

BOARD OF SUPERVISORS MEETING-March 15, 2023

Minutes of the Pequea Township Board of Supervisors meeting held at 7:00 on March 15, 2023 at the Pequea Township Municipal Building.

Present at the meeting were:

Harry Lehman, Chairman
Tom Haas, Vice-Chairman
E. John Hlavacek, Supervisor
Eric Lucas, Supervisor
Mike Novak, Supervisor

Others present:

Scott Edwards Brad Shenk
Jackie Johns Ken Stauffer
Jason Topper Martin Harnish
Dave Esbenshade Craig Smith
Randy Hess Della Kreider
Jeff Kreider
Rob Reidenbach-Twp. Asst. Rec. Sec.

CALL TO ORDER: Chairman Lehman called the meeting to order at 7:00 PM.

Pledge of Allegiance

ANNOUNCEMENTS:

- Public meetings may be both audio and video recorded.
- An Executive Session regarding legal and personnel matters was held on Wednesday, March 15, 2023 at 6:30 PM prior to the business meeting.
- Congratulations to Officer Vicki Walton for her appearance on Fox 43 News when interviewed regarding being a female police officer. Check her excellent video interview: [Behind the Badge | The push to get more women into law enforcement | fox43.com](#)
- The 2022 Township audit was completed successfully with the recommendation that in-house township personnel take cyber security training. Chairman Lehman announced this training has been completed.
- Vice-Chairman Haas informed that he will abstain from voting on Old Business item #2 and New Business item #4 due to possible conflicts of interest with his rental holdings.

AGENDA ADDENDUM:

Chairman Lehman moved to add a 14th agenda item regarding CD purchases from the Township's Capital Reserve Fund. The motion was seconded by Supervisors Lucas and Novak. All voted in favor; none opposed.

MINUTES of PREVIOUS MEETINGS:

1. Consider approving the minutes of the February 15, 2023 Board of Supervisors Meeting.

Supervisor Lucas moved to approve the minutes of the February 15, 2023 Board of Supervisors Meeting. Supervisor Novak seconded the motion. All voted in favor; none opposed.

TREASURER'S REPORT: A copy of the bill list is on the table

Vice-Chairman Haas moved to approve checks #14412-14456 from the General Fund/ checks #1998-2005 from the Recreation Fund. Supervisor Lucas seconded the motion. All voted in favor; none opposed.

PUBLIC COMMENTS: Chairman Lehman gave a synopsis of the 14 items on the agenda.

ITEMS ON THE AGENDA:

- Jackie Johns asked if the public could add input to the proposed ordinance regarding short term property rental/bed & breakfast and the proposed dog ordinance. She asked about the type of memorial marker for the memorial tree to be planted in Silver Mine Park.
- Jeff Kreider thanked our police department for checking on his property during his three-week absence.

ITEMS NOT ON THE AGENDA: none

OLD BUSINESS:

1. Discuss Dog Ordinance

Supervisor Lucas moved to send the proposed Dog Ordinance to the solicitor. Vice-Chairman Haas seconded the motion. Supervisor Hlavacek asked that the fees for dog violations be tied in with the Township's Fee Schedule; Chairman Lehman assured all that it would be included and evaluated yearly as with other fees. All voted in favor; none opposed.

2. Discuss Short Term Rentals Ordinance

Chairman Lehman moved to move this ordinance along to our solicitor with the questions being to clarify the following: (1) can there be owner/distance requirements placed in the ordinance, (2) concerns and questions from the BOS along with the solicitor's opinions and suggestions. Supervisor Hlavacek seconded the motion. All voted in favor with Vice-Chairman Haas abstaining.

NEW BUSINESS:

1. Consider Willow acres requests for Line of Credit reduction #4 for:

a. Stage 1 LOC #924-Mid-Penn Bank-reduction of \$41,143.60

Supervisor Lucas moved to reduce the letter of credit by \$41,143.60 and establish the new amount equal to \$58,499.22, which includes the 10% contingency factor as calculated as a percent of remaining improvements. Chairman Lehman seconded the motion. All voted in favor; none opposed.

b. Stage 2 LOC #966-Mid Penn Bank-reduction of \$135,678.93

Supervisor Lucas moved that we reduce the letter of credit by \$135,678.93 and establish the new amount equal to \$343,642.15, which includes the 10% contingency factor as calculated as a percent

of remaining improvements. Supervisor Novak seconded the motion. All voted in favor; none opposed.

c. Stage 3 LOC #965-Mid Penn Bank-reduction of credit of \$70,449.69

Supervisor Lucas moved that we reduce the letter of credit by \$70,449.69 and establish the new amount equal to \$83,230.00, which includes the 10% contingency factor as calculated as a percent of remaining improvements. Supervisor Novak seconded the motion. All voted in favor; none opposed.

2. Consider David Hess, Second Lock Road, request for final reduction of financial security D007634-Fulton Bank-\$43,767.73

Supervisor Lucas moved to release the remaining financial security for David Hess. Vice-Chairman Haas seconded the motion. All voted in favor; none opposed.

3. Consider approval of Stormwater Plan for Daniel & LuAnne Evans, 24 Lehman Road with SWM Agreement

Supervisor Novak moved to conditionally approve the stormwater management plan subject to the Solanco Engineering Associates review letter dated March 1, 2023. Novak also moved that the chairman be authorized to sign all required agreements. Vice-Chairman Haas seconded the motion. All voted in favor; none opposed.

