

BOARD OF SUPERVISORS MEETING MINUTES | JUNE 20, 2018

Minutes of the Pequea Township Board of Supervisors Meeting held at 7:00 PM on June 20, 2018 at the New Danville Fire Company, 43 Marticville Road, Lancaster, PA 17603.

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
Mark Deimler, Twp Engineer/Zoning Officer/SEO
Jennifer Prunoske, Hanover Engineering
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.
- An opportunity for public comment will be given before the Board takes official action on agenda items. Public comment for items not on the agenda will be taken at the end of the meeting. When the Chair opens the floor, please come to the lectern, state your name and address, and limit your comments to three minutes. Additional time may be granted at the Board's discretion.

HEARING: Traffic Ordinance

Ordinance # 211-2018

Chair Race moved to pass Ordinance 211-2018 providing for the regulation of traffic by means of controlled intersections, the establishment of speed limits and the regulation of the stopping, standing and parking of vehicles on highways and streets in Pequea Township, Lancaster County, Pennsylvania and providing for the setting of penalties for the violation thereof. Supervisor Hlavacek seconded the motion. Vice-Chair Evans-Herr read a prepared statement in opposition to the Ordinance which is filed and incorporated into these minutes by reference. Chair Race and Supervisor Hlavacek voted in favor of passing Ordinance 211-2018; Vice-Chair Evans-Herr voted nay.

MINUTES OF PREVIOUS MEETING(S): Chair Race moved to approve the minutes of the May 16, 2018 Board of Supervisors Meeting and June 14, 2018 Special Meeting. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.

TREASURER'S REPORT: Chair Race moved to approve checks 11533-11583 from the General Fund and checks 1485-1500 from the Recreation Fund. Vice-Chair Evans-Herr seconded the motion. Vice-Chair Evans-Herr announced the General Fund assets totaled \$846,734.58. All voted in favor of approving the checks; none opposed.

OLD BUSINESS:

1. Review Noise Ordinance
2. Consider updates to the Public Works Operations Manual
3. Consider draft Pequea Pulse newsletter and mailing

BOARD OF SUPERVISORS MEETING MINUTES | JUNE 20, 2018

4. Consider revisions to draft Personnel Policy
5. Consider improvements to Sprecher Road
6. Consider Summerfield street dedication
7. Consider disbursement of Fire Company Contributions
8. **Consider proposal for duckweed management at Silver Mine Park** – Vice-Chair Evans-Herr moved to take no action on this item. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

NEW BUSINESS:

1. **Consider Improvements to the Storm Water System** – Chair Race moved to authorize the Engineer to inspect various storm water concerns throughout the Township. Motion died due to lack of a second.

Vice-Chair Evans-Herr presented pictures of storm damage at Silver Mine Park and near the bridge on Silver Mine Road. Chair Race moved to authorize Hanover Engineering to apply for the permits necessary to repair the footbridge in Silver Mine Park, to armor the stream bed to stop fissuring in the hike and bike trail, and to remove trees from the gravel bar under the bridge on Silver Mine Road. Vice-Chair Evans-Herr amended the motion to authorize the Chair to sign the permit applications. Supervisor Hlavacek amended the motion to charge the permit expense to General Fund 446.313 Stormwater Engineering (MS4). Vice-Chair Evans-Herr seconded the amended motion. All voted in favor; none opposed.

Vice-Chair Evans-Herr described a storm water concern at Long Lane Acres. Water running from the state road to the east entrance of the development is causing residential flooding. Engineer Deimler explained the Township is not obligated to address the issue. Chair Race moved to authorize Hanover Engineering to inspect the area and provide recommendations to the Board of Supervisors. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.

Engineer Deimler provided suggestions to remedy a problem with sump pump discharge on Candlewyck Court. Vice-Chair Evans-Herr moved to authorize the Engineer to notify the property owner of the Board's approval of a connection of the property owner's pipe to the Township's box at the property owner's expense. Chair Race seconded the motion. All voted in favor; none opposed.

