

MINUTES OF THE MARTIC TOWNSHIP BOARD OF SUPERVISORS

DATE: November 7, 2016

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

ATTENDANCE: Beth Birchall, Duane Sellers, Carl Drexel, Charley Braught, Jr. and Don Snyder 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

Don Snyder made a motion which was seconded by Beth Birchall to approve the minutes of the October 3, 2016 Supervisors Meeting. The motion passed 5-0.

Carl Drexel made a motion which was seconded by Charley Braught to approve the minutes of the October 19, 2016 workshop meeting. The motion passed 5-0.

Beth Birchall presented the Treasurer's Report for the period ending October 1, 2016. With no questions, a motion was made by Charley Braught and seconded by Don Snyder, to approve the Treasurer's Report. The motion passed 5-0.

OTHER BUSINESS – PUBLIC COMMENT:

Terry McDonald – 688 Martic Heights Dr. stated that the issues continue with regards to Green N' Grow/Steve Lehman and the trash, odor, water quality and run-off. There was a two day appeal hearing at PA DEP offices in Harrisburg, the previous week. Rob Mussmon – 680 Martic Heights Dr. reiterated the statement that Terry McDonald made. John Lehr – 699 Martic Heights Dr. commented that the PA DEP has issued a Cease & Desist order for the food waste, but the odors continue. Barb Stokes 888B Hilldale Rd – asked if the Township is being notified of the States actions? Duane Sellers commented that yes, DEP is keeping the Township informed.

UNFINISHED BUSINESS

2017 Budget: A motion was made by Beth Birchall and seconded by Don Snyder to approve for advertising the 2017 Budgets, both the General Fund and the new Liquid Fuels Fund. The motion passed 5-0. Duane Sellers commented that the budget total is \$1,158,800.

Planning Commission met on October 20, 2016 to review the subdivision plan of the Lancaster County Conservancy and Talen Energy.

Lancaster County Conservancy / Talen Energy: Tom Smeigh w/ DCGohn presented to the Supervisors the subdivision plan between the Lancaster County Conservancy and Talen Energy. The parcel is 183 acres and Talen will be keeping 23 acres (the Holtwood Ash Basin). Kate Gonick w/ LC Conservancy commented that Talen is scheduled to be bought by Riverstone Equity Holding on January 1, 2017, therefore there is an urgency to complete this subdivision, prior to the land changing ownership. She thanked Martic for helping to facilitate the completion in a timely manner. Rob Mussmon asked if this included the Holtwood Park and if so who would be maintaining the park. Duane Sellers stated that yes the Holtwood Park is included with the land going to the Conservancy; however it is yet to be determined as to the future of the park.

After discussion, a motion was made by Duane Sellers and seconded by Beth Birchall that the Board of Supervisors grant waivers from Martic Township Subdivision and Land Development Ordinance Sections 401.A.1 (plan scale); 401.c.3 (items within 200 feet of the subject tract); 401.c.4 (items within the subject tract); 401.c.5 (significant topographical and manmade features relating to wetlands only);

405.E.3(b) (Wetland Study); and 305 (preliminary plan submission), as set forth in letters to the Township dated September 8, 2016, and October 4, 2016, relating to the Preliminary/Final Subdivision Plan for Lancaster County Conservancy Holtwood Park prepared by D. C. Gohn Associates, Inc., Drawing No. CG-2931A, dated September 8, 2016, revised October 14, 2016, subject to the following conditions:

1. Applicant shall continue to include the general substance of Note 10 on the Plan restricting development of Lot 1.
2. Applicant shall reimburse the Township for all reasonable engineering and legal fees incurred in the review of plans and supporting information under the Subdivision and Land Development Ordinance and other governing ordinances, review or preparation of documentation required in connection with the Plan and other documentation, and for other costs as set forth in the Township's Fee Resolution within 30 days after the date of an invoice for such fees. If Applicant fails to pay such costs within 30 days after the date of such invoice, Applicant shall be in violation of this Condition. The motion passed 5-0.

