

MINUTES OF THE MARTIC TOWNSHIP BOARD OF SUPERVISORS

DATE: March 2, 2020

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.

EXECUTIVE SESSION NOTICES:

The Board of Supervisors held an informal discussion, during which no deliberations occurred and no votes were taken, on February 3, 2020, following the conclusion of its public meeting on that date, to consult with its Solicitor in connection with the proposed vacation of a portion of Clearview Road and to obtain attorney-client privileged advice.

The Board of Supervisors also held an executive session on February 22, 2020, during which no votes were taken, to discuss employee matters.

The Board of Supervisors held an executive session during which no votes were taken on February 24, 2020, to consult with its Solicitor and Engineer, in connection with the proposed vacation of a portion of Clearview Road and to obtain attorney-client privileged advice.

Ordinance 03-02-20 Vacating the center portion of Clearview Road – Duane Sellers explained that on February 3, 2020, a Public Hearing took place regarding the proposed vacation of the center portion of Clearview Road. Based on the statements heard and the questions asked, the Township checked into the matters and here is what was determined:

- Scott Lehman, PennDOT representative, was contacted regarding Liquid Fuels payment for Clearview Road. He stated that the Township will be receiving, for this year, payment in the amount of \$4,318 for Clearview Road. The calculation for Liquid Fuels payments are based on population, Township road mileage and the amount of Liquid Fuels tax that Pennsylvania received the previous year. Based on the calculations, over the past ~ 30 years, the Township would have received just under \$70,000 (based on the highest number calculated).
- Clearview Road has two stream crossings, which are Class A Trout Streams and naturally reproducing trout waters. Considered high quality, cold water fishery with migratory fishes. The ideal structure, recommended by the regulatory agency, DEP, would be open bottom structures, therefore just replacing a pipe, as historically done, would not suffice to DEP.
- To turn into a dirt road there are two options:
 - Dirt & Gravel Program: County program, which is very competitive, with all Townships competing for the funds. Program has up to \$100,000/year to divvy out. Typical grants awarded vary from \$10,000 - \$20,000 with special cases of \$50,000. This would lower the cost of pavement and replacing it with Driving Surface Aggregate. The best-case scenario = \$573,235.
 - Low Volume Road Program: County program, which has up to \$275,000/year to divvy out between Townships. This money is typically for stream crossings and cannot cover pavement/aggregate costs. This requires a traffic study to verify less than 500 vehicles/day use the open portion of the road. The best-case scenario would save the Township \$100,000. If the Township would go the route of creating a dirt road, it would still be very costly to rebuild the center portion, using Township funds.
- As stated at the Public Hearing, to rebuild the road to PennDOT specs for Liquid Fuels funds, the engineered estimate was \$1,700,728.00.
- The Board would need to explain to the rest of the Township's residents the reason why they decided to spend that much money to benefit a few people.

- Per the Lanc Co Conservancy attorney, Kate Gonick, they are working on an easement agreement with the resident on the eastern portion of the roadway, for an emergency and maintenance access.

The meeting was then opened for public comment regarding the issue at hand. No repetitive comments, which were heard at the Public Hearing would be received, only new items of interest. Bill Webber- 42 Clearview Road proposed another option. Move the vacation up to where the gate is currently located.

Bill Regitz – 331 Red Hill Road, if the road is to be vacated, wants it kept as proposed.

Carrol Herr – 395 Red Hill Road, agreed with Bill Webber.

Todd Simone – 184 Fox Hollow, commented on whether the vacated portion would be an easement or a right-of-way. It would be a Private access for the property owners.

Terry McDonald- 688 Martic Heights Drive – as the remaining roadway would be a public road, no parking would be allowed.

More comments were heard from the same people regarding the vacation.

After public comment was closed, the Chairman called for a roll-call vote on Ordinance 03-02-20.

Ordinance 03-02-20 Vacating the center portion of Clearview Road passed 5-0.