4. Consider approval of Penn Grant Commons West Final (Re-issued) Land Development Plan for Phase 2 construction

Supervisor Novak moved to conditionally approve the final land development plan subject to the Solanco Engineering Associates review letter dated February 27, 2023; and he also moved that the chairman be authorized to sign all required agreements and plans when appropriate. Supervisor Lucas seconded the motion. All voted in favor; Vice-Chairman Haas abstained.

5. Consider bid(s) received for storage shed/pole barn

Vice-Chairman Haas moved to accept the bid from Fivepointville Excavating LLC for the construction of the 50' x 100' storage shed in the amount of \$248,230.00. Chairman Lehman seconded the motion. All voted in favor; none opposed.

6. Consider bid(s) received for 2023 road work projects

Vice-Chairman Haas moved to accept the bid from Long's Asphalt Inc. for the purchase of all labor and equipment costs for \$238,240.00 for paving. Supervisor Novak seconded the motion. All voted in favor; none opposed.

7. Resolution to verify intent to use Capital Reserve Funds to purchase truck for road maintenance

Vice-Chairman Haas moved that we approve **Resolution #641-2023, a resolution of the Board of Supervisors of Pequea Township, Lancaster County, Pennsylvania, to verify the intent to use the Capital Reserve Funds to purchase a truck. Whereas the Board of Supervisors wishes to purchase a**

truck for an approximate total price of \$208,000.00 for truck and upfit from the Capital Reserve Fund-Equipment. Chairman Lehman seconded the motion. All voted in favor; none opposed.

8. Change Order for Salt Shed-addition of "snow guards" on roof

Vice-Chairman Haas moved to approve the change order from Fivepointville LLC, adding snow guards for the new salt shed in the amount of \$1,360.00. Supervisor Novak seconded the motion. All voted in favor; none opposed.

9. Acceptance of Letter of Resignation-Matthew DiEmedio-Pequea Township Police Department

Chairman Lehman moved to accept the letter of resignation from Matthew DiEmedio from the Pequea Twp. Police Department effective 3/15/2023. Supervisor Lucas seconded the motion. All voted in favor; none opposed.

10. Consider hiring two (2) Park Maintenance workers

Vice-Chairman Haas moved to hire Robert Brubaker for part time park employment at a rate of \$17.50 per hour. Chairman Lehman seconded the motion. All voted in favor; none opposed.

Vice-Chairman Haas moved to hire Raymond Hess for part time park employment at a rate of \$16.00 per hour. Chairman Lehman seconded the motion. All voted in favor; none opposed.

11. Consider LUAB (LAND USE ADVISORY BOARD) as discussed at LIMC (Lancaster Inter-Municipal Committee) February 2023 meeting

Supervisor Hlavacek moved that we do not block the dissolving of the Land Use Advisory Board. Supervisor Lucas seconded the motion. All voted in favor; none opposed.

12. Approval for a WellSpan wellness summer program "GO (Get Outdoors) Lancaster 2023" to encourage kids 1-18 to get outdoors and hike at Silver Mine Park Starting 6/1/23

Supervisor Novak moved that we approve the "GO Lancaster 2023" program at our Silver Mine Park. Chairman Lehman seconded the motion. All voted in favor, none opposed.

13. Approval for Maxine Rhoads to plant a flowering tree in Silver Mine Park in memory of her Grandson

Chairman Lehman moved to approve the request of Maxine Rhoads to plant a flowering tree in Silver Mine Park in memory of her grandson. Supervisor Lucas seconded the motion. All voted in favor; none opposed.

14. Addendum- CD Purchases from Capital Reserve Funds

Chairman Lehman moved to pass **Resolution #642-2023, a resolution of the Board of Supervisors of the Township of Pequea, Lancaster County, Pennsylvania authorizing the purchase of Certificates of Deposit in the amount of \$702,000 & \$437,000 which will come from Section 2 of Capital Reserve Monies for future expenses and \$265,000 which will come from Section 3 – money set**

aside for road/culverts/bridges. Supervisor Novak seconded the motion. All voted in favor; none opposed.

REPORTS/UPDATES:

Pequea Township Police Report- Chief's February report on table

Pequea Township Road Department- Vice-Chairman Haas reported the pole barn will start in August, the building painting will begin in April, the maintenance building's new windows have been installed, and the progress of a joint project on Linestown Road with West Drumore Township.

Lancaster Inter-Municipal Committee- no meeting in March

Suburban Lancaster Sewer Authority- representative update-meeting held 2/23/23

Zoning/Code Enforcement Officer-Reports on file

Pequea Township Zoning Hearing Board-Meeting 3/7/23- Millwood Estates, LLC requested a continuance for 801 Millwood Road project

Pequea Township Planning Commission- Meeting held 1/25/23-PennGrant Commons West Land Development Plan-Phase 2-Approval

Pequea Township Safety Committee-Meeting held 3/1/23

Meeting adjourned at 7:52 PM

Respectfully submitted,



Robert Reidenbach, Township assistant/recording secretary

Pequea Township Board of Supervisor's Meeting
March 15, 2023

Pequea Township Municipal Building

Sign In Sheet

1. Jackie Johns
2. Al & Della Kreider
3. Scott Edwards
4. CRAIG SMITH - RGS
5. Ken Stoff - WPC
6. B. Stark
7. Randy Hess
8. JASON TOPPER
9. David Espartero
10. J. Martin House
11. Dawn Brice