

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

**DATE:** March 5, 2018

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

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

Please note: the meeting was digitally recorded for use to help create these minutes.

### **ORDER OF BUSINESS**

**CALL TO ORDER:** Carl Drexel called the meeting to order at 7:10 PM and led with the Pledge to the Flag.

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

John Ulaky made a motion and was seconded by Beth Birchall to approve the minutes of the February 5, 2018 Supervisors Meeting. The motion passed 4-0.

Beth Birchall presented the Treasurer's Report for the period ending March 1, 2018. A motion was made by John Ulaky and seconded by Don Snyder, to approve the Treasurer's Report. The motion passed 4-0. Notice was given that the Township did receive the annual Liquid Fuels payment of \$262,093.88.

Don Snyder made a motion which was seconded by John Ulaky, to approve the bills for the payment of the February invoices totaling \$ 39,824.50. 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.

A motion was made by Don Snyder and seconded by John Ulaky to recess the Supervisor's meeting. The motion passed 4-0.

### **PUBLIC HEARING – 115 Tucquan Glen Rd. Rezoning a portion of the property**

A motion was made by Beth Birchall and seconded by John Ulaky to open the Public Hearing on the Petition to Re-Zone a portion of 115 Tucquan Glen Road, owners are Jason and Rhoda Martin. The motion passed 4-0.

Carl Drexel read:

- A petition was received on December 5, 2017 to Re-zone a portion of 115 Tucquan Glen Road from Rural Conservation to Agriculture.
- The property is owned by Jason Z. Martin and Rhoda H. Martin
- The acreage of the property is: 167.8 acres all of which is in the AG district except 5.238 acres which is in the Rural Conservation district.
- The Martic Township Planning Commission met on January 18<sup>th</sup> and made a motion that the proposed action was in accordance with the objectives of the formally adopted comprehensive plan and recommended to the Supervisors to accept the proposed rezoning request. Also, that the Lanc Co Planning Commission met on January 22<sup>nd</sup>, who also recommended the proposed rezoning request.
- The Board of Supervisors acknowledged receipt of the petition at their February 5, 2018 Supervisors meeting and approved the advertisement for the Public Hearing.
- The property was conspicuously posted on February 6<sup>th</sup>, 2018 by Dennis Shenk, Zoning Officer.

- The proposed ordinance has been recorded with the Lanc. Co Law Library, in accordance with Section 610 (a)(2) of the Municipal Planning Code.
- And a letter was sent to the Martin's regarding the public hearing and the proposed enactment of the ordinance which would amend the Zoning Map, as required by the Municipal Planning Code, Sec 609 (b)(2)(i).

Carl Drexel introduced Jason Z. Martin, who stated that reason for his petitioning to re-zone the portion of his property, is that he plans to preserve his farm with the Lancaster County Farmland Trust and to do so, the entire property must be zoned Agriculture.

With no public comment, a motion was made by Don Snyder and seconded by Beth Birchall to close the Public Hearing. The motion passed 4-0.

A motion was made by John Ulaky and seconded by Don Snyder to reconvene the Supervisors meeting. The motion passed 4-0.

### **Ordinance 3-5-18 – Re-zoning of 115 Tucquan Glen Road portion to Agriculture**

The ordinance passed by roll-call vote 4-0.

### **PLANNING COMMISSION/SUPERVISORS:**

The Martic Township Planning Commission met on February 15<sup>th</sup> to review the subdivision plan of BIF-III Holtwood LLC – Deed #101L, Tract 2 plan. They recommended approval to the Supervisors of the three additional waiver requests along with the conditional approval of the plan.

