

## **BOARD OF SUPERVISORS SPECIAL MEETING MINUTES February 25, 2016**

Minutes of the Pequea Township Board of Supervisors Special Meeting held February 25, 2016 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  
Cynthia Evans-Herr, Chair  
William (Bill) Schall, Vice Chair  
Robert (Bob) Race, Supervisor

### **Others present:**

Sandra D. Graham, Twp. Secretary  
Beth Sterling, Treasurer  
Bruce Frymyer, Roadmaster  
Mark Deimler, Solanco Engineering  
Sign-In Sheet attached

### **ANNOUNCEMENTS**

- Public Meetings may be both audio and video recorded.
- Two new board members were welcomed on the Pequea Township Board of Supervisors. Robert Race Jr. and William Schall were appointed on February 23, 2016 and will serve until the first Monday in January, 2018.
- William Schall was not present at the start of the board meeting this evening. Mr. Schall serves as a member of the West Willow Fire Company and was responding to an emergency call. He arrived at approximately 8:05 P.M. to join the meeting.
- In addition to new agenda items this evening, the board will also conduct a reorganization meeting.
- An Executive Session was held on February 24, 2016 at 6:30 P.M. to review staffing and the Employee Personnel Policy. The meeting concluded at approximately 8:45 P.M.

**MINUTES OF PREVIOUS MEETING:** Supervisor Evans-Herr moved to approve the minutes of the January 20, 2016, Parking and Traffic Ordinance Hearing. Supervisor Race seconded the motion. All voted in favor. None opposed.

Supervisor Evans-Herr moved to approve the January 20, 2016 regular meeting minutes, upon the removal of comments made by Rob Reidenbach during the public comments session, and to include the December, 2015 Southern Regional Police Commission Minutes as an amendment. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.

**TREASURERS REPORT:** A copy of the bill list is on the table. Chair Cynthia Evans-Herr moved to approve checks EFTs & Checks No. 10064 through 10149, excluding voided checks 10085-10091 and 10107 written 2-8-15, of the General Fund, EFTs & Checks No. 1239 through 1242 of the Recreation Fund and Check No. 1048 through 1050 of the Street Light Fund. Supervisor Evans-Herr moved to approve the Treasurer's Report. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.

**POLICE REPORT:** Report is on table.

**PUBLIC COMMENTS:** Supervisor Evans-Herr replaced the public comment declaration as written on prior agendas and read the new declaration.

A reasonable opportunity for public comment will be provided before the Board of Supervisors takes official action on an item. Public comment on items included on the agenda will be taken at the appropriate time. Public comment on items not included on the agenda will be taken tonight. Please come to the podium and limit your comments to three minutes so that others can speak if they wish. Please give your name and address for the minutes. The first and foremost priority of this meeting is to publicly conduct Pequea Township business. In that effort, I sincerely ask everyone in attendance to stay focused on what is of best interest for our township and during that process be respectful toward

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other people's comments, concerns and/or feelings. Expression of personal feelings of disrespect or disruption of this meeting is not an option.

**Items on the agenda:** No comments.

**Items not on the agenda:** No comments.

### **REORGANIZATION**

1. The first order of business is the nomination of a Chair. Supervisor Race moved to appoint Supervisor Cynthia Evans-Herr as Chair of the Board of Supervisors. Supervisor Evans-Herr seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
2. The second order of business is the nomination of a Vice-Chair. Supervisor Race moved to nominate Supervisor Schall as Vice-Chair. Chair Evans-Herr seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.

### **SOUTHERN REGIONAL POLICE COMMISSION**

Each year one of the Supervisors must be appointed to serve on the Southern Regional Police Commission. Supervisor Race moved to appoint Chair Evans-Herr to serve as Police Commissioner for the year 2016. Chair Evans-Herr seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.

Every other two years the municipality appoints a Citizen Representative to serve on the Southern Regional Police Commission for a two year term. Pequea Township will appoint for this term. Chair Evans-Herr moved to appoint Chris Brosey to serve as Citizen Representative to the Southern Regional Police Commission. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.

### **REAPPOINTMENTS, APPOINTMENTS AND WAGES**

1. Chair Cynthia Evans-Herr asked if there are changes to the January 2016 appointment of Sandra Graham as Secretary. No changes.
2. Chair Cynthia Evans-Herr asked if there are changes to the January 2016 appointment of Beth Sterling as Treasurer. No changes.
3. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Beth Sterling as Assistant Secretary. No changes.
4. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Sandra Graham as Assistant Treasurer. No changes.
5. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Bruce Frymyer as Roadmaster. No changes.
6. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Chair of the Board of Supervisors or Bruce Frymyer, to be Duly Authorized Representative for the Declaration of Snow and Ice Emergencies as Described in Section 4 of Ordinance No. 158-2008. No changes.
7. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Sandra Graham as Open Records Officer. No changes.
8. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Beth Sterling as Street Light Tax Collector. No changes.
9. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Sandra Graham as Alternate Street Light Tax Collector. No changes.
10. Chair Evans-Herr moved to set the Treasurer Bond at \$1,000,000.00 for 2016. Supervisor Race seconded the motion. All voted in favor. None opposed.

