

# BOARD OF SUPERVISORS MEETING MINUTES | APRIL 18, 2018

Minutes of the Pequea Township Board of Supervisors Meeting held at 7:00 PM on April 18, 2018 at Pequea Elementary School, 802 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

## Others present:

Lori Ann Leitch, Secretary-Treasurer  
John R. Michener, Chief of Police  
Sign-in Sheet Attached

## CALL TO ORDER

Pledge of Allegiance

## 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.
- Due to the limited amount of time the room was available, Chair Race restricted Public Comments to Pequea Township residents only.

**PRESENTATION:** The Lancaster Emergency Medical Services presentation was postponed to the May Board of Supervisors meeting.

## MINUTES OF PREVIOUS MEETING(S):

Chair Race moved to approve the minutes of the March 27, 2018 Board of Supervisors Meeting. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

**TREASURER'S REPORT:** A copy of the bill list was provided. Chair Race moved to approve checks 11441-11486 from the General Fund, checks 1454-1467 from the Recreation Fund, check 1037 from the Park Donation Fund, and checks 0018-0019 from the Escrow Fund. Supervisor Hlavacek seconded the motion.

Vice-Chair Evans-Herr commented on the legal expenses exceeding budget largely due to the non-uniformed employees' petition to unionize. Supervisor Hlavacek explained the Township is conducting an educational campaign and a hearing was held to determine voting eligibility.

All voted in favor of accepting the Treasurer's Report; none opposed.

## OLD BUSINESS:

1. Review Noise Ordinance – Vice-Chair Evans-Herr moved to table this item. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
2. Consider updates to the Public Works Operations Manual – Vice-Chair Evans-Herr moved to table this item. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

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3. Consider draft Pequea Pulse newsletter and mailing – Vice-Chair Evans-Herr moved to table this item. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
4. Consider revisions to draft Personnel Policy – Vice-Chair Evans-Herr moved to table this item. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
5. Consider improvements to Sprecher Road – Vice-Chair Evans-Herr moved to table this item. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
6. Consider Summerfield street dedication – Vice-Chair Evans-Herr moved to table this item. Supervisor Hlavacek seconded the motion.

Kenneth Adams of 39 Cobblestone Drive hopes the streets are completed to the proper specifications before the Township considers taking dedication of them.

All voted in favor of tabling the item; none opposed.

7. Consider Proposal to Analyze Intersection of Rt 272 S and W Penn Grant Rd – Chair Race moved to authorize Hanover Engineering to conduct a study of the intersection of Route 272 South and West Penn Grant Road for an amount not to exceed four thousand nine hundred dollars (\$4,900.00). Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
8. Consider revising 2017 Fire Company allocations – Vice-Chair Evans-Herr moved to table this item. Chair Race seconded the motion. All voted in favor; none opposed.
9. Consider the request for recognition by the West Willow Fire Company – Vice-Chair Evans-Herr moved to table this item until after the Fire Protection Evaluation Committee presents its findings to the Board of Supervisors. Motion died due to lack of a second. Supervisor Hlavacek moved to set a hearing to consider the draft Fire Company Recognition Ordinance on May 2, 2018 at the West Willow Fire Company at 7:00PM. Chair Race seconded the motion.

Tim Weaver of 722 Baumgardner Road is appalled the Board of Supervisors is considering taking action before hearing the recommendation of the Fire Protection Evaluation Committee. Vice-Chair Evans-Herr agreed it is premature to recognize two fire companies; the Committee could determine only one is needed, and a merger would be costly.

Kenneth Garrett of 2115 New Danville Pike is not in favor of merging the fire companies.

Supervisor Hlavacek said the Committee's recommendation could take years to implement. He expressed concern about the fire equipment sitting idle. Vice-Chair Evans-Herr stated Pequea Township has more fire equipment than the City of Lancaster. Mr. Adams questioned the basis of that claim.

Mr. Adams also asked if the Fire Protection Evaluation Committee was given a time limit. Vice-Chair Evans-Herr replied they were given as much time as they need.

James Rudy of 313 Radcliff Road stated the importance of a fire company responding quickly. He said it does not matter which company arrives first.