A motion was made by Carl Drexel and seconded by Beth Birchall to have the Township work with the Township's engineer on the appropriate signage and placement locations. The motion passed 5-0.

The gate on the westerly portion of Clearview Road was discussed. The gate located on the easterly portion is now located on private property and will remain. A motion was made by Carl Drexel and seconded by John Ulaky to have the Township pull the gate on the westerly portion, due to liability issues and lay it on Bill Webber's yard, once the new signage is in place. The motion passed 5-0.

MINUTES & TREASURER'S REPORT

Beth Birchall made a motion, which was seconded by Don Snyder to approve the minutes of the February 3, 2020 Supervisors Meeting. The motion passed 5-0.

Beth Birchall presented the Treasurer's Report for the period ending February 29, 2020. A motion was made by John Ulaky and seconded by Carl Drexel, to approve the Treasurer's Report. The motion passed 5-0. After discussion on the Ginnie Mae accounts, a motion was made by Beth Birchall and seconded by John Ulaky to move the money from the General Fund Ginnie Mae Money Market Pass Through into the PLGIT prime account. The motion passed 5-0. A motion was made by Beth Birchall and seconded by Don Snyder to move the money from the Trestle Fund Ginnie Mae Money Market Pass Through into the PLGIT prime account. The motion passed 5-0. Beth Birchall gave an update on the Treasurer's Bond. The Board previously approved increasing the bond amount to 4 million. The Treasurer currently has a bond amount of 1 million through Ross Agency. She has received a better annual quote from H.A. Thompson for different levels of bond amounts. Duane asked during the application period, can we wait to cancel the bond with Ross Insurance until after we have in place the 4-million-dollar bond, as we would not want to be 'unbonded' even for a short period. She was not sure; however, she did know that you may not have more than one bond at a time. She asked that the Board table continued discussion until she found out the answer.

Don Snyder made a motion which was seconded by John Ulaky, to approve the bills for payment totaling \$41,875.29. 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.

PUBLIC COMMENT:

No public comment was heard.

DEPARTMENT REPORTS:

Road Department: Duane Sellers read the report for February

WK 2/3/2020 – Chipped trees on House Rock Rd, picked up parts & worked on equipment, worked on cleaning gutters & inlets, cleaned shop & equipment, checked roads. Called in on Friday to clear trees off roads

Wk 2/10/2020 – Worked on truck chains, hauled wood out of township building, cleaned gutters on Fox Hollow Rd, filled potholes on stone part of Tucquan Glen Rd, shop work, checked roads.

Wk 2/17/2020 – New employee, Brian Stoltzfus, started. Showed Brian around Township, picked up repaired pressure washer, pressure washed equipment, cleaned gutters & fixed road signs, trimmed/cut trees on House Rock Rd with Jared, took new truck to Cassel's to get lettered.

Wk 2/24/2020 – Picked up truck from Cassel's – lettering completed, checked roads tentatively scheduled to be paved, cleaned gutters on Martic Forge Loop, shop work, put broom on mower, trimmed/cut trees on House Rock Rd with Jared, took chipper to Conestoga, cut tree down on Magnolia Dr, checked roads.

Todd Simone, former Road Foreman, presented the proposed 2020 Road Bid packets for approval.

Paving: Hilldale Road (Bethesda Church Rd W to SR324), Short Road (Bridge Valley Rd – House Rock Rd), Tucquan Glen Rd (Hilldale Rd – unimproved section).

Seal Coat: Loop Road E, Loop Rd N, Clearview Road (eastern portion), Clark Hill Rd (Martic Hghts Dr – River Rd), West View Rd (House Rock Rd – Bridge Valley), Bradys Hill Rd, Dear Land & Fern Trail.

Stone & Anti-skid: various sizes and quantities. A motion was made by John Ulaky and seconded by Carl Drexel to advertise the 2020 Road Bids for opening on April 1, 2020 and letting on April 6, 2020.

The motion passed 5-0.

