

BOARD OF SUPERVISORS MEETING-July 19, 2023

Minutes of the Pequea Township Board of Supervisors meeting held at 7:00 on June 21, 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:

Steven Smith Dean Evans
Jackie Johns Ken Stauffer
Rep. Steven Mentzer
Rick Kauffman Dawn Rineer
Jeff Kreider John Birkenbine
Evie Birkenbine
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 was held May 17, 2023 at 6:30 pm at the Township Building to discuss personnel matters.
- The Pequea Township Safety Committee is hosting a PP&L Live Line Electrical Safety Exhibit on Wednesday, August 9, 2023 with two demo times: 1:00 pm and 6:30 pm. This event will be held at the New Danville Fire Company and will be open to the public. If you would like to attend, please notify Dawn Rineer at treasurer@pequeatwp.org.
- The 2023 Pequea Township National Night Out on Tuesday, August 1, 2023 will be held at the West Willow Fire Company from 6-8:00 pm.
- An Executive Session was held prior to tonight's meeting to discuss the pension plan for new hires.

Swearing in of new Fire Police Officer, Stephen Smith, for the West Willow Fire Company

***PA Representative Steven Mentzer attended the meeting tonight.** He represents the 97th Legislative District consisting of parts of Conestoga, East Lampeter, Manheim(Part-Districts 2, 6, 12 and 13), Manor(Part-Districts Indiantown, Hershey Mill, Leisure, Manor, New East, Washington Boro), Pequea, and West Lampeter. Rep. Mentzer invited our BOS and residents to call or meet with him at his office in West Lampeter Township's Municipal Building. He gave a brief update on the state of the PA budget.

MINUTES of PREVIOUS MEETINGS:

1. Consider approving the minutes of the June 21, 2023 Board of Supervisors Meeting.

Supervisor Lucas moved to approve the minutes of the June 21, 2023 Board of Supervisors meeting. Vice-Chairman Haas 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 #14623-14666 from the General Fund, checks #2036-2046 from the Recreation Fund, and checks #420-421 from the Highway Fund. Supervisor Hlavacek seconded the motion. All voted in favor; none opposed.

PUBLIC COMMENTS:

Chairman Lehman gave a synopsis of the 14 items on the agenda prior to public comments.

ITEMS ON THE AGENDA: none

ITEMS NOT ON THE AGENDA: none

OLD BUSINESS:

1. Discuss Dog Ordinance

This item was tabled.

2. Discuss Short Term Rentals Ordinance

Chairman Lehman moved to set the hearing date for the short-term rental ordinance for August 16, 2023 at 6:30 pm. Supervisor Novak seconded the motion. Supervisors Hlavacek, Lehman, Novak, and Lucas voted in favor; none opposed. Vice-Chairman Haas recused himself from the vote.

3. Consider Prelim/Final Subdivision Plan for 255 Shultz Road, including DEP Component 4A sewer module via Resolution for A. Peterson and K. Ditzler

Chairman Lehman moved to conditionally approve the subdivision plan and waiver of Section 403.1.A -plan scale subject to the Solanco Engineering Associates review letter dated June 11, 2023. He also moved that the Chairman be authorized to sign all required agreements and the plans when approved. Supervisor Lucas seconded the motion. All voted in favor; none opposed.

Next, Chairman Lehman moved to pass **Resolution #648-2023, a resolution for plan revision for new land development, re. Alice M. Peterson**. Vice-Chairman Haas seconded the motion. All voted in favor; none opposed.

NEW BUSINESS:

1. Consider transfer of unencumbered monies from the American Rescue Plan Fund (ARP) to General Funds to reimburse monies that were budgeted for in 2023, via resolution

the Township of Pequea, Lancaster County, Pennsylvania, to transfer unencumbered monies from the American Rescue Plan Fund to the General Fund. This will reimburse monies spent on roadwork which was budgeted in 2023. The BOS declares that the determined amount \$118,000.00 will be transferred to the General Fund. Supervisor Novak seconded the motion. All voted in favor; none opposed.