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Vice-Chair Evans-Herr concurred. Mr. Rudy concluded his comments by saying he supports the recognition of the West Willow Fire Company because they helped him in the past.

Chair Race and Supervisor Hlavacek voted in favor of setting the Fire Company Recognition Ordinance hearing; Vice-Chair Evans-Herr voted nay.

Vice-Chair Evans-Herr questioned the assignment of first due response territories. Supervisor Hlavacek replied the territories could be the same as they were prior to the West Willow Fire Company going out of service. Vice-Chair Evans-Herr objected because the population would not be evenly split. She recommended the dividing line be south of Long Lane, east of Millwood Road to east of Rawlinsville Road to the Township line.

J. Martin Harnish of 56 West Willow Road, spokesperson for the West Willow Fire Company, accused Vice-Chair Evans-Herr of not telling the whole truth. She replied Mr. Harnish puts his own slant on events.

Timothy Gilbert of 356 Baumgardner Road asserted Vice-Chair Evans-Herr needs to step down. She said he is a disrespectful person.

## NEW BUSINESS:

1. Consider approving the Ditzler Stormwater Management Plan – Chair Race moved to approve the Ditzler Stormwater Management Plan subject to the conditions of the Solanco Engineering Associates, LLC review dated March 8, 2018. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
2. Consider approving the Hess Stormwater Management Plan – Chair Race moved to approve the Hess Stormwater Management Plan subject to the conditions of the Solanco Engineering Associates, LLC review dated April 9, 2018. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
3. Consider approving the Stormwater Management Agreement for Willow Run and accepting the Centric Bank Letter of Credit as Financial Security – Chair Race moved to approve the Willow Run Stormwater Management Agreement and accept the Centric Bank Letter of Credit in the amount of \$1,135,985.95 as Financial Security. Supervisor Hlavacek seconded the motion. Chair Race and Supervisor Hlavacek voted in favor; Vice-Chair Evans-Herr abstained.
4. Consider approving an additional driveway at 510 Long Lane – Chair Race moved to approve an additional driveway at 510 Long Lane subject to the applicant obtaining a driveway permit from the Pennsylvania Department of Transportation and a stormwater management permit from the Pequea Township Zoning Officer. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
5. Consider hiring two part-time Police Officers – Due to the resignation of a part-time Police Officer and limited availability of the others, Chief Michener requested additional staffing. Vice-Chair Evans-Herr moved to hire Erick Stone and Jordan Byrnes as part-time Police Officers at the base rate of \$21.00 per hour as set in the Collective Bargaining Agreement subject to successful completion of background checks and an interview with at least one Supervisor. Chair Race seconded the motion.

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K. Scott Edwards of 98 Baumgardner Road asked for clarification on the turnover. Chief Michener replied one part-time Police Officer resigned.

Mr. Adams inquired as to whether the number of working hours will increase. Chief Michener responded the only extra hours would be for training, and that would be temporary.

Supervisor Hlavacek sees an opportunity to reduce spending by not hiring. Mr. Edwards confirmed 2018 is a transitional year. Vice-Chair Evans-Herr stated the Police Department works within the constraints of the budget.

Chair Race and Vice-Chair Evans-Herr voted in favor of hiring the part-time Police Officers; Supervisor Hlavacek voted nay.

6. Consider approving the culling of the deer herd at Silver Mine Park – Chair Race moved to approve the culling of the deer herd at Silver Mine Park with an archery hunt as proposed by the Park and Recreation Board. Vice-Chair Evans-Herr seconded the motion.

Supervisor Hlavacek conveyed hesitation due to possible injury to people or other animals in the park. Vice-Chair Evans-Herr verified the event would be covered by the Township's liability pool.

Chair Race and Vice-Chair Evans-Herr voted in favor of an archery hunt; Supervisor Hlavacek voted nay.

7. Consider approving additional repairs to the stone house at Silver Mine Park – Vice-Chair Evans-Herr provided an estimate of the repairs which consists of six thousand dollars (\$6,000.00) in labor and one thousand dollars (\$1,000.00) in materials. Supervisor Hlavacek encouraged residents to share their ideas for Silver Mine Park with the Board of Supervisors.