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11. Chair Evans-Herr moved to set the Assistant Treasurer Bond at \$1,000,000.00 for 2016. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
12. Chair Evans-Herr asked if there are changes to the January 2016 Street Light Tax Collector Bond set at \$25,000.00. No changes.
13. Chair Evans-Herr asked if there are changes to the January 2016 Alternate Street Light Tax Collector Bond set at \$25,000.00 for 2016. No changes.
14. Chair Evans-Herr asked if there are changes to **Resolution No. 427-2016** naming Beth Sterling, Treasurer or Sandra Graham, Assistant Treasurer as Chief Administrative Officer's for 2016 for the purpose of carrying information to the Department of the Auditor General, and to administer funds with the Principal Financial Group. No changes.
15. Chair Evans-Herr asked if there are changes to the January 2016 mileage reimbursement for Supervisors and employees for use of their own vehicle for township business at the .54 cents per mile rate issued by the IRS for 2016. No changes.
16. Chair Evans-Herr asked if there are changes to Personnel Policy benefits for 2016. No changes.
17. Chair Cynthia Evans-Herr asked if the township office hours should remain at 9:00 A.M. to 3:30 P.M. Monday through Friday. No changes. After regular office hours, answering machine will indicate phone numbers to call in case of road problems. This will be discussed again at the March 16, 2016 Board of Supervisors meeting as old business.
18. Chair Evans-Herr asked if there are changes to **Resolution No. 428-2016** to appoint PNC Bank, Citizens Bank and PLGIT as depositories for Pequea Township for 2016. No Changes.
19. Chair Evans-Herr moved to appoint Vice Chair Schall as Volunteer Fire Company Liaison. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
20. Chair Evans-Herr moved to eliminate the appointment of an Administrative Liaison. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
21. Chair Evans-Herr moved to appoint Supervisor Race as Road Crew Liaison. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
22. Chair Evans-Herr moved to eliminate the appointment of a Legal Liaison. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
23. Chair Evans-Herr moved to eliminate the appointment of a Park Liaison. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
24. Chair Evans-Herr moved to eliminate the appointment of an Emergency Management Liaison. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
25. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Chair Evans-Herr as Voting Delegate for the PSATS State Convention with all three Supervisors authorized to attend. No changes.
26. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Chair Evans-Herr to represent Pequea Township for the Community Block Grant Program in 2016. No changes.
27. Chair Evans-Herr asked if there are changes to approve Pequea Township to be a member of the Southern Lancaster County Inter-Municipal Committee for 2016 and the January 2016 appointment of Chair Cynthia Evans-Herr to represent Pequea Township at the monthly meetings. No changes.
28. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Chair Evans-Herr as Chair of the Ag Security Committee. No changes.

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29. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Dave Lockard as Sewage Enforcement Officer and set the pay rate according to the 2016 SEO Rate Schedule. No changes.
30. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Mark Deimler of Solanco Engineering as Alternate Sewage Enforcement Officer and set the pay rate according to the 2016 Rate Schedule. No changes.
31. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Solanco Engineering as Zoning Officer, Code Enforcement Officer, and Building Code Official and set the pay rate according to the 2016 Rate Schedule. No changes.
32. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Rettew Associates as Alternate Zoning Officer and Code Enforcement Officer and set the pay rate according to the 2016 Rate Schedule. No changes.
33. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Fred Witmer to the Pequea Township Planning Commission. No changes.
34. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Chris Brosey to the Pequea Township Planning Commission. No changes.
35. Chair Evans-Herr asked if there are changes to **Resolution No. 429-2016**, appointing James Haines to the Zoning Hearing Board. No changes.
36. Chair Evans-Herr asked if there are changes to the Zoning Hearing Board members \$40.00 per meeting rate of pay. No changes.
37. Chair Evans-Herr moved to appoint Tim Weaver as Chair of the Vacancy Committee for 2016. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
38. Chair Evans-Herr moved to appoint Mike Pykosh of Dethlefs, Pykosh & Murphy, Attorneys at Law, as Solicitor for general matters. To retain Nikolaus & Hohenadel to fulfill all matters they are currently working on and complete all matters by May 1, 2016. Chair Evans-Herr also moved to appoint Devine Law as Township labor attorney. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
39. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Solanco Engineering, LLC as Engineer for all general purposes and set the pay rate according to the 2016 Rate Schedule. No changes.
40. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Jim Caldwell, Rettew Associates as Alternate Engineer, and set the pay rate according to the 2016 Rate Schedule, and authorize to sign the Professional Services Agreement. No changes.
41. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Anthony Williams as Emergency Management Coordinator. No changes.
42. Chair Evans-Herr moved to appoint Rodney Simoine as Deputy Emergency Management Coordinator. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
43. Chairperson Evans-Herr asked if there are changes to the appointment of Bill Birchall as Assistant Emergency Management Coordinator. No changes.
44. Chair Evans-Herr asked if there are changes to the January 2016 appointment of Kara Kalupson as Stormwater Coordinator. No changes

