors of the Township had adopted on the 16th day of April, 2014 adopted Ordinance number 179-2014, which is a new comprehensive Stormwater Management Ordinance for the Township. The SWMO specifically allows the Board of Supervisors from time, to time, by Resolution, to establish certain fees and deposits for the purpose of administering and implementing the terms and conditions of said SWMO. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed.
6. Time Line for Zoning Rewrite – The Zoning Officer suggested that the advertised meeting dates of the Planning Commission could be used for discussion about the Zoning Rewrite. He also indicated that the Board of Supervisors could be present at the meetings. Chairman Lehman moved to begin the zoning rewrite process with the Planning Commission beginning in May 2014. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed.
7. Award Bid - Radcliff Road Cold in Place Recycling and Wearing – The Roadmaster explained the project. Chairman Lehman moved to award the bid to Recon Construction Services, Incorporated for Cold in Place recycling from Baumgardner Road to a point 3,784 feet south on Radcliff Road in the amount of \$72,798.30. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed. Chairman Lehman then moved to award the bid to Long's Asphalt for a wearing course from Baumgardner Road to a point 3,784 feet south on Radcliff Road in the amount of \$71,344.00. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed.
8. Award Bid - Indian Hill Road Base Repair Wearing – The Roadmaster explained the project. Chairman Lehman moved to award the bid for 4 inch base repair including a 25mm base course from RT 322 to Mount Hope School Road on Indian Hill Road to Long's Asphalt Incorporated in the amount of \$32,384.00. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed.
9. Award Bid - Long Lane Acres East & West, Whipporwill Drive Microsurfacing Wearing – The Roadmaster explained the project. Chairman Lehman moved to award the bid for approximately 8,990 square yards of street microsurfacing double application, Type A with an expected total of

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material application rate of 32 pounds per square yard minimum on Long Lane Acres East and West and Whipporwill Drive to Asphalt Maintenance Solutions in the amount of \$23,284.10. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed.

10. Award Bid - Short Lane and Second Lock Road Seal Coating Wearing – The Roadmaster explained the project. Chairman Lehman moved to award the bid for Seal Coat with wash number 8 stone per PennDOT publication 408 Sec 470 for Second Lock Road from Bean Road to terminus Short Lane from 324 to terminus to Asphalt Maintenance Solutions in the amount of \$12,506.25. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed.
11. **Resolution 404-2014 Public Comments** – Chairman Lehman explained the proposed resolution. Jackie Johns explained PSATS position of public comments. Chairman Lehman read a passage from the Municipal Supervisor’s Handbook. Chairman Lehman moved to adopt **Resolution 404-2014** Vice Chairman Reidenbach seconded the motion. Chairman Lehman and Vice Chairman voted in favor, Supervisor Evans-Herr voted nay.

PUBLIC COMMENT (items not on the agenda)

Thomas Haas asked for a definition on “monitor appeal”. He was encouraged to consult the Municipal Planning Code which contains a detailed explanation.

DEPARTMENTAL REPORTS:

Road Crew –Report on file.

Zoning/Code Officer –Report on file.

Southern Regional Police Department – March Monthly Report is on the table.

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

Southern Lancaster County Inter-Municipal Council – Vice Chairman Reidenbach stated that the Council will meet in May.

Emergency Management Coordinator – Working with Martic to get MOU signed

PEQUEA TOWNSHIP ZONING HEARING BOARD–No Hearing in April.

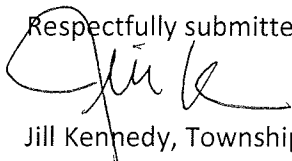
ADVISORY BOARD REPORTS:

Pequea Township Planning Commission –Meeting held March 26, 2014.

Pequea Township Park & Recreation Board – Meeting held March 12, 2014.

MEETING ADJOURNED at 8:32 p.m.

Respectfully submitted,



Jill Kennedy, Township Secretary

BOS Meeting April 16, 2014

Donald C. Herr

Patti Bekman

Jaellie Johns

Tom Haas

Jim Rudy

Robert J. Gregg

Barry Felder

Elaine Jones