Joe Civitella, McTish, Kunkle and Associates explained that this project was began in 2016, however changes were requested by both Brookfield and LC Conservancy and zoning requirements had to be met after review by the Township's solicitor. Several waivers were already approved by the Supervisors at their August 1, 2016 meeting; however in re-evaluating the plan, 3 more waiver requests were made. The reason for the subdivision is due to (FERC) Federal Energy Regulatory Commission's requirements for the Brookfield operating license which limits the amount of land they may own. They plan to keep the minimum allowed amount and then donate the remainder to the LC Conservancy. Of the 149 acres, 144 acres will be going to LCC. After further discussion, a motion was made by Beth Birchall and seconded by John Ulaky to approve the BIF III Holtwood, LLC subdivision plan Deed #101L, Tract 2 the additional waivers from Section 401.B.11, Section 401.B.15 and Section 401.C.2. Furthermore, that the Board conditionally approves the plan if all comments from the Township's solicitor and engineer have been addressed. The motion passed 4-0.

### **2018 ROAD BIDS**

#### **Paving (in-place)**

<b>Bid Items:</b>	<b>Long's Asphalt, Inc.</b>	<b>Pennsy Supply, Inc.</b>
Bethesda Church Rd W: Item#1 Widening SY	\$33.90 \$8,576.700	\$28.94 \$7,321.82
Bethesda Church Rd W: Item#2 Widening TONS	\$112.80 \$6,091.20	\$98.59 \$5,323.86
Bethesda Church Rd W: Item#3 Leveling TONS	\$73.80 \$23,320.80	\$73.54 \$23,238.64
Bethesda Church Rd W: Item#4 Wearing TONS	\$73.80 \$28,044.00	\$72.44 \$27,527.20
Pinnacle Rd: Item # 5 Level TONS	\$69.65 \$54,884.20	\$70.85 \$55,829.20
Pinnacle Rd: Item #6 Wearing	\$69.65 \$82,744.20	\$67.77 \$80,510.76
<b>Totals:</b>	<b>\$203,661.10</b>	<b>\$199,752.08</b>
<b>Awarded Bid: Yes or No</b>	<b>No</b>	<b>Yes</b>

A motion was made by Beth Birchall and seconded by Don Snyder to award the 2018 paving contract to Pennsy Supply, Inc. The motion passed 4-0.

**Oil & Chip**

Bid Items:	Martin's Paving
Street Rd (portion)	\$1.24 \$6,981.20
Crystal Drive	\$1.24 \$9,833.20
Drytown Road (Twp portion)	\$1.24 \$4,426.80
Old Holtwood Road (portion)	\$1.24 \$20,559.20
Totals:	<b>\$41,800.40</b>
<b>Awarded Bid: Yes or No</b>	<b>Yes</b>

A motion was made by Don Snyder and seconded by John Ulaky to award the Seal Coat (Oil & Chip) contract to Martin's Paving. The motion passed 4-0.

**Stone**

Bid Items:	Pennsy Supply	
50 Ton - AASHTO #8 1/2" stone	\$16.95	\$847.50
400 Ton - PA-2A Subbase	\$12.80	\$5,120.00
100 Ton - AASHTO #57	\$14.17	\$1,417.00
500 Ton - AASHTO R-4	\$19.70	\$9,850.00
300 Ton - AASHTO R-6	\$28.70	\$8,610.00
300 Ton - AASHTO R-7	\$28.70	\$8,610.00
Totals:	\$34,454.50	
<b>Awarded Bid: Yes or No</b>	<b>Yes</b>	
	Pennsy Supply	
500 Ton- AS 2 (Anti-Skid)	NO BID	

A motion was made by Don Snyder and seconded by John Ulaky to award the stone contract to Pennsy Supply. The motion passed 4-0.

Since no quotes were received for Anti-Skid, it was discussed if they should consider readvertising. Carl Drexel commented that they should readvertise for the Anti-Skid.

**OTHER BUSINESS – PUBLIC COMMENT:**

Wayne Murray 63 Bethesda Church Rd East – complaint that his neighbor at 57 Bethesda Church Rd East, is dumping something on his property within 100' of his well. He asked if there is an ordinance against this. The Zoning Officer, Dennis Shenk was asked to check into the matter.