Vice-Chair Evans-Herr asked when a pipe would be installed on Doe Run. Engineer Deimler strongly cautioned the Board against assuming responsibility for storm water issues in subdivisions that were planned at a time when storm water management wasn't what it is today. Supervisor Hlavacek moved to authorize the Township Engineer and Road Crew to inspect storm water concerns and provide recommendations to the Board of Supervisors so projects can be budgeted. Chair Race seconded the motion. Vice-Chair Evans-Herr amended the motion to have all storm water complaints forwarded to the Board of Supervisors. Chair Race seconded the amended motion.

Kimberly Frey of 29 Whipporwill Drive shared pictures of flooding on her property. She asked if the farmer has a responsibility to control the water flowing from his property onto hers, perhaps by installing a swale. Engineer Prunoske replied water flows from higher to lower elevations. Storms are getting bigger and more frequent. A swale would only push the problem; a complete analysis would need to be conducted to solve it.

BOARD OF SUPERVISORS MEETING MINUTES | JUNE 20, 2018

Dominic Bernard of 14 Cobblestone Drive complained about storm water problems on his property. Engineer Deimler clarified the storm sewers in the streets are the Township's responsibility, but the Township is not obligated to upgrade an undersized storm system in an older development.

Becky Rudy of 12 Cobblestone Drive expressed concern about the standing water attracting mosquitoes and not being able to mow because the ground is constantly soft.

All voted in favor of the Township Engineer and Road Crew evaluating the storm water issues; none opposed.

2. **Consider Improvements to the Zoning Ordinance** – The Planning Commission recommended the Board of Supervisors delete the setback on fences and walls, delete a section regarding the screening of recreational vehicles, and amend definitions to prohibit short-term rentals.

Jackie Johns of 23 Pine Lane stated Airbnb could be the rental of a room within a home, not necessarily the whole house, and Airbnb rentals are not subject to the same safety regulations as hotels.

Ms. Johns also voiced opposition to deleting RV screening. She does not want to see a recreational vehicle parked on the street for an extended period of time. Zoning Officer Deimler replied the Zoning Ordinance can not prohibit a legally registered and inspected vehicle from parking on the street. The current screening requirement is impractical.

Supervisor Hlavacek moved to authorize the Secretary to submit the proposed Zoning Ordinance amendment to the Lancaster County Planning Commission for their review and comment. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.

3. **Consider Well Isolation Waiver for 131 Marticville Rd** – Sewage Enforcement Officer Deimler explained the only available area to install an onlot septic system at 131 Marticville Road is less than 100 feet from the well. Vice-Chair Evans-Herr moved to approve the well isolation waiver for 131 Marticville Road as presented by the Sewage Enforcement Officer. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
4. **Consider Life Fellowship Church Escrow Reduction** – Chair Race moved to reduce the escrow held for the Life Fellowship Church Parking Lot Expansion by \$66,144.25 to establish a new amount equal to \$7,850.00 as recommended by the Township Engineer. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
5. **Discuss Hanover Engineering analysis of Herrville Rd** – Vice-Chair Evans-Herr moved to table this item while she continues to work with Representative Cutler's office and PennDOT. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
6. **Consider changing Primary Ambulance Service Provider** – Chair Race attended a meeting with Bob May, the Executive Director of Lancaster EMS (LEMSA) and representatives from neighboring townships. A follow-up meeting is scheduled for August. Vice-Chair Evans-Herr moved to designate Lancaster EMS as the primary ambulance service provider for Pequea Township and authorize the Secretary to notify Lancaster County Wide Communications. Motion died due to

BOARD OF SUPERVISORS MEETING MINUTES | JUNE 20, 2018

lack of a second. Chair Race moved to table this item until after the August meeting. Supervisor Hlavacek seconded the motion.

Dawn Ray of 51 Carriage House Drive, a Lancaster EMS employee, claimed LEMSA is already responding to most of the calls in Pequea Township.

Ms. Johns said her subscription to Susquehanna Valley EMS does her no good because their ambulance is not providing service.

