

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

**DATE:** April 1, 2019

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

**ATTENDANCE:** Beth Birchall, Duane Sellers, Carl Drexel, Don Snyder and John Ulaky 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**

Beth Birchall made a motion and was seconded by John Ulaky, to approve the minutes of the March 4, 2019 Supervisors Meeting. The motion passed 5-0.

Beth Birchall presented the Treasurer's Report for the period ending April 1, 2019. A motion was made by Carl Drexel and seconded by Don Snyder, to approve the Treasurer's Report. The motion passed 5-0.

Don Snyder made a motion which was seconded by John Ulaky, to approve the bills for payment totaling \$ 23,582.66. The motion passed 5-0. It was noted that a Reliance Life insurance payment was made with check 5004 for \$110.11, as they changed ownership which interfered with their billing cycle.

### **PRESENTATIONS:**

2018 Auditor's report was presented by the Township's elected auditors, Daphne Hathaway, Barbara Stokes and Judy Duke. Duane Sellers stated on behalf of the Supervisors his appreciation to their commitment to conduct a thorough review of the Townships records. Daphne Hathaway read a letter that was prepared for the Supervisors. They reviewed all revenues and expenses, confirmed fund balances and was happy to report that sound accounting controls are in place. Some procedural recommendations were made, and they encouraged the Supervisors, Secretary and Treasurer to continue to consistently use the strong audit controls that are in place. Comment was heard from Lydia Martin, LCC, thanking them for being so thorough.

Shaun McAdams with Trout Unlimited gave a presentation regarding stream crossings and pipe replacements. He works with Penn State and works through the 'Dirt and Gravel Road studies' program. Many of the pipes are undersized, which is a flood risk. The purpose of the program is to replace culvert pipes with larger sizes which helps with flood resiliency and allows native aquatic life to pass through unhindered. Process standards were set by the Army Core of Engineering. Some of the factors that are calculated, but not limited to, width of stream, banks or no banks, aquatic organisms' passage, stabilization of the stream bed and the surrounding area. He's been working with Todd Simone as there is a great need in Martic Township for the replacement of such pipes.

Comment was heard from Jim Hearn 137 Hollow Woods Drive, Terry McDonald 688 Martic Heights Drive, Lydia Martin with LCC, Trout Unlimited and Greg Wilson Donegal Trout Unlimited.

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

Brad and Melissa Anderson of 43 Deerfield Drive commented on their neighbor below their property and have lodged a formal complaint. He continually has placed items in the right-of-way, which is causing a damming effect when it rains. Duane Sellers stated that the Township has had the Solicitor investigate the storm water agreement for Lakewood Estates. The property owners are responsible for issues regarding storm water. Melissa Anderson stated that she believes when the development was approved, the storm water plan was under-designed. Duane Sellers agreed and stated that the County reviewed and approved plans back then. This development's plans, as they are, would not be approved

with today's ordinances. The Storm Water ordinance is more stringent now than it was in the 1980's. The neighbor is blocking the water from draining away in front of his property and has redirected the water back onto their property by placing a stone 'U-shaped' wall. They also claim he is blowing his leaves and yard debris into the roadway which is a violation. Their dispute has been going on for 2 years and Dennis Shenk, Zoning Officer and Carl Drexel have been out to the site previously to evaluate the situation. The Township has tried to offer solutions to alleviate the issues, but as nothing is working and the Storm Water Ordinance clearly states that no obstructions may be placed in a storm water cause-way, the Zoning Officer will revisit the property take pictures and then send the neighbor a letter to remove all items. As the Lakewood Estates roadways are the proposed paving project for 2019, she would like the storm water reviewed before any paving takes place. Todd Simone stated that in preparing the paving packet, the decision and design were not taken lightly. Comment was heard from Brad Anderson and Jim Hearn. Duane Sellers stated that maybe a Home Owner's Association, which was originally recommended by the developers, should be established by the Lakewood community.

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

The Martic Township Planning Commission did meet in March and reviewed the subdivision/lot line change plan for 190 & 204 Magnolia Drive, Jeff and Patricia Nadu. A conditional approval was recommended to the Board of Supervisors.

A motion was made by Duane Sellers and seconded by Carl Drexel to grant the waiver request from Section 405.E.3 for Reports and Studies. The motion passed 5-0.

A motion was made by Carl Drexel and seconded by Don Snyder to grant conditional approval that the preliminary deed work is completed and submitted to the solicitor and engineer for review, the easement with the neighbor was completed, a note has been added to the plan regarding Clean & Green and that the LC Planning Commission's comments have been addressed and noted. The motion passed 5-0.

### **Rail Trail Committee:**

Jim Hearn stated that the Township has received two bench donations, along with the money from the Lancaster Bicycle Club. He is applying for additional grant money but needs an additional \$750.00 commitment to complete the application. A motion was made by John Ulaky and seconded by Carl Drexel to donate the additional \$750.00. The motion passed 5-0. He thanked Lydia Martin for letting him know about the grants. On March 16<sup>th</sup> there was a Public Trails forum held and it was well attended. He and Lydia Martin attended. His intended uses for the money received will be mile marker placement, benches, brochures with a box, bike rack, additional signage with emergency contact number, 'take it in-take it out' signs and landscaping. Comment was heard from Melissa Anderson and Lydia Martin who stated that dogs off leashes are a big problem. All dogs should be leashed.