Kelly Shoff 245 Douts Hill Road – continues to have health and trash issues which are emanating from Green N Grow, Steve Lehman property. Carl Drexel commented that the Township and DEP are still in litigation over this matter and everyone is hoping that an end is soon in sight.

**UNFINISHED BUSINESS**

C.N.A. Construction LLC, Letter of Credit, Hilldale Estates subdivision: Brian Gilbert, Wilson Consulting Group, PC performed a letter of credit reduction inspection at Lot #1, Lot #3 and Lot #5. The recommendation per the review letter is to reduce the Letter of Credit by \$15,154 and establish the new amount equal to \$33,905 which includes the 10% contingency factor. Beth Birchall made a motion, which was seconded by Don Snyder to reduce the Letter of Credit for the Hilldale Estates subdivision. The motion passed 4-0. Also a request was made for the Board to consider transferring the remaining

financial security obligations for Lot #8 and Lot #9 to new owners. After discussion, a motion was made by Beth Birchall and seconded by Carl Drexel to allow the transfer of the remaining financial security obligations for Lot 8 - \$1,908 and Lot #9 - \$1,110 from CNA to new owners. And to authorize the solicitor to draw up those agreements with the understanding that the developer (CNA) reimburses the township for all costs associated with the preparing and recording of the agreements. The motion passed 4-0.

Comp time has been tabled until the April meeting.

Road Department:

Tod Simone read the report for February 2018:

2/1 - Hydraulic work on T-22, sign work.

2/2 - ICE 1 man, 1 truck, 5am - 9am

2/3 - Inventory Road dept. 10am-1130 am

2/4 - ICE 1 man, 1 truck, 11am-2pm

2/5 - ICE 4 men, 4 trucks, 3am-4pm 4 loads salt & 4 loads AS2 delivered. Shop work. Trucks ready. chain repair. clean inlets.

2/7 - ICE 7 Plow 4 men, 4 trucks 4 am- 530 pm, 4 men, 4 trucks 8pm-12am

2/8 - ICE 3 men, 3 trucks 5 am- 4pm. empty trucks, chain repair. T07 to shop for repair.

2/12-2/15 - Clean trucks. Tree work on Douts Hill Road and Stump Road. Gutter work on Loop Rd. Trucks cleaned and ready. Sign work. Clean inlets. Road bid openings. Tree clean up. Chain work

2/17-SNOW 4men, 4 trucks, Salt 4pm-9pm

2/19-2/22- Clean trucks. Fix replace lights. T22 rear diff repair. Tree work on Magnolia Drive, Bethesda Church Road West and Douts Hill Road. PennDOT meeting at courthouse 9am-11am road bids. shop work

2/26-2/28- Tree work with tractor boom on Loop Road, Wendy Lane, Debbie Lane, Lakewood Estates. T-22 repair work. Light repair, bathroom repair. LTAP Class at Providence Twp. 2/28 3 men, 7am-12 pm

Todd Simone had a meeting with PA State Forester, where they walked a large portion of the trails throughout the Martic Township Park. In this gentleman's opinion, the trees are currently very healthy with very little evidence of any invasive species. His recommendations is to solícite quotes from registered foresters and have them write a management plan, as it is better to be pro-active then re-active to a situation. Plans are good for 10 years and this is an investment into the health of this tract of land. After discussion, a motion was made by Beth Birchall and seconded by John Ulaky to have the Road Foreman, request quotes from state approved Foresters to write a comprehensive management plan for the Martic Township Park. The motion passed 4-0.

Zoning Officer Report shows: 1 building and 2 zoning permits, along with 2 Use & Occupancy and 3 Certificate of Use permits were issued in February.

The SEO Report shows: a complaint was investigated and no permits were issued in February.

