LITTLE BRITAIN TOWNSHIP

July 12, 2016

The Little Britain Township Board of Supervisors held its regular monthly meeting on Tuesday, July 12th at the Municipal Building, 323 Green Lane, Quarryville, PA. Prior notice of the meeting was given.

Chairman, Jerry Emling, called the meeting to order at 7:02 p.m. A moment of silence was followed by the salute to the Flag.

**PRESENT:** Jerry Emling Jim Bullitt Tyler McCardell

Dan Proffitt Sue Bullitt George Osborn

Richard Brenneman Tony Carrozza Marcella Peyre-Ferry

Clark Coates Peg Donahoe Dan Risk

Pat Wood Ben Flahart Ernie Saniga

Christine Jackson Kim McCardell Karen Saniga

Margaret DeCarolis

**MINUTES:**  Motion was made by Mr. Brenneman, seconded by Ms. Wood and carried to adopt the minutes of the June 14th meeting as printed.

**SANITATION:** It was reported that Mr. Stoner turned in $75.00 in Sanitation fees and $50 for well permits issued during May.

**TAXES:** It was reported that Tax Collector, Agnes Reeder reported collecting $8,736.75 in Real Estate tax during the month of June. The Board was also advised that Ms. Reeder submitted a request for postage in order to send out reminder notices on outstanding tax statements.

**ROADS:**  Roadmaster, Dan Risk advised of the following June road crew activities as follows:

* Cleaned up trees after storm.
* Mowed road banks.
* Cleaned, supplied and checked on Park.
* Prepared Fulton View Road for paving.
* Replaced radiator and fuel tank on Ford F550.
* Worked on mower tractor.
* Backfilled along Fulton View Road.
* Hauled millings to Fairmount Road.
* Mowed and edged around Municipal building.
* Replaced Stop and Stop Ahead signs on Kirks Mill and Deer Run Roads.
* Cleaned side gutters on Brown Road.
* Worked on Blue Gill Road preparing for seal coating.
* Prepared for skin patching and seal coating.
* Sprayed for weeds along Township right-of-ways.
* Worked on grading sides of Black and Fulton View Roads.
* Performed routine equipment maintenance.
* Came in after hours to scrape stone off of roadway following storm.

Mr. Emling commented that he was quite please with the seal coating and oiling and chipping that took place and his belief that the work completed is the best he has seen done. He further advised that he was extremely pleased with the work the young ladies at the Park have done. Ms. Wood advised that she had met with Billy Guhl, the Boy Scout planning to perform his Eagle Scout project at the Park to walk the fitness course and discuss proposed improvements. She indicated that she would like the Board to consider donating to the replacement costs of some signs on the fitness trail if Mr. Guhl is unable to obtain sufficient funds to replace those in bad shape through his personal fundraising efforts.

**PAYMENT OF BILLS:** Motion made by Mr. Proffitt, seconded by Mr. Coates and carried authorizing the payment of General Fund checks 10096 through 10124 in the amount of $18,628.31. Motion made by Mr. Proffitt, seconded by Ms. Wood and carried authorizing the payment of State Fund checks 1976 through 1977 in the amount of $101,040.00.

**PUBLIC PARTICIPATION:**  Resident, Ernie Saniga advised the Board that he is pleased to see the Township has found a way to display information being discussed during meetings for those in attendance to see. He indicated his belief that in doing so the Township is helping to provide transparency in government. Mr. Emling provided an update on the Consulting Party Meeting pertaining to the replacement of the bridge on Kirks Mill Road that was held on June 22nd. He indicated that residents stated 2 major concerns during the meeting: the speed of traffic on the roadway itself and the bridge being proposed for installation. He indicated that he was under the impression that Walsh Construction would be replacing both bridges near the mill but was advised that only 1 was to be replaced. He further indicated that based on past concerns, the company has changed the proposed structure from 28 feet in length down to 24 feet, which would consist of two 9-foot lanes plus shoulders. The company is also proposing to use a stamped stone inlay on the structure to improve it aesthetically. Resident, Mr. Bullitt indicated he was impressed by the accuracy of the residential concerns noted in the minutes from the meeting. Mr. Bullitt also questioned if the Township could obtain/borrow a radar speed limit sign to ensure travelers of this road realize the speed they are driving and stated his belief that the installation of additional stop signs on the roadway would help slow traffic. A discussion pursued in which Mr. Emling indicated that the installation of stop signs for the purpose of slowing traffic was illegal and of his concern over the speed limit being raised should a traffic study be conducted. Mr. Proffitt questioned the condition of the shoulders on the road and was advised that they had been milled and repaved.

