

BOARD OF SUPERVISORS MEETING MINUTES | JANUARY 16, 2019

Minutes of the Pequea Township Board of Supervisors Meeting held at 7:00 PM on January 16, 2019 at the New Danville Fire Company, 43 Marticville Road, Lancaster, PA 17603.

Present at the meeting were:

Donald R. Purdum, Jr., Chair
Anthony Cazillo, III, Vice-Chair
Robert Race, Jr., Supervisor
Cynthia T. Evans-Herr, Supervisor
E. John Hlavacek, Supervisor

Others present:

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

CALL TO ORDER

Chair Purdum called the meeting to order 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.
- An Executive Session was held at 7 PM on January 9, 2019 to discuss collective bargaining issues.
- Christmas trees can be dropped off at the Marticville entrance of Silver Mine Park between December 26, 2018 and January 31, 2019 from dawn to dusk.
- Written, sealed bids will be accepted for various Township items valued under the formal bidding threshold of two thousand dollars (\$2,000.00). Deadline for submissions is January 31, 2019. Please see the Secretary for more information.

MINUTES OF PREVIOUS MEETING(S): Vice-Chair Cazillo moved to approve the minutes of the December 19, 2018 Board of Supervisors Meeting and the January 7, 2019 Organizational Meeting. Supervisor Race seconded the motion. All voted in favor; none opposed.

TREASURER'S REPORT: Chair Purdum moved to approve checks 11888-11943 from the General Fund, checks 1579-1588 from the Recreation Fund, and check 1147 from the Donation Fund. Vice-Chair Cazillo seconded the motion. All voted in favor; none opposed.

OLD BUSINESS:

1. **Appoint Roadmaster** – Chair Purdum moved to remove the appointment of a Roadmaster from the agenda. Supervisor Race seconded the motion. Supervisor Evans-Herr inquired about a timeline for filling the position. Supervisor Hlavacek does not see a need for a Roadmaster at this time. Chair Purdum stated a decision will be made in the coming months. Chair Purdum, Vice-

BOARD OF SUPERVISORS MEETING MINUTES | JANUARY 16, 2019

Chair Cazillo, Supervisor Race, and Supervisor Hlavacek voted in favor of removing the appointment of a Roadmaster from the agenda; Supervisor Evans-Herr voted nay.

2. **Set amount of Treasurer Bond** – Chair Purdum moved to increase the amount of the Treasurer Bond from one million dollars to two million dollars. Supervisor Evans-Herr seconded the motion. All voted in favor; none opposed.
3. **Appoint Board of Auditors member** – Chair Purdum moved to remove the appointment of an Auditor from the agenda. Supervisor Race seconded the motion. All voted in favor; none opposed.
4. **Appoint Park and Recreation Board member** – Chair Purdum moved to remove the appointment of a Park and Recreation Board member from the agenda. Supervisor Race seconded the motion. All voted in favor; none opposed.

NEW BUSINESS:

1. **Consider approving Preliminary/Final Land Development Plan and Stormwater Management Plan for Millwood Road Lot 11** – Chair Purdum moved to approve the Preliminary/Final Land Development Plan and Stormwater Management Plan for Millwood Road Lot 11 subject to the conditions stated in the Solanco Engineering Associates, LLC review dated January 2, 2019. Supervisor Race seconded the motion. Supervisor Hlavacek expressed concern about the water pressure. Supervisor Evans-Herr clarified the City of Lancaster is responsible for the water.

Jackie Johns of 23 Pine Lane requested more information about the proposed screening waiver. Todd Vaughn, Senior Project Manager at David Miller/Associates, Inc., explained the minor screening modification being considered is near the garbage container. The plan includes perimeter screening.

Chair Purdum amended his motion to require a financial security be provided to Pequea Township in the amount of one hundred thirty-eight thousand four hundred fifty-seven dollars and twenty-one cents (\$138,457.21). Supervisor Evans-Herr seconded the amended motion. All voted in favor; none opposed.

