

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

**DATE:** August 3, 2015

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

**ATTENDANCE:** Beth Birchall, Duane Sellers, Carl Drexel, Ted Irwin and Richard Drumm, Jr. 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.

### **MINUTES & TREASURER'S REPORT**

Carl Drexel made a motion which was seconded by Richard Drumm, to approve the minutes of the July 6, 2015 Supervisors Meeting. The motion passed (5-0).

Beth Birchall presented the Treasurer's Report for the period ending August 1, 2015. A motion was made by Carl Drexel and seconded by Ted Irwin, to approve the Treasurer's Report. The motion passed (5-0).

### **OTHER BUSINESS – PUBLIC COMMENT:**

No public comment was heard.

### **UNFINISHED BUSINESS**

**Garage/Break room proposals:** Three contractors were contacted to submit proposals for the work to be done in the road department's break room. Pencroft Ridge declined to bid, after reviewing the specs. DM Stokes received a copy of the specs, but submitted no proposal. The Township did receive a proposal from Shenk Builders to do the work for \$2,265.00. A motion was made by Ted Irwin and seconded by Beth Birchall to accept Shenk Builders proposal and to pay him the requested down payment of \$1265.00. The motion passed (5-0).

**Porterfield/Fox Ridge – Letter of Credit issues:** The Township has received notice from Susquehanna Bank that they will be terminating, as of October 5, 2015 Mr. Porterfield's Letter of Credit. The Stormwater work still needs to be completed on two lots in this development. Comment was heard from Bob Porterfield, the developer of record for the project, as to the difficulties he has had in completing the stormwater. A motion was made by Carl Drexel and seconded by Beth Birchall, to authorize the Township Solicitor to inform Leward Custom Homes & Restorations, LLC, Robert L. Porterfield, and Susquehanna Bank of the intention of the Township to draw upon Susquehanna Bank Letter of Credit No. 10002364841 pertaining to the Fox Ridge Subdivision in view of the Bank's election not to renew the Letter of Credit. Additional comments were heard from Mr. Porterfield asking that the Board not approve this motion, but allow him an additional month to work on the agreements and to contact the property owners again. The motion failed (0-5). A second motion was made by Beth Birchall and seconded by Ted Irwin, to have the Township Manager inform Robert L. Porterfield in writing, as was discussed at the July 6, 2015 meeting of the Board of Supervisors, that the "Acknowledgement Receipts" received from Mr. Porterfield for Lot 6 and Lot 8 of the Fox Ridge Subdivision are unsatisfactory for numerous reasons, including the following:

1. The Acknowledgement Receipts are not signed by all of the owners of the Lots.
2. The Acknowledgement Receipts are not in recordable form and must be revised. They must contain an acknowledgement form to be completed by a notary public and other information necessary to meet the requirements of the Recorder of Deeds. The revised documents acceptable to the Township must be recorded in order to run with the land and be binding upon the heirs and assigns of the current owners.
3. The revised documents need to clearly set forth that (i) any and all costs related to the proper

installation and approval of the stormwater infiltration systems are the responsibility of the individual Lot owners; (ii) the Lot owners agree the financial security previously posted by the Developer may be released by the Township; and (iii) the Township will have no responsibility or liability for the proper completion of the stormwater infiltration systems and for the release of the Developer's financial security.

4. The owners of Lots 6 and 8 need to acknowledge in writing that the Township must review and approve the stormwater infiltration system for each Lot, including the grit separator, before the issuance of a building permit and the review and approval will be based upon the size and location of the dwellings to be constructed on Lots 6 and 8 at the time application is made for a building permit. I further move that the Township Manager inform Robert L. Porterfield in writing that if Mr. Porterfield desires the Board of Supervisors to consider a reduction of the outstanding amount available under or a release of the letter of credit issued by Susquehanna Bank for the Fox Ridge Subdivision, that he provide documents for Lot 6 and Lot 8 in draft form for review by the Township Solicitor addressing the deficiencies in the "Acknowledgement Receipts" which have been identified by the Township. Any reduction or release of the letter of credit will require an affirmative vote of a majority of the entire Board of Supervisors at a public meeting. The motion passed (5-0). The manager will send this letter via certified mail.

Road Department: Duane Sellers read the road report for July.