**KINSEYVILLE ROAD:**  Resident, Ernie Saniga presented a power point presentation pertaining to the runoff problems being encountered on Kinseyville Road and the damage sustained on his property due to it. He indicated the problem began in May 2014 when Mr. Flahart purchased approximately 80 acres of land from Warren Samples and began clearing it. He noted that for 2 years he has been in contact with Kevin Seibert of the Lancaster County Conservation District, Andrea Blosser of DEP and State Representative Bryan Cutler in an effort to have this matter rectified. Due to lack of results, he has also contacted his attorney to confirm what legal avenues are available, although he would prefer to obtain a resolution without following that route. Numerous slides and videos were presented indicating the water runoff affecting his property as well as the roadway. It was noted that due to damages to his pasture and fencing that he was forced to board horses for 4 months and that he is uncomfortable storing his dog kennels and equipment in the shed due to the number of times it has been covered in mud. Following a major rain in February, which resulted in massive mud runoff again, DEP finally admitted that their best management practices failed in this matter. When Mr. Saniga questioned DEP when the matter would be corrected and resolved he was advised it would be at least a year. Following the February rain, some minor improvements were made with the installation of 3 small stone dams and the placing of matting on a swale. As these items were not capable of controlling the amount of runoff generated or being maintained following rain, the runoff problems have continued. Concern was expressed over the runoff being allowed to enter Raccoon Run Creek. Mr. Saniga met with Township Engineer, Ed Fisher in July following another rain storm and was advised that the barriers and/or swales were not working. He further advised that once the water hit the Township Road that it was the Townships responsibility to have it stopped and that Mr. Flahart can be fined for allowing the runoff into the stream. Mr. Fisher drafted a letter to DEP on July 12th advising that a staggering soil loss occurred during the July 1st rain, that filters were not installed to the full length and grade necessary to be effective, that no maintenance of rock filters was occurring, that the E & S plan was not adequate or was not adequately being followed. Mr. Fisher’s letter to DEP along with DEP’s response was read into the record by Ms. Jackson and copies were provided to the Saniga’s. Mr. Saniga did acknowledge the assistance he has received from Roadmaster, Dan Risk in clearing the roadway following rain and Mr. Emling for his visits to the site to view the damage occurring first hand. Mr. Emling indicated his belief that the installation of additional inlet boxes and pipes may help collect some of the water on the roadway. Mr. Saniga stated his concern that additional inlet boxes would not prevent the water from entering the creek and of his environmental concerns and reiterated that based on Township Ordinance #3-13 that the Township has viable and legal responsibility to ensure that the runoff occurring both into the roadway and the creek is stopped. Ms. Wood stated that Mr. Flahart has complied with everything he was instructed to do and believes the fault of this matter lies with DEP and Conservation District. Resident, Randy McCardell advised he was not opposed to farming but believes if farming is to be allowed in a residential area that stormwater management must be implemented and maintained. He further indicated his belief that Mr. Flahart had the financial means to rectify the matter and should be forced to do so. Ms. Jackson advised that the area being farmed is zoned agricultural although it is primarily used for residential purposes. Mr. Emling advised he would contact Mr. Fisher again and review the matter with him and stressed that safety is always the first priority of the Board.

**PLANNING COMMISSION:** Motion made by Mr. Proffitt, seconded by Ms. Wood and carried to adopt the minutes of the June 28th Township Planning Commission meeting as presented.