2. Consider transfer of unencumbered monies from General Funds to Capital Reserve Equipment Fund, via Resolution

Vice-Chairman Haas moved to pass **Resolution #650-2023, a resolution of the Board of Supervisors of the Township of Pequea, Lancaster County, Pennsylvania, authorizing the transfer of unencumbered monies from the General Fund to the Capital Reserve Equipment Fund. Whereas the Board wishes to transfer \$42,100 to the Capital Reserve Fund for future purchases of equipment. Supervisor Novak seconded the motion. All voted in favor; none opposed.**

3. Consider designating ARP Funds to purchase salt shed including removal of existing salt shed, via resolution

Vice-Chairman Haas moved to adopt **Resolution #651-2023, a resolution of the Board of Supervisors of Pequea Township, Lancaster County, Pennsylvania, to designate American Rescue Plan Funds to purchase salt shed and removal of existing salt shed of Pequea Township. Whereas, the Board of Supervisors has determined and wishes to build a new salt shed for Pequea Township Municipal Building and to remove the old salt shed in the amount of approximately \$12, 000.00. Supervisor Lucas seconded the motion. All voted in favor; none opposed.**

4. Consider PA Municipal Retirement Systems (PMRS) Defined Benefit Plan, Adoption Agreement Amendment, to align with Resolution #615-2022 to establish a required employee contribution to the Pequea Township Police Pension Plan for year 2023, via Resolution

Chairman Lehman moved to authorize the Chair and Secretary to sign the PMRS plan amendment. Vice-Chairman Haas seconded the motion. All voted in favor; none opposed.

5. Consider Escrow release request #1 for 7 Whipporwill Drive per Solanco Engineering Review Letter #1 of July 7, 2023-as built plan for R. Livengood. Solanco recommends reducing the escrow by \$17,776.60 and establishing the new amount equal to \$1,235.25.

Supervisor Lucas moved that Pequea Township reduce the escrow by \$17, 776.60 and establishing the new amount equal to \$1,235.25 for Ryan Livengood, 7 Whipporwill Drive, escrow release #1 as-built survey review #1 per Solanco Engineering Associates' letter dated July 7, 2023. Chairman Lehman seconded the motion. All voted in favor; none opposed.

6. Consider Vanguard Dev. Group Line of Credit Reduction Request #5 in the final amount of \$58,499.22 from Mid-Penn Bank LOC #924, per Solanco Engineering Review Letter of June 19, 2023 for Willow Acres, Stage 1

Supervisor Lucas moved that we approve the line of credit reduction request #5 for Willow Acres Stage 1 letter of credit #924 from Mid-Penn Bank in the final amount of \$58,499.22 per Solanco Engineering review letter dated June 19, 2023. Chairman Lehman seconded the motion. All voted in favor; none

- 7. Consider Vanguard Dev. Group Line of Credit Reduction Request #5 from Mid-Penn Bank LOC #966. The Solanco Engineering Review Letter of June 19, 2023 for Willow Acres Stage 2 recommends reducing the LOC by \$299,342.31 and establishing the new amount equal to \$44,299.84 which includes the 10% contingency factor as calculated as a percentage of remaining improvements for Willow Acres Stage 2**

Supervisor Lucas moved that we approve Vanguard Developments Group's line of credit reduction request #5 from Mid-Penn Bank, line of credit #966 per Solanco Engineering's review letter dated June 19, 2023 for Willow Acres Stage 2 and recommend reducing the line of credit by \$299, 342.31 and establishing the new amount equal to \$44,299.84 which included the 10% contingency factor as calculated as a percentage of remaining improvements for Willow Acres Stage 2. Vice-Chairman Haas seconded the motion. All voted in favor; none opposed.

