

# BOARD OF SUPERVISORS MEETING MINUTES | AUGUST 21, 2019

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Minutes of the Pequea Township Board of Supervisors Meeting held at 7:00PM on August 21, 2019 at the New Danville Fire Company, 43 Marticville Rd., Lancaster, PA 17603

**Present at the meeting were:**

Donald R. Purdum, Jr., Chair  
Anthony Cazillo, III, Vice-Chair  
E. John Hlavacek, Supervisor  
Cynthia Evans-Herr, Supervisor  
K. Scott Edwards, Supervisor

**Others present:**

Kimberly S. Ulaky, Secretary  
John R. Michener, Chief of Police  
Michael J. Pykosh, Solicitor  
Sign-in Sheet Attached

**CALL TO ORDER**

Chair Purdum called the meeting to order at 7:00 PM and led the recitation of the Pledge of Allegiance.

**ANNOUNCEMENTS**

- A Union Negotiation meeting was held July 25, 2019 at 4:30pm with the Bargaining Unit.
- An Executive Session was held on August 8, 2019, at 6:30pm regarding a police personnel issue.
- An Executive Session was held August 13, 2019 at 6:30pm regarding a legal issue.
- The Board of Supervisors interviewed candidates for the permanent, part-time Treasurer position on August 12 & 13, 2019.
- THANKS to Roger at Honeysuckle Hill Auto Repair for scheduling fleet service for the Police Cruisers!!

**MINUTES OF PREVIOUS MEETING(S):** Chair Purdum moved to approve the minutes of the July 17, 2019 Supervisors Meeting. Vice Chair seconded the motion. The motion passed with all voting in favor; none opposed.

Chair Purdum moved to approve the minutes of the July 29, 2019 Supervisors Meeting. Supervisor Edwards seconded the motion. The motion passed with all voting in favor; none opposed. Supervisor Evans-Herr abstained from the vote as she was absent from the meeting.

**TREASURER'S REPORT:** Chair Purdum moved to approved checks 12225-12298 from the General Fund, checks 1648-1663 from the Recreation Fund, and checks 1148-1156 from the Donation Fund. Vice Chair Cazillo seconded the motion. The motion was passed with four (4) voting in favor; Supervisor Evans-Herr was opposed; the legal liaison did not provide info to the board for check 12289, dated 8/21/19 for \$5,061.00; therefore, she did not sign the check.

**PUBLIC COMMENTS:**

- Public comments are encouraged and welcomed from Pequea Township residents and taxpayers, only. Please come to the podium and limit your comments to three (3) minutes. If the conversation dictates more than three (3) minutes, time will be extended. By having organized public comments, we will be allowing more of our citizens to express their views. Comments for items on the agenda and items not on the agenda will be taken prior to the start of the Business Meeting.

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Chair Purdum quickly went through the items on the agenda: *Item #1 is to authorize the Chair and Vice-Chair to conduct more research and then make a recommendation to the Board on the sizing of the Police Force in September. Item #3 The ongoing litigation matter is the lawsuit from Former Chief of Police, John Fiorell. Item #8 grievance settlement, etc. will be tabled to the September BOS mtg.* He then asked for any public comments on items on the agenda to come to the lectern, state your name and address, and you'll have 3 minutes.

### Items on the agenda:

Tom Haas, 2194 New Danville Pike, Lancaster-Pequea Twp: Item #1 - I've been coming to these meetings for quite some time and it's refreshing to see so many people attend tonight. I wish you would have been here a couple years ago, when this all started. This reorganization of the police force should have never happened, with Conestoga Twp.

Hannah Thomas, 597 Millwood Road, Willow Street: She feels that the Board of Supervisors puts too much weight on financials; but what about the residents safety and well-being in the township? She & her family did some research on the average number of police officers per resident in the USA and found that for every 1000 residents, there should be 3.4 officers. Pequea Township is by no means understaffed (4605- last official twp. census- X 3.4) and there must be some way for the township to keep and grow our Police Force. My story is only one of many, who are thankful and grateful that the PTPD is here to keep Pequea Twp. residents feel safe and secure!

