

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

**DATE:** November 6, 2017

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

**ATTENDANCE:** Beth Birchall, Duane Sellers, Carl Drexel, Don Snyder, John Ulaky, Dennis Shenk ZO and Karen Sellers, along with numerous other attendees. (See sign in sheet)

### **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 October 2, 2017 Supervisors Meeting. The motion passed 5-0.

Carl Drexel made a motion which was seconded by Don Snyder, to approve the minutes of the October 18, 2017 Work Shop/Supervisors Meeting. The motion passed 5-0.

Beth Birchall presented the Treasurer's Report for the period ending November 1, 2017. With no questions or comments, a motion was made by John Ulaky and seconded by Carl Drexel, to approve the Treasurer's Report. The motion passed 5-0.

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

Lydia Martin, Lanc Co Conservancy, commented on the 2<sup>nd</sup> public meeting they are having at Climbers Run on November 9<sup>th</sup> 6:30 – 8:00 pm. She encouraged everyone to attend.

### **UNFINISHED BUSINESS**

**2018 Budgets:** A motion was made by Beth Birchall and seconded by John Ulaky to approve for advertising the 2018 Budgets, both the General Fund and the Liquid Fuels Fund. The motion passed 5-0. Duane Sellers commented that the budgets total is \$1,222,700.00.

**Mervin R Smoker / Holtwood Supply – Stormwater Management Plan.** This plan was granted an extension deadline for review, by Regester Associates, Inc. until November 6, 2017. No further information has been received or extensions granted, therefore a motion was made by Beth Birchall and seconded by Carl Drexel to deny the Mervin R. Smoker/Holtwood Supply Stormwater Management plan, as submitted. The motion passed 5-0.

**Green N Grow / Stephen Lehman appeal notice:** A motion was made by Carl Drexel and seconded by Don Snyder to authorize the Township Solicitor to file a notice of intervention on behalf of the Township and to defend the appeal. The motion passed 5-0.

**Donald Hess 1146 Marticville Road.** The Township has filed a contempt of court against Mr. Hess for removing items from his property, which were marked for removal. Mr. Hess is now representing himself. Turner's Salvage has completed the cleanup; however he still is in violation with two, unpermitted, white containers still remaining on the property. After discussion, a motion was made by Beth Birchall and seconded by John Ulaky to proceed with the contempt of court against Mr. Hess. The motion passed 5-0.

**Lancaster County Conservancy / Holtwood Park:** The Board, over the past several months has looked into what it would cost to update and maintain the Holtwood Park. They have consulted with the former land manager for PPL who expressed his concerns. Numerous residents have contacted Board

members who are not in favor of keeping it as it would require the Township to pass a Park tax to update and maintain the park. One resident did contact the Chairman to state that he felt the Township should keep it. With no potential revenue and the anticipated cost to refurbish the park, a motion was made by Beth Birchall and seconded by Don Snyder to pass on LC Conservancy's offer to take over the Holtwood Park. The motion passed 5-0.

Rail Trail update: John Ulaky commented that the grading and swale work have been done on the trail. He is unsure why the parking lot has yet to be paved, as the blacktop plants are about to shut down for the year. He is still trying to speak to the CriLon president for an updated schedule. Carl Drexel commented that it is the appropriate time for Martic Township to consider forming a Rail Trail advisory committee. This volunteer committee would meet and discuss the rail trail, such as rules and regulations, clean-up days, benches along the trail, etc. He would like to see that a member of the Board also be part of the committee. The hope is that Martic's committee could work with the neighboring Townships advisory committees to mesh and have consistency along the trail. Carl Drexel recommended appointing Jim Hearn of 137 Hollow Woods Drive, who has expressed an interest and is well familiar with walking trails, as the first Chairman of this newly formed committee. A motion was made by Duane Sellers and seconded by John Ulaky to appoint Mr. Hearn as the new chairman of the Martic Rail Trail Advisory Committee. The motion passed 5-0. Comment was heard from John Lehr 699 Martic Heights Drive regarding the pipeline and how it will affect the trail. Duane Sellers commented that the proposed pipeline will bore under the trail, therefore not open-cutting the trail which will have a new surface over it. Rail trail work will be posted on the Township's website.

2018 Leases: With regards to the Township's three rental properties; it was discussed that last year rents were not raised. With the notice that the assessed values will be going up and the county and school taxes will be raised, a motion was made by Carl Drexel and seconded by Don Snyder to raise the rents on all three properties by \$25.00 per month. The motion passed 5-0. The tenant at 364 Steinman Farm Road notified the Township that the garage roof needs attention. Todd Simone had looked at it and feels it needs replaced. Denny Shenk will take a look at it and let the Board know.

Road Report: Duane Sellers read the Road Report for October 2017, as submitted by Todd Simone thought he was not present.

10/2-10/5 Road count, Sign work, ROW MOW. Mow rail trail. Fixed Swale on Crystal Dr. Repair broken window in block garage. Clean Inlets/ pipes.

10/9-10/12 Plows and chains ready, P/U limbs and trees on roadway from storm. Clean inlets. Swale work on Rail trail. Met LCC about storm water plan at Holtwood Park. Sign replace/repair. Inlet repair. T-70 (loader) bucket repair. Cleaned signs throughout. Installed sign in park where ATV's are entering.

10/16-10/19 D/O T05 (GMCrew) to dealer. ROW Boom MOW. Sign work. P/U GMC Road count. Cleaned signs throughout. wash trucks. Serviced shop car. Inspected used dump truck.

10/23-10/26 Environmentally Sensitive Road Maintenance Training/ 2days/ TS. winter equipment ready. Guide rail repair. chain work.