## **NEW BUSINESS**

Brandon Tennis, Lancaster County Conservancy: The Holtwood Park is now being called the Pollinator Park. They have plans are to restore native habitat to the area. Jonathan Smucker, 678 Drytown Road and Joseph Fields, 703 Drytown Road are the bee keepers and have entered into an agreement with the LCC. Everything, which is currently there, is to be removed, except the parking lot and the pavilion which is closest to the parking area. There have been discussions with Todd Simone regarding allowing stormwater run-off from Drytown Road onto the grounds of the park. The project will be done in phases. Phase 1 – turning the back field, which has been farmed in the past, into a mixed meadow. Growing flowers and harvesting the seeds. He asked if the Township would like the parking lot lit. John Ulaky commented that Kelly's Run is open from dusk to dawn, the lot is not currently lit and there has been no problems so he sees no need to encourage people to hang out in the parking area after dark. Comment was also heard from Bill Birchall, 303 Tucquan Glen Road, on the cost of lighting and Terry McDonald, 688 Martic Heights Drive, that there are less problems without lights. A motion was made by

Beth Birchall and seconded by John Ulaky to not recommend lighting the parking area. The motion passed 4-0. Jonathan Smucker and Joseph Fields both commented that they plan to start with 10 hives. Federal law requires signage. Lydia Martin, LCC commented that they plan on holding a pollinator workshop on June 23<sup>rd</sup> for the public. Comment was also heard from Donald Wissler, 421 Drytown Road. For the third year, the LCC is looking to hire both an Interpretive Ranger and a Land Steward. They are hoping to fill these positions with local residents.

Jim Hearn, Martic's Rail Trail Committee Chair, commented that they have been meeting monthly. They have been in contact with the Providence Township's trail committee and would like to keep things similar to what they have done.

Mile Markers- Lanc County is involved along with the townships along the trail and they have already decided to use similar markers that Manor Township has in place on their trail. They are also working to come up with a numbering system.

Park Benches- we have already have received interest from people and organizations to donate money toward the benches and plaques. The committee will be soliciting for more willing donors.

Trail Map and Brochure- they are working on brochures which will have rules and regulations listed on them, such as no trash receptacles therefore you carry in you carry out.

They have been working on a possible annual budget for the Board which would be used for annual maintenance, etc.

Previously, Duane Sellers had shared information with the Board, from the past Southern Lanc Co Inner Municipal Council meeting, regarding the proposed changes to Route 272, in Providence and Pequea Townships. Providence Township is requesting Martic's Supervisors support in opposing the planned PennDOT plans to create an elongated round-about which would stretch from Mount Airy Road (south) to Byerland Church Road (north) where all traffic will be directed down to 1 lane and every road, between these two roads, will be forced to turn right. After discussion, a motion was made by Beth Birchall and seconded by Carl Drexel to send a letter of support for Providence Township's position against this plan to Representative Bryan Cutler and Senator Scott Martin. The motion passed 4-0. Comments were heard from Kelly Shoff, Terry McDonald, Wayne Murray and Barb Stokes, 888B Hilldale Rd.

Lancaster County Assoc of Township Supervisors' spring meeting and dinner will be held on March 27<sup>th</sup>. Duane Sellers, Carl Drexel, Beth Birchall, Don Snyder and Karen Sellers will plan on attending. There is no cost involved.

PSATS – PA Assoc of Zoning Officers – Spring Forum will be held on April 22th for a fee of \$125. Denny Shenk has asked permission to attend this class as it offers 6 continuing education credits. A motion was made by Don Snyder and seconded by John Ulaky to have him attend. The motion passed 4-0.

PSATS – Flagger training – The Road Department is due to renew their Flagger Training certifications. The Road Department has made a request to attend the class on March 28<sup>th</sup> in York County. A motion was made by Carl Drexel and seconded by John Ulaky to have them attend and to pay the \$50/each fee. The motion passed 4-0.

The next meeting of the Martic Township Board of Supervisors is scheduled for April 2, 2018 at 7:00 p.m. at the Municipal Building.

There being no further business the meeting was adjourned at 8:40 pm with a motion made by Bet Birchall and seconded by Don Snyder.

Respectfully submitted,

Karen D. Sellers  
Martic Township Manager