### **MUNICIPAL REPRESENTATIVES TO 272 STUDY ADVISORY COMMITTEE**

Chair Evans-Herr asked if there are changes to the January 2016 appointment of Rick Harvey to serve as municipal representative to the 272 Study Advisory Committee for year 2016. No changes.

### **COLLECT TAXES FOR 2016**

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Chair Evans-Herr asked if there are changes to the appointment of Lancaster County Tax Collection Bureau to collect the real estate tax for Pequea Township for the year 2016. No changes.

### **APPOINTMENT OF INSPECTION AGENCIES**

Chair Evans-Herr asked if there are changes to the January 2016 appointment of Pete Kingsley, Commonwealth Code Inspection Services, Inc., Jason Stevens of Code Administrators Inc. and Innovated Inspection Services, LLC, the UCC (Unified Construction Code) Inspection Agencies for the year 2016. No changes.

### **SETTING FEES FOR 2015**

Chair Evans-Herr moved to remove the CD audio \$5.00 fee from the Township Administrative Fee **Resolution No. 431-2016**. Supervisor Race seconded the motion. All voted in favor. None opposed. Chair Evans-Herr rescinded her motion. Supervisor Race withdrew his second. This item will be addressed by Resolution at the March 16, 2016 Board of Supervisors meeting.

### **PUBLIC COMMENTS:**

**Items on the agenda – No comments**

**Items not on the agenda – No comments**

### **NEW BUSINESS:**

1. Authorize revision of SALDO as suggested by Pequea Township Planning Commission (PTPC) after PTPC's review of Lancaster County Planning Commission (LCPC) comments. Schedule hearing for March 16, 2016 at 6:00 P.M. Authorize Township Solicitor to advertise. The proposed Ordinance will be available to the public at the Township Building – Chair Evans-Herr moved to authorize the revision of the SALDO as suggested by the PTPC after review of the LCPC comments, schedule a hearing for March 16, 2016 at 6:00 P.M. and authorize the Solicitor to advertise the hearing. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
2. Schedule hearing for March 16, 2016 at 6:15 P.M. for amendments to Road Ordinance and Driveway Ordinance and repeal of Ordinance No.127-2002. Authorize Township Solicitor to advertise – Chair Evans-Herr moved to schedule a hearing on March 16, 2016 at 6:15 P.M. for the amendments to the Road and Driveway Ordinance, repeal of Ordinance No. 127-2002 and authorize the Township Solicitor to advertise the hearing. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
3. Schedule hearing for March 16, 2016 at 6:30 P.M. to for the proposed Floodplain Management Ordinance. Authorize Township Solicitor to advertise – Chair Evans-Herr moved to authorize a hearing on March 16, 2016 at 6:30 P.M. for the proposed Floodplain Management Ordinance and to authorize the Township Solicitor to advertise the hearing. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.. Chair Evans-Herr explained that this Ordinance is a federal mandate and must be done by April 5, 2016.
4. Authorize submission of Zoning Ordinance amendments to Lancaster County Planning Commission for review. Schedule hearing for April 20, 2016 at 6:45 P.M. for Zoning Ordinance amendments. Authorize Township Solicitor to advertise – Chair Evans-Herr moved to authorize

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the submission of the zoning ordinance amendments to the LCPC for review, schedule a hearing for April 20, 2016 at 6:45 P.M. and authorize Township Solicitor to advertise. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.

