

## MINUTES OF THE MARTIC TOWNSHIP BOARD OF SUPERVISORS

**DATE:** August 1, 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 July 12 to discuss employee matters. He also announced that an Executive Session will be held directly after the Board of Supervisor's meeting to discuss employee matters.

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

Beth Birchall made a motion and was seconded by Don Snyder to approve the minutes of the July 5, 2016 Supervisors Meeting with one grammatical correction. The motion passed 5-0.

Beth Birchall presented the Treasurer's Report for the period ending August 1, 2016. With no questions asked, a motion was made by Carl Drexel and seconded by Don Snyder, to approve the Treasurer's Report. The motion passed 5-0.

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

James Jefferson 778 Tucquan Glen Road asked if there was an update on the Tucquan Glen/LC Conservancy parking & trespassing issue. Brandon Tennis w/ LCC commented that more staff has been hired. 1 full-time Stewardship Coordinator who is out every day at their preserves and also a part time Interpretive Ranger, who is out during the weekends and holidays to help monitor the areas for parking, litter, etc. He is keeping a log of all his visits to the different locations. Mr. Jefferson said he still has trespassing issues. Mr. Tennis stated that he needs to be contacting the State Police for these instances. Mr. Jefferson stated that families and children are often walking on River Road. LCC is not responsible for people, who chose to walk on the roadway and they are responsible for their children, however Mr. Tennis will reach out to PennDOT. The way the parcels come together at Tucquan Glen, does require some hikers to travel along the roadway to access the property. The nature of the glen doesn't allow for another location for parking. Mr. Jefferson claimed that No Parking signs are all torn down and asked if they will be put back up. Duane Sellers commented that the Township does have several No Parking signs along the roadway which we needed State approval to post. Duane Sellers commented that as a property owner, if you invite guests to your property, you are ultimately responsible for their actions; therefore the LCC must realize that they must be neighborly to the property owners surrounding their properties. LCC is open to any suggestions that might help to alleviate the problems. Bill Webber, 42 Clearview Rd commented that when he worked for the Township, he remembered taking the No Parking signs down and he feels it's the State's responsibility to post their own roads. Duane Sellers replied that it is the Township's responsibility to place certain signs along state roads; however you have to do so with their blessing. Those original No Parking signs were removed until a road study was conducted and an ordinance was passed.

Cathy David, 370 House Rock Road, thanked the Road Department for placing delineators along her property, which is keeping LCC visitors to the House Rock Road preserve from parking on her property. She also commented that along Route 324, right past Red Hill Road; on the ditch that has been there since the realignment took place. She said there is always standing water in there and with the threat of the Zika virus, something should be done. Duane Sellers told her to call PennDOT that was their design. Carl Drexel stated that they were told during a past meeting, that when that design was done the 'fall'

wasn't there as the engineers thought it would be, therefore this now falls on PennDOT Maintenance to correct. The residents must start calling PennDot with problems they see because even though PennDOT recognizes a problem, if no one is complaining about it, it will get pushed aside. She will call PennDOT.

## **UNFINISHED BUSINESS**

Kloppmann SWM plan 225 Magnolia Drive: Discussion continued as to the Bond guarantee dollar amount for his Stormwater Management plan. Mr. Kloppmann's contractor, Webber Excavating submitted a letter guaranteeing his work to the Township, but for only \$7,972.60. This letter was line-item by line-item. The last Probable Cost estimate was for \$16,852 from Mr. Kloppmann's engineer. Bill Webber stated that he won't issue a letter for more than he did, because he won't charge Mr. Kloppmann that much money. Duane Sellers tried to explain to Mr. Webber that what he charges Mr. Kloppmann is of no concern to the Township, however if the Kloppmann's should fail in completing the requirements for the Stormwater placement, then the Township must step in to complete it and we would require him to finish the work for his stated dollar amount. The Township solicitor did weigh in after the last meeting, stating that all SWM Facilities and E&S facilities required by the plan, the developer must post financial security on all of it. After much discussion, it was decided that Mr. Kloppmann would get back in touch with his engineer to rework the numbers. Further discussion was tabled until the September meeting.

The Planning Commission met on July 21, 2016 to review submissions and make recommendations to the Supervisors.

