

# BOARD OF SUPERVISORS MEETING MINUTES | FEBRUARY 27, 2019

Minutes of the Pequea Township Board of Supervisors Meeting held at 7:30 PM on February 27, 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  
Robert P. Burger, Sergeant/Detective  
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 before Old Business. 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 on Monday, February 25, 2019 to discuss collective bargaining issues and personnel matters.

Chair Purdum moved to accept the resignation of Supervisor Robert Race, Jr. effective March 31, 2019. Vice-Chair Cazillo seconded the motion. Chair Purdum, Vice-Chair Cazillo, Supervisor Race, and Supervisor Hlavacek voted in favor of acceptance; Supervisor Evans-Herr voted nay.

**MINUTES OF PREVIOUS MEETING(S):** Supervisor Race moved to approve the minutes of the January 16, 2019 Board of Supervisors Meeting. Vice-Chair Cazillo seconded the motion. Chair Purdum, Vice-Chair Cazillo, and Supervisor Race voted in favor; Supervisor Evans-Herr and Supervisor Hlavacek voted nay.

**TREASURER'S REPORT:** Supervisor Evans-Herr moved to approve Checks 11944-12015 from the General Fund and Checks 1589-1597 from the Recreation Fund. Supervisor Race seconded the motion. All voted in favor; none opposed.

## **HEARING:** Agricultural Security Area Petition

Supervisor Evans-Herr moved to approve the request of David B. Stull and Christine M. Stull of 195 Linestown Rd, Willow Street, PA 17584 to add tax parcel numbers 510-31305-0-0000 and 510-97942-0-0000 to the Agricultural Security Area in Pequea Township. Supervisor Race seconded the motion. All voted in favor; none opposed.

## **HEARING:** Ordinance to Disband the Pequea Township Park and Recreation Board

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Vice-Chair Cazillo moved to adopt Ordinance 214-2019, an Ordinance of the Township of Pequea, Lancaster County, Pennsylvania, to disband the Pequea Township Park and Recreation Board. Supervisor Race seconded the motion.

Tim Weaver of 722 Baumgardner Road questioned the reasoning behind the Ordinance. Chair Purdum feels it is in the best interest of the Township to have Park and Recreation under the full authority of the Board of Supervisors without an advisory board at this time.

Jackie Johns of 23 Pine Lane asked if the Supervisors have attended seminars regarding park maintenance, conservation, and MS4s. Vice-Chair Cazillo referenced Section 2 of the Ordinance regarding the formation of committees and encouraged Ms. Johns to participate.

Chair Purdum, Vice-Chair Cazillo, Supervisor Race, and Supervisor Hlavacek voted in favor of adopting Ordinance 214-2019; Supervisor Evans-Herr voted nay.

### **PUBLIC COMMENTS:**

Scott Edwards of 98 Baumgardner Road disputed Supervisor Evans-Herr's claim that the Blue Paper was written at the request of Senator Scott Martin. Mr. Edwards urged the Chair of the Board of Supervisors to seek clarification from Senator Martin. Supervisor Evans-Herr stated the findings of the Certified Public Accountant who audited the Commission's books moved the investigation forward.

Tom Haas of 2194 New Danville Pike requested a full accounting of the Commission funds. Chair Purdum responded he will contact Ed Browne, the attorney who is handling Commission matters. Mr. Haas then inquired about legal expenses. Chair Purdum explained there was a large bill paid to Special Counsel in January for collective bargaining negotiations that occurred at the end of 2018.

Ms. Johns asked if the Township will be advertising for the 2019 road projects soon. Chair Purdum replied that item is on the agenda under New Business.

Ken Adams of 39 Cobblestone Drive commented on the Sunshine Law and Rules of Order. He then thanked Supervisor Race for his service.

**OLD BUSINESS:** None

### **NEW BUSINESS:**

1. **Consider Planning Module Exemption for Millwood Road Lot 1** – Supervisor Evans-Herr moved to approve the Planning Module Exemption for Millwood Road Lot 1. Supervisor Race seconded the motion.

Mr. Adams began to ask a question regarding the proposed driveway for Millwood Road Lot 1. Chair Purdum told him that is not the matter before the Board this evening.

All voted in favor; none opposed.