- 8. Consider Vanguard Development Group Line of Credit Reduction Request #5 from Mid-Penn Bank LOC #965. The Solanco Engineering Review Letter of June 19, 2023 for Willow Acres, Stage 3 recommends reducing the LOC by \$25,995.81 and establishing the new amount equal to \$57,234.19 which includes the 10% contingency factor as calculated as a percentage of remaining improvements for Willow Acres Stage 3.**

Supervisor Lucas moved that we approve the request from Vanguard Development Group for a line of credit reduction Request #5 from Mid-Penn Bank LOC #965 per the Solanco Engineering review letter dated June 19, 2023 for Willow Acres Stage 3, reducing the line of credit by \$25,995.81 and establishing the new amount equal to \$57,234.19, which includes the 10% contingency factor as calculated as a percentage of remaining improvements for Willow Acres Stage 3. Vice-Chairman Haas seconded the motion. All voted in favor; none opposed

- 9. Consider Quarryville Borough request for fire police services (from NDFC and WWFC) for the Solanco Fair Parade, Wed., 9/20/23 from 5 pm to approximately 10 pm (rain date 9/21/23) for traffic control**

Supervisor Novak moved that Pequea Township approve the assistance request from the NDFC's and WWFC's fire police on the following dates: Wednesday, September 20, 2023 from 5 pm to approximately 10 pm with a rain date of 9/21/23 for traffic control at the Solanco Fair Parade. Supervisor Lucas seconded the motion. All voted in favor; none opposed.

10. Discuss Police Pension In-Service Distribution

Chairman Lehman moved that Pequea Township allow in-service distribution to the Pequea Uniform Pension of new hires before 2019. Vice-Chairman Haas seconded the motion. All voted in favor; none opposed.

11. Authorization-Pequea Township to be applicant for PA DOT utility crossing of Route 272 S

Chairman Lehman moved that upon the Township and Ferfeldt entering into an agreement acceptable to the Solicitor, whereby Ferfeldt and/or the current or any subsequent owner of the three tax parcels associated with 3102 Willow Street Pike shall be responsible for all costs associated with the planning, construction, and maintenance of the water line; and whereby Ferfeldt and/or the current or any subsequent owner of the Properties indemnify, defend and hold Pequea Township harmless as it is related to the water line planning, construction, and maintenance. The Chairman of the Board of

Highway Occupancy Permit" and/or PennDOT form M-950AA "Applicants Authorization for Agent to Apply for "Highway Occupancy Permit", and are authorized to execute any other documents required by PennDOT for a permit to install a water line across Willow Street Pike, which water line will facilitate bringing public water service to the three tax parcels that compromise 3102 Willow Street Pike. This action being separate and apart from all other requirements that Ferfeldt must meet for the purpose of developing 3102 Willow Street Pike. Vice-Chairman Haas seconded the motion. All voted in favor; none opposed.

REPORTS/UPDATES:

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

Pequea Township Road Department- Road Department June Update-Vice-Chairman Haas gave update on 450 feet of pipe installed on Wyndmere Way, township's gas tank is now out of service and process is moving along, and demolition of the old salt shed building and work on the cement wall is continuing with next stage starting this Friday.

Lancaster Inter-Municipal Committee- Representative's Update-Meeting held 6/14/23

Suburban Lancaster Sewer Authority- Representative's Update-meeting held 5/25/23

Zoning/Code Enforcement Officer- Reports on file

Pequea Township Zoning Hearing Board- continued meeting held 7/5/23-Ferfeldt LLC-3102 Willow Street Pk.

Pequea Township Planning Commission- no meeting in June

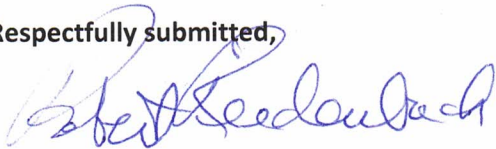
Pequea Township Safety Committee- First Aid Training held 7/12/23

Additional Report: Supervisor Novak

Novak and Chairman Lehman are working with the Township's fire companies to improve solicitation and obtain/sustain financial contributions from developments and Township businesses.

Meeting adjourned at 7:58 pm.

Respectfully submitted,



Robert Reidenbach, Township assistant/recording secretary

Pequea Township Board of Supervisors Meeting
July 19, 2023 7:00pm

Pequea Township Municipal Building

Signin

1. Jackie Johns
2. Queen Smith
3. Dean Lee Evans CWP
4. Jeff Kreider
5. Ken Stauff
6. Rep. Stan Mentzer
7. Eric, John Birkenbine
8. RICK KAUFFMAN
9. Dawn Rineer
- 10.