5. Boehms Chapel Society Holding Tank Agreement – Chair Evans-Herr moved to approve the Boehms Chapel Society Holding Tank Agreement with corrections. Chair Evans-Herr retracted her motion. Chair Evans-Herr moved to authorize the board to execute the corrected version of the Boehms Chapel Society Holding Tank Agreement and release it upon the Township's receipt of the required escrow funds. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent..
6. Consider an On-Lot Septic Ordinance – Chair Evans-Herr explained the purpose of the On-Lot Septic Ordinance and how DEP will consider this a benefit. If a septic system failed without the ordinance in place it would cost the Township a lot of money. Chair Evans-Herr moved to table this item until the March 16, 2016 Board of Supervisors meeting. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
7. Award Road Work Bid - Double Application of Seal Coat, Benedict Road from Millersville Road to Terminus – Roadmaster Bruce Frymyer recommended to the board that they decline the only bid received for the Seal Coat work. The bid was approximately \$18,000.00 above his estimate. Chair Evans-Herr moved to accept the Roadmaster's recommendation to forego the Seal Coat work for the meantime as the bid is too high. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
8. Award Road Work Bid – Furnish and Place 3" of 9.5 mm Leveling Course and 1.5" of 9.5 mm Wearing Course, Silver Mine Road from Penn Grant Road to Run Valley Rd/Carolynn Drive from Penn Grant Rd to Casey Drive, West Boehms Road, Bauer Avenue and Deerfield Road – Roadmaster Bruce Frymyer recommended to the Board of Supervisors to accept the bid from Long's Asphalt Inc. for Black-top with 1.5" leveling on W. Boehms Rd., Bauer Ave. and Deerfield Rd. in the amount of \$63,076.20 and Long's Asphalt Inc. for Blacktop with 3" leveling on Silver Mine Rd. and Carolynn Dr. in the amount of \$103,210.80. Chair Evans-Herr moved to award Long's Asphalt the Black-top work as stated, totaling \$166,287.00. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
9. Award Road Work Bid – Cold-in-Place Recycling – West Boehms Road, Bauer Road, Deerfield Road from Lark Lane to a point 1,702 feet North - Roadmaster Bruce Frymyer recommended to the Board of Supervisor to accept the bid from Recon Construction Services for Cold-In-Place Recycling for the following roads; W. Boehms Rd, Bauer Ave and Deerfield Rd. in the amount of \$81,630.90. Chair Evans-Herr moved to award the bid to Recon Construction Services for the Cold-In-Place work as stated, totaling \$81,630.90. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
10. Radcliffe Road Bridge – Chair Evans-Herr moved to coordinate a meeting between The Pequea Township Board of Supervisors and Providence Township Board of Supervisors, to discuss the Radcliffe Road Bridge. Chair Evans-Herr authorized the Secretary to prepare an advertisement for a special meeting. Supervisor Race amended the motion and moved to authorize the Secretary to send a letter to Providence Township, requesting three dates and times suitable to

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- their schedule and include our desire to split the cost of publishing the ad. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
11. Community Aid Partnership - Charity Donation Collection Sites – Supervisor Race moved to decline the request to place a donation collection container in Pequea Township as there is another non-profit organization in the area that takes donation items each year. Supervisor Race moved to authorize the Secretary to reply to the Partnership explaining we currently have a collection organization in the area. Chair Evans-Herr seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
  12. Review Articles of Agreement for SRPD between Conestoga Township and Pequea Township - Chair Evans-Herr moved to arrange a meeting between the Pequea Township Board of Supervisors and Conestoga Board of Supervisors to review the SRPD Articles of Agreement. Chair Evans authorized the Secretary to prepare an advertisement for a special meeting and send a letter to Conestoga Township requesting three dates and times suitable to their schedule and include our desire to split the cost of publishing the ad. Chair Evans-Herr recommended the meeting transpire before the end of August. Supervisor Race seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
  13. Department of Environmental Protection – Update Pequea Township Sewage Facilities Plan (Act 537) T Sewage – Chair Evans-Herr tabled this item for March 16, 2016 Board of Supervisors meeting. Vice Chair Schall seconded the motion. Chair Evans-Herr and Supervisor Race voted aye. Vice Chair Schall was absent.
  14. Pequea Township seat on the Suburban Lancaster Sewer Authority – Chair Evans-Herr moved to table this item for March 16, 2016. Vice Chair Schall seconded the motion. All voted in favor. None opposed.
  15. Establish Capital Reserve and Operating Reserve Accounts – Chair Evans-Herr moved to authorize the Roadmaster and Treasurer to prepare recommendations on expenditures anticipated in the next five years and to present the proposal at the April 20, 2016 Board of Supervisors meeting. Supervisor Race seconded the motion. All voted in favor. None opposed.
  16. Pequea Township Chart of Accounts – Vice Chair Schall moved to authorize the Treasurer to make recommendations on the structure of the Pequea Township chart of accounts. Supervisor Race seconded the motion. All voted in favor. None opposed.
  17. Document retention and destruction plan for 2016 – Chair Evans-Herr moved to authorize the Treasurer to locate the e-mails that were previously submitted by the Treasurer and Secretary to the Board of Supervisors, prepare a plan of action to update our files according to the document retention schedule and to prepare a recommendation to meet those goals and discuss her action plan at the March 16, 2016 Board of Supervisors meeting. Vice Chair Schall seconded the motion. All voted in favor. None opposed.
  18. Communication Radios – Vice Chair Schall indicated the radios require a software update. Chair Evans-Herr moved to have the Roadmaster contact EMC, Tony Williams and discuss his plan for communication and obtain an inventory of the radios in use. Vice Chair Schall seconded the motion. All voted in favor. None opposed.