2. **Consider Sanitary Sewer Capacity Request for Millwood Road Lot 1** – Chair Purdum moved to approve the Sanitary Sewer Capacity Request of six (6) EDUs for Millwood Road Lot 1 and authorize the Secretary to notify the Suburban Lancaster Sewer Authority (SLSA). Supervisor Evans-Herr seconded the motion. All voted in favor; none opposed.
3. **Consider Penn Grant Commons Landscaping Plan Modification** – Chair Purdum moved to approve the Penn Grant Commons Landscaping Plan Modification as requested by Randy Hess of Oak Hill Partners. Supervisor Race seconded the motion. Mr. Hess agreed to Supervisor Evans-Herr's suggestion of planting low-lying grasses in place of the nineteen (19) trees. Chair Purdum, Supervisor Race, Supervisor Evans-Herr and Supervisor Hlavacek voted in favor of the modification; Vice-Chair Cazillo, a resident of Penn Grant Commons, abstained.
4. **Discuss and consider Road Crew work days and hours** – Chair Purdum moved to set the Road Crew hours to the standard schedule they have been practicing during the negotiation of a collective bargaining agreement. Supervisor Evans-Herr seconded the motion.

Ms. Johns accused the Supervisors of allowing the Road Crew to set their own hours. Chair Purdum replied their schedule will be determined by the collective bargaining agreement.

All voted in favor; none opposed.

5. **Consider approving Escalator Clause for 2019** – Chair Purdum moved to adopt Resolution 506-2019, known as the Escalator Clause, to allow for the Price Adjustment of Bituminous Materials for Small Quantities. Supervisor Evans-Herr seconded the motion. All voted in favor; none opposed.
6. **Consider Resolution to adopt the Lancaster County Hazard Mitigation Plan** – Chair Purdum moved to enact Resolution 507-2019 to adopt the Lancaster County Hazard Mitigation Plan. Vice-Chair Evans-Herr seconded the motion. All voted in favor; none opposed.
7. **Review Draft Ordinance to disband the Park and Recreation Board** – Chair Purdum moved to approve the draft Ordinance to disband the Park and Recreation Board and authorize the Secretary to advertise a hearing on February 20, 2019 during the Board of Supervisors meeting. Supervisor Evans-Herr seconded the motion. All voted in favor; none opposed.
8. **Consider Resolution for the Agenda Procedure** – Chair Purdum moved to adopt Resolution 508-2019 to establish a procedure for setting the agenda for the Board of Supervisors meeting. Vice-Chair Cazillo seconded the motion. Supervisor Evans-Herr objected to the Chair having the authority to determine items to be placed on the agenda at his sole discretion. Chair Purdum stated an item could be added as an addendum to the agenda if approved by a majority of the Supervisors during the meeting. Supervisor Hlavacek opposed granting the Chair the ability to deny a Supervisor's request to add an item to the agenda.

Ken Adams of 39 Cobblestone Drive supported the expansion of the Board from three members to five. He believes all five Supervisors should be able to put items on the agenda for the Board's consideration.

Ms. Johns wants all of the Board members to have the ability to add items to the agenda instead of one Supervisor controlling it.

K. Scott Edwards of 98 Baumgardner Road commented on a heater that was purchased for the barn at Silver Mine Park without Board approval.

Chair Purdum claimed the Resolution will promote transparency and reduce discussion between Supervisors outside of a public meeting that could possibly violate the Sunshine Act. Supervisor Evans-Herr and Supervisor Hlavacek responded the current procedure of notifying the Secretary of an item to be added to the agenda is not a violation of the Sunshine Act. Supervisor Evans-Herr also expressed concern about not having sufficient time to prepare for addenda. Supervisor Race suggested changing the Resolution to allow any Supervisor to add an item to the agenda and then notify the Chair of the addition. Chair Purdum, Vice-Chair Cazillo, and Supervisor Race voted in favor of adopting Resolution 508-2019 as originally proposed; Supervisor Evans-Herr and Supervisor Hlavacek voted nay.

BOARD OF SUPERVISORS MEETING MINUTES | JANUARY 16, 2019

9. **Consider Resolution for Public Comments** – Chair Purdum moved to adopt Resolution 509-2019 to receive Public Comments for items not on the agenda prior to conducting Old Business. Vice-Chair Cazillo seconded the motion. Supervisor Hlavacek advised against moving Public Comments to the beginning of the meeting referencing studies of poor decision-making following negative remarks. Supervisor Evans-Herr recommended the Chair call a recess after Public Comments are taken. Chair Purdum stressed he will not tolerate personal attacks.

Chair Purdum assured Martin Harnish of 56 West Willow Road that the standards will apply to the Supervisors as well as the public.

All voted in favor; none opposed.

