

BOARD OF SUPERVISORS MEETING MINUTES | FEBRUARY 21, 2018

Minutes of the Pequea Township Board of Supervisors Meeting held at 7:00 PM on February 21, 2018 at the New Danville Fire Company, 43 Marticville Road, Lancaster, PA 17603.

Present at the meeting were:

Cynthia T. Evans-Herr, Vice-Chair
E. John Hlavacek, Supervisor

Others present:

Lori Ann Leitch, Secretary-Treasurer
John R. Michener, Chief of Police
Christopher Gleeson, Dethlefs-Pykosh Law Group
Sign-in Sheet Attached

Chair Race notified the Board of Supervisors in advance that he would not be able to attend the meeting.

CALL TO ORDER

Pledge of Allegiance

Vice-Chair Evans-Herr moved to grant an excused absence to Chair Race. Supervisor Hlavacek seconded the motion. Both voted in favor; none opposed.

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.

CONSENT AGENDA

Vice-Chair Evans-Herr moved to approve the following items by consent agenda:

- Minutes of the January 17, 2018 Board of Supervisors Meeting
- Checks 11315-11399 from the General Fund
- Checks 1431-1439 from the Recreation Fund
- Check 0017 from the Escrow Fund

Supervisor Hlavacek seconded the motion. Both voted in favor; none opposed.

OLD BUSINESS: None

NEW BUSINESS:

1. **Consider the vacation of Radcliff Road** – Attorney Jim Thomas, representing Stephen and Lori Heitland of 303 Radcliff Rd, James and Arlene Rudy of 313 Radcliff Rd, and Christ and Arie Stoltzfus of 326 Radcliff Rd, thanked the Board for allowing the landowners to discuss their concerns regarding the consideration of the vacation of Radcliff Road.

Mr. Heitland feels vacating the road would be a significant hardship on him and his neighbors. He is surprised the Township would consider putting the maintenance and liability of the road on the property owners. He urged the Board to not abandon it.

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Mr. Rudy listed numerous roads in the Township that have dead-ends or cul-de-sacs. Trucks use the road to access his farm. He also stressed the importance of the draw site for fire companies.

Attorney Thomas estimated the amount of traffic using Radcliff Road to access the Stoltzfus farm.

Vice-Chair Evans-Herr referenced a meeting she had with the adjoining landowners and Solicitor in July of 2017. It was the understanding of the Board that Mr. Rudy was not interested in releasing a portion of his land for the Township to install a cul-de-sac with a forty-foot radius at the end of the road as required by PennDOT. Attorney Thomas asked for a plan of the proposed cul-de-sac for the property owners to consider. Attorney Gleeson requested a signed agreement prior to the Township incurring engineering fees for the development of the plan. Vice-Chair Evans-Herr relayed she had spoken to the Township Engineer/Zoning Officer regarding a second driveway permit for the Stoltzfus property to enable access prior to the cul-de-sac. Mr. Stoltzfus stated that would be acceptable. Vice-Chair Evans-Herr moved to engage Solanco Engineering Associates and Hanover Engineering to plan a cul-de-sac at the Radcliff Road Bridge to incorporate a dry hydrant for first responders, to incorporate illumination if the parties so desire, and to use the appropriate gravel for Phase One of the cul-de-sac installation. She further moved for the plan to be submitted to the Board of Supervisors prior to their next meeting on March 21, 2018. Supervisor Hlavacek seconded the motion. Both voted in favor; none opposed.

2. **Consider authorizing Phase One of the Millwood Rd/Long Lane intersection analysis** – Supervisor Hlavacek moved to authorize Hanover Engineering to commence Phase One of the Millwood Road and Long Lane intersection analysis. Vice-Chair Evans-Herr seconded the motion. Both voted in favor; none opposed.
3. **Consider authorizing the Herrville Rd analysis** – Vice-Chair Evans-Herr moved to authorize Hanover Engineering to perform a site inspection and develop options to eliminate the stormwater hazard on Herrville Road. Supervisor Hlavacek seconded the motion. Both voted in favor; none opposed.
4. **Consider improvements to Sprecher Road** – Vice-Chair Evans-Herr referenced engineering recommendations from 2004 and 2012 to remedy stormwater issues on Sprecher Road. Supervisor Hlavacek believes other roads are in more urgent need of repair. Supervisor Hlavacek moved to table this item to Old Business. Vice-Chair Evans-Herr seconded the motion. Both voted in favor; none opposed.
5. **Discuss Parking Restrictions on Pleasant View Drive** – Supervisor Hlavacek moved to remove the parking restrictions on Pleasant View Drive and Carol Lynn Drive. Motion died due to lack of a second. Vice-Chair Evans-Herr moved to remove the No Parking signs on the West side of Pleasant View Drive from Casey Drive to the Township Line and install the appropriate sign to prohibit parking within thirty feet from the Stop sign. Motion died due to lack of a second. Supervisor Hlavacek moved to table this item until the next meeting. Motion died due to lack of a second.