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19. Authorize signage for Equestrian Estates Horse Farm Bed & Breakfast – Roadmaster Bruce Frymyer indicated the Bed & Breakfast sign was removed and is in the Township garage. Mark Deimler said there are regulations on placement of signs and he recommends the Township establish guidelines if we want to allow businesses to post signs. Vice Chair Schall motioned to table this item. Chair Evans-Herr seconded the motion. All voted in favor. None opposed.
20. Consider a Rental Ordinance – Chair Evans-Herr motioned to table this item. Vice Chair Schall seconded the motion. All voted in favor. None opposed.
21. Establish a new Park and Recreation Ordinance (repeal 147-2007) – Chair Evans-Herr asked Tim Weaver and Earl Houghton to reach out to former Park Board members to re-join the board and/or recruit three new members. Vice Chair Schall is in favor but wants to learn more, before making a decision. Chair Evans-Herr moved to have Tim Weaver and Earl Houghton prepare a proposed Park and Board Ordinance to present at the March 16, 2016 Board of Supervisors meeting. Supervisor Race seconded the motion. All voted in favor. None opposed.
22. Approve Municipal Trash Haulers – Chair Evans-Herr asked the Secretary to locate the Ordinance pertaining to trash haulers and send it to the board. Chair Evans-Herr moved to table this item for further review at the March 16, 2016 Board of Supervisors meeting. Supervisor Race seconded the motion. All voted in favor. None opposed.
23. Burning Ordinance – Chair Evans-Herr moved to have the Mark Deimler of Solanco Engineering, provide a template to the Board of Supervisors and table this item until March 16, 2016 meeting. Vice Chair Schall seconded the motion. All voted in favor. None opposed.

### **ADDENDUM:**

1. Accept resignation of Robert Race Jr. from the Board of Auditors – Chair Evans-Herr moved to accept the resignation of Robert Race Jr. from the Pequea Township Board of Auditors effective February 18, 2016. Vice Chair Schall seconded the motion. All voted in favor. None opposed.

### **NEW AGENDA ITEM I:**

2. Chair Evans-Herr moved to add another agenda item to fill the vacancy seat on the Board of Auditors. Supervisor Race seconded the motion. All voted in favor. None opposed.
3. Eschbach Bus Service requesting Bus # 153 to use Municipal Building in parking lot for the remainder of 2015-2016 school year. Chair Evans-Herr moved to authorize the Secretary to send a letter to Eschbach Bus Service, denying their request to park the school bus at the municipality building for liability and esthetic reasons. Supervisor Race seconded the motion. All voted in favor. None opposed.

### **NEW AGENDA ITEM II:**

4. Chair Evans-Herr moved to add snow removal contracts by vendors to the agenda. Chair Evans-Herr moved to authorize the Treasurer to contact PSATS to establish a plan by Wednesday or Thursday, March 2<sup>nd</sup> or 3<sup>rd</sup>. Vice Chair Schall seconded the motion. All voted in favor. None opposed.

### **DEPARTMENTAL REPORTS:**

**Road Crew** – Roadmaster, Bruce Frymyer read his report.

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

**Southern Regional Police Department** – report on table

**Southern Regional Police Commission** – Next meeting on March 8, 2016



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**Southern Lancaster County Inter-Municipal Council – Supervisor Evans-Herr – Meeting held January 19, 2016.**

**Pequea Township Zoning Hearing Board – Meeting held January 5, 2016 for reorganization. Next meeting scheduled 4/5/16 (if needed).**

**ADVISORY BOARD REPORTS:**

**Pequea Township Planning Commission – Meeting held January 27, 2016. No meeting on February 24, 2016. Next meeting March 30, 2016.**

