

## MINUTES OF THE MARTIC TOWNSHIP BOARD OF SUPERVISORS

**DATE:** June 5, 2017

**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.

Duane Sellers announced that an Executive Session was held on May 11, 2017 to discuss the enforcement action against Donald Hess.

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

Beth Birchall made a motion and was seconded by Don Snyder to approve the minutes of the May 1, 2017 Supervisors Meeting. The motion passed 5-0.

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

**Lancaster EMS (LEMSA) presentation.** Bob May gave a presentation regarding LEMSA services. LEMSA covers about half of Martic as 1<sup>st</sup> due in the southern portion of the Township. Mr. May provided a packet of General Facts for the Board to review. When SVEMS is out of service, LEMSA covers their territory. To have an ambulance located in Martic, calculations are based on a 24/7 with a minimum of 16 calls a day, to warrant a new station. The approximate annual cost to run is \$550,000. With a membership, a call is covered by insurance; however a non-member will get invoiced. Two ways to possibly be relocated to cover another territory; either 911 can relocate them or they move themselves. It doesn't happen very often and it is by a Supervisor's discretion and they are only relocated for approximately 30 minutes. Carl Drexel commented on whether there is a working relationship between LEMSA and SVEMS. Not at this time, they do not agree on the importance of the same issues, however LEMSA is always open to discussions. Unfortunately the Affordable Care Act has put EMS services out of business, due to not being reimbursed by Medicare and Medicaid for actual costs. Comment was also heard from Joe Carr, 212 Pinnacle Road and LEMSA employee.

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

Valerie Ingoglia 568 Marticville Road commented on the condition of her neighbor's property at 574 Marticville Road. The vacant house is falling down and the grass is unmowed. She has contacted the Township in the past and shortly thereafter the owner does mow. Robert Derr 576 Marticville Road also commented on the condition of the property. Dennis Shenk, Township's Zoning Officer will visit the property.

### **UNFINISHED BUSINESS**

Donald Hess enforcement 1146 Marticville Road: Mr. Hess commented on his enforcement. He feels that his property has been cleaned up. He asked for a list what still needs to go. Duane Sellers explained that he has that list by way of the enforcement notice and that this matter has now gone through the Lancaster County court system. The Judge has ruled that the property needed cleaned up of everything listed on the enforcement notice and Mr. Hess was given 30 days to do so. If it still was not brought into compliance, then the Township had the right to enter the property and have it cleaned up.

The 30 day limit has passed and updated pictures show that the items originally listed on the enforcement are still there. After more discussion, a motion was made by Beth Birchall and seconded by Carl Drexel that the Township Manager be authorized to solicit proposals for the cleanup of the Property of Donald Hess at 1146 Marticville Road in accordance with the Order entered by Judge Ashworth of the Lancaster County Court of Common Pleas in the Zoning Ordinance Enforcement action captioned Martic Township v. Hess and, if the proposals have costs that require bidding under the Second Class Township Code, I further authorize the Township Manager to advertise and solicit bids for the cleanup of such property with bids to be opened at the meeting of the Board of Supervisors on Monday, July 3, 2017. The motion passed 5-0.

The Martic Township Planning Commission met on May 18, 2017 to discuss and recommend to the Supervisors approval of the proposed vacating of a portion of Loop Road North.

#### Plan Review:

Vacancy of portion of Loop Road North: Duane Sellers explained that the County finally completed the removal of a bridge across the Pequea Creek which connected Martic Township and Conestoga Township. John Ulaky explained that the County had to complete the removal before the Township could officially vacate the dead-end roadway and it was completed earlier this year. The neighboring property owners are in favor of the vacation, since people are always trespassing on the closed roadway. A motion was made by Carl Drexel and seconded by John Ulaky that the Martic Township Board of Supervisors approve the vacationing of the portion of Loop Road North, which is extending in a northeasterly direction for a distance of approximately 0.13 miles from the Pequea Creek. The motion passed 5-0.