- The week of July 6: mowed, filled holes on Tucquan Glen (dirt portion) and Horse Hollow, tar and chipped Covered Bridge Road
- The week of July 13: mowed, finished tar and chipping, tree removal on Pencroft North, patched road edges on Magnolia and Pennsy Roads, tree trimming on Deerfield Dr, patched twp parking lot entrance
- The week of July 20: mowed, patch over pipe on Hilldale Road, placed approach railing on Martic's side of the trestle bridge, gutter cleaning on Hollow Woods, swept roadways from tar and chipped roads
- The week of July 27: mowed rail trail, tree trimming on Lake Aldred Terrace, widened Street Road, reclaimed Bethesda Church W (portion from Muddy Run entrance to Hilldale), hauled dirt and stone away from widening

Zoning Officer Report for July shows: 2 Building permit, 2 SWM, 4 Zoning Permit, 6 Building Use and Occupancy permits were issued.

The SEO Report for July shows: 1 perc and probe, 2 sewage permits and 4 septic inspections were done.

July 2015 bills: Ted Irwin made a motion which was seconded by Carl Drexel, to approve the bills for payment totaling \$ 74,565.39. The motion passed (5-0).

## **NEW BUSINESS**

Stormwater Management requirements: Since the new stormwater requirements were approved in May of 2014, several issues have arisen due to the lack of stormwater management plans associated with new projects. After discussion and comments heard from Dennis Shenk, Martic's Zoning Officer, a motion was made by Duane Sellers and seconded by Ted Irwin to require all applicants requesting new permits, to submit a stormwater management plot plan which shows water disbursements and a proposed water run-off management plan. The motion passed (5-0).

Malinda Clatterbuck's email requested that the Board consider the resubmittal of Resolution 10-06-14B Gas Pipeline to FERC since it now has a new docket number. Per Jehmal Hudson with FERC, the documents automatically transferred into the new docket number there is no need to resubmit. She also requested that the Board consider hiring an environmental attorney to help fight the pipeline. After discussion, hiring another attorney will not make a difference in a FERC decision. It was also noted that to date, the township has spent over \$40,000 of unbudgeted money on attorney fees, for just the pipeline issue and home rule.

The Township has received notification that the annual Susquehanna Super Hike will take place on September 12, 2015, in portions of Martic. The Certificate of Liability has been received.

A motion was made by Beth Birchall and seconded by Carl Drexel, to send Zoning Officer, Dennis Shenk to the Municipal Code Enforcement conference on September 15, 2015. The motion passed (5-0).

The Rawlinsville Auxiliary has notified the Township that they did a food sale on July 18<sup>th</sup> at the Hoffman Building. A motion was made by Duane Sellers and seconded by Carl Drexel, to have the Manager send the auxiliary a letter requesting that they notify the Board prior to a BOS meeting, so that recognition can be given before the event. This will cover them for both Worker's Comp as well as Liability insurance. The motion passed (5-0). Comment was heard from Dave Walters, RVFC president to make that letter to his attention so that he can give it to them.

The Rawlinsville Fire Company will be participating in a training exercise on September 19<sup>th</sup> in Berks County Training Center from 8:00 am – 4:00 pm.

Trestle Bridge update: it is almost completed. There is still some approach work to be done before it can be opened to the public. Comment was heard from Justin Doutrich w/ Lanc Newspapers who asked if there is a date for the official opening. Duane Sellers commented not yet, we still have to coordinate it with Conestoga Township.

The Townships Auditor's recommendation letter was reviewed again for compliance. Several items have been addressed and some items still must be completed. The Board will review the letter again at their October meeting.

Beth Birchall commented that the Lanc County Conservancy still has an unpaid invoice from April, which is for the reimbursement to the township for its engineering review fees, when they did a lot add-on between themselves and PPL. Every month the invoice is resent to them for payment and it is ignored. Duane Sellers commented to send it again to Tom Stahl's attention.

The next meeting of the Martic Township Board of Supervisors is scheduled for Tuesday, September 1, 2015 at 7:00 p.m. at the Municipal Building.

They're being no further business the meeting was adjourned at 8:10 pm.

Respectfully submitted,

Karen D. Sellers  
Martic Township Manager