*Chair Purdum referred to a map of the township to show that the current estimate of township residents right now is 5500 and there are only 2 more pieces of land that can be developed – one piece is a planned development and one piece is still for sale at an exponential price tag. Estimate of resident growth with the planned development at completion will be about 1000 more.*

Jackie Johns, 23 Pine Ln, Willow Street: She's thankful for the Police as her school taxes are very high, but municipal taxes are extremely low. That's because school taxes will go up when Penn Manor school buildings, vehicles, or properties are vandalized. The Pequea Township millage rate (municipal tax) is low in comparison to other areas in the county.

Susan Roland, 181 Run Valley Rd., Conestoga: I personally feel safe and can sleep at night knowing my Police force is right down the road, 24 hours a day. Even if the municipal tax went up \$100.00 to \$256/100K property value; I pay more than that per year to read the Lancaster Newspaper. I don't see what the problem is with raising the taxes ½ of a percent to gain ~\$200K in revenue for the Police budget.

Kerry Kirsch, 727 Baumgardner Rd., Willow Street: We can't go backwards and undo what has been done with property growth in this area and there are always consequences with this growth. One being public safety and now you want to downsize the police force to cover a deficit. And your first pass at doing that, is cutting the police force? What else is on the table to cover the deficit? *Chair Purdum-The only other large department is the road crew (3 ) and they are already cut back extensively. If a snow plow needs \$50-60K in repairs, we can't do that. In my opinion, the fail came when the 2016 board let Conestoga Twp out of the contract with Pequea Twp.*



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Where does the Police force stack up with the rest of the surrounding area – Chief Michener is here, how do we stack up? *Chief Michener-I can only refer to a newspaper article a few weeks ago and we are ranked 11 out of 41 in volume of police calls, per capita (1000 people)*

Mary-recently moved back to Pequea Twp: I was very involved with Pequea Township ~ 17 years ago and then moved out of the township. This is my first BOS mtg. since moving back to Pequea Township. I did some research on crimes committed in the township and especially the West Willow area recently has had a lot of break-ins to the homes there. There have been a lot of drug stops, sexual assaults, the recent car explosions and the woman attacked with a knife at Kendig Square (the last 2 not in Pequea Twp., but close enough). I was in the real estate business before retiring and the big thing was the explosion of population that was coming for Pequea Township, and it has exploded. The crime is increasing and is not going to stop – keep the Pequea Twp Police for our safety; not the State Police who have too much territory to cover as it is. Figure out a way in your budget to keep the Police Force.

Melissa –Summerfield Dev., Pequea Twp: I am also a W. Lampeter Twp Police Officer. I know what these guys are going through. If you think that a State Trooper is going to respond in 10 minutes or less for a shed/home break in, it's not going to happen, especially at 2-3 o'clock in the morning. Troop J is already spread thin around the County and they don't have the manpower to respond to everything that occurs, even at 10:00 in the morning. We can't afford to lose the Pequea Twp Police Force; find a way in the budget to keep them.

Keith Haun, 16 Cobblestone Dr., Willow Street: I am super impressed by the amount of people that have shown up for this important meeting! Let's stop focusing on what has happened in the past, because it's done...everyone should focus on the present & future. As a husband and a father of 4, when I leave for work, I want to know that my family is protected. I count on this local police dept. to do that; as stated, the PA State Police are spread too thin. There has to be a way and that's why everyone is here – they don't want to see a reduction in the Police Force. I believe if you talk to the majority, that is what they want. The majority put you 5 in office; it's not your job to ignore the majority, it's your job to figure out a way to make what the majority wants happen. What about grants? – *Chief Michener-In 2019 the PTPD brought in over \$20K in traffic safety grant monies. The PT 2019 budget for the Police-we brought in \$161,447.00 in revenue. Whether it's raising taxes or whatever, it's your job to give the majority what they want – a full time Police Force. Supervisor Hlavacek-What a lot of people don't understand, is that it's not just raising taxes 1 year, it's every year. Check the daily updates of the Pequea Township Police, every day, it's drug arrest this, DUI that; there's enough going on in this township that we need a full time Police force. And that is why everyone is here tonight, to voice that we need it!*

