

MINUTES OF THE MARTIC TOWNSHIP BOARD OF SUPERVISORS

DATE: September 6, 2016

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

ATTENDANCE: Beth Birchall, Duane Sellers, Carl Drexel, Charley Braught, Jr. 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.

Duane Sellers gave notice that an Executive Session was held on August 3, August 15, August 17 and August 22 to discuss employee matters.

MINUTES & TREASURER'S REPORT

Don Snyder made a motion and was seconded by Charley Braught to approve the minutes of the August 1, 2016 Supervisors Meeting. The motion passed 5-0.

Beth Birchall presented the Treasurer's Report for the period ending September 1, 2016. She apologized that the General Fund's report was not available, due to issues she was having with the Quick Books program; with no questions asked, a motion was made by Don Snyder and seconded by Charley Braught, to approve the Treasurer's Report. The motion passed 5-0.

OTHER BUSINESS – PUBLIC COMMENT:

Terry McDonald 688 Martic Heights Drive commented on the issues he is having with Steve Lehman's Green N' Grow composting business. The smell and stench is unbearable. He has made an official complaint to the PA Dept of Environmental Protection. There is concern over the composting leaching into ground/well water, trash issues and by far the odor. Mr. Lehman gave him permission to be on his property and he has pictures of water run-off. He has contact Rep. Bryan Cutler, who is now involved. Robert Mussmon of 680 Martic Heights Drive echoed Mr. McDonald's comments and reiterated the stench makes living near the composting operation unbearable. John Lehr 699 Martic Heights Drive stated that complaints were raised in 2009 when the operation began and every year it is much worse. Jon Kloppmann 660 Martic Heights Drive commented that he is thankful he is only temporarily renting at his current location until his home is built, because it is nauseating and almost unbearable at times.

Girvin Henry of 400 Drytown Road commented on the junk yard at 418 Drytown Road where Don Hess has been allowed by the property owner to bring his junk too. Dennis Shenk Zoning Officer has been looking into the situation. Mr. Hess has now begun to bring it back to his Marticville Road property, where he was in violation before. Mr. Shenk will contact the solicitor.

Kim Shireman of 2 Vestral Drive commented on the possibility of having the proposed pipeline redirected back to the original route, which would take it away from the populated residential area it is currently proposed for. There is a movement in Conestoga Township which is asking FERC if the pipeline must go through the township, they want Williams to follow the already existing right-of-ways of the power companies. A letter was sent out to its residents asking for support, while there is still time to get it moved. No trees would need to be cut down, as the right-of-ways already exist. Duane Sellers commented on the 2014 Resolution that the Martic Board of Supervisors passed which clearly stated that if a pipeline would go through, that they support using the existing right-of-ways, such as PPL's. Carl Drexel explained the re-route idea and asked if we are to have a pipeline, what is the less intrusive path? Common sense says to follow an existing right-of-way. This path would reduce the amount of people affected and would take it away from Lakewood Estates. Terry McDonald commented that this was the path that the pipeline took in York County and it worked very well. There are residents in Martic

who are proposing a similar letter be sent out to its residents. This letter would not be coming from the Township. Bryan Cutler, our State Representative will receive the letters and all comments and direct it to FERC.

UNFINISHED BUSINESS

Holtwood Park update: Duane Sellers commented that information is being posted to the Township's website. The Lancaster County Conservancy is diligently working on the transfer of the Holtwood Park property from Talen Energy. There is a tight timeline that must be met as Talen has been sold to Riverside and the transfer must be completed prior to the sale. Township officials met with the Conservancy the week of August 24th, in an effort to expedite the requirements of the Township's SALDO that are required as part of the settlement/transfer. The Conservancy has offered the park to the Township; however there are several steps that must take place first, since the Conservancy doesn't even own the property yet. The land transfer must take place and this takes time. There are a number of deeds associated with the grounds that Talen/PPL/Brookfield are giving to the LCC therefore those deeds need cleaned up. Also, LCC stated there will be conditions placed on the property as part of the transfer from Talen to the them. In checking with the previous land manager and other park owners, it is estimated that an annual maintenance fee will be \$50-\$60,000. The Township's ownership of the park is premature at this point.

Comment was heard from Robert Mussmon – 680 Martic Heights Dr. every time land transfers to the LCC, it comes off the tax base.

Terry McDonald – 688 Martic Heights Dr. commented as the former land manager, that the well for the park is located across the road and the only thing it is good for is flushing toilets.

