

MINUTES OF THE MARTIC TOWNSHIP BOARD OF SUPERVISORS

DATE: November 5, 2018

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

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

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 there will be an Executive Meeting following this meeting, to discuss Employee matters.

MINUTES & TREASURER'S REPORT

Beth Birchall made a motion which was seconded by Don Snyder to approve the minutes of the October 1, 2018 Supervisors Meeting. The motion passed 5-0.

Beth Birchall made a motion which was seconded by John Ulaky to approve the minutes of the October 17, 2018 Budget Work Session meeting. The motion passed 5-0.

Beth Birchall presented the Treasurer's Report for the period ending November 1, 2018. A motion was made by Carl Drexel and seconded by Don Snyder, to approve the Treasurer's Report. The motion passed 5-0.

John Ulaky made a motion which was seconded by Don Snyder, to approve the bills for the payment from the General Fund for October's invoices totaling \$ 45,283.07. Williams will be reimbursing the Township for the Chemung Supply Corp invoices and the Wiggins Asphalt & Paving invoice was paid from the Williams grant money the Township received. 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.

PLANNING COMMISSION/SUPERVISORS:

The Martic Township Planning Commission did not meet in October, however:

- A. Lot Line Change – 158 & 164 Magnolia Drive King/Jackson (Regester Assoc): was on hold, waiting for the Lancaster County Planning Commission to review and comment on the plan. Brian Masterson with Regester Associates, Inc. presented the plan to the Supervisors. He explained the reason for the line change was to adjust the property line; since 158 Magnolia Drive's driveway encroached onto the 164 Magnolia Drive and that 164 Magnolia Drive's garage and barn were built on 158 Magnolia Drive's property. Instead of the current straight property line, the line now will curve around the encroachments. After discussion a motion was made by Beth Birchall and seconded by Carl Drexel to approve the Lot Line Change plan between Benjamin S./Fannie R. King, 164 Magnolia Drive and David Jackson/Debra Ressel, 158 Magnolia Drive prepared by Regester Associates, Inc. subject to the following conditions:
 1. Applicant shall provide proof to the Township that deeds for Resultant Lots 1 & 2 have been recorded within 30 days after the release of the Plan for recording.
 2. All required certifications shall be appropriately signed and sealed when the Plan is submitted for Township signatures.

The motion passed 5-0.

OTHER BUSINESS – PUBLIC COMMENT:

John Lahr, 699 Martic Heights Dr gave an update regarding his neighbor and the continuing storm water run-off issues he is having on his property. He is not pleased by the LC Conservation Districts response to the problem. Duane Sellers said he will contact the LCCD representative and set-up a meeting at Mr. Lahr's property.

Bob Henry, 1164 Marticville Road, complaint on his neighbor, Don Hess at 1146 Marticville Road. He stated he is constantly moving dirt around causing Storm Water run-off into the stream and he keeps bringing more junk to the property. Duane Sellers stated that the Township is still in litigation with Mr. Hess, therefore no comment may be made.

UNFINISHED BUSINESS

Real Estate tax: Duane Sellers commented on how the Township, in the past, has not had to pass a Real Estate tax. Unfortunately due to the many unfunded mandates from the State and Federal Government and the lack of support for the emergency services to operate in Martic Township; the Martic supervisors have made the hard decision to pass a Municipal Real Estate tax starting in 2019. The Township checked into last month's question regarding senior citizen relief. Any relief would come from the County or State, not at the municipal level. Residents could contact the Assessment office to see if perhaps they qualify for the Homestead Exemption. There are other possible ways to seek relief, but residents would have to do the research and see what may work best for them. Comment was heard from Victor Ressler, 817 Susquehannock Drive/RVFC, asked how much millage. Duane Sellers stated 0.51. Mike Stum, 1128 River Road asked if the Board considered a flat rate instead of a percentage. Yes they have, however the law states the only way a municipality may enact a tax is by millage percentage. With no further comments, a motion was made by Carl Drexel and seconded by Don Snyder to authorize the Township's solicitor to write the Resolution with a millage rate of 0.51. The motion passed 5-0.

A motion was made by John Ulaky and seconded by Carl Drexel to advertise that the draft General Budget is available for public review. The motion passed 5-0.

A motion was made by Duane Sellers and seconded by John Ulaky to advertise that the draft Liquid Fuels Budget will be ready for review after the Treasurer double checks the state funding amount for 2019. The motion passed 5-0.