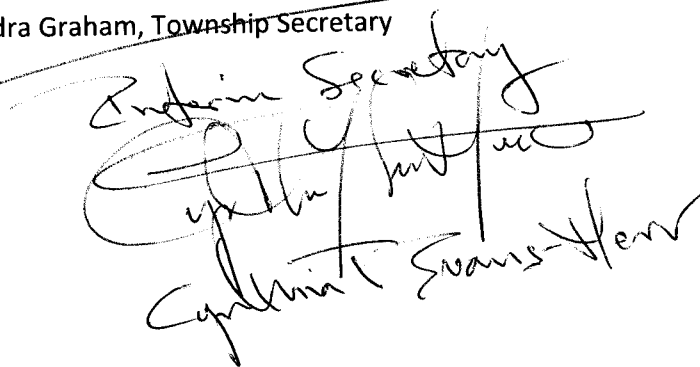
**PUBLIC COMMENTS:**

Ken Adams, 39 Cobblestone Drive – Mr. Adams asked if the board made the decisions to change appointments or did the appointees resign. Mr. Adams also expressed his dissatisfaction on the matters related to Chief Fiorill's recent pay rate increase, SRPD Articles of Agreement, the Police Commission Board and the Pequea Township Board of Supervisors. Mr. Adams also expressed concern with the Township having more than one attorney.

**MEETING ADJOURNED at 9:58 P.M.**

Respectfully submitted,

Sandra Graham, Township Secretary



The image shows a handwritten signature in black ink. The signature is written in a cursive style and appears to read 'Sandra Graham'. There are some additional scribbles and lines around the signature, possibly indicating it was written over a printed name or as a correction.

**SOUTHERN REGIONAL POLICE COMMISSION**  
**Meeting Minutes**  
**Tuesday, January 12, 2016**

The Southern Regional Police Commission (SRPC) meeting was held at the Conestoga Volunteer Fire Company. SRPC members attending were: Donald Flick, Pequea Twp Supervisor/SRPC Chairman; Loren Brown, Conestoga Twp Supervisor/SRPC Vice-Chairman; Robert Heckrote, Civilian Representative, Pequea Twp; and Chief John Fiorill, SRPD.

**Attendance:** Jill Kelley, John Michener, Craig Eshleman, Rick Harvey, Cynthia Evans-Herr, Jackie Johns.

Public meetings may be both audio and video recorded.

The SRPC Reorganization meeting convened at 7:00 PM and was immediately followed by the January 12, 2016, SRPC monthly meeting. 10 people total were in attendance.

**Announcements:** None

**Approval of Minutes:** Motion by Mr. Flick to approve the December 8, 2015, SRPC monthly meeting minutes. Second by Mr. Brown. Email approval from Mr. Eshleman and Mr. Reidenbach, both former SRPC members. All in favor, none opposed. Motion carried.

**Treasurer's Report:** (see attached reports)  
For December 9, 2015, through January 12, 2016: Payroll transactions were \$75,154.73. Vendor expenses were \$24,516.95. Total liabilities and equities were \$126,092.96. Checking/Savings Balance was \$128,237.09. Motion by Mr. Flick to approve the January 12, 2016, report. Second by Mr. Brown. All in favor, none opposed. Motion carried.

**Old Business:**

- 1) Pequea Township Parking Ordinance/Tickets - Mr. Flick reported ordinance was not yet adopted by Pequea BOS (due to challenges and reviews) but is listed on the January agenda. Fines will also be established.
- 2) Nuisance and Solicitation Ordinances - Chief writing both solicitation and nuisance house ordinances to be submitted to both Pequea and Conestoga Townships for review by their solicitors and to have same wording for enforcement. Cynthia Evans-Herr stated Pequea Township budget does not include a nuisance ordinance. Noted by Craig Eshleman of a discrepancy in history of actions as addressed at SRPC and as reported by Ms. Evans-Herr (Pequea Township BOS). Mr. Flick will review status in Pequea Township. Chief recommended Pequea Township re-evaluate their position due to numerous complaints from both Pequea and Conestoga Townships. Ms. Evans-Herr supports Chief's position.

Rick Harvey asked if SRPD uses Narcan in heroin situations? Chief explained it has been requested from County (DA), but not yet received. Will need training and will then carry it.

**Next Meeting Date:** **Tuesday, February 9, 2016, 7:00 pm,** at Conestoga Volunteer Fire Company.

**Adjournment:** Motion to adjourn at 7:23 pm by Mr. Flick. Second by Mr. Brown.  
Motion carried.

Respectfully Submitted,

Jill Kelley  
SRPC Secretary

**SOUTHERN REGIONAL POLICE COMMISSION**  
**Meeting Minutes**  
**Tuesday, February 9, 2016**

The Southern Regional Police Commission (SRPC) meeting was held at the Conestoga Volunteer Fire Company. SRPC members and staff attending were: Loren Brown, Conestoga Twp Supervisor/SRPC Vice-Chairman; Robert Heckrote, Civilian Representative, Pequea Twp; and Chief John Fiorill, SRPD.

