

## **MINUTES OF THE MARTIC TOWNSHIP BOARD OF SUPERVISORS**

**DATE:** October 5, 2020

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

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

### **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**

Beth Birchall made a motion, which was seconded by John Ulaky, to approve the minutes of the September 1, 2020 Supervisors Meeting. The motion passed 4-0.

Carl Drexel made a motion, which was seconded by Beth Birchall, to approve the minutes of the September 15, 2020 Budget Workshop. The motion passed 4-0.

Beth Birchall presented the Treasurer's Report for the period ending September 30, 2020. A motion was made by John Ulaky and seconded by Carl Drexel, to approve the Treasurer's Report. The motion passed 4-0. A motion was made by Beth Birchall and seconded by Carl Drexel to move \$400,000 from the checking into the PLGIT Capital Projects account. The motion passed 4-0.

John Ulaky made a motion, which was seconded by Duane Sellers, to approve the bills for payment totaling \$91,756.84, which includes the PA state Fire Relief payment along with the Township's annual donation. The motion passed 3-0 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. Beth Birchall made a motion, which was seconded by Duane Sellers, to pay \$50,000 toward the balance of the fire company loan. The motion passed 5-0.

### **PLANNING COMMISSION:**

The Planning Commission met on September 17, 2020 to review:

Dolphin Georgetown, LLC 130 Creamery Road, Pequea, Stormwater Management plan.

212 & 214 Clearview Road, Holtwood, Theodore Artz, Patricia Artz & Kipling Hall for a subdivision plan.

### **SUPERVISOR'S PLAN REVIEWS:**

Theodore Artz, Patricia Artz & Kipling Hall: 212 & 214 Clearview Road, Holtwood are requesting permission to subdivided. After discussion, a motion was made by Carl Drexel and seconded by Beth Birchall to grant the waiver requests for: Section 401.A.1, plan scale, Section 402. A, Wetland Study, Section 602, Additional street width and Section 607, for Stormwater Management. The motion passed 4-0. A motion was made by Beth Birchall and seconded by Carl Drexel to approve the Subdivision and Land Development plan for 212 & 214 Clearview Road, Holtwood / Theodore Artz, Patricia Artz & Kipling Hull conditioned on that all comments from the Township's engineer, Wilson Consulting Group are addressed and that the Lanc Co Planning Commission comments are considered. I also move that the Applicants provide proof to the Township that the new deeds for the resultant Lots 1, 2, 2A, 3, 4 & 5, along with the plan, have been recorded within 30 days after the release of the Plan, in the Lancaster County Recorder of Deeds office. If Applicants fails to provide such proof within 30 days, the Applicant shall be in violation of this condition. The motion passed 4-0.

Dolphin Georgetown, LLC, 130 Creamery Road, Pequea for a Stormwater Management plan. The plan was presented by Brian Masterson with Register Associates. After discussion, a motion was made by Carl Drexel and seconded by John Ulaky to approve the waiver request for Section 402.F, Development Site Boundary. The motion passed 4-0. A motion was also made by Beth Birchall and seconded by Carl Drexel to approve the Stormwater Management plan for Dolphin Georgetown, LLC at 130 Creamery Road, Pequea, PA, conditioned that the Lancaster Co. Conservation District's comments are addressed and that the Stormwater Management Agreement is executed and along with the Stormwater Management Plan, are recorded at the Lancaster County Recorder of Deeds office, within 30 days of the release of the agreement and plan and that proof of said recordings are provided to the Township. If the Applicant fails to provide such proof within 30 days, the Applicant shall be in violation of this condition. Also, that the applicants post Financial Security, in the amount of \$13,331.11; and complete the Escrow Agreement with the Township. The motion passed 4-0.

### **PUBLIC COMMENT:**

John Lahr, 699 Martic Heights Drive commented on the rail trail and the crossing issues at Route 324 and Red Hill Road.

Isa Breneisen, 70 Deerfield Drive commented that she would like to see lines painted in Lakewood Estates. Carl Drexel stated that he is hearing from many different residents in Lakewood who do not want lines on the roads, also a tally was taken by a resident in Lakewood and the majority have no desire to see lines on their roads. Currently the Township is not planning on painting lines on the roads. She also commented on the intersection at Red Hill Road and Route 324. She commented on Providence Township allowing horses on their portion of the trail and she is not in favor of them. Duane Sellers stated that neither is Martic and has no plans to allow them. She commented that she would like to donate money for 2 rail trail benches. The manager will give her Jim Hearn's phone number to contact for information on how to do that.

### **DEPARTMENT REPORTS:**

#### **Road Department:**

Dave Williams provided the September Report, which was read by Duane Sellers.

