

MINUTES OF THE MARTIC TOWNSHIP BOARD OF SUPERVISORS

DATE: May 7, 2018

PLACE: Township Building, 370 Steinman Farm Road, Pequea, Pa. 17565

ATTENDANCE: Beth Birchall, Duane Sellers, Carl Drexel, John Ulaky and Don Snyder were present.

ORDER OF BUSINESS

CALL TO ORDER: Duane Sellers called the meeting to order at 7:00 PM and led with the Pledge to the Flag.

Trestle Bridge Fire: The Supervisors held an informational meeting on April 15, 2018, regarding the Trestle Bridge fire, which began on April 12, 2018. Section 3102 (h)(1) of the PA Township Code allows for contracts of services or purchases by the Supervisors when being made for emergency situations.

Resolution 05-07-18: Greenways, Trails and Recreation Program grant application, for the rehabilitation of the Martic Forge Viaduct. Roll call vote: 5-0.

Fencing: Duane Sellers contacted several fencing companies to have a permanent fence, on the trail, by the bridge, to keep people away from the area, when needed. The area is posted closed, but people keep ignoring the signage. This is a safety concern and by making the fence permanent, it can be closed to the public whenever it is deemed necessary, such as bridge maintenance, etc. Hitchens Fence Company was the only company who provided a proposal. A motion was made by John Ulaky and seconded by Beth Birchall to have an 8' high x 60' wide, with barbwire on top fence placed. The motion passed 5-0.

Crilon clean-up: Crilon is the contractor on site for the trail resurfacing. They were asked to handle the bridge clean-up. The total invoice was split between Martic and Conestoga Township. Martic's portion, which was paid, was for \$ 132,315.00.

MINUTES & TREASURER'S REPORT

Beth Birchall made a motion which was seconded by Carl Drexel to approve the minutes of the April 2, 2018 Supervisors Meeting. The motion passed 5-0.

Beth Birchall presented the Treasurer's Report for the period ending May 1, 2018. A motion was made by John Ulaky and seconded by Don Snyder, to approve the Treasurer's Report. The motion passed 5-0.

John Ulaky made a motion which was seconded by Don Snyder, to approve the bills for the payment of the April invoices totaling \$ 24,489.92. The motion passed 4-0 with Carl Drexel abstaining in accordance with Section 1103(j) of the Ethics Act and noted that his public disclosure memorandum is on file in the township office.

Lancaster EMS (LEMS) presentation. Bob May gave a presentation regarding Lancaster EMS services. LEMS covers about half of Martic as 1st due in the southern portion of the Township. Mr. May provided a packet of General Facts for the Board to review. When SVEMS is out of service, LEMS covers their territory. Carl Drexel asked what the average cost is to man a vehicle. The ALS (Advanced Life Support) unit = 24/7 ~ \$365,000 Comment was heard from James Jefferson 778 Tucquan Glen Road regarding response times in Martic. It depends where the unit is coming from, anywhere from 5-15+ minutes. Response times do matter. Duane Sellers commented that this is nothing new to the southern end; however Conestoga and Martic Township, by far, have the worse response times. Several ideas are being discussed, however it is important to be aware that there is a problem and they are working toward a solution.

PLANNING COMMISSION/SUPERVISORS:

The Martic Township Planning Commission met on April 19th to review the Jason Martin Lot Add-on plan

and the Doug Metzler Poultry Operation Land Development and Stormwater plan.

Jason Martin Lot Add-on plan: Dwight Wager present and explained the plan to the Supervisors. A motion was made by Carl Drexel and seconded by Don Snyder to approve the requested waivers: 401.C.1 – Existing contours, 401.C.3 – items located within 200' of subject tract, 401.A.1 – Drafting Standards. The motion passed 5-0. A motion was made by Beth Birchall and seconded by Don Snyder to approve the Lot Add-on plan. The motion passed 5-0.

Metzler Poultry Operation Land Development: This plan is still being developed, however Duane Sellers acknowledged that the Township was granted a 180 day extension for review. Also, the PC members were able to recommend to the Supervisors the approval of one waiver request. A motion was made by Beth Birchall and seconded by Carl Drexel to approve the waiver request for 401.D.14 (a) - Final plans, location of permanent monuments and lot-line markers. The motion passed 5-0.

Wilmer Johnson Stormwater Plan 1035 River Road: Brian Masterson w/ Register presented the plan to the Supervisors. This plan was reviewed at the March PC meeting. A motion was made by Beth Birchall and seconded by Don Snyder to contingently approve this Stormwater Plan, based on all factors of the Township's engineer and the Planning Commission discussion, have been met. The motion passed 5-0. A motion was made by Carl Drexel and seconded by Beth Birchall to have Mr. Johnson complete the Operation and Maintenance Agreement and have it recorded with the County and provide proof of that recording to the Township before any future permits will be issued. Also, to have Mr. Johnson complete the Escrow Agreement for \$6,555.73 and provide the payment to the Township, either as a Letter of Credit or a check. The motion passed 5-0.