10. **Consider Resolution for Camera Placement during Meetings** – Chair Purdum moved to adopt Resolution 510-2019 to establish rules and regulations for the use of recording devices at public meetings. Supervisor Race seconded the motion.

Mr. Edwards requested clarification. Chair Purdum explained members of the audience may use small recording devices from their seats but larger equipment must be placed in an area designated by the Board.

Ms. Johns asked for the location of the designated area. Chair Purdum responded the location will be established by the Board at the next meeting. The intent of the Resolution is to prevent the disruption of the meeting.

All voted in favor; none opposed.

11. **Consider Procedure for Purchases** – Chair Purdum moved to adopt a Procedure for Purchases. Supervisor Race seconded the motion. Supervisor Evans-Herr suggested all employees sign an acknowledgment of their receipt of the purchasing policy. Chair Purdum amended his motion to require the acknowledgment. All voted in favor; none opposed.

ADDENDUM:

Chair Purdum moved to add the consideration of the West Willow Fire Company's 2019 events for workers' compensation insurance coverage. Vice-Chair Cazillo and Supervisor Hlavacek seconded the motion to add the item to the agenda.

Consider approving West Willow Fire Company's 2019 Events for Workers' Compensation Insurance Coverage – Chair Purdum moved to approve West Willow Fire Company's list of 2019 fundraising events for the purpose of workers' compensation insurance coverage. Supervisor Race seconded the motion. The list consists of a Chicken Corn Soup Sale on January 26, a Gun Raffle on June 15, and Boot Drives on June 1 and November 9. All voted in favor; none opposed.

REPORTS/UPDATES:

Pequea Township Police Department – Chief Michener delivered the December Police Report.

Pequea Township Road Crew – Road Liaison Purdum will provide a report at the next meeting.

Lancaster Inter-Municipal Committee – LIMC Representative Cazillo was unable to attend the meeting.

Suburban Lancaster Sewer Authority – SLSA has not made a decision regarding the lot on Nolt Avenue.

Zoning/Code Enforcement Officer – Report on File

BOARD OF SUPERVISORS MEETING MINUTES | JANUARY 16, 2019

Pequea Township Zoning Hearing Board – On February 5, 2019, the Zoning Hearing Board will consider a variance requested by David Esh on behalf of Elam Stoltzfus of 1166 West Penn Grant Road to permit the erection of a horse barn that exceeds 1,000 square feet in the R-1 Zoning District.

Pequea Township Planning Commission – The Planning Commission will review the ASA Declarations for 195 Linestown Road at their January 30, 2019 meeting.

Pequea Township Park and Recreation Board – The January meeting was cancelled.

PUBLIC COMMENTS:

Mr. Edwards stated former Chief of the Southern Regional Police Department, John Fiorill, was cleared of any wrongdoing after being investigated by the Pennsylvania State Police. He then yielded the lectern to Mr. Fiorill.

Supervisor Evans-Herr excused herself from the meeting at 8:18 PM.

Mr. Fiorill referenced the “Blue Paper” which accused him of corruption, theft, and pension fraud. He believes the paper was produced by Supervisor Evans-Herr, Conestoga Township Supervisor John Berry, and Bennett Vonderheide with the intention of discrediting him.

Tom Haas of 2194 New Danville Pike is outraged the Board allowed a Supervisor to sign the Blue Paper. He feels Supervisor Evans-Herr, Supervisor Race, and Supervisor Hlavacek should resign for their role in the investigation.

Scott Bode of 160 Silver Mine Road complained about the lack of maintenance at Silver Mine Park. Chair Purdum replied committees will be formed to take care of the park in 2019.

Ralph Feltman of 245 Marticville Road is frustrated by the slow process to remedy the two condemned properties near his home. Supervisor Race informed him litigation is pending. Chair Purdum said he will contact the Zoning Officer for a timeline.

Mr. Adams urged the Board to consider making draft minutes available to the public. He then inquired if expenses related to the name change of the police department are being paid out of the residual funds in the Southern Regional Police Commission account. Supervisor Race replied Pequea Township is responsible for the Pequea Township Police Department.

Mr. Edwards asked if the Agenda Resolution includes a timeline. Chair Purdum responded the goal is to post the agenda to the website the Friday before the meeting.

ADJOURNMENT

Chair Purdum adjourned the meeting at 8:34 PM.

Respectfully Submitted,



Lori Ann Leitch, Secretary