### **DEPARTMENT REPORTS**

Road Department:

Tod Simone read the report for March 2019:

- 3/1/19            130am-9am 4 men. 4 trucks plow and salt
- 3/2/19            1230am-1030am 3 men. 3 trucks F550 Ford truck total loss due to fire
- 3/3/19            3pm-7am. 4 men 4 trucks plow and salt.
- 3/4-3/7/19       Sup Mtg. T07 repair. T70 repair. Snow drifts. Spotted Lantern Fly course at East Drumore Twp. Truck and equipment repairs. Chain work. Fuel Delivered.
- 3/11-3/14/19    Washed all trucks and equipment. tree work at Martic Park (324), Fox Hollow Road, Magnolia Drive, Lakewood Drive, Tucquan Glen Road. Tree clean up. sign work. Road planning. pipe outlet repairs.

3/18-3/21/19 Yard repairs. Sign work. Tree work on Old Holtwood road. Road planning. SLF course. Todd Simone is SLF Certified. T06 inspected.

3/25- 3/28/19 Bid Packet work. Sweep roads. Shoulder cleaning and gutter work. T83 insp. 2 men. 1 truck and track loader to help Providence Twp.  
1 man drove equipment for Eden Twp.

He recommended to the Board a treatment agreement with the USDA to cover all Martic Township owned properties, in the event there would be a Spotted Lantern Fly infestation. John Ulaky stated that the County has already signed the agreement. After discussion, a motion was made by John Ulaky and seconded by Beth Birchall to sign the USDA treatment agreement. The motion passed 5-0. Carl Drexel asked about possibly replacing the F550. Todd Simone stated that he is looking for a replacement, not sure yet as to what he might replace it with. The F550 was a handy tool, as it didn't require a CDL to operate.

Zoning Officer Report shows: 2 building, 4 zoning and 1 Use and Occupancy permit was issued.

The SEO Report shows: 1 perc and probe and 2 sewage permits were issued.

### **OLD BUSINESS**

LEMSA ambulance: Duane Sellers stated that they continue to meet with LEMSA regarding response times. Bob May stated that they have now sent out a 2<sup>nd</sup> fund raising drive with only 30% returned. LEMSA is currently running out of Conestoga's ambulance building but is looking into an alternate location. The emergency services situation has been reviewed at the state level and the SR6 report is available online for all to read.

Living Stones / Eli and Barbie Stoltzfus appeal: Living Stones has discontinued its appeal of the Zoning Hearing Board's findings. They have vacated the premises; however, the Township been left with the costs it has incurred defending the Zoning Ordinance and the Storm Water Management Ordinance. After discussion a motion was made by Don Snyder and seconded by John Ulaky to file a civil suit against Living Stones and Eli and Barbie Stoltzfus for reimbursement of the Township's attorney fees and civil penalties. The motion passed 5-0.

### **NEW BUSINESS**

Resolution 04-01-19 DCED Greenway, Trails & Recreation Program grant - \$ 250,000. This money would be put towards the rehabilitation of the Trestle Bridge. The resolution passed by roll call vote: 5-0.

RVFC Auxiliary has provided notices to the Township of food sales:  
April 27<sup>th</sup> at 105 Quail Road, Peach Bottom.

Victor Ressler, RVFC president stated that their annual Mud Sale will be April 12-13<sup>th</sup>, 2019. They are currently running their Spring fund drive. At the Southern Lanc Co Inter-municipal council meeting the Fire Marshall attended and gave an updated report on the state of the volunteer fire companies in PA.

PLGIT program: Beth Birchall stated she met with a PLGIT representative and reviewed the Township's accounts. They are currently offering a short-term CD program, with interest ranging from 2.5 – 2.75%. She will prepare a report for the May meeting.

Trestle funds / Ginnie Mae: they have been on hold since the fire. As these funds could also be considered for the PLGIT CD program, she will prepare a report for the May meeting for consideration.

Health Insurance: Beth Birchall has received information from PSATS regarding insurance plans. The Township's current health plan is coming up for renewal. Comparing what the Township currently has and the costs with a comparable plan through PSATS for life insurance, a motion was made by Duane Sellers and seconded by Carl Drexel to switch the life insurance and short-term disability plans to PSATS. The motion passed 5-0. The health insurance plan is significantly less; however, she is not sure if the plan allows the employees to keep their current doctors. She will check into this. After

discussion, a motion was made by Carl Drexel and seconded by Don Snyder to give conditional approve switching the health insurance plan to PSATS, based on the coverage and providers staying the same. The motion passed 5-0. There was discussion regarding a medical savings plan. Melissa Anderson commented on such a plan. This discussion was tabled until the May meeting, so the Beth Birchall could obtain more information.

Carl Drexel stated he thinks a newsletter is in order. He is hearing rumors regarding the municipal tax that was passed and where the money is going. The fire company, the rail trail committee, the road department as well as a letter from the Supervisors will be provided to the Township to be added to a newsletter. Comment was heard from Lydia Martin regarding putting it on the Township's website and it will be.

The next meeting of the Martic Township Board of Supervisors is scheduled for May 6, 2019 at 7:00 p.m. at the Municipal Building.

There being no further business the meeting was adjourned at 9:20 pm with a motion by Beth Birchall and seconded by Don Snyder.

Respectfully submitted,

Karen D. Sellers  
Martic Township Manager