A motion was made by Charley Braught and seconded by Carl Drexel to recommend that the Board of Supervisors adopt the necessary Resolution to approve the planning module for land development relating to the Preliminary/Final Subdivision Plan for Lancaster County Conservancy Holtwood Park prepared by D. C. Gohn Associates, Inc., Drawing No. CG-2931A, dated September 8, 2016, revised October 14, 2016, and I further move that the appropriate officers of the Township be authorized to execute the resolution and any documentation the Department of Environmental Protection requires to demonstrate such approval upon presentation of a complete planning module for land development. The motion passed 5-0.

A motion was made by Beth Birchall and seconded by Charley Braught that the Board of Supervisors approves the Preliminary/Final Subdivision Plan for Lancaster County Conservancy Holtwood Park prepared by D. C. Gohn Associates, Inc., Drawing No. CG-2931A, dated September 8, 2016, revised October 14, 2016, subject to the following conditions:

1. Applicant shall comply with all conditions imposed on waivers.
2. Applicant shall present the Township with evidence that Applicant has obtained necessary sewage approvals.
3. Applicant shall sign the Plan and shall have the record owner sign the Plan and shall have all certifications on the Plan executed by the appropriate consultants.
4. Applicant shall reimburse the Township for all reasonable engineering and legal fees incurred in the review of plans and supporting information under the Subdivision and Land Development Ordinance and other governing ordinances, review or preparation of documentation required in connection with the Plan and other documentation, and for other costs as set forth in the Township's Fee Resolution within 30 days after the date of an invoice for such fees. If Applicant fails to pay such costs within 30 days after the date of such invoice, Applicant shall be in violation of this Condition. The motion passed 5-0.

A motion was made by Carl Drexel and seconded by Duane Sellers that the Chairman or Vice Chairman of the Board of Supervisors or other appropriate member of the Board of Supervisors be authorized to sign the Preliminary/Final Subdivision Plan for Lancaster County Conservancy Holtwood Park prepared by D. C. Gohn Associates, Inc., Drawing No. CG-2931A, dated September 8, 2016, revised October 14, 2016, upon satisfaction of the conditions placed upon approval. The motion passed 5-0.

Keith Dussinger subdivision final approvals: Mr. Dussinger is finalizing his subdivision, as this is the last plan with the LC Planning Commission. After discussion

A motion was made by Carl Drexel and seconded by Don Snyder that the Board of Supervisors enter into a Storm Water Management Agreement and Declaration of Easement and an Agreement Concerning Deferred Financial Security for Installation of Storm Water Management Facilities for the Steinman Farm Project and that the Chairman or Vice Chairman of the Board of Supervisors be authorized to execute and acknowledge and the Township Secretary be authorized to attest those Agreements. The motion passed 5-0.

A motion was made by Beth Birchall and seconded by Don Snyder that the Board of Supervisors adopt a resolution authorizing the execution of Appendix 27 to the Lancaster County Subdivision and Land Development Ordinance relating to the Final Subdivision Plan for Keith D. Dussinger and Paula J. Dussinger (the "Dussingers") known as the Steinman Farm Project in the form and content presented at this meeting. I further move that the Township Manager-Secretary be authorized upon (i) the recording

of the Storm Water Management Agreement and Declaration of Easement, (ii) the recording of the Agreement Concerning Deferred Financial Security for Installation of Storm Water Management Facilities for the Steinman Farm Project, and (iii) the satisfaction of all other matters pertaining to the Steinman Farm Project as set forth in a letter dated October 5, 2016, from the Township Solicitor to the consultant for the Dussingers, to execute and forward Appendix 27 in a form approved by the Township Solicitor and to forward a copy of this Resolution to the Lancaster County Planning Commission. The motion passed 5-0.

Resolution 11-7-17 – which authorized the execution of Appendix 27 to the Lanc Co Subdivision and Land Development Ordinance relating to the final Subdivision plan for Keith and Paula Dussinger which is known as the Steinman Farm Project. Passed by roll-call vote 5-0.