Transco Atlantic Sunrise project- Duane Sellers explained that the Township has received approval for grant money, along with Conestoga Township, for the resurfacing of both of the Township's rail trail portions from the Department of Conservation and Natural Resources. The Township then received notice that the proposed pipeline will be crossing Martic's easterly portion of the trail. To prevent the Township from jeopardizing the grant money, certain conditions had to be met, one of which was that DCNR had to give its approval to all documents being considered. Also, the pipe will now bore under the rail trail which will allow the trail to possibly remain open to the public. A motion was made by Beth Birchall and seconded by John Ulaky that the Township approve and enter into the Purchase and Construction Agreement with Transcontinental Gas Pipe Line Company, LLC, in the form and content presented at this meeting and that the Chairman or Vice Chairman of the Board of Supervisors be authorized to accept the Purchase and Construction Agreement on behalf of the Township. After discussion, the motion passed 5-0. A motion was made by Carl Drexel and seconded by Don Snyder that the Township approve and that the Chairman or Vice Chairman of the Board of Supervisors be authorized to execute and acknowledge the Right of Way Agreement between the Township, as Grantor, and Transcontinental Gas Pipe Line Company, LLC, as Grantee, in the form and content, including Exhibits "A", "B", and "C", presented at this meeting. After discussion, the motion passed 5-0. A motion was made by Don Snyder and seconded by Beth Birchall that the Township Manager be authorized to execute and send to the Pennsylvania Department of Conservation and Natural Resources a letter in the form and content presented at this meeting regarding the Atlantic Sunrise Project and the Enola Low Grade Trail. After discussion, the motion passed 5-0. Part of the agreement included payment from Transco for \$61,285.00. A motion was made by Carl Drexel and seconded by Don Snyder to put the money in the General Fund until the Township gets a breakdown of actual costs. After discussion, the motion passed 5-0.

Beth Birchall commented that she and Duane Sellers met with Fulton Bank representatives, regarding investment options that Fulton has to offer. Those representatives agreed to attend a Supervisor's meeting to make a presentation to the Board. After discussion, Beth Birchall will contact Fulton bank to see if they can attend either the July or August meeting.

Road Report: Todd Simone read the road report for May 2017 as submitted to the Supervisors.

5/1 – 5/4: Pinnacle Road work. Picked up car from garage, road count, sign work, tree trimming and chipping

5/8 – 5/11: Tucquan Glen Road-tree trimming and chipping. Haul stone to West View Road, 130 ton salt delivery, sign work, wash and wax twp vehicles, Pinnacle Road edge work and

- layout. Laid out Street Road and Crystal Drive. Yellow Truck repair, Tractor Broomed roads.
- 5/15 – 5/18: Vehicle inspection, right of way mowing, service and repair roller. Edge work on Street Road and Crystal Road, Pinnacle Road layout, road counts, mowed and trimmed rail trail, sign work.
- 5/22 – 5/25: Picked up lumber for trestle bridge, Right of way mowing with 2 tractors, equipment repair, saw blade removal and installed mower.
- 5/30 – 5/31: Right of way mowing. Cleaned up and 2 garage door repairs.

Todd Simone announced that Long's Paving should begin our paving on June 12, weather permitting. They did have a cancellation, so Crystal Drive may begin as early as June 6.

He requested permission for the Road Department to attend PA One Call 'Safety Day' at the York expo on June 22, 2017. There is no charge. John Ulaky stated that this is a great opportunity to send the road crew to because they always learn something. John Ulaky made a motion, which was seconded by Carl Drexel, to have the Road Crew attend the PA One Safety Day program on June 22, 2017. The motion passed 5-0.

Beth Birchall wondered if the Township has met our minimum purchase for rock salt for the 2016-2017 season? Yes it has been met.

Carl Drexel questioned the fault of the Trestle bridge boards. The issue is with the center portion. Heisey was contacted and provided the leftover wood to Martic along with stainless steel bolts. Heisey suggested treating the wood by the end of the year to help prolong it. Duane Sellers will contact Mark Wilson, as it was suggested that the problem may have been a design flaw.

Daily Road Counts to date:

House Rock Road: 294 & 271

West View Road: 151

Short Road: 162

Fox Hollow Road: 147

Ridge Drive: 32

Lake Aldred Terrace: 30

Maxwell Road: 97

Pennsy Road: 863

Zoning Officer Report shows: 2 building permits, 1 zoning permit along with 4 building use and occupancy and 1 zoning certificate of use permit were issued in May.

The SEO Report showed 1 inspection and 1 septic permit was issued in May.

May 2017 bills: Don Snyder made a motion which was seconded by John Ulaky, to approve the bills for payment totaling \$ 29,046.42. The motion passed 4-0 with Carl Drexel abstaining in accordance with Section 1103(j) of the Ethics Act and noting that his public disclosure memorandum will be on file in the township office.

