

BOARD OF SUPERVISORS MEETING MINUTES | AUGUST 15, 2018

Minutes of the Pequea Township Board of Supervisors Meeting held at 7:00 PM on August 15, 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
Rob Burger, Sergeant/Detective
Sign-in Sheet Attached

CALL TO ORDER: Chair Race called the meeting to order at 7:00 PM and led the recitation of the 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.
- The Board of Supervisors held an Executive Session at 10 AM on Tuesday, August 7, 2018 to discuss revisions to the Personnel Policy.
- Engineering plans for the Rawlinsville Road bridge rehabilitation project have been provided for public inspection. PennDOT Project Manager Steve Howell, P.E. can be reached at 717-705-2285 or stehowell@pa.gov for inquiries.
- Many thanks to the sponsors, volunteers, and participants who made Pequea Township's first National Night Out a tremendous success!

MINUTES OF PREVIOUS MEETING(S): Chair Race moved to approve the minutes of the July 18, 2018 Board of Supervisors Meeting. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.

TREASURER'S REPORT: Chair Race moved to approve checks 11629-11676 from the General Fund, checks 1520-1535 from the Recreation Fund, and checks 1039-1042 from the Park Donation Fund. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed. Vice-Chair Evans-Herr stated the current balance in the General Fund is \$796,563.21.

Chair Race moved to add Consider PennDOT Memorandum of Understanding regarding the detour route for the Rawlinsville Road bridge project to the agenda. Vice-Chair Evans-Herr seconded the motion to add the item to the agenda. All voted in favor; none opposed.

Consider PennDOT Memorandum of Understanding regarding the detour route for the Rawlinsville Road bridge project – PennDOT District 8 will be using a municipal road to establish a detour route of T494 Baumgardner Road to SR 3009 Millwood Road to SR 3009 Rawlinsville Road for approximately four months in the 2019 construction season while the bridge on

BOARD OF SUPERVISORS MEETING MINUTES | AUGUST 15, 2018

Rawlinsville Road is restored. Vice-Chair Evans-Herr moved to authorize the Chair of the Board of Supervisors to execute the PennDOT Memorandum of Understanding regarding the detour route for the Rawlinsville Road bridge project. Chair Race seconded the motion. All voted in favor; none opposed.

Southern Regional Police Department – Sergeant/Detective Rob Burger delivered the police report for July 2018.

Jackie Johns of 23 Pine Lane asked why Southern Regional Police activity does not appear in the newspaper often. Sergeant/Detective Burger replied the Chief posts updates on the Crime Watch website. Vice-Chair Evans-Herr added the newspaper determines which incidents it will print.

OLD BUSINESS:

1. **Review Noise Ordinance** – Chair Race moved to table this item. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
2. **Consider updates to the Public Works Operations Manual** – Chair Race moved to table this item. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
3. **Consider draft Pequea Pulse newsletter and mailing** – Chair Race moved to table this item. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
4. **Consider Summerfield street dedication** – Nathan Pipitone, developer of the Summerfield project, stated all of the streets were designed in accordance with the Township's requirements. On behalf of the Summerfield Board of Directors, Melissa Ransing of 517 Moreland Court North asked the Township to take dedication of the roads in the Summerfield development.

Vice-Chair Evans-Herr confirmed the City of Lancaster has taken dedication of the water main but the Suburban Lancaster Sewer Authority (SLSA) has not taken dedication of the sewer lines. Vice-Chair Evans-Herr suggested the homeowners' association start with SLSA.

Chair Race said he would not consider dedication until the project is finished. Mr. Pipitone anticipates completion at the end of 2019.

Supervisor Hlavacek cited the decision from the 2006 Conditional Use Hearing. "Applicant shall not offer any street or alley in Summerfield, including Summerfield Drive, for dedication to the Township." Mr. Pipitone clarified that he, the developer referred to as the applicant in the decision, is not offering the streets; the homeowners' association is.

Supervisor Hlavacek continued, "...all streets, alleys, streetlights, open spaces, stormwater management facilities, and all other common facilities shall be private and be owned and maintained by the Association. The Township shall have no responsibility for maintaining these facilities." Mr. Pipitone and Ms. Ransing called this an injustice. The homeowners in Summerfield pay the same taxes as other Pequea Township residents but do not receive the same services.