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2. **Consider Well Isolation Waiver for 724 Baumgardner Rd** – Supervisor Evans-Herr moved to approve a Well Isolation Waiver for 724 Baumgardner Road. Vice-Chair Cazillo seconded the motion. Supervisor Evans-Herr directed the Township Engineer to provide a copy of the plan to the adjoining landowners. Chair Purdum confirmed Mr. Weaver of 722 Baumgardner Road does not object to the waiver. All voted in favor; none opposed.
3. **Consider Penn Grant Commons Letter of Credit Reduction Request for Phase I** – Supervisor Evans-Herr moved to reduce the Letter of Credit for Penn Grant Commons Phase I and establish a new amount equal to \$45,438.25 as recommended by the Township Engineer. Supervisor Race seconded the motion. All voted in favor; none opposed.
4. **Consider Penn Grant Commons Letter of Credit Reduction Request for Phase II** – Supervisor Evans-Herr moved to reduce the Letter of Credit for Penn Grant Commons Phase II and establish a new amount equal to \$21,422.50 as recommended by the Township Engineer. Vice-Chair Cazillo seconded the motion. All voted in favor; none opposed.
5. **Consider Penn Grant Commons Letter of Credit Reduction Request for Phases III and IV** – Supervisor Evans-Herr moved to reduce the Letter of Credit for Penn Grant Commons Phases III and IV and establish a new amount equal to \$380,456.35 as recommended by the Township Engineer. Supervisor Race seconded the motion. All voted in favor; none opposed.
6. **Consider Willow Run Letter of Credit Reduction Request for Phases II and III** – Supervisor Evans-Herr moved to reduce the Letter of Credit for Willow Run Phases II and III and establish a new amount equal to \$520,735.15 as recommended by the Township Engineer. Supervisor Race seconded the motion. All voted in favor; none opposed.
7. **Discuss proposed Zoning Ordinance Amendment to delete a section relating to Fences and Walls, to delete a section relating to Screening, and to provide Regulations for the Governing of Short-Term Rentals** – Chair Purdum recommended taking no action on this item. He does not believe it is a priority and would prefer to let other Townships address short-term rentals first. Supervisor Evans-Herr asserted the proposed changes to the Zoning Ordinance are crucial for enforcement.

Mr. Haas suggested not grouping multiple revisions into one Amendment. Supervisor Hlavacek informed him of the benefits of compilation.

Ms. Johns does not understand why the Zoning Officer would not be able to enforce the provisions of the Ordinance as it is currently written. Supervisor Evans-Herr explained the one-foot setback of fences creates exposure to adverse possession.

Supervisor Evans-Herr moved to table this item to be revisited under Old Business at the next meeting. Vice-Chair Cazillo seconded the motion. All voted in favor; none opposed.

8. **Consider 2019 Paving Projects** – Supervisor Race moved to authorize the Secretary to advertise the acceptance of bids for the paving of Segment 30 of West Penn Grant Road from Marticville Road to Millwood Road and the paving of Erb Avenue as budgeted. Vice-Chair Cazillo seconded the motion. The bid opening will be held on April 9, 2019, and the Board of Supervisors will award the contract during their meeting on April 17, 2019. All voted in favor; none opposed.

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9. Consider New Danville Fire Company's 2019 Events for Workers' Compensation Insurance Coverage – Supervisor Evans-Herr moved to approve New Danville Fire Company's 2019 Events for Workers' Compensation Insurance Coverage. Vice-Chair Cazillo seconded the motion. All voted in favor; none opposed.
10. Consider Resolution for the Disposition of Township Property – Supervisor Evans-Herr moved to take no action on this item. Supervisor Race seconded the motion. All voted in favor; none opposed.

## REPORTS/UPDATES:

Pequea Township Police Department – Sergeant/Detective Burger delivered the monthly report.

Pequea Township Road Department – Chair Purdum provided an update on the Road Crew's activities and commended them for their efforts removing snow and ice.

Lancaster Inter-Municipal Committee – Vice-Chair Cazillo plans to attend the next LIMC meeting in April.

Suburban Lancaster Sewer Authority – Supervisor Evans-Herr reported SLSA is performing well financially and anticipates being able to retire debt.

Zoning/Code Enforcement Officer – Report on File

Pequea Township Zoning Hearing Board – The zoning hearing for the consideration of 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 was cancelled by the applicant.

Pequea Township Planning Commission – The Planning Commission reviewed the ASA Declarations for 195 Linstown Road at their January 30, 2019 meeting and reviewed the Preliminary/Final Land Development Plan and Stormwater Management Plan for Millwood Road Lot 1 at their February 27, 2019 meeting.

## ADJOURNMENT

Chair Purdum adjourned the meeting at 8:42 PM.

Respectfully Submitted,



Lori Ann Leitch, Secretary



2019-02-27 Board of Supervisors Meeting

Seth Edwards

Pauline Minder

Robt Hecht

J Martin Hornish

~~Jan T. Hill~~

Eric Lucas

~~Michael~~

Jackie John

Richard & Patricia Cummins

Jere F. Nowitzke

Tim Webster

Michael Kuntz

~~Rolf K. Loubert~~

JOHN FIORILL