Meredith Jorgensen Cooke & Ren Cooke, 15 Lark Ln, Lancaster: Thank you for the opportunity to speak; I'd petition for 6 minutes since there's 2 of us, but I'll keep it to 3 minutes. I'm also impressed at the number of people here, doing their civic duty; and we all should do a better job of attending these meetings. Thanks to the 5 Supervisors for your service at a time consuming, difficult, and a lot of times, thankless job. I also want to urge you not to be the Township Supervisors that disband or end our police department. I don't think this is just a fiscal issue, or a safety issue, but a fiscal and safety issue. I challenge you to make it both. According to the 2<sup>nd</sup> Class Twp Code, Supervisors are charged with "the general governance of the township to ensure sound, fiscal management." "Supervisors are also charged to secure the health, safety, and welfare of the residents." I challenge this board to do a better job with balancing the budget and maintaining public safety. Ask the residents by a referendum on the ballot – do you want State Police coverage or Pequea Township Police coverage. State Police have an



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average 50 minute response time, Pequea Township can be at your house in 2-3 minutes. Perhaps committees can be formed of residents to discuss ways of getting to the goal.

Chief Michener interjected that he has a report from County Wide Dispatch for 2018 – take away the per capita numbers and it looks like Pequea Township is 20<sup>th</sup> out of 45 law enforcement agencies for call volume. In comparison, the one directly above us has 13 full time and 2 part time. The one directly below us is actually the same size as us, but they are currently looking to hire 2 more.

Tim Weaver, 722 Baumgardner Rd, Willow Street: In the 2.5 years that I was employed at Silver Mine Park, I probably called the PTPD 6-10 times regarding vandalism and suspicious looking people in the park. They were always there in < 10 minutes and most time < 5 minutes. You can't get better service than that!

Dennis Harding, 44 Cobblestone Dr., Willow Street: Two years ago, we requested permission from the Board to start a National Night Out (NNO) to honor the Police dept. and the 911 First Responders in Pequea Township. They approved it; we did not ask for any money. Myself and a couple other residents went out and collected donations from local businesses, both monetary and food items and/or services to have a 2018 NNO. It was a big success and well attended! We had food, a dunk tank, music, face painting and bounce house for the kids; and it was a great evening to get the community together. NNO is about building a relationship with the local police force, educating people on safety, and getting to know your neighbors. All these things help to build a neighborhood network that works with local law enforcement, local fire companies, local 911 First Responders and "Friends of First Responders". You can meet all these people at a NNO. It went so well in 2018 that we had another event in 2019, with a fantastic turnout! We need all township residents to come to these meetings to talk with the Supervisors regarding issues in Pequea Township. I'm 100% for keeping and growing the Pequea Police Dept. and will pay whatever it takes to do so!

Many of the residents like the idea of forming a group to help the Supervisors find a way to allow the budget to accommodate a full 24/7 PTPD. Can we do this; is the board open to this? We get that there is tension amongst the Board; but this matter is one that is very important to the residents. And since transparency seems to be what the Board is striving for, then a citizen group/committee should be able to assist in the budget process.