**Attendance:** Jill Kelley, John Berry, Jackie Johns, Cynthia Evans-Herr, Ken Adams, Craig Eshleman.

The SRPC monthly meeting convened at 7:00 PM, opening with the Pledge of Allegiance. 9 people total were in attendance.

Public meetings may be both audio and video recorded.

**Announcements:** None

**Approval of Minutes:** Motion by Mr. Heckrote to approve the January 12, 2016, SRPC monthly meeting minutes. Second by Mr. Brown. All in favor, none opposed. Motion carried.

**Treasurer's Report:** Mr. Brown (see attached reports)  
For January 13, 2016, through February 9, 2016: Payroll transactions were \$55,221.32. Vendor expenses were \$22,793.00. Total liabilities and equities were \$137,706.55. Checking/Savings Balance was \$139,850.68. Motion by Mr. Heckrote to approve the February 9, 2016, reports. Second by Mr. Brown. All in favor, none opposed. Motion carried.

**Old Business:**

1) Addendum of Chief's Contract - 2014-2017 contract negotiated \$10K payable to Chief into private pension in lieu of pay raise. But, under Chiefs of Police Act, entitled to same pay raises as patrolman. Chief had declined pay raises over the years, and \$10K still less than % of entitled raises. Since recent transfer to PMRS, eligible for pension at age 50 with 12 years' service. In December 2015 Executive Session of SRPC voted in lieu of receiving remaining \$7500, to approve a one-time 3% pay raise for remainder of contract. Addendum presented for signatures. Jackie Johns asked how much in savings? Chief estimated \$2K. Cynthia Evans-Herr requested the SRPC to table item until Pequea Township until supervisor is appointed as a commissioner to voice of PT Board on matter. PT has had no BOS discussion. Mr. Brown asked her length of estimated delay? She estimated appointments by end of February. Mr. Heckrote verified PT BOS situation resolved by March SRPC? Mr. Heckrote stated this addendum was previously agreed to in December 2015. Mr. Brown also pointed out addendum was voted and approved in December 2015. Chief stated the addendum was approved by the Pequea Township supervisor in December. The

December minutes were approved by the 2015 and 2016 supervisors of Conestoga and Pequea Townships and the 2016 SRPC, and as such is a legal document. Ms. Evans-Herr stated Chief's contract negotiated in 2013 and SRPC must open contract, with board discussion. Chief reviewed procedure of SRPC agenda items as well as executive session format not changed. Discussion held during December 2015 Executive Session. Ms. Evans-Herr stated she now understands the role of the SRPC is to facilitate the Articles of Agreement. Chief reminded Ms. Evans-Herr that the direction and recommendations of the Chief are utilized for managing the SRPD. Mr. Brown questioned her on what point was she making? She stated all SRPC information from her SRPC appointment in 2014 was reported to the PT BOS which enabled her to bring a complete PT BOS representation back to the SRPC. She questions the process as to whether the 2015 PT BOS SRPC member was representing PT BOS. Articles of Agreement are signed by the BOS chair of each township. Mr. Brown stated the 2015 PT BOS SRPC member had authority to make SRPC decisions. Mr. Ken Adams verified SRPC formed by agreement between CT and PT to provide police protection. The SRPC was given authority to hire, fire, determine wages for police as stated in Articles of Agreement. The December 2015 sitting SRPC had right to take said action and is done. Ms. Evans-Herr questioned changes to the SRPD budget. Mr. Adams again stated authority was established for SRPC and they were working within parameters of budget. Ms. Evans-Herr questioned where extra money coming from. Mr. Brown explained about adjustment of monies, not requiring extra funds. Ms. Evans-Herr disagreed. Mr. Brown verified addendum specifies Chief will not take remainder of \$10K pension payment. Chief reviewed past practice of his being pension administrator and SRPC reliance on his experience in the pension plan as well as managing the SRPD. Ms. Evans-Herr stated meeting minutes did not reflect negating the remaining \$10K pension payment. Jill Kelley stated secretary does not sit in Executive Sessions and details have not been included in meeting minutes, whether SRPC or township BOS. Mr. Brown reminded Ms. Evans-Herr that PT BOS SRPC voted addendum in to approved in December 2015. Lack of communication between SRPC and PT BOS does not negate authority of actions. January 2016 SRPC members (PT & CT BOS member as well as PT civilian representative) approved the December 2015 minutes. Ms. Johns asked if money for Chief's raise is covered in budget? Chief explained, yes, but it is not same line item. Mr. Brown again explained how saving money in total. Mr. Brown reiterated non-payment of remaining \$7500 is in addendum. Mr. Berry asked about tabling issue until March. Mr. Heckrote explained how issue was previously discussed and approved by all parties and signing the addendum is a formality. Mr. Adams stated addendum only needs signed by SRPC and SRPC quorum present. Chief reminded audience that SRPC oversees SRPD, not township's BOS. Ms. Evans-Herr is asking PT appointee to have a PT BOS review. Ms. Kelley asked how is December approval of addendum, which Ms. Evans-Herr is asking to be reconsidered, any different than her asking something to be reconsidered from six months prior if she did not agree with action? Ms. Evans-Herr said this is an unprecedented situation due to SRPC vacant seat. But seat was not vacant in December 2015 or January 2016 when SRPC voted approval. Ms. Evans-Herr questioned necessity of 3 SRPC signatures. Mr. Adams pointed out, SRPC acting chair present and quorum present. If PT BOS not in favor of budget, PT can submit reasons to SRPC. SRPC submits budget to both CT and PT BOS who approved funding for SRPD budget. SRPC