Rebecca Anderson of 531 Rawlinsville Road requested background information about the stone house. Chair Race and Vice-Chair Evans-Herr responded.

Chair Race moved to approve the additional repairs to the stone house at Silver Mine Park not to exceed seven thousand dollars (\$7,000.00). Vice-Chair Evans-Herr seconded the motion. Chair Race and Vice-Chair Evans-Herr voted in favor; Supervisor Hlavacek voted nay.

## REPORTS/UPDATES:

Southern Regional Police Department – Report on File

Peguea Township Road Crew – Report on File

Lancaster County Inter-Municipal Committee – No Update

Suburban Lancaster Sewer Authority – Tapping fees are increasing from \$2,500.00 to \$3,000.00.

Zoning/Code Enforcement Officer – Report on File

Peguea Township Zoning Hearing Board – No hearing scheduled for May.

Peguea Township Planning Commission – On April 25, 2018, the Planning Commission will review the Stormwater Management Plan of the Life Fellowship Church Parking Lot Expansion.

Peguea Township Park and Recreation Board – On April 11, 2018, the Park and Recreation Board discussed 2018 Spring Projects. They are looking for volunteers to help plant tree seedlings on April 28, 2018. Tim Weaver, Chair of the Park and Recreation Board, described a Cub Scout event at the park.



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## 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.

Mr. Edwards referenced 2016 meeting minutes regarding the elimination of permanent seasonal part-time park employees. Vice-Chair Evans-Herr responded the hiring of the current park employees was documented in subsequent meeting minutes.

Mr. Garrett questioned if the Supervisors considered the proposed changes to Route 272 in their decision to authorize a study of the intersection at West Penn Grant Road. Vice-Chair Evans-Herr informed him West Lampeter Township voted against an initiative to change Route 272 to two-way traffic.

Mr. Adams commended Chief Michener for assisting a resident with his disabled vehicle during the snowstorm. He then asked why the Board of Supervisors voted to terminate the regional police agreement with Conestoga Township without having a signed contract for services. Chair Race said perhaps it would have been financially beneficial to continue the agreement until its expiration, but the Conestoga Township Supervisors were not cooperative. Vice-Chair Evans-Herr stated Conestoga Township did not contract services from Pequea Township because they lost faith in the police department.

Larry Frankfurt, Chief of the Conestoga Volunteer Fire Company, said they do not plan to pursue the portion of Conestoga Township currently in New Danville Fire Company's first due response territory if the Board of Supervisors votes to recognize two companies in Pequea Township.

Thomas Haas of 2194 New Danville Pike expressed concern about budget overages, particularly the legal expenses. He wants his taxpayer money invested in the community.

## ADJOURNMENT

Chair Race adjourned the meeting at 8:31 PM.

Respectfully Submitted,



Lori Ann Leitch, Secretary



Cynthia T. Evans-Herr  
642 Millwood Road, Willow Street, Pennsylvania 17584

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

2018-04-18 Board of Supervisors Meeting Sign in Sheet

Danae Kim Topper

Michael L. Brown

Stephen Hawacek

Larry & Miss. Brantford

Deek Good

Kenneth Garrett

Seth Mastasio

Kristen Dittler

J Bolton

Will Hall

Jan + Kristen Day

Denise Blendenwell

Marylou Costetter

Brian Dieter

Jean Karr

Corey Goutter

Kenneth J Adams

Tim Gilbert

Jackie Johns

Rob Keulenak

Payline M. Minder

Hal Davis

Richard CUMMINGE

J Martin Harnish

Diane Thomas

Dave + Stacey Hess

John Tapp

Brian Fisher



2018-04-18

Bob Heckert

Jared Miller

Andrew Strawn

Rodney Stoltzfus

Tracy Jorppen

Dan Peters

Mike Reese

Susan Reese

Wahne Strawn

Jon Ruff

Elain Jones

Shirley Fickelbauer

Tim Arters

Joanna Arters

Rebecca Anderson

Earl Toughton