

BOARD OF SUPERVISORS MEETING MINUTES | SEPTEMBER 20, 2017

Minutes of the Pequea Township Board of Supervisors meeting held at 7:00 PM on September 20, 2017 at the Pequea Township Municipal Building, 1028 Millwood Road, Willow Street, PA 17584.

Present at the meeting were:

Robert Race, Jr., Chair
Cynthia T. Evans-Herr, Vice-Chair
E. John Hlavacek, Supervisor/Roadmaster

Others present:

Lori Ann Leitch, Secretary-Treasurer
Sign-in Sheet Attached

ANNOUNCEMENTS

- The first and foremost priority of this meeting is to publicly conduct Pequea Township business. In that effort, the Supervisors sincerely ask everyone in attendance to stay focused on what is of best interest for our township and during that process be respectful towards other people's comments, concerns and/or feelings. Expression of personal feelings of disrespect or disruption of this meeting is not an option.
- There is a vacancy on the Zoning Hearing Board. Residents interested in being considered for the position should submit a letter to the Township.
- The Board of Supervisors held an Executive Session on Tuesday, September 12, 2017 to discuss real property. Executive Sessions for personnel matters were held at 6:00 PM and 6:45 PM on September 18, 2017 to interview candidates for the Zoning Hearing Board appointment. At 7:15 PM on September 18, 2017, the Board held an Executive Session for the purpose of collecting information and educating members about the proposed 2018 police budget.
- The Friends of the Southern Regional Police Department is sponsoring a car show in Conestoga on Saturday, September 23, 2017.

CONSENT AGENDA

Chair Race moved to approve the following items by consent agenda:

- Minutes of the August 16, 2017 Board of Supervisors meeting
- Checks 11050-11116 from the General Fund
- Checks 1400-1405 from the Recreation Fund
- Checks 392-394 from the State Highway Fund
- Checks 1033-1034 from the Park Donation Fund

Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.

PRESENTATION: Heather Sharpe, Lancaster Public Library Executive Director, presented information about the services offered by the public library system at their downtown, Mountville, and Leola locations. She asked the Board to consider contributing funds to the Lancaster Public Library in 2018.

OLD BUSINESS:

1. **Consider draft Burning Ordinance (renamed Air Pollution Ordinance)** – Vice-Chair Evans-Herr moved to table this item. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
2. **Consider hiring part-time Public Works employee** – Supervisor Hlavacek moved to table this item. The motion died due to lack of a second. Vice-Chair Evans-Herr moved to take no action

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on this item and direct the Secretary to remove it from the agenda. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

3. **Consider proposed Zoning Ordinance amendment** – The Pequea Township Planning Commission reviewed the proposed Zoning Ordinance amendment and recommended the Board reconsider the minimum message duration on dynamic display signs. The Solicitor provided a calculation to determine the minimum message duration using sign visibility distance and the posted speed limit. Vice-Chair Evans-Herr moved to authorize the Secretary to submit the revised Zoning Ordinance amendment to the Lancaster County Planning Commission and the Pequea Township Planning Commission. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
4. **Discuss stormwater concerns at 11 Doe Run Lane** – The Township Engineer provided two options to remedy the stormwater concerns on Doe Run Lane – a swale or a stormwater inlet. He recommended the inlet, but it is more costly to install. Supervisor Hlavacek moved to re-establish the swale at 11 Doe Run Lane. The motion died due to lack of a second. Vice-Chair Evans-Herr moved to install an inlet and pipe at 11 Doe Run Lane to be connected to the existing stormwater system. Chair Race seconded the motion.

Jackie Johns of 23 Pine Lane asked if this will get done now. Chair Race replied the vote has not been taken yet.

Gretchen Miller of 27 Clearview Road asked who will be paying for the pipe. Vice-Chair Evans-Herr responded the installation of the pipe and stormwater inlet in the right-of-way will be an expense to the Township.

Chair Race and Vice-Chair Evans-Herr voted in favor of installing a stormwater inlet; Supervisor Hlavacek voted nay.