sets wages of officers which includes Chief. Chief is administrator of SRPD. Mr. Adams trusts judgment of the SRPD chief of 13 years. SRPC need not suffer PT BOS situation. Ms. Evans-Herr emphasized that Mr. Heckrote would be held responsible to residents of Pequea Township. The PT BOS cannot stand behind Mr. Heckrote since the BOS did not make the decision (even though PT BOS SRPC voted approval of action). Craig Eshleman pointed out that PT BOS stood behind Mr. Heckrote when he was appointed as SRPC civilian representative. Ms. Evans-Herr agreed the PT BOS made that decision. Motion by Mr. Heckrote to accept addendum as written. Second by Mr. Brown. All in favor. None opposed. Ms. Evans-Herr stated will bear witness of SRPC actions. Mr. Brown thanked her for her citizen input, but reminded her that the issue was approved in December 2015, by a full SRPC, and again in January 2016 the December minutes were approved by a full SRPC. No voting was taken in February 2016. Mr. Brown feels completely comfortable in signing the addendum.

2) Pequea Township Parking Ordinance/Tickets - Chief stated tickets printed, and fines to be entered. Ms. Evans-Herr reported ordinance passed and fees established and in effect.

3) Nuisance and Solicitation Ordinances - Chief writing solicitation ordinance first, reviewing 8 examples. Will be presented to solicitors (CT and PT). Mr. Brown asked about ETA? Chief (part of Chief's report) met with auditor for his action, working on about 20 pages of Operations Manual, to then work on ordinances. Mr. Heckrote verified ordinances to be submitted to both Pequea and Conestoga Townships to have same wording for enforcement.

**New Business:**                      **None**

**Chief's Report:**                      **Chief Fiorill**

See the attached January monthly report for crime and clearance rates, traffic enforcement, hours, mileage, and training. Discussion on police vehicles concerning maintenance and preparation for sale, as well as need for a 4-wheel drive vehicle (cost about \$28-\$30K plus outfitting). Car 23-5 needs transmission replaced. Car 23-2 ready to be sold. Car 23-3 readying for sale.

**Commission Comments:**        **None**

**Executive Session:**                **None**

**Public Comments:**

Jackie Johns asked if copies of addendum available? Chief stated, yes, copies always provided to individual townships and SRPC. Ms. Evans-Herr mentioned copies kept at township.

Cynthia Evans-Herr stated unable to locate Pequea Township copies of the audits and requests replacement copies. Also noted Pequea Township has been paying SRPD on a monthly basis, yet per audit, Agreement indicates to paid quarterly. Chief explained why

PT had verbally requested switch to monthly payments at request of Joe Terry. Cynthia indicated PT will pay quarterly and Agreement needs changed if prefer paid monthly. Note: Jill Kelley scanned prior SRPD audits for 2010-2014 and forwarded to Pequea Township on February 10, 2016).

Jill Kelley referred a resident question as to how long permitted to get sidewalk cleared after snow ends and whether ticket item? 24 hours. Who enforces? John Berry (CT supervisor) indicated SRPD.

**Next Meeting Date:**            **Tuesday, March 8, 2016, 7:00 pm,** at Conestoga Volunteer Fire Company.

**Adjournment:**            Motion to adjourn at 7:56 pm by Mr. Heckrote. Second by Mr. Brown. Motion carried.

Respectfully Submitted,

Jill Kelley  
SRPC Secretary