- 1) Smoker – SWM/Land Development
- 2) Greenawalt – Lot line-change
- 3) Talen Energy – 2 minor subdivisions
- 4) Eshleman – Lot line-change

Smoker – SWM/Land Development 1020 Susquehannock Dr. – Holtwood Supply warehouse. No presentation, the Supervisors recognized that a plan has been submitted and is in the review phase.

Connie Greenawalt – Lot line-change – 367 & 379 Bridge Valley Road 430-53763/430-31672-00000. Kevin Werner w/ Land Grant Surveyors presented the plan to the Supervisors. After discussion, a motion was made by Charley Braught and seconded by Beth Birchall to move that the Board of Supervisors grant approval of the Lot Add-On Plan 367 & 379 Bridge Valley Road, prepared by Land Grant Surveyors, Drawing No. 161128-02, dated June 9, 2016, as revised to meet the comments from the Township Engineer dated June 20, 2016, subject to the following conditions:

1. Applicant shall provide proof to the Township that deeds for Resultant Lot 1 and Resultant Lot 2, have been recorded within 30 days after the release of the Plan for recording.
2. All required certifications shall be appropriately signed and sealed when the Plan is submitted for signature to the Township.
3. 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, Storm Water Management Ordinance, and other governing ordinances; review or preparation of documentation required in connection with the Plan; review and approval of financial security and other documentation; and for other costs as set forth in the Township's fee resolution in 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.

Talen Energy – minor subdivision for 430-85414-00000. Brian Patterson w/ McTish, Kunkel & Associates, presented the plan to the Supervisors. After discussion, a motion was made by Beth Birchall and seconded by Carl Drexel to move that the Board grant waivers from Martic Township's Subdivision and Land Development Ordinance Sections 401.C.1 (existing contours); 401.C.3(b) (existing features); 401.C.3(c) (existing rights-of-way and easements); 401.C.3.(e) (location of woodlands, habitats and soils); 401.C.4(b) (related features and rights-of-way); 401.C.5 (topographical features); 401.D.4 (easements); 401.D.13(d) (studies required by the Storm Water Management Ordinance); 402.A (wetland study); 402.B (traffic impact study); and 402.C (hydrogeologic report), all as set forth in a letter to the Township Planning Commission dated June 10, 2016 and as set forth on and

relating to the Sketch Plan for BIF III Holtwood, LLC Deed #101L, Tract 2, prepared by McTish, Kunkel & Associates, Drawing No. 06402-06, dated June 10, 2016, subject to the following conditions:

1. Applicant shall clearly identify all new easements, new rights-of-way, and similar features to be created within the title lines of the proposed lots.
2. Applicant shall clearly identify all existing and proposed monuments identifying the title lines of the lots proposed to be subdivided from the larger tract.
3. Applicant shall reconfigure the proposed lots shown on the sketch plan to meet requirements of the Zoning Ordinance or shall obtain any necessary variances to enable creation of the lots as shown on the sketch plan.
4. 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, Storm Water Management Ordinance, and other governing ordinances; review or preparation of documentation required in connection with the Plan; review and approval of financial security and other documentation; and for other costs as set forth in the Township's fee resolution in 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 4-1 with Don Snyder opposing.

Talen Energy – minor subdivision for 430-13556-00000 (Suzy's Hole). Brian Patterson w/ McTish, Kunkel & Associates, presented the plan to the Supervisors. After discussion, a motion was made by Carl Drexel and seconded by Charley Braught to move that the Board grant waivers from the requirements of the Martic Township Subdivision and Land Development Ordinance to file, obtain approval of, and record a subdivision plan to enable the subdivision shown on the Sketch Plan for BIF III Holtwood, LLC Suzy's Hole, Parcel # 83L, Tract 1, prepared by McTish, Kunkel & Associates, Drawing No 06402-03, dated June 10, 2016, subject to the following conditions:

1. Any lot created within Martic Township shall comply with all requirements of the Martic Township Zoning Ordinance or all necessary variances shall be obtained from the Martic Township Zoning Hearing Board.
2. Applicant shall file a subdivision plan with Conestoga Township, obtain approval from Conestoga Township Board of Supervisors, and record such subdivision plan.
3. Applicant shall provide the Township with a copy of the submission to Conestoga Township and a copy of the plan as approved by Conestoga Township and as recorded.
4. 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, Storm Water Management Ordinance, and other governing ordinances; review or preparation of documentation required in connection with the Plan; review and approval of financial security and other documentation; and for other costs as set forth in the Township's fee resolution in 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.