Betty Flick of 341A Carol Lynn Drive complained about the widening of her road in 2017.

No action was taken on this agenda item.

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6. **Consider Resolution to allow an Escalator Clause in contractor proposals** – Supervisor Hlavacek moved to adopt Resolution 478-2018 to provide for a price adjustment for fluctuations in the cost of asphalt cement used in the bituminous materials placed as part of the road construction or repair specified in the project proposal. Vice-Chair Evans-Herr seconded the motion. Both voted in favor; none opposed.
7. **Consider Resolution to appoint a Certified Public Accountant to perform annual audit** – Vice-Chair Evans-Herr moved to adopt Resolution 479-2018 appointing RKL LLP as the Certified Public Accountant to audit the accounts of the Township of Pequea for the fiscal year ending December 31, 2017. Supervisor Hlavacek seconded the motion. Both voted in favor; none opposed.
8. **Consider forwarding the New Danville Special Study Area Act 537 Plan to the Pequea Township Planning Commission and the Lancaster County Planning Commission for review** – Vice-Chair Evans-Herr moved to forward the New Danville Special Study Area Act 537 Plan to the Pequea Township Planning Commission and the Lancaster County Planning Commission for review. Supervisor Hlavacek seconded the motion. Both voted in favor; none opposed.
9. **Consider forming a Committee to prepare for the implementation of the Municipal Waste Planning, Recycling and Waste Reduction Act 101 of 1988 as amended by Act 140 of 2006** – In anticipation of the 2020 Census results presumably subjecting Pequea Township to comply with the Municipal Waste Planning, Recycling and Waste Reduction Act 101 of 1988 as amended by Act 140 of 2006, Vice-Chair Evans-Herr recommended forming a Committee to engage the residents of the community to participate in the implementation. Supervisor Hlavacek feels the formation of a Committee at this time would be premature and moved to take no action on this agenda item. Vice-Chair Evans-Herr seconded the motion. Both voted in favor; none opposed.
10. **Consider purchasing tree seedlings and plants from Lancaster County Conservation District** – Vice-Chair Evans-Herr proposed purchasing tree seedlings and plants for the Silver Mine Park to mitigate stormwater issues. Supervisor Hlavacek moved to take no action on this agenda item. Motion died due to lack of a second. Following a brief discussion, Supervisor Hlavacek moved to authorize the purchase of plants – not tree seedlings – from the Lancaster County Conservation District. Vice-Chair Evans-Herr seconded the motion. Both voted in favor; none opposed.

REPORTS/UPDATES:

Pequea Township Road Crew – Vice-Chair Evans-Herr moved to accept the Road Liaison's Update as written. Supervisor Hlavacek seconded the motion. Both voted in favor; none opposed.

Southern Regional Police Department – Chief Michener delivered his monthly report. He would like to initiate a Community Watch program and a Citizen Police Academy. Officer Charles Grimasuckas received the 2017 Officer of the Year Award. Chief Michener thanked the Road Crew for their assistance during the relocation of the police station.

Lancaster Inter-Municipal Committee – Vice-Chair Evans-Herr provided an update on the Committee's grant-seeking activities to fund a goat path through the City of Lancaster.

Pequea Township Zoning Hearing Board – No hearing scheduled

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Pequea Township Planning Commission – The Planning Commission meeting will be held on February 28.
Pequea Township Park and Recreation Board – Tim Weaver, Chair of the Park and Recreation Board, reported they are developing a plan for a controlled hunt due to the overpopulation of deer in Silver Mine Park. The event would be overseen by the State Game Commission, and it would be limited to disabled individuals.

PUBLIC COMMENTS:

Public comments for items not on the agenda will be taken at this time. Please come to the lectern, state your name and address, and limit your comments to three minutes so that others can speak if they wish. Additional time may be granted at the Board's discretion.