## **NEW BUSINESS**

The Township has received notification that there will be a hearing between the Department of Environmental Protection and Green N Grow. A motion was made by Beth Birchall and seconded by John Ulaky to have the Township's solicitor attend the hearing. The motion passed 5-0.

Township property security. Beth Birchall commented that the Township received only one quote. For what is proposed, she doesn't think it is necessary at this time. The Board should reconsider security, when planning begins for new Township buildings. Todd Simone suggested security lights, motion detectors, etc. to see if this helps deter trespassing. He will look into it.

PSATS Pension Trust: The Township received notification that the Pension Trust Board of Trustees voted to decrease the valuation discount rate for plans that are 100% invested in the Nationwide Fixed Fund from 4.5% to 4% as of January 1, 2017. This change is expected to increase the liability and normal cost of our plan between 6% and 8%. This liability increase will reduce the Plan's funding ratio

and increase the annual funding cost of the Plan for the Township, beginning in 2018. PSATS provided sample investment portfolios for the Board to review. PSATS did provide a comparison of the current earning rates and the potential costs of diversifying. If the Board chooses to diversify, the Township's fee will be decreased. The majority were in favor a diversifying with a (60%-40%) plan; however the determining factor will be the estimated cost to the Township. After discussion, a motion was made by Beth Birchall and seconded by Carl Drexel to contact PSATS and have them run a summary comparison of the results on the three models provided. The motion passed 5-0.

The next meeting of the Martic Township Board of Supervisors is scheduled for July 3, 2017 at 7:00 p.m. at the Municipal Building.

They're being no further business the meeting was adjourned at 8:29 pm by a motion made by Beth Birchall and seconded by Don Snyder.

Respectfully submitted,

A handwritten signature in black ink that reads "Karen D. Sellers". The signature is written in a cursive style with a large, looped initial "K".

Karen D. Sellers  
Martic Township Manager

MARTIC TOWNSHIP  
LANCASTER COUNTY, PENNSYLVANIA

**BOARD OF SUPERVISORS**

**Agenda**

DATE: June 5, 2017

PLACE: Township Building, 370 Steinman Farm Road, Pequea, PA 17565

TIME: 7:00 PM

1. **Call to Order; Pledge to the Flag**
2. An Executive session was held on May 11, 2017 to discuss the enforcement action against Donald Hess
3. **Minutes & Treasurers Reports**
  - A. Minutes of the May 1, 2017 Supervisors Meeting
  - B. Treasurers Report for the period ending June 1, 2017
4. **Lancaster Emergency Management Assoc. (LEMSA) – Bob May**
5. **Public Comment**
6. **Unfinished Business**
  - A. Don Hess Enforcement
  - B. Planning Commission: May 18 to discuss Loop Road Vacancy
  - C. Plan Reviews:
    - Vacancy of portion of Loop Road
  - D. Transco Atlantic Sunrise Project – Eminent Domain
    - Purchase and Construction Agreement
    - ROW agreement
    - DCNR letter
  - E. Fulton Bank
  - F. Department reports:
    - Road Department report
    - Zoning report
    - SEO report
  - G. May invoices: The Supervisors will act on invoices submitted for approval.
7. **New Business**
  - A. Authorization to attend hearing on the DEP consent order for Green N' Grow
  - B. Township security quote
  - C. PSATS Pension Trust
8. **The next meeting of the Board of Supervisors will be July 3, 2017 at 7:00 pm at the Township Building.**
9. **Adjournment**

Martic Township Board of Supervisors

Meeting held on June 5, 2017

Attendee sign-in sheet:

Print Name Clearly	Address/Business Entity	Requesting to speak (yes or no)
Bill Birchall	TUCQUAN GLEN RD	
Maure Murray	63 Bethesda Court Rd, E. Howard	no
Perry McDonald	688 MARTICVILLE DR. PERQUEST	YES
Bob May	LANCASTER TMS	
BONNIE DERR	576 MARTICVILLE Rd.	
Valerie Ingoglia	568 Marticville Rd	Yes
Joe Ingoglia	568 Marticville Rd	NO
Robert Dem	576 MARTICVILLE RD	YES
Justin Dostich	Lancaster Newspaper	NO
Bart Stots	888 Hilldale Rd	?
Joe CARR	212 Pinnacle Rd. West	NO