Michael Eshleman & Debra Meckley Lot line change for 430-10775/430-06580/430-08730-0000. Craig Williams w/ Strausser Surveying and Engineering, Inc. presented the plan to the Supervisors. After discussion, a motion was made by Beth Birchall and seconded by Don Snyder to move that the Board of Supervisors grant waivers from Sections 401.C.1 and 401.C.3 of the Martic Township Subdivision and Land Development Ordinance concerning features to be shown on a subdivision plan and having granted such waivers, grant approval of the Lot Add-On Plan for Michael R. Eshleman prepared by Strausser Surveying and Engineering, Inc., Drawing No. 16030031, dated May 16, 2016, subject to the following conditions:

1. Applicant shall provide proof to the Township that deeds for Resultant Lot 1 and Resultant Lot 2 have been recorded within 30 days after the release of the Plan for recording.
2. All required certifications shall be appropriately signed and sealed when the Plan is submitted for signatures to the Township.
3. 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, Storm Water Management Ordinance, and other governing ordinances; review or preparation of documentation required in connection with the Plan; review and approval of financial security and other documentation; and for other costs as set forth in the Township's fee resolution in 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.

Holtwood Park update: Duane Sellers explained that he and Carl Drexel met with LC Conservancy. There was discussion as to the possibility of the Township taking over the park when the time comes. The approximate time line is that it is most likely a 2-3 years process. One thought is to possibly put out a questionnaire to the Martic residents, to ask for feed-back, but this wouldn't be soon. The current buildings have safety issues, playground equipment would need replaced and all of this is expensive to bring it up to code. Carl Drexel commented that Brookfield currently runs the Safe Harbor Park, so there maybe some interest with them. It was noted that PPL had this park over and above what was required of them, since the plant is no longer a coal fired plant. There is a lot of cost associated with maintaining a park and the Township would have to find a yearly revenue source. If the Township would choose to take over the park, LCC has offered some help but they don't have the funds to run it and maintain it. Dept of Conservation and Natural Resources has been working with LCC, such as the Pinnacle Overlook Park. Brandon Tennis w/ LCC stated that they do not maintain active recreational grounds/parks; if they would keep the park, it will be left to grow back to its natural state that is part of their mission statement, to preserve natural ground. Grant options are not sustainable, they are a great option initially to get things brought up to code, however you can't use grant money to annual maintain a property. Also, to rent out the pavilions, wouldn't be enough of an income to generate the kind of revenue needed to maintain a park. Barb Stokes 888B Hilldale Rd commented that since the ball park is not used, maybe to consider making it a soccer field. Dave Walters 477 Martic Heights Dr and RVFC President stated that he feels that Martic could find a better use for its money than in a park. The fire company doesn't have enough money to update its apparatus', let alone a park. The trail head for Kelly's Run will remain open along with the parking lot. Comment was also heard from Brad Lefever of House Rock Road on the timeline and the costs. Deed negotiations and deed transfers all take time. Bill Webber also commented on how the taxes are currently affected when the land transfers to LCC.

Municipal Lease option for the purchase of the approved tractor: Charley Braught asked Tim Kiehl when the new tractor was to be here. He wasn't sure, but thought sometime this fall. Carl Drexel stated that he would like to wait until the budget talks before he makes a decision to either buy or lease. Further discussion was tabled until the September meeting.

Road Department:

Tim Kiehl read the road report for July:

- The week of July 3: Wheel ruts were filled in along the portion of Hilldale Road in prep for the tar & chipping. Also did prep work for tar & chipping on Street Rd and Bethesda Church Rd.
- The week of July 10: Prep work continued on roads to be tar & chipped. Tar & Chipped!
- The week of July 17: mowing, black topped over pipe crossing on Steinman Farm Rd portion to be paved.
- The week of July 24: Equipment maintenance, replaced boom mower disc, township mowing

Line painting discussion was tabled until September, since the paving still needs to be done.

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

The SEO Report shows: 1 perc and probe, 1 inspection and 1 septic permit were issued in July.