Rail Trail grant update: An email was received from Mark Wilson w/ Wilson Consulting Group regarding the grant for the trail surface and signage. He is currently working on the bid package. An item that he needs to know from the Township is how many parking spaces should be at the Rt. 324 trail-head parking lot? Mark is recommending 10-20; however after discussion and knowing the issues the Conservancy has with the overflow of parking, i.e. Tucquan Glen, a motion was made by Carl Drexel and seconded by Duane Sellers to plan on 40 spaces. The motion passed 5-0. Rob Mussmon asked where the location of the parking lot will be.

Road Department:

Todd Simone, Martic's Road Foreman gave the October Road Report.

- The week of October 3-7: The parking lot light was upgraded to LED. Cleaned up shop, cleaned out gutters. Shoulder repair work was done on roadways. Mulched trees on Township property. Met with Providence Township regarding working together.
- The week of October 10-14: New employee Ken Shifflett began, Mowing on Hilldale Road, glass repair in shop, salt deliveries began, which were mixed with anti-skid. Set-up welder.
- The week of October 17-20: Installed guiderail on Steinman Farm Road where inlet was installed earlier, measured roadways for paving. Equipment maintenance. Plows were hooked up. Entrances to the rail trail were mowed and cleaned up.
- The week of October 24-31: Pipe repair on Old Holtwood Road, continued gutter cleaning. Truck and equipment maintenance and repairs. New trees were donated by the LC Conservancy, Lydia Martin were planted in area off of the rail trail crossover. Attended an 811 seminar. Steinman Farm Road shoulder work. Finished line painting throughout the Township.

The new tractor is scheduled to be delivered on Friday, November 18th. Todd has asked them to deliver it with the snow equipment installed.

Todd also stated that for snow plowing this season, a verbal agreement has been made with Providence Township. This season Martic will plow all of Stump Road (to Rawlinsville Road), all of Frogtown Road (to Rawlinsville Road) and all of Pennsy Road (to Rawlinsville Road) and Providence Township will take-over plowing all of Magnolia Road. This is based on the total linear miles for these roads.

The Municipal Lease option: the Township receives 3% with the Ginnie Maes and the bank's rate is over 3%. With regards to the new tractor, the Township will just buy it and look into a municipal lease option for any future purchases.

It came to light that the old fire truck is still owned by the Rawlinsville Fire Company. Dave Walters, President of RVFC stated they have no use for it. Todd Simone stated he could place it on Muncibid and try to sell it for the fire company. After discussion, a motion was made by Duane Sellers and seconded by Charley Braught to list the fire truck on Muncibid for the fire company and they will then receive any funds received from the sale. The motion passed 5-0.

Barb Stokes 888B Hilldale Rd asked the name of the new road worker. Ken Shifflett is the Township's newest employee.

Todd Simone also announced that the Township's part-time employee, Austin Brown has taken and passed his CDL test.

Zoning Officer Report shows: 2 building permits, 2 stormwater & 1 zoning permit, 3 building use and occupancy permits were issued in October.

The SEO Report shows: 4 perc & probes, 4 permits issued and 2 inspections were conducted in October.

October 2016 invoices: Don Snyder made a motion which was seconded by Charley Braught, to approve the bills for payment totaling \$ 33,619.83. Beth Birchall noted that this includes road salt, the Township's donation to the Quarryville Library and the purchase of a welder. 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 is on file in the township office

NEW BUSINESS

Donald Hess 1146 Marticville Road was issued an Enforcement Notice on October 4, 2016, for the amount of unlicensed vehicles, trailers, building materials, scrap metal, etc. that is accumulating at his property. Mr. Hess was given until November 4, 2016 to have all violations completely corrected. Mr. Hess filed no appeal to the Enforcement Notice; therefore a motion was made by Duane Sellers and seconded by Don Snyder to move forward with the Enforcement Action, which is a Civil Complaint. The motion passed 5-0. Denny Shenk, Township Zoning Officer commented that there is a couple who he believes to be living in a camper on the property, which is against the Zoning Ordinance. A motion was made by Duane Sellers and seconded by Beth Birchall to consult with the Township's solicitor regarding this issue and if need be give them another 30 days to have moved out of the camper, since it appears they are helping to clean up the property. The motion passed 5-0.