**ZONING:** Ms. Jackson, Zoning Officer reported issuing 13 zoning, 9 occupancy, 1 demolition and 1 extension permits during the month of June along with the acceptance of 2 Zoning Hearing Applications. Ms. Jackson also reported on the following:

* Conditional Use Application of Andrew Young to place an ECHO unit on his property. The Board agreed to hold this hearing at 6:30 on August 9th prior to the regular meeting.
* Zoning Hearing Application of Benjamin Flahart. Mr. Flahart was present and requested to address some of the concerns regarding his property that were discussed earlier. He stated that he never intended to harm anyone or their property when he began the clearing of the property on Kinseyville Rd. He indicated that Red Door Engineering created the plans for his land clearing and that he went above what the plans called for in his attempt prevent runoff. He stated that in December 2015, DEP issued a cease and desist order on the property, which caused the land to lay fallow all winter. Both DEP and the Lancaster County Conservation District approved his stormwater plan in the Spring and authorized him to farm the land. He further indicated that he plans to purchase an additional property in the near future that he believes will help him help control the water problems that have occurred. Mr. Emling questioned if Mr. Flahart would consider installing terracing and retention ponds. Mr. Flahart indicated he would consider but would prefer to follow the plan of his engineer. He stated his belief that a year of no tilling will also help. Mr. Emling indicated his desire for the Township and Mr. Flahart to work together in rectifying the water problems. The board then reviewed the plot plan confirming the lot configuration that Mr. Flahart is seeking a variance on. Mr. Coates stated his concern that the proposed lot exceeds the maximum 2 acre size allowed and his belief that approval of this request will establish precedence. The Board agreed with his concerns. A discussion pursued in which Mr. Flahart indicated his reasons for requesting the lot size he was and the Board confirming when they would see the plan again if the variance were to be granted. Following this discussion, a motion was made by Ms. Wood, seconded by Mr. Coates and carried to draft a letter to the Zoning Hearing Board advising them of the Boards concerns over this application and their desire to see the request denied.
* Memorandum of Understanding Agreement received from the Lancaster County Planning Commission. Ms. Jackson advised that under our current Sub-Division and Land Development Ordinance that the County has 30 days to review and comment on plans. Should the Township agree to the terms of this new Memorandum of Understanding Agreement we would be responsible for collecting and submitting additional paperwork and checklists to the County in exchange for their expedited review of the plan, which would ensure comments were received within 15 days versus the current 30. Following a discussion of the document, a motion was made by Ms. Wood, seconded by Mr. Proffitt and carried to abstain from signing the new agreement.
* Notification received from the Lancaster County Planning Commission advising that our current community planner, Dean Severson has been promoted to the Director for Community Planning and that Robert Bini has been appointed as Director of Transportation Planning.

**WAKEFIELD AMBULANCE ASSOCIATION:** Tyler McCardell of the Wakefield Ambulance Association presented the Board with their 2015 Audit report. He also provided an overview of the services they provide to the community, call statistics, difficulty in obtaining volunteers and an overview of their current financial situation as well as their long range financial projections. Ms. Wood questioned the percentage of residents who establish a membership with the association and was advised that the membership rate is between 16 to 20 percent during their annual membership drive.