July 2016 invoices: Carl Drexel made a motion which was seconded by Don Snyder, to approve the bills for payment totaling \$ 109,194.69. The motion passed 5-0

## **NEW BUSINESS**

Henry Kauffman/David Stolfus made a request to delay submittal and review of their Storm Water Management plan, so that a 2<sup>nd</sup> horse barn may be built at 175 Pencroft Drive North. Carl Drexel commented that a SWM plan hasn't even been received yet and this would set precedence. Dennis Shenk, ZO commented that the Township's engineer has not received anything to even begin a review. Mr. Shenk also commented that a 6' high wall was constructed on the property without a permit. He's still waiting to receive the stamped engineered drawings for this project. The Board highly recommended to Mr. Stolfus to get his plans to the Township so that it may be reviewed at the

September Planning Commission meeting. David Stoltzfus commented that his house is built but he still needs a place for his horse and buggy and he stated he wouldn't use the barn until the Storm Water was completed. After discussion, a motion was made by Carl Drexel and seconded by Charley Braught to deny the request for a delay of the Storm Water Management plan. The motion passed 5-0.

Charley Braught, as a member of the Planning Commission, requested permission for the Lanc Co Planning Commission to review Martic's current Comprehensive Plan. Duane Sellers commented that since the time when the plan was done, the topography hasn't changed in the Township and no big changes have been made. LCPC would review for free and make any recommendations if they see anything that might need changed. Duane Sellers made a motion, which was seconded by Carl Drexel to allow LCPC to review the Comprehensive Plan for free. The motion passed 5-0.

Duane Sellers reminded this Board that a previous Board several years ago recommended having an outside CPA firm conduct the audit every 5 years, instead of our elected Auditors. That time would be next year and if that is the desire of this Board, then a firm must be selected soon. Carl Drexel commented that we are fortunate that our elected Auditors understand auditing and the job that they are doing is very thorough, more so than what the past CPA firm reviewed. A motion was made by Carl Drexel and seconded by Beth Birchall to use our elected Auditors for the 2016 audit and to revisit next year the possibility of using a CPA firm. The motion passed 5-0.

Per the recommendation of the Auditor's, a job description has been written for the position of Treasurer. A motion was made by Don Snyder and seconded by Duane Sellers to adoption the Treasurer's job description. The motion passed 5-0.

Charley Braught has been working with Tim Kiehl to put together a list of Road Department items that could be sold. Unfortunately several items have very little information kept on them such as the fire truck. Don Snyder will see what information he can find on the fire truck. If items were to be sold to another Township, advertising would not be necessary, per the 2<sup>nd</sup> Class Township Code. A motion was made by Duane Sellers and seconded by Charley Braught to update the list and get as many details as possible and then to revisit at the September meeting. The motion passed 5-0.

364 Steinman Farm Road rental – Mammoth has 2.5 squares of left-over siding, along with 12 J channels. It was special ordered to match the color. The Board has been asked if they are interested in purchasing the remaining siding. Carl Drexel spoke to Mammoth and the price is \$170/per square. He feels this price is high, plus we would need to find space to store the boxes. After discussion, a motion was made by Don Snyder and seconded by Beth Birchall to not purchase the left-overs and have them send it back. The motion passed 5-0.

The Lanc Co Assoc of Township Supervisors are having their dinner/meeting on August 30<sup>th</sup> and the cost would be \$23.00/per person. After discussion, a motion was made by Carl Drexel and seconded by Don Snyder to send Beth Birchall, Carl Drexel, Duane Sellers, Charley Braught, Don Snyder and Karen Sellers. The motion passed 5-0.

Notice has been received and recognized, that the RVFC Fire Police will be helping Quarryville Borough on August 6<sup>th</sup>, assisting with the 5K SECA run.

Carl Strickler, the RVFC Chief, brought to the attention of the Board the issue the fire company has had in accessing the two rail-trail gates. During a call, the key which was given to the fire company, was not picked up, therefore they had to cut the lock off. It has since been replaced, however to help alleviate this problem in the future he recommended that the Township purchase two Knox boxes. After discussion a motion was made by Carl Drexel and seconded by Don Snyder to purchase 2 of the surface mounted, lift-off, Knox boxes at \$273.00/each. The motion passed 5-0.

Barb Stokes commented on the 3' ditch along Hilldale Road, just off of Rt. 372. Tim Kiehl will look into it. She also commented that the coding for Tar & Chipping should be under road maintenance and not construction. Beth Birchall will change it.

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 9:10 pm by a motion made by Beth Birchall and seconded by Don Snyder.

Respectfully submitted,

Karen D. Sellers  
Martic Township Manager