Attorney Jim Thomas of 28 Penn Square, Lancaster, spoke on behalf of the members of the West Willow Fire Company and the West Willow Firemen's Relief Association. The Fire Company discontinued service in October of 2017 due to the loss of liability insurance following the settlement of a lawsuit. The Officers and Directors resigned and advised the Township of the forfeiture of their funds, equipment, apparatus, and real property. Insurance coverage became available on February 14, 2018. The Fire Company and Relief Association had not taken formal steps to dissolve their entities, and the Township took no action to accept the forfeited assets. Therefore, the volunteers have informally met to begin the process of reorganization.

Vice-Chair Evans-Herr stated the intention of the Board of Supervisors is to allow the Fire Protection Evaluation Committee to fulfill its purpose, which is to determine if Pequea Township needs two fire companies.

J. Martin Harnish of 56 West Willow Road asked if the Fire Protection Evaluation Committee has a timeframe. Vice-Chair Evans-Herr responded there is no definitive timeframe referenced in the Resolution that established the Committee.

Mr. Harnish requested confirmation that the volunteers and equipment must remain dormant until a decision is made. Supervisor Hlavacek remarked the Fire Company is prepared to return to service as soon as the Board of Supervisors recognizes them. Mr. Harnish inquired if they could be reactivated while the Committee gathers its information. Vice-Chair Evans-Herr responded the Township has an Ordinance recognizing one Fire Company that is successfully serving the community.

Vice-Chair Evans-Herr said she is disenchanted that the West Willow Fire Company allowed all of their insurance to lapse. Mr. Harnish responded they lost their liability insurance; they did not allow the insurance on their building or equipment to lapse.

Vice-Chair Evans-Herr asked when New Danville Fire Company was notified that the West Willow Fire Company was going out of service. Jason Topper of 5 Newport Court, former Chief of the West Willow Fire Company, responded he notified New Danville Fire Company of the possibility prior to October 17, 2017 and then confirmed it on that day.

Brad Shenk of 4 Thomas Avenue, Chief of the New Danville Fire Company, stated no former West Willow Fire Company members have joined the New Danville Fire Company. They would be welcomed, and their previous service would count towards lifetime

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membership. Supervisor Hlavacek commented running with another company is a valuable learning opportunity.

Vice-Chair Evans-Herr referred to a 2005 study that encouraged merging the two fire companies. Mr. Harnish replied the recommendations were never implemented by the Board of Supervisors. Vice-Chair Evans-Herr replied that is not her recollection from talking to former Supervisors, specifically Bruce Groff. There were numerous efforts to merge the departments. Mr. Harnish agreed there have been discussions about merging. The study recommended closing the two existing facilities and building a new one, which was not feasible.

Mr. Harnish summarized that the volunteers and equipment are ready; all they need is to be recognized by the Township.

Jackie Johns of 23 Pine Lane suggested the Road Crew explore other techniques to prevent icy roads since salt is detrimental to vegetation. She then questioned why the Road Crew does not remove dead deer from state roads. The Secretary explained the process. A call is placed to PennDOT who confirms it and then contacts their contractor who has twenty-four hours to remove the carcass.

ADJOURNMENT

Vice-Chair Evans-Herr moved to adjourn the meeting at 8:53 PM. Supervisor Hlavacek seconded the motion. Both voted in favor; none opposed.

Respectfully Submitted,



Lori Ann Leitch, Secretary

2018-12-21

Board of Supervisors Meeting Sign-in Sheet

Bob Sherk
 Bob Kendered
 Pauline M. Minder
 Leo DeMarzo
 John Butler
 Joey Seabear
 Matt Pull
 Boston Flick
 Tom Tom
 Tracy Forester
 Mike Hill
 Graham McGill
 Mike Lopez
 Glenn Miller
Barrie Edwards
 Ben & Diane Lefauer III
 David Lefauer
 Marissa Sensenig
 Ben Lefauer IV
 Lauren Wiker
 Joe Veckel
 Corey Gutter
 Becky Burns
 Rodney Stoltzels
 James E & Arlene Rudy
 Christ & Aris Stoltzels

Ken Staff - vsk
 Todd Miller
 Dwight Henke
 James H. Throckm
 Steve & Lori Heitland
 Elaine Jones
 Don Pe
 A Martin Harold
 Eli Micherson
 Jack Johnson
 Jackie Johns
 Mike W...
 William Straven
 Robert Hecker
 Brett N...
 Michael Kuntz