

MINUTES OF THE MARTIC TOWNSHIP BOARD OF SUPERVISORS

DATE: December 4, 2017

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

ATTENDANCE: Beth Birchall, Duane Sellers, Carl Drexel, Don Snyder, John Ulaky, Dennis Shenk ZO and Karen Sellers, along with numerous other attendees. (See sign in sheet)

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.

MINUTES & TREASURER'S REPORT

Carl Drexel made a motion which was seconded by Don Snyder, to approve the minutes of the November 6, 2017 Supervisors Meeting. The motion passed 5-0.

Beth Birchall presented the Treasurer's Report for the period ending December 1, 2017. With no questions or comments, a motion was made by John Ulaky and seconded by Carl Drexel, to approve the Treasurer's Report. The motion passed 5-0.

November 2017 bills: John Ulaky made a motion which was seconded by Don Snyder, to approve the bills for payment totaling \$ 18,282.40. Beth Birchall commented that there was a payment made for \$34,000 to Mill Hall Borough for the truck, which Martic purchased through Municibid. 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.

OTHER BUSINESS – PUBLIC COMMENT:

Kelly Shoff 245 Douts Hill Road – continuing issues with 266 Douts Hill Road / Green N Grow. Adverse health effects continue. Dust, odors and trash are blowing around. She asked if the Township could do anything to help with relief. Duane Sellers stated that unless it is a Zoning violation, the Township cannot do anything. DEP currently does have a law suit filed in County court and Mr. Lehman has appealed the Zoning Hearing Board's decision and that case is currently in County court. He will check once again with the Township's solicitor to see if the Township can do anything to help with relief to the neighbors.

UNFINISHED BUSINESS

The Planning Commission met on November 16th to review a Land Development and Storm Water Management plan for Lehman Ag/ Josh & Shawn Lehman and to make recommendations to the Supervisors.

Randall Hoover with Team Ag presented the Lehman Ag plan to the Supervisors. They are proposing to build, at 774 Martic Heights Drive, Josh & Julissa Lehman's property, an Equipment Shed for the sole purpose of Lehman Ag. They were required to submit a Land Development and Storm Water Management plan for consideration.

A motion was made by Carl Drexel and seconded by Beth Birchall to grant the waiver request of Section 305 – Preliminary Review Process of the Subdivision and Land Development Ordinance and the waiver request of Section 302.A.2.c of the Storm Water Management Ordinance regarding load ratios. The motion passed 5-0.

A motion was made by Duane Sellers and seconded by Carl Drexel that the Board of Supervisors approve the Preliminary/Final Land Development Plan for Proposed Equipment Shed prepared by

TeamAg, Inc., Project No. 4246-17-01, dated October 24, 2017, revised November 8, 2017, subject to the following conditions:

1. Applicant shall comply with all conditions imposed on waivers.
2. Applicant shall have the record owners sign the Plan and shall have all certifications on the Plan executed by the appropriate consultants.
3. Applicant shall present the Township with the Storm Water Management Agreement and Declaration in the form prepared by the Township Solicitor executed by the Landowners with the Joinder by Mortgagee executed by the mortgage holder.
4. Applicant shall post financial security in the amount of \$7785.40 in a form acceptable to the Township Solicitor, together with an executed developer's agreement in the Township's standard form.
5. Applicant shall reimburse the Township for all reasonable engineering and legal fees incurred in the review of plans and supporting information under the Subdivision and Land Development Ordinance and other governing ordinances, review or preparation of documentation required in connection with the Plan and other documentation, and for other costs as set forth in the Township's Fee Resolution within 30 days after the date of an invoice for such fees. If Applicant fails to pay such costs within 30 days after the date of such invoice, Applicant shall be in violation of this Condition. The motion passed 5-0.

A motion was made by Beth Birchall and seconded by Carl Drexel that the Chairman or Vice Chairman of the Board of Supervisors or other appropriate member of the Board of Supervisors be authorized to sign the Storm Water Management Agreement and Declaration of Easement relating to the Preliminary/Final Land Development Plan for Proposed Equipment Shed prepared by TeamAg, Inc., Project No. 4246-17-01, upon presentation of such Agreement executed by the record owners of the subject property with the Joinder by Mortgagee executed by the mortgage holder. The motion passed 5-0.

A motion was made by Duane Sellers and seconded by Beth Birchall that the Chairman or Vice Chairman of the Board of Supervisors or other appropriate member of the Board of Supervisors be authorized to sign the Preliminary/Final Land Development Plan for Proposed Equipment Shed prepared by TeamAg, Inc., Project No. 4246-17-01, upon satisfaction of the conditions placed upon approval. The motion passed 5-0.

2018 Budgets: A motion was made by John Ulaky and seconded by Don Snyder to approve the 2018 Budgets for both the General and the Liquid Fuels accounts. The motion passed 5-0.

Resolution No. 12-04-17: Prohibiting a Category 4 Gaming Facility in Martic Township. The resolution passed by roll-call vote: 5-0.

2018 Millage rate for Martic Township: A motion was made by Beth Birchall and seconded by Don Snyder to keep the Township's millage rate at '0'. The motion passed 5-0.