Tire Chains: Justin McCracken, Road worker, stated that there are chains for equipment that we have sold and do not fit anything we now have. A motion was made by Beth Birchall and seconded by Don Snyder to have them counted and sizes noted and then list them for sale on the PSATS forum to see if any other Townships might have use for them. The motion passed 5-0.

Zoning Officer Report: 1 building, 1 driveway, 1 road occupancy permits were issued; along with 7 Use and Occupancy and 1 Certificate of Use permits.

Sewage Enforcement Officer Report: 3 septic permit and 1 perc & probe.

Marv Stoner, Sewage Enforcement officer's request for a pay raise. After reviewing the information received from the surrounding Townships, a motion was made by Carl Drexel and seconded by Beth Birchall to pay Marv Stoner, SEO, whatever fees he collects for the Township. The motion passed 5-0.

UNFINISHED BUSINESS

Martic Township park: placing boundary marker and pins / proposals: Three proposals have been received, however John Ulaky stated that there is the possibility that the Township might be able to borrow from the County a GPS unit. If this is feasible, the Township could place the pins and markers for no cost. A motion was made by John Ulaky and seconded by Carl Drexel to have John Ulaky investigate this option and if able to, move on it as soon as possible, due to the leaves coming out on the trees. The motion passed 5-0.

NEW BUSINESS

PPL easement expansion across the Rail Trail and through the Martic Township Park:

Resolution 03-02-20 to allow either the Chairman or the Vice-Chairman to sign these easement agreements. The Resolution passed by roll-call vote: 5-0. A motion was then made by Don Snyder and seconded by John Ulaky to approve the PPL Easement agreements for signing. The motion passed 5-0.

Victor Ressler/ RVFC President stated that 13 fire companies are banding together to apply for a grant to help pay for new pagers. They are looking for a letter of support from the Township's they serve. After discussion, a motion was made by Duane Sellers and seconded by John Ulaky to have Beth Birchall write a letter of support on behalf of Martic Township. The motion passed 5-0.

Personnel Policy & Insurance:

Insurance coverage: Beth Birchall commented on the issues Martic has been having hiring qualified employees, as they all need Township paid insurance coverage for a spouse. A motion was made by Beth Birchall and seconded by Carl Drexel to make effective immediately, a change to the Personnel Policy to include insurance coverage for an employee and spouse, if the spouse does not have coverage through their work. The motion passed 5-0.

A motion was made by Beth Birchall and seconded by Don Snyder to immediately change the effective date for all insurances to be the 1st of the month, following 31 days of employment. The motion passed 5-0.

Discussion on dependent coverage, other than a spouse, was tabled until a future meeting.

Holidays: The Board has always granted, as one of the paid holidays, Good Friday. However, the employees never work on Friday, so a motion was made by Beth Birchall and seconded by Carl Drexel to update the Personnel Policy, immediately, to take away the Good Friday holiday and replace it with Christmas Eve. The motion passed 5-0.

Sick Leave: To align the sick leave with the hours worked, a motion was made by Beth Birchall and seconded by Don Snyder to immediately update the Personnel Policy, to award full-time employees 40 hours sick leave, per year, roll over any unused sick leave to a max of 240 hours. The motion passed 5-0.

Trestle Bridge update: A second stage engineering proposal has been received from Wilson Consulting Group. A motion was made by Carl Drexel and seconded by Beth Birchall to accept the second stage engineering proposal and split the cost with Conestoga Township. The motion passed 5-0. Also, a motion was made by John Ulaky and seconded by Don Snyder to pursue a second grant with DCED to cover any remaining costs. The motion passed 5-0.

RVFC/Special Auxiliary Unit: Will be serving food at the VFW on March 7 & 21, April 4 & 18, May 2 & 16 and June 6 & 20, 2020.

The next meeting of the Martic Township Board of Supervisors is scheduled for April 6, 2020 at 7:00 p.m. at the Municipal Building.

There being no further business the meeting was adjourned at 8:15 pm.

Respectfully submitted,



Karen D. Sellers

Martic Township Manager