

# BOARD OF SUPERVISORS MEETING MINUTES | OCTOBER 17, 2018

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Minutes of the Pequea Township Board of Supervisors Meeting held at 7:00 PM on October 17, 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  
Megan Huyett, Police Officer  
Sign-in Sheet Attached

**CALL TO ORDER:** Chair Race called the meeting to order at 6:59 PM and led the recitation of the Pledge of Allegiance.

**OATH OF OFFICE:** Chair Race administered the Oath of Office to Larry Reinhart of the West Willow Fire Police.

**PRESENTATION:** Lori Dietrich, Director of Development of the Lancaster Public Library, shared statistics on the library usage and funding.

Southern Regional Police Department – Officer Huyett read the Police Department report for the month of September.

## 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.
- Budget Workshops will be held October 25 at 6:30PM and November 8 at 10AM.
- Executive Sessions were held at 10:15 AM on Monday, October 15, 2018 and 9:30 AM on Wednesday, October 17, 2018 to respond to a grievance from the Southern Regional Police Officers' Association.
- The Archery Hunt originally scheduled for October was cancelled. A late season hunt will be considered tonight.

**HEARING:** Amended Sewer System Regulations Ordinance

### Ordinance # 213-2018

Vice-Chair Evans-Herr moved to adopt Ordinance 213-2018, an Ordinance of the Board of Supervisors of the Township of Pequea, Lancaster County, Pennsylvania, to adopt the amended and rewritten sewer system regulations of the City of Lancaster. Chair Race seconded the motion. All voted in favor; none opposed.

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**MINUTES OF PREVIOUS MEETING(S):** Chair Race moved to approve the minutes of the September 19, 2018 Board of Supervisors Meeting, the September 27, 2018 Budget Workshop, and the October 3, 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 11734-11788 from the General Fund, checks 1550-1559 from the Recreation Fund, checks 1047-1094 from the Donation Fund, and checks 0024-0026 from the Escrow Fund. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed. Vice-Chair Evans-Herr announced the current balance in the General Fund is \$704,251.83, and the Recreation Fund balance is \$162,361.92.

**OLD BUSINESS:** Chair Race moved to table Old Business items 1-7. Supervisor Hlavacek seconded the motion. Vice-Chair Evans-Herr suggested removing the Old Business items from the agenda. Chair Race withdrew his motion and Supervisor Hlavacek withdrew his second. Vice-Chair Evans-Herr moved to remove all Old Business items from the agenda. Chair Race seconded the motion. All voted in favor; none opposed.

## **NEW BUSINESS:**

1. **Discuss Stormwater Management Concern on Tepee Circle** – Richard Cornogg of 1 Tepee Circle described the drainage issue in front of his property. Vice-Chair Evans-Herr moved to authorize the Township Engineer to work with the Road Crew to install two inlet boxes and pipes in the right-of-way of Tepee Circle. Chair Race seconded the motion. Supervisor Hlavacek expressed apprehension about the cost. Chair Race and Vice-Chair Evans-Herr voted in favor; Supervisor Hlavacek voted nay.
2. **Consider Escrow Reduction for 255 Shultz Road** – Chair Race moved to reduce the financial security held in escrow for Jason Ditzler of 255 Shultz Road by \$25,279.28 and establish a new amount equal to \$2,886.20. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
3. **Consider Pequea Church Request for Additional Driveway** – Vice-Chair Evans-Herr moved to deny Pequea Church's request for an additional service entrance due to the lack of acceptable sight distance posing a safety issue as determined by the Township Engineer. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.
4. **Consider Resolution to transfer funds to the Capital Reserve Fund** – Vice-Chair Evans-Herr moved to transfer ten thousand dollars (\$10,000.00) from the General Fund to the Capital Reserve Fund for a salt shed. Motion died due to lack of a second.
5. **Consider Resolution to transfer funds to the Operating Reserve Fund** – Supervisor Hlavacek moved to table this item. Chair Race seconded the motion. Vice-Chair Evans-Herr explained the Operating Reserve Fund was established for annual budget surpluses and deficits. Excess money up to twenty-five per centum of estimated revenues in the General Fund can be appropriated to the Operating Reserve. When necessary, the Board of Supervisors may by Resolution transfer money from the Operating Reserve to counterbalance potential budget shortfalls.

Tom Haas of 2194 New Danville Pike asked if the money would be more easily spent if it were transferred to the Operating Reserve Fund. Vice-Chair Evans-Herr replied the opposite is true.

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Chair Race and Supervisor Hlavacek voted in favor of tabling this item; Vice-Chair Evans-Herr voted nay.

6. **Consider Resolution to re-purpose the Recreation Fund** – Vice-Chair Evans-Herr moved to adopt Resolution 491-2018 to re-purpose the Recreation Fund to authorize the deposit of revenue generated by recreational activities in addition to fees paid by developers in lieu of parkland. Chair Race seconded the motion. All voted in favor; none opposed.
7. **Consider Resolution to authorize the issuance of Firewood Permits** – Chair Race moved to adopt Resolution 492-2018 to authorize the issuance of Firewood Permits. Supervisor Hlavacek seconded the motion.

Mr. Haas encouraged the Supervisors to consider the liability.

Jerry Skolnick of 2079 New Danville Pike contrasted chopping wood on the ground and cutting down a tree.