**MUNICIPAL RENOVATION ESTIMATES:** The Board was advised of estimates received for painting and flooring. Estimates for painting were obtained from Two Dudes Painting Company at $6,915.00 and Icenhour In Home Restorations at $6,000.00. The bid from Icenhour proposed to replace and stain the windowsills in the front 2 offices and paint the remaining ones. It was noted that three other companies had been contacted but were booked so far out that they did not wish to submit an estimate. Flooring bids were obtained from G & F Carpet and Nickel Mine Floor Covering. G & F Carpet’s estimate was for $10,015.44 for carpet throughout the building, with an additional $1,160.00 for per office for the installation of Luxury Vinyl Tile. Nickel Mine’s estimate for carpeting throughout the building was $10,539.50 and $12,574.72 for carpeting throughout the building with Armstrong Vivero Lock vinyl flooring in the front 2 offices. Samples of carpets and the luxury vinyl tile obtained from G & F Carpet were available to view. Mr. Proffitt stated he knows of someone locally who does painting and flooring who may be interested in providing an estimate. Mr. Emling indicated his belief that once estimates are obtained and made public that allowing others to submit bids for a project is unfair. Ms. Wood questioned what had been budgeted for municipal building repairs/maintenance for the year and was advised that $10,000.00 had been allocated. She indicated her desire to remain within budget. Mr. Emling stated his belief in the importance of maintaining the facility and indicated that should the Board not wish to complete all of the projects being discussed that the Board should establish a maintenance plan to ensure that items are updated/replaced going forward in a timely manner. Following a discussion, a motion was made by Mr. Brenneman, seconded by Ms. Wood and carried approving and accepting the entire painting bid submitted by Icenhour In Home Restoration and the flooring bid of G & F Carpet for the installation of the Luxury Vinyl Tile in the Secretary/Treasurer and Zoning offices.

**PENSION PLAN:** The Board was advised that due to a number of unreturned calls from our representative at Lincoln Financial and difficulty in obtaining the registration forms required for new members of the pension plan that the contract date on Ms. Jackson’s plan is April 29th versus the January 4th date which represents the date she was authorized to participate in the plan. Calls to the account representative, his supervisor and Lincoln Financial have failed to rectify the matter. Ms. Jackson indicated her concern over the matter, especially the delay this matter creates in her being fully vested in the plan. Mr. Emling questioned how many other companies worked with State funded pension plans. The Secretary/Treasurer advised she was uncertain but could certainly seek out other companies. Following a brief discussion on this matter, the Board authorized Mr. Emling to contact the representatives of Lincoln Financial to express concern over the handling of this situation and attempt to rectify that matter.

**ESCROW RELEASE:** The Board reviewed the comments of Township Engineer, Ed Fisher pertaining to the release of credit request of Sam McMichael for his project at 24 Horseshoe Lane. Following this review, a motion was made by Ms. Wood, seconded by Mr. Brenneman and carried authorizing the full release of funds being held. Zoning Officer, Ms. Jackson advised of an escrow release request received from Michael Jones pertaining to his project on the Ridgeway Subdivision project. She stated that she received an e-mail from Mr. Fisher advising of 2 minor items that need to be completed on this project but was comfortable in recommending the release of escrow funding. Ms. Wood motioned that the funding on the Michael Jones project be released as recommended. Mr. Coates seconded the motion, which carried.

**EXECUTIVE SESSION:** Mr. Emling called an executive session at 10:00 p.m. to discuss a legal matter. The meeting reconvened at 10:15 p.m.

**RESIDENT CONCERN:** Resident, George Osborn advised the Board that he attends most meetings of the Board of Supervisors, the Township Planning Commission and the Zoning Hearing Board and is upset on behalf of the Zoning Officer, Ms. Jackson. He indicated the Zoning Hearing Board frequently issues decisions that require Ms. Jackson to continuously monitor various items, such as animal counts in their decisions, which is he certain she does not have time to do nor in his opinion, should she be requested to do. Mr. Emling thanked Mr. Osborn for bringing this matter to the Boards attention and questioned Ms. Jackson on this matter. She confirmed that some of their decisions are becoming quite cumbersome to enforce and have increased her workload.

**TRAINING/SEMINARS:** Upcoming training and seminars were reviewed. Ms. Wood advised that the County Commissioners would be attending the Inter-Municipal Council meeting on July 19th beginning at 7:00 p.m. at the East Drumore Township building and that anyone wishing to attend was welcome.

**ADJOURNMENT:** At 10:20 p.m. being no further business, motion was made by Mr. Proffitt, seconded by Mr. Brenneman and carried to adjourn the meeting.

Respectfully Submitted,

Margaret D. DeCarolis

Secretary/Treasurer