Rental Units:

631 Martic Heights Drive – the tenant has moved out. Carl Drexel commented that there is evidence of termites and mice at this property. A refrigerator will need to be bought, as the tenant owned the refrigerator which was in the house. He asked the Board to consider using a property management team to run the Township's rentals. Scott Osborne, of Realty Professional Group, the Osborne Team, commented that he and his daughter currently manage 70 properties. They would handle the advertising, credit checks, background, criminal eviction checks and they verify income. They walk through the property every 6 months to confirm the tenants are taking care of the property. Their fee is half the first month's rent, which is a finder's fee, then it, is 7% of the monthly rent. John Ulaky commented that he thinks this is a great idea, as it frees up the Township's time when an emergency occurs. Todd Simone commented that screens do need to be replaced on some of the windows and he saw where roofing nails have no tar on them. After discussion, a motion was made by John Ulaky and seconded by Don Snyder to contract with Realty Professional Group, the Osborne Team to have them manage all three rentals. The motion passed 5-0.

364 Steinman Farm Road – a proposal was received by Shenk Builders to repair the detached garage roof. After discussion, a motion was made by Don Snyder and seconded by Carl Drexel to have Shenk Builders repair the roof for \$2,460.00. The motion passed 5-0.

330 Hilldale Road – the tenant has contacted the Township that a bubble has formed in the linoleum flooring in their Living Room. Denny Shenk commented that he did stop by and see it and recommended re-pulling the linoleum to see if this corrects the problem. If it doesn't he will look further into what might be causing the issue.

Road Report: Todd Simone read the Road Report for November 2017:

11/1- 11/2- Road counts were done. Exterior work at rental property. (631 Martic Heights)

11/6-11/9- Clear sight work at Frogtown Rd and Covered Bridge Rd. Cleaned up, repaired gutters and steps at shop and rental (631 Martic Heights) Chain work. Snow tires

11/13-11/17- Winter equipment ready/fix. Scrap metal. Chain work. Picked up coupler for T-22. Won Bid on Municibid for 2001 Peterbilt.

11/20-11/23- Sandblasting. Sign work. Storm/ high wind, clean up. T69 Engine light and light fix. Chain/Plow work. Dirt road work.

11/27-11/30- T06 repair. P/U rubber patch product. Tree work. Hilldale RD, Douts Hill RD, Pennsy RD.

Todd Simone told the Board he has retired the 1995 Intern'l truck as he registered the newer truck with this tag. He will now use it for parts, as we still have in service the 1997 International. He may or may not sell them both together in the future as they are the oldest vehicles we have in the fleet. He also requested permission to attend the Dirt and Gravel/Low Volume Road Work, being held by the LC Conservation District on December 19th from 10 – 1 pm at the Farm & Home Center. A motion was made by Beth Birchall and seconded by Carl Drexel to allow him to attend this free workshop. The motion passed 5-0.

Zoning Officer Report shows: 4 building permits, 3 zoning permit, 5 use and occupancy permits and 2 certificate of use permits were issued in November.

The SEO Report showed no permits were issued in November.

NEW BUSINESS

The Township has received a request from Matt Wiker 1060 Deaver Road Quarryville, PA, regarding 1033 Truce Road. He would like Martic's Board to turn the property over to Providence Township as the new taxing district, as he would like to send his children to Solanco SD, when they begin school. The property line runs through the property. His parents own the property and he is currently doing the paperwork to take ownership. Duane Sellers commented that not only would this affect Martic Township and Providence Township, but two different school districts would have to agree as well. Beth Birchall commented that this is an unusual request and this would set precedence if another neighboring property would want to send their children to a neighboring school district. Penn Manor SD will need to weigh in on this and Mr. Wiker stated he has not contacted them about the matter. Duane Sellers commented that there are several properties that cross boundaries throughout Martic and he too is not in favor of setting a precedence. Many unanswered questions such as who would pay for the legal work, as agreements would need to be drawn up between both Townships and School Districts. Carl Drexel commented that this is not a simple matter. Mr. Wiker would like to demolish the current house and asked if he would be able to get permits to do so. Yes, Dennis Shenk the Zoning Officer said he could apply for one. Duane Sellers commented that there are too many unanswered questions and he recommended tabling the request until the January 2018 meeting. Comment was heard from Kelly Shoff.

115 Tucquan Glen, Jason & Rhoda Martin have applied to Rezone a portion of their property. The Board recognized this request and referred it to the Martic Township Planning Commission along with the LC Planning Commission for review.

The Board acknowledged that Monday, January 1, 2018 the Township office will be closed in observance of New Year's Day.

Beth Birchall asked for a motion to approve the renewal of the Treasurer's bond. A motion was made by John Ulaky and seconded by Carl Drexel to approve the treasurer's bond for another year. The motion passed 5-0

Duane Sellers announced that following this meeting, the Board would be holding an Executive Session to discuss the Donald Hess 1146 Marticville Road and continuing litigation.

The next meeting of the Martic Township Board of Supervisors is scheduled for January 2, 2018 at 7:00 PM at the Township building for the annual Reorganizational Meeting.

There being no further business the meeting was adjourned at 7:55 pm by a motion made by Beth Birchall and seconded by Don Snyder.

Respectfully submitted,

Karen D. Sellers
Martic Township Manager