BOARD OF SUPERVISORS MEETING MINUTES | AUGUST 15, 2018

K. Scott Edwards of 98 Baumgardner Road asked if the Township Engineer was consulted on this matter. Vice-Chair Evans-Herr responded affirmatively.

Rob Reidenbach of 330 Pleasant View Drive served on the Planning Commission when the Summerfield plan was presented. There were concerns about the width of the streets and hairpin turns not being able to accommodate the Township's large plow trucks. The plan was approved based on the private status of the roads.

Supervisor Hlavacek moved to take no action on this item and remove it from Old Business. Chair Race seconded the motion. Chair Race and Supervisor Hlavacek voted in favor; Vice-Chair Evans-Herr voted nay.

5. **Discuss Hanover Engineering analysis of Herrville Rd** – Chair Race moved to table this item. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
6. **Consider advertising and hiring seasonal part-time Public Works employees for Silver Mine Park** – Chair Race moved to table this item. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
7. **Discuss Cobblestone Stormwater Evaluation** – The Supervisors, separately, met with the Township Engineer/Zoning Officer at the site. Vice-Chair Evans-Herr observed encroachments in the stormwater management facilities impeding the flow. Vice-Chair Evans-Herr moved to authorize the Zoning Officer to initiate enforcement action against the property owner with the filled detention basin and the property owner with a shed in the easement. Chair Race seconded the motion. Chair Race and Vice-Chair Evans-Herr voted in favor of enforcement action to have the encroachments removed; Supervisor Hlavacek voted nay.

NEW BUSINESS:

1. **Discuss private road agreement for the Pipitone subdivision on Whipporwill Drive** – Chair Race moved to take no action on this item. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
2. **Consider Lancaster County Planning Commission's comments regarding the proposed Zoning Ordinance amendment** – The proposed Zoning Ordinance amendment would prohibit short-term rentals in Pequea Township. The Lancaster County Planning Commission urged the Board of Supervisors to consider a less stringent position.

Tim Weaver of 722 Baumgardner Road stated short-term rentals can be regulated by zoning.

Vice-Chair Evans-Herr moved to authorize the Zoning Officer to draft a revised amendment to allow short-term rentals in the Agricultural Zoning District by Special Exception. Chair Race seconded the motion.

Ms. Johns reiterated Mr. Weaver's comments related to zoning. Completely excluding a particular type of business would expose the Township to legal challenges. The Zoning Ordinance could limit short-term rentals to certain areas.

BOARD OF SUPERVISORS MEETING MINUTES | AUGUST 15, 2018

Dennis Miller of 336 Pleasant View Drive would like provisions to ensure the short-term rentals are not a nuisance to residents. Vice-Chair Evans-Herr replied the Zoning Hearing Board would be able to set conditions.

Don Purdum of 129 Marticville Road said the Airbnb agreement has rigorous requirements for the property owner to follow. He encouraged the Supervisors to visit the website for more information.

Chair Race and Vice-Chair Evans-Herr voted in favor of revising the draft to allow short-term rentals in the Agricultural Zoning District by Special Exception; Supervisor Hlavacek voted nay.