Stephen & Annie Esch 418 Drytown Road and Donald Hess were issued an Enforcement Notice on October 4, 2016, for the amount of unlicensed vehicles, trailers, building materials, scrap metal, etc. that is accumulating at this property. Mr. & Mrs. Esch and Mr. Hess were given until November 4, 2016 to have all violations completely corrected. Denny Shenk, Township ZO, stated that as of November 7th, most of the property has been somewhat cleaned up; as junk has been removed and some items were burned. Mr. Esch is currently working with the state to obtain titles of the unregistered vehicles still located there, so that he may get rid of them. Denny Shenk recommends no further action be taken against Mr. & Mrs. Esch and Mr. Hess, with regards to the items on Drytown Road. Comment was heard from Barb Stokes.

330 Hilldale Road rental – the tenant had contacted the Township that some floor boards in the living room appear to be rotting as you can see through to the basement. Carl Drexel had asked Denny Shenk to take a look at it. He made a recommendation to the Board that this flooring be repaired. A quote was received from Shenk Builders for \$1590.00. After discussion a motion was made by Don Snyder and seconded by Charley Braught to have Shenk Builders make the repairs. The motion passed 5-0.

364 Steinman Farm Road rental – the tenant contacted the Township with regards to the back porch leaning. He noticed it more so after the repairs to the fire damage were made. Carl Drexel asked Denny Shenk to look at it and to give his opinion as to its safety. Denny Shenk made a recommendation that the porch be repaired. A quote was received from Shenk Builders for \$345.00. A motion was made by Carl Drexel and seconded by Don Snyder to have Shenk Builders make this repair. The motion passed 5-0.

Lancaster County Conservancy- Duane Sellers commented that the Township had contacted the solicitor as to what can be done regarding the issues we have had in the past, concerning visitors to their properties, the number of cars parking either on or trespassing on neighboring properties. Charley Braught commented that the Board has had multiple discussions regarding the issues with LCC and not being very neighborly to our residents. Duane Sellers stated he would contact Brandon Tennis to discuss these issues. The number of vehicles that were parked at Tucquan Glen, the past weekend,

had the parking lot overflowing and people walking down the middle of River Road. Lydia Martin w/ LCC commented that she does know that a meeting is to be scheduled to discuss the many issues, along with Emergency Services to their property. Dave Walters, President of RVFC commented that he is glad to hear that a meeting will be scheduled.

A resignation notice was received from Fran Mannino Corse from the Zoning Hearing Board. A motion was made by Beth Birchall and seconded by Carl Drexel to accept Fran's resignation. The motion passed 5-0. Bill Birchall has indicated his interest in serving on the ZHB. A motion was made by Duane Sellers and seconded by Don Snyder to appoint Bill Birchall to the ZHB. The motion passed 4-0, with Beth Birchall abstaining.

Beth Birchall commented on the rising health insurance premiums. She will check with Bill Ross regarding a health savings plan. Also she has received information from PSATS on the plan they have to offer and will be looking into it.

Duane Sellers commented on the Veterans Day program, scheduled for Saturday, November 12 at the Martic Middle School. Martic MOST is hosting the program again this year.

Duane Sellers reminded everyone to vote in the general election on Tuesday, November 8, 2016.

Duane Sellers commented that the Township received information that FERC is revisiting the original route that Williams chose, for the proposed pipeline. He commented that even though the wish is for no pipeline, that it is the more common sense solution, with less of an impact on residents than the current route if a pipeline must go in. The Supervisors plan on submitting a letter of comment to FERC along with the already passed Resolution.

The next meeting of the Martic Township Board of Supervisors is scheduled for Monday, December 5, 2016 at 7:00 p.m. at the Municipal Building.

They're being no further business the meeting was adjourned at 8:27 pm by a motion made by Beth Birchall.

Respectfully submitted,

Karen D. Sellers
Martic Township Manager