5. **Consider appointment of a Zoning Hearing Board member** – Chair Race moved to adopt Resolution 455-2017 appointing Jeffrey G. Kreider to the Pequea Township Zoning Hearing Board to fill the unexpired term ending January 6, 2020. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

NEW BUSINESS:

1. **Consider releasing escrow held for Fleming Tile and Marble** – Chair Race moved to release the escrow held for Fleming Tile and Marble in the amount of \$11,104.38. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
2. **Consider reducing escrow held for Koch Property at 135 Leaman Rd** – Chair Race moved to reduce the escrow held for the Koch Property at 135 Leaman Road by \$30,909.10 to establish a new amount equal to \$12,513.51 which includes a contingency factor. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
3. **Consider approving Minimum Municipal Obligation for Non-Uniformed Employee Pension Plan** – Chair Race moved to adopt the Minimum Municipal Obligation for the Non-Uniformed Employee Pension Plan for 2018. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.

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4. **Consider adopting Resolution to form municipal police force** – Vice-Chair Evans-Herr moved to adopt Resolution 456-2017 creating a municipal police force to be known as the Southern Regional Police Department. Chair Race seconded the motion.

Rob Reidenbach of 330 Pleasant View Drive asked if the conditions of the municipal police force are known to the public. When Chair Race asked for clarification, Mr. Reidenbach asked if the municipal police force can be created before the budget, staffing, and location are determined. Vice-Chair Evans-Herr replied the municipal police force has to be formed first, and funding will be discussed during the budget workshops.

Chair Race and Vice-Chair Evans-Herr voted in favor of creating a municipal police force; Supervisor Hlavacek voted nay.

5. **Consider contributing funds to volunteer fire companies** – Vice-Chair Evans-Herr moved to release the budgeted amount of sixty-one thousand dollars (\$61,000.00) to be equally divided between the New Danville Fire Company and the West Willow Fire Company. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

6. **Consider amending required completion date on Road Contracts** – Supervisor Hlavacek moved to change the completion date on the Special Provisions to Contract MS-944 (Attachment 1-A) for the scheduled road projects from 10/01/2017 to 10/15/2017. After discussion, Supervisor Hlavacek withdrew his original motion and instead moved to change the completion date to 10/31/2017. The motion died due to lack of a second. Vice-Chair Evans-Herr moved to change the fifth item of the Special Provisions to Contract MS-944 (Attachment 1-A) to read as follows: “Work to be completed on or before 11/15/2017. After 11/16/2017 liquidated damages apply...” Chair Race seconded the motion.

Thomas Haas of 2194 New Danville Pike asked who receives the penalty if the contractor fails to complete the work in time. Vice-Chair Evans-Herr informed him the liquidated damages are paid to the Township.

All voted in favor of changing the completion date to 11/15/2017; none opposed.

7. **Consider Resolution establishing form of notice of Tree Removal to Abutting Property Owners** – Vice-Chair Evans-Herr moved to table this item and authorize the Secretary to post the proposed Resolution and Section 2325 of the Second Class Township Code on the website for public inspection. Chair Race seconded the motion. All voted in favor; none opposed.

8. **Consider authorizing motor vehicles in Silver Mine Park for special events** – Vice-Chair Evans-Herr moved to authorize motor vehicles in Silver Mine Park for the following special events: the Haddad church service in October of 2017, the Lefever wedding on May 27, 2018, and Sickman’s Mill tubing during the replacement of the Sand Hill Bridge in 2018. Chair Race seconded the motion. All voted in favor; none opposed.

9. **Consider authorizing Fundraiser to restore Silver Mine in Park** – Vice-Chair Evans-Herr moved to authorize the Park and Recreation Board to hold fundraisers to restore the silver mine and benefit Silver Mine Park. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

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10. **Consider participating in the Local Update of Census Addresses Operation (LUCA)** – Chair Race moved to authorize the Secretary and Assistant Secretary to complete the Local Update of Census Addresses Operation (LUCA) for the 2020 Census. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
11. **Schedule Budget Workshops** – Vice-Chair Evans-Herr moved to set the budget workshops on October 26th at 10 AM, November 9th at 10 AM, and November 21st at 7 PM, and the adoption hearing on December 14th at 7 PM. Chair Race seconded the motion. All voted in favor; none opposed.
12. **Consider appointing a Representative to the Lancaster Inter-Municipal Committee (LIMC)** – Chair Race moved to appoint Vice-Chair Evans-Herr the Pequea Township representative to the Lancaster Inter-Municipal Committee (LIMC). Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

ADDENDUM:

1. **Consider participating in the Lancaster County Bridge Inspection Program** – Chair Race moved to participate in the Lancaster County Bridge Inspection Program. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

REPORTS/UPDATES:

Pequea Township Road Crew – Supervisor Hlavacek delivered the Roadmaster's Report.