Christian Larrick of 508 Long Lane encouraged the Board of Supervisors to recognize LEMSA due to their responsiveness and superior skill level.

Following a brief discussion, Chair Race withdrew his motion. Vice-Chair Evans-Herr moved to designate Lancaster EMS as the primary ambulance service provider for Pequea Township and authorize the Secretary to notify Lancaster County Wide Communications. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

7. **Consider PennDOT Winter Maintenance Agreement** – Vice-Chair Evans-Herr moved to approve the PennDOT Winter Maintenance Agreement as presented. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
8. **Consider finalization of the Southern Regional Police Commission's October 26, 2017 weapons transaction** – Vice-Chair Evans-Herr moved for Pequea Township to finalize the transaction of the Southern Regional Police Commission's October 26, 2017 meeting and for the proceeds of the trade-in of six handguns be deposited in the Police Commission's bank account. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
9. **Consider audit of Township weapons and ammunition by the Board of Auditors** – Chair Race moved to authorize the Board of Auditors to audit the Township weapons and ammunition and be compensated at a rate of \$10/hr plus mileage and expenses. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
10. **Consider authorizing RKL (CPA firm) to perform Phase II of the audit of the 2010-2016 financial records of the Southern Regional Police Commission** – Vice-Chair Evans-Herr moved to authorize RKL LLP to perform Phase II of the audit of the 2010-2016 financial records of the Southern Regional Police Commission. Supervisor Hlavacek seconded the motion.

Ben Vonderheide, a Conestoga Township resident, inquired if the results of the audit will be available to the public. Vice-Chair Evans-Herr replied it is a part of a criminal investigation, so she does not believe it will be a public document.

Mr. Vonderheide confirmed the audit is in furtherance of the investigation of former Chief of Police John Fiorill and the Southern Regional Police Department.

Vice-Chair Evans-Herr responded affirmatively when Mr. Vonderheide asked if Phase 1 findings warranted moving to Phase 2.

All voted in favor of authorizing Phase II of the audit; none opposed.

11. **Consider authorizing RKL (CPA firm) to release the Southern Regional Police Commission computer and files in their possession to the Pennsylvania State Police** – Vice-Chair Evans-Herr

BOARD OF SUPERVISORS MEETING MINUTES | JUNE 20, 2018

moved to authorize RKL LLP to release the Southern Regional Police Commission computer and files in their possession to the Pennsylvania State Police. Chair Race seconded the motion. All voted in favor; none opposed.

12. **Accept resignation from Park and Recreation Board** – Chair Race moved to accept the resignation of Miranda Hunsberger from the Park and Recreation Board and authorize the Secretary to send a letter of appreciation for her service. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
13. **Consider appointment to Park and Recreation Board** – Supervisor Hlavacek moved to appoint Bruce Evans to the Park and Recreation Board to fill the term ending January 4, 2021. Chair Race seconded the motion. All voted in favor; none opposed.
14. **Consider installing life preservers at ponds in Silver Mine Park** – Supervisor Hlavacek moved to authorize the purchase and installation of three life preservers at the ponds in Silver Mine Park for a cost not to exceed \$2,500.00. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
15. **Consider replacing fence posts at Silver Mine Park** – Supervisor Hlavacek moved to authorize the purchase and installation of fence posts at Silver Mine Park at an estimated cost of \$1,714.00. Chair Race seconded the motion. All voted in favor; none opposed.
16. **Consider purchasing a used golf cart for Silver Mine Park** – Supervisor Hlavacek moved to authorize the purchase of a used golf cart for Silver Mine Park at a cost not to exceed \$5,000.00. Vice-Chair Evans-Herr seconded the motion. Chair Race does not believe a golf cart will be durable enough. Vice-Chair Evans-Herr and Supervisor Hlavacek voted in favor of purchasing a golf cart; Chair Race voted nay.
17. **Consider advertising and hiring seasonal part-time Public Works employees for Silver Mine Park** – Employment applications were received from Quintin Flanders and Cynthia Evans-Herr.