*Chair Purdum-We're not making decisions tonight; we're probably not making decisions in September. But this is something that we've decided to have a transparent conversation with the public tonight. The board will take these suggestions under advisement and will get back with the public in September. Back to Public Comment.*

Jeff Kreider, 13 Newswanger Rd, Pequea Twp: I don't think anyone wants to see the Police Force go away or be downsized. Since the Chief is here – are we overstaffed or understaffed? *Chief Michener-We are certainly not overstaffed. But, I want people to understand that we are not asking for anything. We've not asked for more money or anything. We are doing the best we can with what we have to work with, now. I don't know the specific numbers; but in comparison to other agencies in the county, we are the lowest paid police force, for our current size.*

*Chair Purdum-The Board is not asking the officers to take a cut in pay, we're talking about reducing the size of the force to 6, 5 or 4; we just don't know.*

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Steve Wolpert, 177 Run Valley Rd., Conestoga: Chief Michener mentioned that there have been at least \$20K in grant money brought into the township. Being an ex-law enforcement myself; I know that there are hundreds of thousands of dollars in grant monies out there to be had. Have any of the Supervisors looked into these to find money for the budget? I have also seen the crime rise in the 13 years that I've lived in this township. I've never seen so many cop cars patrolling my street; last week they were serving a search warrant looking for a gun at one of my neighbor's home.

Several residents also commented that people from Lancaster City, West Lampeter, and other surrounding areas can come to Pequea Township and commit crimes, and they do! Cutting the size of the force and perhaps making them part-time will leave us vulnerable at the worst times – in the middle of the night.

Is there a possibility of contracting out PTPD services with other surrounding townships – it would spread the police force even thinner, but would bring in the money necessary to satisfy the budget.

*Chair Purdum-That is certainly a possibility; I've reached out to 2 surrounding townships who are not interested. I'll reach out again to John Barry, Chairman of Board of Supervisors-Conestoga Township, since it sounds like the residents of Conestoga Twp have been inquiring about this ?*

### **Items not on the agenda:**

Jackie Johns, 23 Pine Lane, Willow Street – Regarding prior years' budget meetings, I think the public that is here tonight, is right – the dates should be conveyed now (not in September or October) so they can make provisions to attend. I attended these meetings over the last 10 years and you know how many people from the public show up – Three.

*Chair Purdum-The budget meetings will be discussed in September at the regular meeting and the meetings will be in October/November.*

For those complaining about the legal expenses, is it known that the Public Works Department is thinking about a Union, so all the negotiations must go through lawyers, which is expensive. I understand why they are doing this; because it seems that people who know what they are doing are fired, for no reason at all.

*Chair Purdum-All the negotiations since April have not generated legal fees, since Anthony and I have done the negotiations ourselves. We were appointed to be the negotiators for the township.*

### **OLD BUSINESS: None**

At 8:40pm the meeting was recessed for 10 minutes. The meeting resumed at 8:52pm

### **NEW BUSINESS:**

#### **1. Discussion about the future size of the Pequea Township Police Department**

Chair Purdum made a motion to authorize the Chair and the Vice-Chair to conduct more research and then make a recommendation to the Board about the size of the PTPD in September –



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Chief Michener requested confirmation on – did you say there would be a decision made by September and the Chair's answer was no, no decision would be made by September. He questioned it because the end of September is when the police get the official numbers of revenue, from the County on the breakdown of dollars brought into each police force.

The motion was seconded by Vice-Chair Cazillo. The motion passed with Chair Purdum, Vice-Chair Cazillo, Supervisor Hlavacek and Supervisor Edwards voting in favor; Supervisor Evans-Herr was opposed.

Vice-Chair Cazillo wanted to re-cap and thank the residents for their Public Comments. Thank you for the balanced approach and recognizing that there are 2 issues. I think we all want public safety and to be fiscally sound as a township. But this Board may be tasked with making some hard decisions and it's important to me that the public understands why a hard decision would have to be made. Again, thank you for attending the meeting and voicing your concerns and suggestions.

### **2. Consider hiring a new permanent, part-time Treasurer**

Chair Purdum made a motion to hire Amy L. Addis as the new permanent, part-time Treasurer @ \$23.00 per hour and work schedule of up to 30 hours/week. Her official start date is 9/3/19. Vice-Chair Cazillo seconded the motion. The motion was passed with all voting in favor.