Lydia Martic- LCC commented on the survey that LNP printed. Duane Sellers said possibly next spring or summer of 2017, depending on where LCC is with the land transfers.

Kloppmann SWM plan 225 Magnolia Drive: Discussion continued as to the Bond guarantee dollar amount for his Stormwater Management plan. Mr. Kloppmann's engineer Light Heigel Associates gave a bond amount of \$16,852 with a break-down. Mr. Kloppmann also provided a signed letter from Webber Excavating, stating he would honor the prices listed on his letter which shows the breakdown of the work. Mr. Kloppmann asked if the Board would waive section #4 of his cost estimate (Culverts). The Township's solicitor has stated that SWMO which requires financial security for all SWM Facilities, including E&S BMPS, as required by the SWM Site Plan. After much discussion, a motion was made by Don Snyder and seconded by Carl Drexel to accept \$12,849.10 for the Kloppmann SWM Letter of Credit. The motion passed 5-0. As for section 4 (Culverts), a motion was made by Don Snyder and seconded by Charley Braught to approve \$4,004.00 for an Escrow Agreement. The motion passed 5-0.

Municipal Lease Option for the new tractor. Charley Braught suggested tabling this discussion until the October meeting, that way the first Budget meeting will have taken place.

The Land Use ordinance, which was presented to the Board by a resident for review by both the Board and the solicitor. After receiving feedback from the Township's Solicitor, Carl Drexel made a motion which was seconded by Charley Braught to not pursue the Land Use Ordinance. The motion passed 5-0.

The Planning Commission had no August meeting.

Road Department:

Duane Sellers introduced Todd Simone as the Township's new Road Foreman. And since today was his first day, Duane Sellers read the road report for August:

- The week of August 1: Mowing, checked roads and cleaned up sediment; side gutters were addressed.
- The week of August 8: Tree trimming throughout the Township, pre-paving meeting with Pennsy Supply.
- The week of August 15: Continued tree trimming, mowing, storm clean-up, prepared Steinman Farm Road portion for paving.
- The week of August 22: Pennsy Supply paved portion of Steinman Farm Road, mowing throughout, checked roadways.

Line Painting: Hilldale Road portion; Rt. 324 – Martic Heights Dr.
Steinman Farm Road – paved portion
Bethesda Church Rd. W – Hilldale Road – Muddy Run entrance
Street Road – oil & chipped portion

The Township received quotes from DE Gemmill \$3,139.69, Guidemark, Inc. \$6,131.60 & Alpha Space Control \$3,116.50. After discussion and since there is a satisfactory history with DE Gemmill, a motion was made by Beth Birchall and seconded by Carl Drexel to accept DE Gemmill's proposal. The motion passed 5-0.

Township parking lot/line stripping: There was only one quote received and that was from Superior Seal Coating for \$500.00. A motion was made by Beth Birchall and seconded by Don Snyder to accept Superior's quote. The motion passed 5-0.

A three point broom was sold to Eden Township for \$300.

The list of Road Department items for sale was tabled until the October meeting, to allow the new Road Foreman time to review the list.

Zoning Officer Report shows: 2 building permits, 4 stormwater management permits, 2 zoning permits, 3 building use and occupancy and 7 zoning certificate of use permits were issued in August.

The SEO Report shows: 1 probe, 1 inspection and 3 septic permits were issued in August.

August 2016 invoices: Don Snyder made a motion which was seconded by Duane Sellers, to approve the bills for payment totaling \$ 18,010.81. The motion passed 4-0 with Carl Drexel abstaining in accordance with Section 1103(j) of the Ethics Act and noting that his public disclosure memorandum is on file in the township office.

Also, Beth Birchall stated that \$246,870.82 was paid out of the State Fund to Pennsy Supply for the road paving. A motion was made by Carl Drexel and seconded by Don Snyder to authorize this payment. The motion passed 5-0.

NEW BUSINESS

Patricia Graybill of 358 Steinman Farm Road was to request use of the Township's parking lot, however she wasn't present and no action was taken by the Board.

Quarryville Library presentation: Catherine Mundy of 64 Raven Crest and a library board member, made a presentation to the Supervisors on behalf of the library. She thanked the board for their continued support. She noted that Martic's residents ranked as the 2nd highest to borrow from the library. A person's income and education level doesn't matter, since the library is free to everyone. They offer many different programs, including but not limited to early childhood learning opportunities. They had to cut their hours and some of their programs, due to the financial cuts from the government. They need more support and volunteers. She requested that the Board consider a possible increase to its giving, but at the bare minimum to maintain the level it established last year.

