

BOARD OF SUPERVISORS MEETING June 18, 2014

Minutes of the Pequea Township Board of Supervisors meeting held June 18, 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
Sign-in sheet attached

ANNOUNCEMENTS:

- Public Meetings may be both audio and video recorded.
- An informational gathering was held on May 28, 2014 attended by Supervisor Chair Lehman, Supervisor Reidenbach, the Township Solicitor and Nathan Pipitone in order for the Supervisors to obtain information relevant to the pending Appeal of Nathan and Lynare Pipitone from the decision of the Pequea Township Zoning Hearing Board in the application of MBI Development Company. This informational gathering was followed by an executive session within the attorney-client privilege for the Solicitor to advise the Supervisors on the legal issues of the Appeal.
- The parties have found an amicable resolution and the appeal has been withdrawn.

MINUTES OF PREVIOUS MEETING Chairman Lehman moved to approve the minutes of the May 21, 2014 regular meeting. Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed.

TREASURERS REPORT: Chairman Lehman moved to approve checks #9061-9104 from the General Fund, checks #1122-1127 from the Recreation Fund, check #1019 from the Street Light Fund. Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed.

PRESENTATION: No Presentation.

POLICE REPORT: No report given.

HEARING:

PROPERTY MAINTENANCE CODE

- Notice has been properly advertised and a copy of the proposed Ordinance for the Property Maintenance Code has been made available at the Township office as well as at the Lancaster Newspapers, Inc. office.
- **PUBLIC COMMENTS:** Jackie Johns (23 Pine Lane Millwood Village Willow Street PA) voiced a concern about a typographical error in the ordinance which had been corrected after she received her copy. Mrs. Johns also had a concern about the lack of specificity of "public nuisance" as well as adopting a fee schedule for appeal fees. Chairman Lehman indicated that the Board would discuss a fee schedule at the July meeting. Mrs. Johns was also concerned that the definition of "rubbish or garbage" could be subjective. It was explained that while it was subjective, it is the nature of such an ordinance.

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Ordinance # 180-2014 Chairman Lehman moved to adopt **Ordinance #180-2014** an ordinance of the Board of Supervisors of the Township of Pequea, Lancaster County, Pennsylvania to adopt the International Property Maintenance Code/2009 as the Property Maintenance Code for the Township of Pequea. Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed.

The Supervisors met for an executive session at 7:13 the meeting reconvened at 7:17.

PUBLIC COMMENTS:

Items not on the agenda:

Gene Degenhardt (271 Stoney Lane) was concerned about storm water runoff with regard to a barn that Elam Stoltzfus, his neighbor, wanted to construct. Mr. Degenhardt wanted sewage concerns on the Stoltzfus property addressed, specifically a leaking pipe that is alleged to be leaking sewage. The Zoning Officer indicated that he can cite Mr. Stoltzfus if he notices sewage leaking upon visual inspection. Mr. Degenhardt will call the Zoning Officer when he sees the sewage issue again. Lastly, there was concern that a waterway was compromised due to Mr. Stoltzfus pumping water from the stream. The Zoning Officer explained that the stream was a matter for the DEP, Fish and Boat Commission and the Lancaster County Conservation District. It was further explained that the Zoning Officer can only enforce issues that are occurring not issues that may occur in the future.

Helen Brubaker (5314 Brown Circle East Petersburg, PA) reiterated Gene Degenhardt's concerns with regard to the Storm Water Management Ordinance. The Zoning Officer explained that there are specific criteria that can be enforced not generalities of the ordinance itself. It was further explained that a formal complaint needs to be filed with the proper authorities such as the DEP or Fish and Boat Commission.

Items on the agenda:

Cynthia Evans-Herr (642 Millwood Road – as resident) asked for an update on the storm water calculations for the Willow Run Development specifically what was going into the storm sewer system on Millwood Road. Sandy Kime from the ELA Group explained that the storm water calculations were submitted to the township on April 16th and that they received initial review comments on April 30th. Based on the comments revised plans and calculations were resubmitted on or around June 10th. Mrs. Evans-Herr was concerned about a unilateral agreement with regard to a segment of the storm water system on Millwood Road. Mr. Kime believes that the calculations and design are in compliance even with the current ordinance. Mr. Kime further explained that the development will not be tapping into the segment of the system in question.

OLD BUSINESS:

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1. Elam Stoltzfus – Zoning Enforcement Action. Supervisor Evans-Herr moved that the Board take no action on the Stoltzfus violation matter. Chairman Lehman seconded the motion. All voted in favor, none opposed.