Thomas Feeman of 347 Pleasant View Drive questioned the planned widening of Pleasant View Drive and Carol Lynn Drive. He believes the problem stems from a nuisance property, and if the township addresses that issue, the parking problem will resolve itself. Vice-Chair Evans-Herr directed Mr. Feeman to the Township Engineer.

Rob Reidenbach of 330 Pleasant View Drive claimed he is being singled out with the parking prohibition in his development. Vice-Chair Evans-Herr disagreed with Mr. Reidenbach's accusation of hostilities directed at him and stated the action of the Board is in the interest of public safety.

Dennis Miller of 336 Pleasant View Drive referred to the petition against the parking prohibition that was presented to the Board previously. It was signed by seventy residents of Willow Gardens.

Southern Regional Police Department – Chief Michener delivered his monthly report.

Thomas Haas of 2194 New Danville Pike feels there should be a zero tolerance policy for pipeline protestors.

Southern Regional Police Commission – The Police Commission met on August 22, 2017. Their next meeting is scheduled for September 26, 2017.

Lancaster County Inter-Municipal Committee – The Township's LIMC Membership has been re-activated.

Pequea Township Zoning Hearing Board – No hearing held in September, and no hearing scheduled for October.

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Pequea Township Planning Commission – The Planning Commission will be reviewing a Subdivision Plan for Nathan and Lynare Pipitone at 1 Whipporwill Drive and a Stormwater Management Plan for Life Fellowship Church during their meeting on September 27, 2017.

Pequea Township Park and Recreation Board – The Park Board met on September 13, 2017. Their next meeting will be held October 11, 2017.

PUBLIC COMMENTS:

Public comments will be taken at this time. Please come to the lectern and limit your comments to three minutes so that others can speak if they wish. Please give your name and address for the minutes. Additional time may be granted at the Board's discretion.

Thomas Feeman of 347 Pleasant View Drive asked the Board to revisit the plan to widen Carol Lynn Drive and Pleasant View Drive.

Kenneth Adams of 39 Cobblestone Drive favors having a local police department for Pequea Township, but he does not want to support Conestoga Township's police department.

Scott Edwards of 98 Baumgardner Road feels Pequea Township should have held Conestoga Township to the terms of the Articles of Agreement governing the regional police force. Vice-Chair Evans-Herr encouraged Mr. Edwards to participate in the budget workshops.

Dennis Miller asked what will happen if Conestoga Township does not contract police services from Pequea Township. Vice-Chair Evans-Herr said Pequea Township will staff accordingly.

Richard Cummings of 320 Pleasant View Drive heard a rumor Pequea Township is considering contracting with one trash hauler to service the municipality. Chair Race and Vice-Chair Evans-Herr both assured him that has not been discussed. The Trash Ordinance was recently reviewed by the Solicitor and the Lancaster County Solid Waste Management Authority (LCSWMA) to verify it complies with current legislation. A corresponding Resolution may need to be updated.

Joe Stoeckl of 283 Sprecher Road complained about outdoor cats. Chief Michener recommended he contact ORCA.

Rob Reidenbach of 330 Pleasant View Drive requested Public Comments be moved to the top of the agenda.

Mr. Reidenbach also complained about officers attending the Board of Supervisors meetings instead of performing police duties.

ADJOURNMENT at 9:31 PM

Respectfully Submitted,



Lori Ann Leitch, Secretary



2017-09-20

Board of Supervisors Meeting Sign-in Sheet

Heather Sharpe, Lancaster Public Library

Duane Thomas

~~John Tapp~~

Yeung Kwan

Ed Redenbach

Scott Clark

Sam Adams

Eric Wilson

James Papp

Pauline M. Minder

Tom Michere

Jackie John

Wm L. Bond

~~W. Bond~~

DENNIS MILLER

RICHARD CUMMINGS

Kew STAFFORD - NOFC

Gretchen Miller

Tom FEEMAN

J. Kreider

Ellen Jones