Dave Walter President of the Rawlinsville Fire Company made a statement on behalf of the fire company. Since the merger with Pequea, they have liquidated several pieces of equipment. Their equipment is beginning to show age and to replace a major apparatuses they are looking at \$600,000 - \$700,000. The day to day expenses to keep the fire company open and running keeps rising. Their major income is from the Mud Sale, Fund Drive and the Township. A lot of residents think they are paying taxes which go to the fire company and this is not correct information. The fire fighters with RVFC are volunteers and give up many hours for training and also be available for calls. This problem is affecting all volunteer fire companies everywhere. They are expected to flip burgers, hold breakfasts, attended hundreds of hours of training and still show up for a call. It's no wonder people are no longer volunteering.

Carl Strickler Chief of the RVFC commented that most years 50% of their calls are in Martic, however

they do respond to the surrounding townships. They do their best to keep the equipment up and running but it's getting harder and harder. It was noted that Lanc Co Conservancy is the largest property owner in Martic and they have pledged to send support of \$2,000/year. Charley Braught commented that a rescue on LCC property would easily use up \$2,000 on one call, if you consider the number of units that is called in and the magnitude of volunteers that it takes to perform a rescue. LCC properties are labor intensive. Carl Strickler commented that Brookfield has now asked them to provide support when kayakers are using the river. Carl stated they don't enough volunteers who are able to give of more of their time. Terry McDonald commented that he feels the LCC donation is an insult to the fire company. Additional comment was heard from Catherine Mundy and Gail Stone, 624 Hilldale Road and also RVFC treasurer. Duane Sellers expressed the Township's appreciation for all of the dedicated volunteers and for their many hours of giving.

Duane Sellers commented that in light of the Township's Stormwater Management Ordinance, it has come to his attention that possibly a new policy should be put in place on how to release an applicant's Financial Security money sooner than waiting for a Board meeting to approve the release. He had contacted the Township's solicitor to see if there was any way that this could be done. She stated that the Board would need to adopt a policy, but only after determining the different parameters that must be met. She recommended contacting the Township's Engineer to have him weigh in with his thoughts. Charley Braught questioned the cost involved to implement such a policy. He stated that he feels there is already a policy in place and to modify it would be costly. Comment was heard from Barb Stokes 888b Hilldale Road agrees with the principle, but wonder if a policy is really needed. Couldn't the Board just direct the manager to approve the release of funds? Carl Drexel commented that to release fund a policy does need to be in place. After much discussion a motion was made by Beth Birchall and seconded by Don Snyder to have the Solicitor check to see if any other Township's already have in place a similar policy. The motion passed 4-1 with Charley Braught opposing.

Well/Septic distance agreement at 16 Creamery Road: James & Rebecca Rineer present, a Well/Septic Agreement due to the size of the lot and the proximity of the well to the new septic system. The old system has failed and this agreement waives the minimum isolation distance of 100'. Information received from the Sewage Enforcement Officer states that the new system shall not be less than 50' from the well. A motion was made by Beth Birchall and seconded by Charley Braught to approve this agreement and require that the property owners record the agreement with the County so that it gets attached to the deed. The motion passed 5-0. Proof of that filing must then be sent to both the SEO and Martic.

2017 Pension MMO – A motion was made by Beth Birchall and seconded by Don Snyder to approve for the employees, the Martic 2017 MMO for \$16,649. The motion passed 5-0

Duane Sellers commented that he sent Scott Tanguy with PennDOT, an email regarding an update on the River Road repairs in Tucquan. The reply that he received back stated that he was forwarding his email onto the District Design Unit, since they are overseeing the project. He has not heard back from them.

The Township office will be closed during the week of September 12th, as the Manager is on vacation.

The tenant at 364 Steinman Farm Road has asked if the restoration company finishes the fire repairs to the house prior to October 1, may he begin to move his furniture and house items back prior to his official moving on October 1st. A motion was made by Don Snyder and seconded by Beth Birchall to allow our tenant to move his items back in prior to the October 1st date, if the house in fully completed. The motion passed 5-0.

The next meeting of the Martic Township Board of Supervisors is scheduled for Tuesday, September 6, 2016 at 7:00 p.m. at the Municipal Building.

They're being no further business the meeting was adjourned at 9:15 pm by a motion made by Beth Birchall and seconded by Don Snyder.

Respectfully submitted,

Karen D. Sellers
Martic Township Manager