OTHER BUSINESS – PUBLIC COMMENT:

Lydia Martin, LC Conservancy, commented on the upcoming Pollinator workshop which will be held on June 23, 2018 at the Kelly's Run Nature Preserve (Holtwood Park).

Kelly Shoff – 245 Douts Hill Road – commented on the continuing issues she and her neighbors have regarding Green N Grow / Stephen Lehman. She stated the ongoing issues with litter, she feels the water ways are being affected and stated that there was a spill from one of the trucks, onto the roadway.

Isa Breneisen 70 Deerfield Dr commented on the several issues. Neighbors having chickens, boats in driveways, pot holes in the development and line painting. She asked the Board to consider a Township-wide clean-up day. She also commented on the rail trail and its one entrance. James Jefferson commented on using inmates to clean up the roadways and the conditions of River Road. Troy Hatfield commented that if there are deed restrictions in the Lakewood Estates, then her issues with the neighbors could be a civil matter and she should take them to court.

UNFINISHED BUSINESS

Short-term rentals: Information has been received from the Township's solicitor, who has been working on this issue with other Townships. She commented that the Board needs to decide how or if they even want to address this issue. Carl Drexel commented that we cannot regulate the Township out of litigation. Duane Sellers has issues with not having something in place. John Ulaky stated he would like to see more information. How are other Townships handling the rentals? Comment was heard from James Jefferson. After discussion, it was decided that the Township manager should try and find more information on the subject and table any further discussion until the June meeting.

Rail Trail Committee: Jim Hearn commented on the soon to be completed resurfacing. The park benches, mile markers, etc fund raiser is underway. He asked if the Board would allow for the committee to plan a Rail Trail clean-up day after the parking lot and the resurfacing is complete and Williams is gone. John Ulaky commented that the trail will need to be formally turned back over to the Township after Crilon is done. Duane Sellers stated that Martic's portion of the trail, both sides of Route 324, is closed and the Township has never officially opened the westerly portion to the public due to safety issues for the public, in crossing the roadway. A motion was made by Carl Drexel and seconded by Don Snyder to give permission to plan on a clean-up day after the trail is reopened. The motion passed 5-0.

Road Department:

Todd Simone read the report for April 2018:

4/2 – 4/4/18: Built Spreader rack. Swept roadways, T-69 repaired. Sign repairs and replaced

4/9 – 4/12/18: Trimmed trees and removed on Nissley Lane. T-69 light repair. Swale and inlet cleanout. Washed trucks.

4/12-4/15/18: Bridge Fire 1 man, 1 loader on sight from 8pm – 12pm

4/16-4/19/18: Closed Signage on trail. Serviced t-61 & 26. Check roads and swept all. Rail trail bridge, Tree work in the Martic Twp Park.

4/23-4/26/18: PSATS conference. Spreader taken off. Landfill run. Washed trucks, measure and marked road and pipes. Scrape and grade shoulders on Magnolia Drive. Fix dirt roads. Picked up guide rail. Re-broomed T-76C

4/30/2018: Broom Holtwood. Scrape shoulder and clean turnouts on Old Holtwood Road. Plant trees at the Rail Trail and Park.

Martic Township was awarded a \$10,000 grant from Williams for the paving of the parking lot at the Martic Twp Park. Two quotes were received from foresters for management plans for the Martic Twp Park. A motion was made by Carl Drexel and seconded by Don Snyder to have J.L. Gossert & Co. Forestry prepare the management plan for the Martic Township Park. The motion passed 5-0.

The Township continues to count Township roadways for planning and grant purposes.

He is proposing a new pipe to be installed at Street Road and Old Holtwood Road. A motion was made by John Ulaky and seconded by Beth Birchall to allow the Road Department to add the new pipe for stormwater control. The motion passed 5-0.

Pipe work was done on Old Holtwood Road where 2 pipes were removed and 1 pipe was replaced.

Zoning Officer Report shows: 7 building and 7 zoning permits, and 3 Certificate of Use permits were issued in April.

The SEO Report shows: 3 perc and probes, 1 inspection/meeting and 1 sewage permit was issued in April.

NEW BUSINESS

LC Conservancy – Tucquan Glen Parking issues:

Carl Drexel commented that he was contacted by Brandon Tennis w/ the LC Conservancy about cars who are illegally parking in the Tucquan Glen nature preserve and who they are having towed away. He requested a meeting with himself, Fred Kyper 753 River Road, Trooper Josh Whiteside with PA State Police, along with a Township representative. Unfortunately, Trooper Whiteside could not attend the meeting on site; however it was then decided to ask him to attend the BOS meeting.