3. **Consider adopting Resolution to accept the City of Lancaster's amended and rewritten Sewer System Regulations** – Vice-Chair Evans-Herr explained the wastewater collected from the Suburban Lancaster Sewer Authority's system is conveyed to the City of Lancaster's treatment plant. Changes made to the City's sewer system regulations must be formally accepted by SLSA members. Chair Race moved to pass Resolution 487-2018 to adopt the City of Lancaster's amended and rewritten sewer system regulations. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
4. **Discuss Sewage Flow Projections** – The Suburban Lancaster Sewer Authority asked its members to determine if their allocation of Equivalent Dwelling Units (EDUs) will be sufficient to meet their 20-year needs. The SLSA Engineer's Report shows Pequea Township has 399 EDUs. Two hundred (200) of those have been designated for pending projects, leaving an available balance of 199 EDUs. Chair Race moved to leave the allocation at its current capacity. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
5. **Discuss Demolition Order for 242 Marticville Road** – Vice-Chair Evans-Herr moved to authorize the Solicitor to draft the Demolition Order for the condemned property at 242 Marticville Road. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
6. **Consider Traffic Signal Maintenance Contract** – Vice-Chair Evans-Herr moved to authorize the Chair of the Board of Supervisors to execute the Signal Service, Inc. traffic signal maintenance contract for a two-year period beginning September 1, 2018. Chair Race seconded the motion. All voted in favor; none opposed.
7. **Consider Signal Service quotation to replace Vehicle Detection Loop with Video Detection System** – Chair Race moved to authorize Signal Service, Inc. to replace the failed vehicle detection loop at the intersection of Long Lane and New Danville Pike with a video detection system for \$3,579.00. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
8. **Consider disbursement of EMS Contribution from Willow Run** – Chair Race moved to disburse ten thousand dollars (\$10,000.00) of the Willow Run EMS Contribution to the New Danville Fire Company, ten thousand dollars (\$10,000.00) to the West Willow Fire Company, ten thousand dollars (\$10,000.00) to the Southern Regional Police Department, (\$3,000.00) three thousand dollars to Lancaster EMS, and three thousand dollars (\$3,000.00) for Emergency Management. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
9. **Discuss Law Enforcement Policies and Training software** – The Supervisors discussed using the ten thousand dollars (\$10,000.00) disbursed to the Southern Regional Police Department from the Willow Run EMS Contribution to buy policy management software. Chair Race moved to

BOARD OF SUPERVISORS MEETING MINUTES | AUGUST 15, 2018

authorize the Chief of Police to purchase Law Enforcement Policies and Training software. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

10. **Discuss Police Department name change** – Chair Race moved to authorize changing the name of the Southern Regional Police Department to the Pequea Township Police Department effective January 1, 2019. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
11. **Consider adopting Resolution to change signers on Southern Regional Police Commission account** – Vice-Chair Evans-Herr moved to adopt joint Resolution 488-2018 designating Conestoga Township Supervisor William Rankin as an authorized signer on the Southern Regional Police Commission account replacing Charles Timothy Byers. Chair Race seconded the motion. All voted in favor; none opposed.
12. **Consider adopting Resolution to re-purpose the Park Donation Fund** – Chair Race moved to adopt Resolution 489-2018 to authorize changing the name of the Pequea Township Park Donation Fund to the Pequea Township Donation Fund and to maintain the account for the acceptance of all Township donations including, but not limited to, those intended for park activities. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
13. **Consider dissolution of the Flagpole/Memorial Committee** – Chair Race moved to dissolve the Flagpole/Memorial Committee. Vice-Chair Evans-Herr seconded the motion.

Earl Houghton of 339 Pleasant View Drive expressed concern about the sinking foundation. Mr. Weaver, Chair of the Park and Recreation Board, responded they will tamp the sand under the bricks.

All voted in favor of dissolving the Flagpole/Memorial Committee; none opposed.
14. **Discuss funding of Stormwater projects in Silver Mine Park** – Chair Race moved to table this item to Old Business. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
15. **Consider authorizing Eagle Scout project in Silver Mine Park** – Vice-Chair Evans-Herr moved to authorize Shawn Splain to construct wood duck boxes in Silver Mine Park for his Eagle Scout project. Chair Race seconded the motion. All voted in favor; none opposed.
16. **Consider employee rate increases** – Vice-Chair Evans-Herr moved to authorize a three percent (3%) rate increase for non-uniformed employees who had service anniversaries during the petitioning period for AFSCME representation. Supervisor Hlavacek seconded the motion.

Ms. Johns inquired as to why salaries are not being negotiated by the union. Chair Race informed her negotiations have not yet commenced. Vice-Chair Evans-Herr added a collective bargaining agreement would not be effective immediately. The terms would need to be budgeted.

All voted in favor of the increase for non-uniformed employees; none opposed.
17. **Consider scheduling Budget Workshops** – Chair Race moved to schedule budget workshops on September 27 at 10:00 AM, October 11 at 10:00 AM, October 25 at 6:30 PM, November 8 at 10:00 AM, and a budget adoption meeting on December 6 at 7:00 PM. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.