### **3. Consider authorizing the Chair to take necessary actions in an ongoing litigation matter**

Chair Purdum made a motion to authorize the Chair to take all actions necessary to defend the Township and the Southern Regional Police Commission (SRPC) and resolve the ongoing litigation filed by John Fiorell against the Township and the SRPC, pursuant to SRPC Resolution # 2017-05. The motion was seconded by Supervisor Edwards. The motion was passed with all voting in favor; none opposed.

### **4. Consider a date to schedule a hearing on an Ordinance to remove "No Parking" signs on Casey Drive**

Chair Purdum made a motion to schedule a date for Ordinance hearing, Wednesday 9/18/19 at 6:30pm; Vice-Chair Cazillo seconded the motion. The motion was passed with Chair Purdum, Vice-Chair Cazillo, Supervisor Hlavacek and Supervisor Edwards voting in favor; Supervisor Evans-Herr was opposed; stating that *this is not a budgeted item*.

### **5. Consider a letter of Credit Reduction for Willow Run Phase II and III**

Chair Purdum made a motion to accept the Township Engineer's recommendation to reduce the Willow Run Phase II and III letter of credit and establish a new amount equal to \$377,661.49. Supervisor Edwards seconded the motion. The motion was passed with all voting in favor; none opposed.

### **6. Consider an Escrow Reduction for As-Built Plan-Hannah Koch property-135 Leaman Rd**

Chair Purdum made a motion to accept the township Engineer's recommendation to reduce the Koch property escrow by \$11,513.51 and establish the new amount of \$1000.00. Vice-Chair Cazillo seconded the motion. The motion was passed with all voting in favor; none opposed.

### **7. Consider signing Pequea Township agreement 072619 with Dean and Cindy Landis-1298 Millwood Rd**

Chair Purdum made a motion to accept and sign the agreement, 072619 with Dean and Cindy Landis. Vice-Chair Cazillo seconded the motion. *Supervisor Evans-Herr questioned why she only received*

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*this information when she got her packet of information this afternoon? The only way I knew about it was that Cindy Landis came to my house and asked for my expertise, in a different industry, not as a township supervisor.*

*Chair Purdum-It was not intentional as I thought all were copied on an email.*

The motion was passed with all voting in favor; none opposed.

### **8. Consider approving a grievance settlement and re-appoint Township Police Officer**

Chair Purdum made a motion to table approving a grievance settlement and re-appointing a Township Police Officer. The motion was seconded by Vice-Chair Cazillo. Supervisor Evans-Herr questioned tabling the item or take no action, which removes it from the agenda. If/when it comes back up again, the agenda item could be worded differently at that time. An addendum to the motion could also be made per Vice-Chair Cazillo. The motion was passed with Chair Purdum, Vice-Chair Cazillo, Supervisor Hlavacek and Supervisor Edwards voting in favor; Supervisor Evans-Herr was opposed as she felt the item should be "take no action" which removes the item from the agenda vs. tabling the agenda item.

### **9. Consider request by Abram Stoltzfus family-275 Stoney Lane-to camp at Silver Mine Park Friday evening to Saturday afternoon on August 23<sup>rd</sup> & August 24<sup>th</sup> OR August 30<sup>th</sup> & August 31<sup>st</sup>, 2019**

Chair Purdum made a motion to approve the request for the Abram Stoltzfus family to camp at Silver Mine Park on either August 23<sup>rd</sup> & 24<sup>th</sup> OR August 30<sup>th</sup> & 31<sup>st</sup>. They will be instructed to use the fire rings in the primitive camping area for any fires and the grills on the peninsula for cooking, while they camp in an area on the peninsula close to the creek. The motion was passed with all voting in favor; none opposed.

**The Addendum agenda item will come after the reports and updates:**

### **REPORTS and UPDATES:**

Pequea Township Police Department – The chief's report for July is on the table for those who would like to grab it on their way out. I will post it on line – not tomorrow, cause it's my birthday....but the following day. *All-Happy Birthday, Chief Michener!*

Pequea Township Public Works Department – July Liaison report is on the table

Lancaster Inter-Municipal Committee –

Suburban Lancaster Sewer Authority –

Zoning/Coding Enforcement Officer – Report on file

Pequea Township Zoning Hearing Board – September 3, 2019 ZHB Mtg.