Trooper Whiteside explained that the problem he is having is that the LCC representatives and Mr. Kyper are calling and having Absolute Towing remove cars, which are sitting along the roadside. Legally only the PSP may have vehicles towed from along roadways. He needs for them to call the PSP. Properties may be posted No Parking and property owner may have cars, who are parking on the properties (not along road frontage) towed away. Carl Drexel explained that the Township went through the process to have certain roadways added to our No Parking Ordinance several years ago and this section of River Road was one of those roadways added and as this is a state roadway, we had to have permission from them. Duane Sellers commented on the unintended costs and consequences associated with illegal parking. He recommended just calling the PSP for all vehicles parked along the roadway. James Jefferson, who also is a neighbor to the Tucquan Glen preserve, commented on the numerous safety issues he is having with living there. LCC visitors have walked into his house, ask to use his bathroom, dog feces not being picked up, people have asked to use his phone and the trash issue is enormous. He cannot enjoy his own property because of the visitors. He has been harassed by visitors on numerous occasions. He thinks that LCC should put up signage asking its visitors to respect the neighboring property owners. He wishes the LCC would advertise the Kelly's Run location and just close down the Glen. This is not a weekend issue, it happens daily all year long. Fred Kyper read a letter he wrote. He stated that the parking lot that was put in at Tucquan Glen to get cars off of the roadways, has not worked. He feels that the LCC has taken the most pristine spot in Martic Township and run it into the ground. LCC is not able to control their visitors or the many vehicles. The roadway is

constantly clogged. He spends approximately 6-8 hours every weekend having cars towed and he is tired of it. He commented on the dogs that are left run loose and their owners not cleaning up after them, diapers are thrown around. He would like to see the Glen closed. He commented that the residents of Martic Township are now paying more in taxes, as LCC are tax exempt. He feels the LCC is a terrible neighbor. Duane Sellers commented that Martic is just as frustrated over the tax exempt status as they are the largest land owner in Martic Township. Carl Drexel asked Brandon Tennis what the LCC is planning on doing to alleviate this continuing problem that has been going on for years. Mr. Tennis commented that they have placed signage, fences and hired rangers to keep vehicles moving along. As things are not improving he wants to open a dialog with the Township regarding these problems. Kelly Shoff commented on her trying to drive along the River Road and weaving around all the vehicles that were parked along the roadway. She commented on the exuberant amount of litter and couldn't believe the ecological damage that is being done at Tucquan Glen. She was very concerned about hitting someone or something, while trying to maneuver along River Road and Douts Hill Road, as the visiting cars are now starting to park up Douts Hill Road. She asked just how anyone could live there with the visitors roaming around everywhere. Beth Birchall asked Mr. Tennis, if he has seen any improvements in the past couple of years? She feels the rangers they have hired are not doing a very good job of keeping people off of the roadways and we have residents who want answers. Duane Sellers asked Brandon Tennis, what is LCC going to do to help get the residents their quality of life back? Brandon Tennis commented that he only wants to talk to the Supervisors; however he asked that they be bias. Duane Sellers stated that the Supervisors represent the residents of Martic Township and it is hard to be bias when the Supervisor's have for years, been hearing the same complaints. John Ulaky suggested that the LCC could close the Glen for a year or two to allow it to heal. Brandon Tennis commented he wanted to hear from the Supervisors what they recommended. After much discussion, a motion was made by John Ulaky and seconded by Carl Drexel to recommend to the LCC they close the parking area for the Glen for 1 year, starting Memorial Day weekend. The motion passed 5-0. Comment was heard from Troy Hatfield, Deajeana Baker, 245 Douts Hill Road and Kim O'Brian with Lancaster Newspapers, who asked for clarification. Duane Sellers stated that the Township may not close someone's property, but that Mr. Tennis was pushing for a recommendation from the Supervisors and he got one.

Cell Phones: In light of the Trestle Fire incident, personal cell phone usage was above average. Many Townships provide cell phones to their Supervisors along with some staff members. Due to spotty coverage, it seems that Verizon has better coverage in Martic Township than some of the other providers. Karen Sellers will contact the local Verizon representative and schedule a meeting to find out what packages they offer.

RVFC notices:

Auxiliary: food sale on the Enola Low Grade in Providence Township on June 2, 2018.

The next meeting of the Martic Township Board of Supervisors is scheduled for June 4, 2018 at 7:00 p.m. at the Municipal Building.

There being no further business the meeting was adjourned at 8:58 pm with a motion made by Beth Birchall and seconded by Don Snyder.

Respectfully submitted,

Karen D. Sellers
Martic Township Manager