Department Reports:

Road Department:

Todd Simone, Road Foreman, read the report for October 2018:

- 10/1-10/05: Help Providence Twp. 2 men 10 hrs. ROW mowing. Williams scratched Loop Rd. (will finish repair in spring of 2019) Installed trench drain on Bethesda Church Rd West. Clean inlets. Blacktop repair on Pencroft North and Nissley Lane. Sign Work. Line paint pipeline repairs.
- 10/8-10/11: Clean shop and equipment. ROW mowing, clean gutters and scrape throughout twp, inlets cleaned out. Repair shoulder on Steinman Farm Rd. Equipment work.
- 10/15-10/18: Storm cleanup, cleaned gutters and scraped throughout twp. Wash-out repairs throughout. Equipment work.
- 10/20-10/21: Wind storm cleanup. 1 man 8 hrs.
- 10/22-10/25: Storm cleanup. Shoulder cleanup. Tree work. Equipment repairs. Got Martic Township's Park parking lot ready for paving. Paved the Martic Park parking lot. Paid for With William's grant money. removed parking area on west side of rail trail head. tree work on rail trail. Equipment repairs
- 10/29-10/31: Sign work. Equipment repair, gutter scrape and grade throughout. Fix dirt roads. Finish Martic Park parking lot. Guiderail installed per agreement with Williams at pipeline locations.

Zoning Officer Report shows: 9 Building and 7 Zoning permits, along with 4 certificate of use and 4 Use and Occupancy permits were issued in October.

The SEO Report shows: 1 perc & probe and 1 sewage permit was issued in October.

NEW BUSINESS

Irrevocable Letter of Credit release request – Jonathan D. Kloppmann 225 Magnolia Drive: Mr. Kloppmann has made a request to have his Letter of Credit for his Storm Water plan reduced. Brian Gilbert with Wilson Consulting Group has sent a letter to the Township stating that inspections have been conducted and a portion of the project is completed. He explained that the remaining financial security for this development was broken into several portions, the remaining security being \$12,849.10. The PA Municipalities Planning Code, Section 509(j) and the Martic Township Subdivision and Land Development Ordinance, Section 503, permits the Township to retain 10% of the original financial security until a final completion and certification are received. Mr. Kloppmann has also requested that the Board release his entire LOC and he will post the 10% remaining security with a check payment. Mr. Gilbert has confirmed and recommends this option to the Board. Jon Kloppmann presented to the Board an email that he received earlier in the day from his engineer guaranteeing the work to be done therefore to conditionally release the full amount. Carl Drexel stated as our engineer has not seen the latest email and cannot confirm a recommendation for a full release, was Mr. Kloppmann is still willing and able to post the final 10% security or did he want to wait until the next Supervisor's meeting, thus allowing Brian Gilbert his input? Mr. Kloppmann stated he was willing to post the security; therefore

1. A motion was made by Carl Drexel and seconded by John Ulaky to release \$11,163.80 and maintain \$1,685.30 which will be held until the final completion and certification is received from the Township's engineer, Wilson Consulting Group, PC. With no further comment received, the motion passed 4-0, Beth Birchall was absent.
2. A motion was made by Duane Sellers and seconded by Carl Drexel to accept the remaining 10%, \$1,685.30 from Mr. Kloppmann as a check and then release the remaining Letter of Credit. With no further comment received. The motion passed 5-0.

Irrevocable Letter of Credit release – Wilmer Johnson, 1035 River Road. A letter has been received from Brian Gilbert with Wilson Consulting Group, PC regarding the Storm Water plan for Wilmer Johnson, 1035 River Road. An inspection has taken place and some of the improvement items have been completed. Based on the portion of work already completed, Mr. Gilbert recommends a reduction of security for the site improvements, of \$5,197.92, leaving \$1,357.81. As Mr. Johnson has yet to officially request the release of these funds per the SWM Ordinance requirement, a motion was made by Carl Drexel and seconded by John Ulaky to release \$5,197.92 and maintain \$1,357.81, which will cover the remaining portions of his project, still yet to be completed, conditioned on the Township receiving Mr. Johnson's request for release. No comments received and the motion passed 5-0.

The next meeting of the Martic Township Board of Supervisors is scheduled for Monday, December 3, 2018 at 7:00 p.m. at the Municipal Building.

There being no further business the meeting was adjourned at 7:35 pm with a motion made by Beth Birchall and seconded by Don Snyder.

Respectfully submitted,

Karen D. Sellers
Martic Township Manager