10/30-10/31 Clear sight work @ Frogtown Rd. and Covered Bridge Rd. Tree work. Limb cleanup after storm. Clean up rental house exterior. Contracted work began on rail trail for resurfacing and parking lot expansion.

Road Count:	Nissley Lane S- 330	Nissley Lane N- 360
	Deer Lane- 181	Park Lane- 250
	Pencroft Rd N- 125	Tucquan Glen Rd E- 86
	Tucquan Glen Rd W- 67	Bradys Hill Rd- 66

Comment was heard from John Lehr regarding the reason for the road counts. Duane Sellers explained it gives the Township information that we never had before. If the Township were to apply for

grant money to help repair roadways, one question asked will be what the average daily usage is, which we never had before. The equipment is borrowed from Providence Township, so there is no cost to Martic. The information gathered is helpful when determining which roads are the most heavily used. Todd Simone has also designed two different Martic Township Park Boundary signs, to be placed on trees so that visitors can clearly see where the park boundaries are. After discussion, a motion was made by Carl Drexel and seconded by Don Snyder to pick the sign that most clearly identified the Martic Township Park. The motion passed 5-0.

Zoning Officer Report shows: 2 building permits, 6 zoning permit, 2 use and occupancy permits and 2 certificate of use permits were issued in October.

The SEO Report showed 1 perc/probe and 1 septic permit was issued in October.

October 2017 bills: John Ulaky made a motion which was seconded by Don Snyder, to approve the bills for payment from the general fund totaling \$ 21,903.91. The motion passed 4-0 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. Comment was heard from Barb Stokes 888B Hilldale Road as to what the VL Tracey Sales was. Beth Birchall commented it was an invoice from the Road Dept for some items they purchased.

### **NEW BUSINESS**

Erin Byrnes 69 Den Mar Drive, commented on a neighbor that is using Den Mar Drive to turn his tractor-trailer around. She asked if the Board would consider placing speed bumps throughout Den Mar Drive since vehicles speed through the development. Also signage at the entrance of Den Mar Drive stating 'No Turnarounds' and 'No break retarders'. She would like the Board to consider enacting a Noise Ordinance for Martic Township as she claims the gentleman working on his truck makes noise into the evening. Duane Sellers commented that the problem with speed bumps is it hinders snow removal in the winter. John Ulaky commented that the type of speed bump she is referring to is now illegal. They now require a speed hump, which are not only a nightmare for snow removal, but they create stormwater run-off issues. Every time it would rain, water would now be directed straight into the neighbor's property. Regarding a Noise Ordinance, Duane Sellers commented he is not in favor of enacting one, since they are very subjective. What might be considered noise to one person would not be to another. How would you monitor it and enforce it? Example would be July 4<sup>th</sup> with fireworks. John Ulaky commented on the noise farmers make while plowing, they have the right to plow, but some neighbors might not be happy with hearing them plow. So many different issues with a Noise ordinance. Signage at the entrance of Den Mar Drive, he would speak to the Road Foreman about sign placement. Most likely prior to signs being put up, a road study will need to be conducted and the Township's attorney would need to get involved. This is very costly. He would discuss with the Road Foreman and get back to her. Comment was heard from Zane Rettew 417 Martic Heights Drive, who owns the tractor-trailer. He stated that no neighbors have contacted him about any complaints they may have. He also commented that he has stopped using Den Mar Drive to turnaround. Duane Sellers suggested that since most of the speeders in Den Mar Drive are likely neighbors; just spread the word to slow down. Jason Stark 436 Martic Heights Drive stated he lives across the road from the Rettews and has no issue with noise. He has no problems with them about anything and if anyone does they should stop by and talk to them. Adrian Crnkovic 92 Den Mar Drive commented on one evening when she heard the truck drive by.

Gaming Expansion bill: The State government passed a gaming expansion bill as part of the revenue package to balance the budget. Two sections of the bill allow for municipalities to opt out of allowing certain instances of gaming to take place in our municipality. There is a time limit attached to the 'opt-out' period and it must be done by Resolution. Comment was heard from Barb Stokes about no gambling in Martic. After discussion, a motion was made by Beth Birchall and seconded by John Ulaky to pursue opting out and have the Township's solicitor draft a resolution. The motion passed 5-0.

Rawlinsville Fire Company: The fire company has been doing their own fundraising and there are misconceptions that the Mud Sale solves their financial needs. The annual operating budget for the fire company is ~ \$100,000 which leaves nothing for equipment. Their equipment is not new. A committee

has been formed to work on fund raising avenues, such as seeking grant money, soliciting business in the area or just reaching out to the public with their need. All of the members are volunteers and there are costs involved with training and certifications. If this endeavor doesn't work, the Township would have no other alternative but to establish a mandatory fire tax. If each household would just donate \$50 per year, it would go a long way to keeping the fire company in business. Emergency calls have gone up; where they only had 90 calls in 1997, they had 400 calls in 2015. Comment was head from Ed Herrmann 198 Douts Hill Road about asking other Townships to help support them. Duane Sellers explained they already do. Some Townships, such as Providence Twp has more than one fire company that they support. Martic Township pays for RVFC worker's comp insurance along with their equipment insurance. Based on the percentage of the call volume in the surrounding Townships, Martic then invoices the other Townships for reimbursement of some of the insurance costs.

The next meeting of the Martic Township Board of Supervisors is scheduled for December 4, 2017 at 7:00 PM at the Township building.

There being no further business the meeting was adjourned at 7:52 pm by a motion made by Beth Birchall and seconded by Don Snyder.

Respectfully submitted,

Karen D. Sellers  
Martic Township Manager