NEW BUSINESS:

1. Hometown Provisions Land Development Plan – Chairman Lehman moved to authorize the execution of the agreement for Storm Water Management for Hometown Provisions subject to review by the Solicitor. Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed. Chairman Lehman moved to accept the Letter of Credit in the amount of \$64,175.65 and have the Township Secretary complete Appendix 27 (notice of acceptance of an improvement guarantee) of the Lancaster County Subdivision and Land Development Ordinance. Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed. Chairman Lehman moved to approve the Storm Water Management Plan for Hometown Provisions and authorize the Township Secretary to sign the final plans for recording. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed.
2. Ferid Brkic – Request to release Letter of Credit – Item tabled
3. Willow Run (Ingerman) PennDOT Stormwater Permit Authorization and Indemnification Agreement – Chairman Lehman moved authorize the execution of the PA Department of Transportation Indemnification Agreement PA Department of Transportation form M-950AA for the storm water improvements along Millwood Road. Vice Chairman Reidenbach seconded the motion. Chairman Lehman and Vice Chairman Reidenbach voted in favor. Supervisor Evans-Herr abstained (see attached)
4. Corn Wagon Mylar Plans – Chairman Lehman moved to authorize the chairman to sign the traffic signal plan for the flashing warning device along Millersville Road. Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed.
5. Pequea Pals (Children’s Ministry of Pequea Church) 5K Run/Walk Proposal – Chairman Lehman moved to approve the Pequea Church 5K Run to be held Saturday October 4, 2014 and that the church notifies the Southern Regional Police Department of the event. Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed.
6. 1992 Ford F350 Pickup – discuss repair or sale of vehicle- Chairman Lehman moved authorize the sale of the 1992 Ford F350 Pickup truck and remove the vehicle from the insurance policy effective immediately. Supervisor Evans-Herr seconded the motion. All voted in favor, none opposed.
7. Fuel Tanks re: use by fire companies and SRPD – A discussion took place about New Danville Fire Company, West Willow Fire Company and Southern Regional Police Department be notified that they should use fleet cards or get fuel from another source except in the case of an emergency. Chairman Lehman indicated that he would communicate this to the respective departments as he is the liaison to the fire companies and Supervisor Evans-Herr would talk to the Chief of the SRPD.
8. Hire and set wages for Part Time Road Crew Workers – Chairman Lehman moved to hire James R Blauuw as an As Needed Part Time Road Crew Employee effective June 2, 2014 at an hourly rate of \$13.00 per hour. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed. Chairman Lehman moved to hire Lester C. Cramer Jr. as an As Needed Part Time Road Crew Employee effective June 9, 2014 at \$16.00 per hour. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed. Chairman Lehman moved

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to hire Donald C. Hall as an As Needed Part Time Road Crew Employee effective May 28, 2014 at an hourly rate of \$13.00 per hour. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed. Chairman Lehman moved to hire John M. White as an As Needed Part Time Road Crew Employee effective June 9, 2014 at an hourly rate of \$16.00 per hour. Vice Chairman Reidenbach seconded the motion. All voted in favor, none opposed.

DEPARTMENTAL REPORTS:

Road Crew –Report on file.

Zoning/Code Officer –Report on file.

Southern Regional Police Department – May Meeting Minutes are on the table.

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

Southern Lancaster County Inter-Municipal Council – Vice Chairman Reidenbach spoke with Duane Sellers of Martic Township and learned that they plan to approve the Memorandum of Understanding for an Emergency Management Coordinator at the next Martic Township Board of Supervisors Meeting.

Emergency Management Coordinator –

PEQUEA TOWNSHIP ZONING HEARING BOARD–Hearing in June 6, 2014.

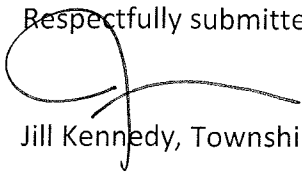
ADVISORY BOARD REPORTS:

Pequea Township Planning Commission –Meeting held May 28, 2014.

Pequea Township Park & Recreation Board – Meeting held June 11, 2014.

MEETING ADJOURNED at 8:13 p.m.

Respectfully submitted,



Jill Kennedy, Township Secretary

Cynthia T. Evans-Herr
642 Millwood Road, Willow Street, Pennsylvania 17584
717-464-0566
evansherr@verizon.net

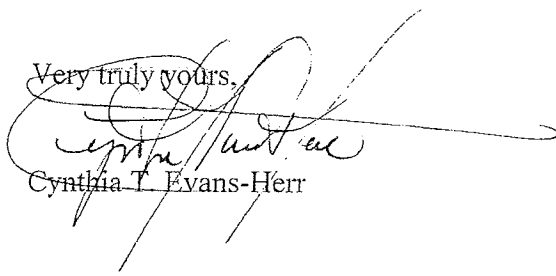
To: Matthew J. Crème, Jr / Attorney at Law
Nikolaus & Hohenadel, LLP

Date: April 21, 2014

Re: Willow Run Subdivision
597 Millwood Road, Willow Street, Pennsylvania

I participated as a party in zoning hearings held by the Pequea Township Zoning Hearing Board in connection with an application for a special exception and variance submitted by MBI Development Company, Inc. Because of my involvement in that zoning matter, I will not participate as a member of the Board of Supervisors of Pequea Township in any discussion, deliberation or voting regarding matters brought before the Pequea Township Board of Supervisors by MBI Development Company, Inc. for the project located at 597 Millwood Road, Willow Street, Pennsylvania.

Very truly yours,



Cynthia T. Evans-Herr

6/18/2014

BOS Meeting

Fatti Lehman

Susannah Benson

Helen Brubaker

R.E. Weyenhardt

Robert J. Pragg

Jan Butts

Pam Rong

Lester Ness

Robert Ricketts

John Randolph

Sandy Kime

Lester Wilson

Jackie Johns

Tim Wenz

Kristin Kondratowski

Bobby Horst

Michael Janusa

Imelda O'Hara

Elaine Jones

Erin Hooghton