BOARD OF SUPERVISORS MEETING MINUTES | AUGUST 15, 2018

REPORTS/UPDATES:

Fire Company Consolidation Committee – Ken Stauffer, President of the New Danville Fire Company, provided a brief update on the fire companies' progress towards consolidation. On behalf of both the New Danville Fire Company and the West Willow Fire Company, President Stauffer requested a copy of the Fire Protection Evaluation Committee's report.

Vice-Chair Evans-Herr moved to add Consider Fire Companies' request for a copy of the Fire Protection Evaluation Committee's Report to the agenda. Chair Race seconded the motion. All voted in favor; none opposed.

Consider Fire Companies' request for a copy of the Fire Protection Evaluation Committee's Report – Chair Race, Vice-Chair Evans-Herr, and Supervisor Hlavacek all stated they have not seen the Fire Protection Evaluation Committee's report.

Tom Haas of 2194 New Danville Pike questioned the Board forcing the fire companies to consolidate based on a report they have not seen. Vice-Chair Evans-Herr responded the report was read to the fire companies; the Fire Protection Evaluation Committee does not want it circulated to the general public. Mr. Haas objected to the secrecy. He believes something is amiss.

Brad Shenk, Chief of the New Danville Fire Company, stated no report was ever read to the fire companies. They would like to see the Fire Protection Evaluation Committee's recommendations.

Chair Race moved to authorize Supervisor Hlavacek to obtain a copy of the Fire Protection Evaluation Committee's report from committee member Nathan Pipitone or the Township Solicitor to be given to the fire companies before their meeting on September 5, 2018. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

Pequea Township Road Crew – Road Liaison's Update on File

Zoning/Code Enforcement Officer – Report on File

Pequea Township Zoning Hearing Board – Ms. Johns, Chair of the Zoning Hearing Board, asked if the Board of Supervisors intends to appeal the ruling on the Schelling property at 330 Baumgardner Road. Chair Race replied the matter is not on this agenda.

PUBLIC COMMENTS:

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

Mr. Edwards expressed concerns about park staffing, liability insurance, and Vice-Chair Evans-Herr's unauthorized purchase of a heater for the barn. After an intense exchange, Vice-Chair Evans-Herr excused herself from the meeting at 9:19 PM.

Mike Kuntz of the New Danville Fire Company thanked the residents of Pequea Township for their support. NDFC used the proceeds from their spring fund drive to improve the safety of the floors in their engine bay.

Kim Frey of 29 Whipporwill Drive requested an update on the measures being taken to manage the stormwater on Long Lane Acres. Chair Race said the Engineer will be evaluating that area soon.

Mr. Houghton feels he is being harassed by Vice-Chair Evans-Herr. He wants the derogatory remarks to cease. Chair Race suggested holding a personnel meeting to address the problem.

BOARD OF SUPERVISORS MEETING MINUTES | AUGUST 15, 2018

Mr. Reidenbach stated Vice-Chair Evans-Herr has a history of abusing employees. The high turnover and union can be attributed to her.

Mr. Haas recommended moving Public Comments to the beginning of the agenda.

Ms. Johns complained about the milkweed being mowed at the park. She believes Vice-Chair Evans-Herr and Mr. Weaver should be given credit for all the work they are doing at Silver Mine Park.

Mr. Miller feels Vice-Chair Evans-Herr attacks residents who disagree with her.

Jere Goretzke of 3 Newswanger Road is shocked by the amount of turnover.

ADJOURNMENT: Chair Race adjourned the meeting at 9:39 PM.

Respectfully Submitted,



Lori Ann Leitch, Secretary

2018-08-15

Board of Supervisors Meeting

Sign-in Sheet

MICHAEL KUNTZ

[Signature]

GEO DEHASSEN

ALEX KUH

Brian Dieter

JASON Topper

Tim Weaver

Barrie Edwards

Matt *[Signature]*

Joe *[Signature]*

Rob Keenan

Ken Stoff - KORE

Earl Daylinton

Jackie Johnson

Donna Bernard

[Signature]

Don *[Signature]*

Bob *[Signature]*

[Signature]

[Signature]

CHRISTIAN *[Signature]*

Elaine Jones

Duane *[Signature]*

B. Sherk

Re *[Signature]*