1. Special Exceptions sought for Steudler Property for car wash and fueling station

Pequea Township Planning Commission – August 28, 2019 PTPC Mtg.

1. Review/Consider SA-FE Management Land Development Plan Preparation Lot 6 Millwood Industrial Park – Kendig Road. Construct two (2) Manufacturing Buildings for the manufacture of windows



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2. Consider Anthony D. Trago Lot Add-on Plan Waiver Request  
PC2019-2, Review #1

**10. ADDENDUM-Consider approval for the West Willow Fire Police to assist the Pequea Sportsmen's Club with traffic and parking on 9/7 from 11am-5pm**

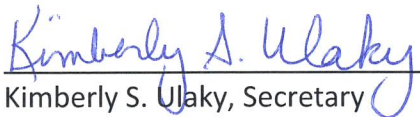
Chair Purdum made a motion to add the addendum item to the agenda. Supervisor Edwards Seconded the motion.

Vice-Chair Cazillo made a motion to approve the request for the West Willow Fire Police to assist the Pequea Sportsmen's Club on 9/6 from 11am-5pm contingent on this item being added to the yearly list of activities by the West Willow Fire Company and that the information is sent and accepted by the Workman's Compensation Insurance. Chair Purdum seconded the motion. The motion was passed with all voting in favor; none opposed. The secretary was instructed to send this information to the Insurance Company – it was sent and accepted on 8/22/2019.

### ADJOURNMENT

Chair Purdum adjourned the meeting at 9:25 PM

Respectfully Submitted,

  
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Kimberly S. Ulaky, Secretary



# Pequea Township

# Sign-In sheet

Board of Supervisors Mtg. - August 21, 2019

- |                                |                       |
|--------------------------------|-----------------------|
| 1. <del>Rob Kidenbach</del>    | 29. Bob Ellis         |
| 2. <del>Val Pull</del>         | 30. Abbre Elli        |
| 3. Maddie Kuhl                 | 31. Elaine Jones      |
| 4. <del>Meredith Kuhl</del>    | 32. Bill Scholl       |
| 5. Janice Martin               | 33. David STULL       |
| 6. Jean KART                   | 34. Duane Thomas      |
| 7. KURTZ, MIKE                 | 35. Kelley Kirsch     |
| 8. Neddy Houghton              | 36. Keri Kirsch       |
| 9. Greg Thomas                 | 37. Cady Landis       |
| 10. Dr. Dr. Richard J. Benuff. | 38. Dean Landis       |
| 11. Suzanne Roland             | 39. Bill Reas         |
| 12. <del>Janet</del>           | 40. Melissa Hostetter |
| 13. William R. Thomas          | 41. ROB BURGER        |
| 14. Frank Cayillo              | 42. John K. Johnson   |
| 15. Susan Cayillo              | 43. JESSE BLANK       |
| 16. Jackie Johns               | 44. MEGAN HYETT       |
| 17. Jord Miller                | 45. Hannah Mar Thomas |
| 18. Barrie Edwards             | 46. Roger Killen      |
| 19. Jean Edwards               | 47. MARY BURGER       |
| 20. Jere E. Jacobbe            | 48. Mike BURGER       |
| 21. Walter Stamm               | 49. Jill Burger       |
| 22. Dwight Henley              | 50. KalyN BURGER      |
| 23. Dawn R                     | 51. Aleksa BURGER     |
| 24. Jody Macracken             | 52. Bob Race          |
| 25. Jim & Pat Wean             | 53.                   |
| 26. Eric Lucas                 | 54.                   |
| 27. Bonnie Lucas               | 55.                   |
| 28. Meredith Cooke.            | 56.                   |