Week of Sept. 1 – mowed and cleaned gutters on Pennsy Road. Tok truck for servicing. Cut a tree on 324 from park land. Cleaned up mudslide on Loop Rd. cleaned gutters on Frogtown Road. Opened up storm debris on Clark Hill Road.

Week of Sept. 7 – Helped Eden Twp install pipes and catch basins. Installed new curve sign on Pinnacle Rd. Cut tree on Fox Hollow Rd. Met Pennsy Supply rep on Oak Glen.

Week of Sept. 14 – Patched pipe crossing on Hilldale Rd. repaired driveway gutter on Hilldale Rd. Mowed multiple roads. Fixed washout along Hilldale Rd. Check grades for dry hydrant on McKelvey Rd. opened pipe on Creamery Rd. Cut tree in Lakewood. Cleaned gutters on Stump Rd. Met with Stevenson Equipment.

Week of Sept. 21 – Cut brush on Covered Bridge Rd. replaced faulty oil filters on Mack truck. Cleaned gutters on Steinman Farm Rd. and Tucquan Glen Rd. Cut tree on Hilldale Rd. Get supplies for mounting Rail Trail bench. Took John Deere 6110 to garage. Met contractor to look at damaged guide rail on Fox Hollow Rd.

Week of Sept. 28 – Made arrangements for John Deere 6110 to be hauled to Atlantic tractor. Mowed multiple roads. Opened outlet on Oak Glen. Spread 2A on Sellers Rd. Spread millings on Clark Hill Rd. Picked up stump grinder and ground stumps on Steinman Farm Rd and at the office.

Dave Williams explained that after meeting with Pennsy on Oak Glen regarding the run-off issues due to the paving last year, Pennsy rep said it would not be feasible for them to give a quote for the correction. Duane Sellers commented that it is in their best interest to work with the Township. Beth

Birchall stated she would like to see a quote for the repair. After discussion, Dave Williams will contact Gary Lutz, the project superintendent again to see what could be worked out.

**Zoning Officer Report:** 3 building permits and 2 zoning permits were issued; along with 2 Use and Occupancy and 1 Certificate of Use permit.

**Sewage Enforcement Officer Report:** 1 septic permit was issued, along with 1 perc and probe.

### **UNFINISHED BUSINESS**

284-290 Bridge Valley Rd. – Frank Stoltzfoos, Consent Agreement violations. A motion was made by Beth Birchall and seconded by John Ulaky to authorize the solicitor to inform Mr. Stoltzfoos in writing the pursuant to Paragraph 6 of the Consent Agreement the daily penalty of \$200 began to accrue on October 4, 2020, the agreed upon date of the inspection to confirm that all of the items had been removed, and will continue until he schedules a new inspection and demonstrates compliance with the Consent Agreement; and to direct the Solicitor to contact Mr. Stoltzfoos' attorney to inform him that Mr. Stoltzfoos in violation of the Consent Agreement, the Township has begun imposing daily penalties, and Mr. Stoltzfoos must remove (not just disconnect) the facilities and schedule a new inspection before Tuesday, October 20, or earlier to confirm that the items have been removed and stop the accumulation of daily penalties. The motion passed 4-0. The Board will review Mr. Stoltzfoos' compliance at the November meeting and if needed make a motion to file an enforcement action at that time.

### **NEW BUSINESS**

Talen Energy – proposed condition for the Zoning Hearing Board, to consider for the proposed solar project, which will be located at the Holtwood Ash Basin location. Jim Caldwell with Rettew Assoc. and Chris McClean, with Fitzpatrick, Lentz and Bubba explained the project. After discussion, a motion was made by Carl Drexel and seconded by Beth Birchall to approve the conditions that Talon will propose to the ZHB during their public hearing. The motion passed 4-0.

### **FIRE COMPANY NOTICE:**

Victor Ressler, RVFC president stated that a new dry hydrant agreement was signed by Drew & Karen Pfortsch at 30 McKelvey Lane / Olde Forge Campground. The Township's road crew will install it. Also, Randy Wissler, 1028 Truce Road has contacted the fire company about the possibility of a dry hydrant at his pond, with access from Drytown Road. Boot Drive, on October 3, raised \$2,373.00. He commented that they are also holding a gun raffle. They are in the early stages of refurbishment of their engine. It would not be as extensive as the last project. The last chicken bar-b-que, for the year, will be held December 12, 2020.

There being no further business the meeting was adjourned at 8:15 pm.

The next meeting of the Martic Township Board of Supervisors is scheduled for Tuesday, October 13, 2020 at 6:30 p.m. at the Municipal Building, to begin discussion on the budget. The next Board of Supervisors meeting is scheduled for Monday, November 2, 2020 at 7:00 p.m. at the Municipal Building.

Respectfully submitted,



Karen D. Sellers  
Martic Township Manager