Tim Weaver of 722 Baumgardner Road worked with Ms. Evans-Herr as a volunteer at the park, and he has the highest confidence in her.

Mr. Weaver also recommended hiring Mr. Flanders who has completed community service at Silver Mine Park, but availability may be an issue.

Supervisor Hlavacek moved to table the item until after the union election of the non-uniformed employees. Chair Race wants to meet with Mr. Flanders before making a decision. He seconded the motion to table this. All voted in favor; none opposed.

REPORTS/UPDATES:

Southern Regional Police Department – Report on File

Pequea Township Road Crew – Report on File

Lancaster County Inter-Municipal Committee – No Update

Suburban Lancaster Sewer Authority – Representative's Update

Zoning/Code Enforcement Officer – Report on File

Pequea Township Zoning Hearing Board – The Zoning Hearing Board met on June 5, 2018 for further findings on remand of the Court of Common Pleas of Lancaster County to determine whether the variance requested by Thomas Schelling pursuant to Section 1403.11.A.1.b of the Pequea Township

BOARD OF SUPERVISORS MEETING MINUTES | JUNE 20, 2018

Zoning Ordinance for the construction of a structure exceeding maximum building height at the property located within the Agricultural Zoning District at 330 Baumgardner Road, Willow Street, PA 17584 is a *de minimis* variance. They will reconvene on August 7, 2018 for further review.

Pequea Township Planning Commission – At their meeting on May 30, 2018, the Planning Commission discussed possible improvements to the Zoning Ordinance.

Pequea Township Park and Recreation Board – At their meeting on June 13, 2018, the Park and Recreation Board discussed hosting a performance in the park, stormwater damage, fence post replacement, and Wildlife Habitat signage.

PUBLIC COMMENTS:

Public comment for items not on the agenda will be taken at this time.

Dennis Harding of 44 Cobblestone Drive would like to participate in the National Night Out on August 7, 2018 to promote community involvement.

Vice-Chair Evans-Herr moved to add the consideration of participating in National Night Out to the agenda. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

Consider authorizing participation in National Night Out on August 7, 2018 – Vice-Chair Evans-Herr moved to authorize the Manchester Village neighborhood to sponsor the Night Out on August 7, 2018. Chair Race seconded the motion. All voted in favor; none opposed.

Ms. Johns inquired if a police officer was hired during the Special Meeting held June 14, 2018. Vice-Chair Evans-Herr replied those meeting minutes were approved.

Ms. Johns then verified the Pequea Township Road Crew report is on file.

Rob Reidenbach of 330 Pleasant View Drive thanked Supervisor Hlavacek and Chair Race for supporting the residents of Willow Gardens and restoring their rights as property owners.

ADJOURNMENT

Chair Race adjourned the meeting at 9:29 PM.

Respectfully Submitted,



Lori Ann Leitch, Secretary



In July of 2016 the Board of Supervisors took up the matter of public safety in the Willow Gardens Subdivision. The improvements made to the infrastructure were done so for the health, welfare and public safety of Pequea Township as set forth in the 2nd Class Township Code. I stand by the unanimous decisions rendered at that time as fulfilling the duties of my office and must cast a nay vote for the amended Traffic Ordinance.



A handwritten signature in blue ink, which is heavily scribbled over with a diagonal line. To the right of the signature, the date "6-30-2018" is written in blue ink.

2018-06-20 Board of Supervisors Meeting Sign-in Sheet

Matt Rull
Cal Hylb
Tim W. Barry
Jackie Johns
Tom Topp
Scott [unclear]
Fayie Edwards
[unclear]
Ray Acher
Denzel [unclear]
D. [unclear]
Dawn Ray
Jennifer Prunzke - Harover Engineering
B. Shenk
Jim Rully
Diane Thomas
Elaine Jones and Ethan
MICHAEL J KUNTZ
KREIDER JASON M.
KEW STAUFFER - NDFC
Daddy J.