Earl Houghton of 339 Pleasant View Drive opposes the cutting of trees in the park.

Following discussion, the Supervisors revised the draft to limit the permits to fallen wood. All voted in favor of adopting the revised Resolution; none opposed.
8. **Consider Resolution to authorize the issuance of Vendor Permits** – Chair Race moved to adopt Resolution 493-2018 to authorize the issuance of Vendor Permits. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
9. **Consider Resolution to authorize the issuance of Wildlife Management Permits** – Vice-Chair Evans-Herr described the Park and Recreation Board’s plan to issue permits for archery hunting in Silver Mine Park.

Mr. Haas urged the Supervisors to focus on infrastructure and protection instead of park events.

Ken Adams of 39 Cobblestone Drive likened the archery hunt lottery to gambling.

David Stull does not approve of the expense of organizing a hunt.

Vice-Chair Evans-Herr moved to adopt Resolution 494-2018 to authorize the issuance of Wildlife Management Permits. Chair Race seconded the motion. All voted in favor; none opposed.
10. **Consider amending Fee Resolution** – The Board of Supervisors considered amending the Fee Resolution to include the newly-created permits.

The Board of Supervisors set the Firewood Permit fee at \$40 for 2 cords of wood.

Dennis Miller of 336 Pleasant View Drive confirmed the firewood would be for personal use only.

Mr. Houghton asked who will oversee the program. Vice-Chair Evans-Herr replied it will operate on the honor system.

The Board of Supervisors set the standard Vendor Permit fee at \$40. Non-profit vendors will be charged a discounted rate of \$20. Vendor Permit fees will be waived for the New Danville Fire Company, the West Willow Fire Company, and the Friends of the Force.

The Board of Supervisors set the Wildlife Management Permit fee at \$40.

Mr. Adams inquired about the permit process. He asserted it constitutes gambling.

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Vice-Chair moved to adopt Resolution 495-2018 to add the permits to the Fee Schedule. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

- 11. Consider authorizing Late Season Archery Hunt at Silver Mine Park** – Vice-Chair Evans-Herr described the Park and Recreation Board’s plan for an archery hunt on the North side of Silver Mine Park.

Mr. Skolnick verified the hunting grounds will be clearly marked.

Don Purdum of 129 Marticville Road suggested obtaining written approval from adjacent property owners granting hunters permission to follow wounded deer onto their land.

Vice-Chair Evans-Herr moved to approve the Late Season Archery Hunt at Silver Mine Park from December 26, 2018 to January 12, 2019. Chair Race seconded the motion. All voted in favor; none opposed.

- 12. Consider Snow Removal Contracts** – Chair Race moved to approve the Snow Removal Contracts for Future View Farm, LLC and Middle Willow Farm, LLC at a rate of \$125/hr. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.

- 13. Consider Act 44 Resolution** – Vice-Chair Evans-Herr moved to adopt Resolution 496-2018 to establish a policy for the procurement of professional services for the employee pension plans. Chair Race seconded the motion. All voted in favor; none opposed.

## REPORTS/UPDATES:

Lancaster Inter-Municipal Committee – The Lancaster Inter-Municipal Committee (LIMC) is a member of the Lancaster County Clean Water Consortium (LCCWC). As a member of LIMC, the Township may not need to maintain its own membership to LCCWC. Vice-Chair Evans-Herr will gather more information for the Board of Supervisors.

Suburban Lancaster Sewer Authority – A copy of the Suburban Lancaster Sewer Authority’s recent audit was placed on the table.

Zoning/Code Enforcement Officer – Report on File

## PUBLIC COMMENTS:

Mr. Adams implored residents to attend the budget workshops.

Jerry and Frances Skolnick of 2079 New Danville Pike complained about the property at 2084 New Danville Pike. The Code Enforcement Officer determined no violations exist. Vice-Chair Evans-Herr and the Skolnicks exchanged harsh words.

Robin, a Pequea Township resident who refused to give her last name and address, stated this was the first meeting she attended and she was embarrassed by Vice-Chair Evans-Herr’s disrespectful behavior.

Rob Reidenbach of 330 Pleasant View Drive was displeased the majority of the meeting was spent discussing the park instead of the primary responsibilities of the Board of Supervisors.

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Scott Edwards of 98 Baumgardner Road believes the Supervisors should possess the utmost integrity and credibility. He gave examples of incidents he perceived as deception.

Mr. Houghton began to comment on a safety matter at the park, but Vice-Chair Evans-Herr interrupted him. She told him a township meeting is not the appropriate place for an employee to address a work issue.

Mr. Haas requested an update on the investigation of the former police department. Chair Race responded it is in the hands of the State Police and the Attorney General.

Mr. Haas asked the Supervisors to reconsider their appeal of the Zoning Hearing Board's granting of a variance for the Schelling property at 330 Baumgardner Road.

Mark Meyer of 30 West Boehms Road agreed with Mr. Haas. He also wants the Board of Supervisors to rescind their appeal of the Schelling decision.

Ben Vonderheide, a Conestoga Township resident, accused Chair Race of being swayed by popular opinion.

**ADJOURNMENT:** Chair Race adjourned the meeting at 10:35 PM.

Respectfully Submitted,



Lori Ann Leitch, Secretary

