

# PROVIDENCE TOWNSHIP BOARD OF SUPERVISORS

David J. Gerhart • C. William Shaffer • John Schroeder

Monday through Thursday, closed Friday | Hours: 6:30 a.m. – 4:30 p.m. | Meeting: First Monday, 7:00 p.m.



## **SUPERVISORS MEETING** **December 5, 2016**

The regular meeting of the Providence Township Board of Supervisors was held in the Township Municipal Office on Monday, December 5, 2016 at 7:00 p.m. Present were Chairman David Gerhart, Vice Chairman C. William Shaffer, Member John Schroeder, Solicitor Melvin Newcomer, Manager Vicki Eldridge, Road Master Jason McClune and nineteen (19) observers.

The meeting was called to order by Mr. Gerhart at 7:00 P.M followed by the Pledge of Allegiance. Mr. Gerhart offered prayer.

### **MINUTES**

- Mr. Gerhart explained that each Supervisor received a copy of the written minutes from the November 7, 2016 Board of Supervisors Meeting. With no additions or corrections to the minutes, Mr. Gerhart made a motion, seconded by Mr. Schroeder to approve the minutes. The motion was carried unanimously.
- Mr. Gerhart explained that each Supervisor received a copy of the written minutes from the November 14, 2016 Board of Supervisors Meeting. With no additions or corrections to the minutes, Mr. Gerhart made a motion, seconded by Mr. Schroeder to approve the minutes. The motion was carried unanimously.

### **FINANCIAL REPORT**

- Vicki Eldridge read the financial report.
- Mr. Gerhart made a motion, seconded by Mr. Shaffer to ratify payment of November bills in the amount of \$99,880.09 from the general account and \$26,096.51 from the state account. The motion was carried unanimously.

### **REVIEW OF BUDGET**

- At this time, Mr. Schroeder had questions about several budget categories including: mobile home park permits and linear park maintenance.

### **PUBLIC COMMENT**

- Merv Conrad asked when the committee will meet that was formed at the November meeting to deal with permitting after catastrophic loss.
- Eli Glick asked for an update on the Radcliff Road Bridge.
- Pepper Goslin asked the supervisors to elaborate on the zoning officer position. He also asked the roadmaster to replace a storm inlet grate with a bicycle friendly grate at the intersection of Main Street and Truce Road.

### **PARKS/RECREATION REPORT**

- Mr. Gerhart stated that the parks/recreation committee will not meet until the spring of 2017.
- Mrs. Eldridge gave an update on the progress of the installation of the Route 222 pedestrian bridge. She also gave an update on the bench sponsorships for the trail.

### **SOUTHERN LANCASTER COUNTY INTERMUNICIPAL COUNCIL**

- The Southern Lancaster County Intermunicipal Council will meet on Tuesday, January 17, 2017 to reorganize.

### **OLD BUSINESS:**

- There was no old business to report on at this time.

### **NEW BUSINESS:**

- Following a brief discussion, Mr. Gerhart made a motion, seconded by Mr. Shaffer to authorize the purchase of a new New Holland T4.75 Powerstar Tractor for the purchase price of \$41,502.30 and a new Ferri ZLE 1800 rear offset in-line slope flail mower for the purchase price of \$13,465.20 from Messicks. The purchases will be made in 2017. The motion was carried unanimously.
- Following a brief discussion, Mr. Gerhart made a motion, seconded by Mr. Shaffer to authorize the purchase of a new 18'-20' full tilt trailer in an amount not to exceed \$7,499.00. The motion was carried unanimously.
- Mr. Gerhart announced the township offices will be closed on Thursday, December 22 and Monday, December 26 for Christmas and Monday, January 2 for the New Year's Holiday.
- At this time, Mr. Gerhart highlighted various areas of the budget. Mr. Shaffer made a motion, seconded by Mr. Gerhart to adopt Resolution No. 16-12 adopting the budget for calendar year 2017. The motion was carried unanimously.
- Following a brief discussion, Mr. Gerhart made a motion, seconded by Mr. Schroeder to adopt Resolution No. 16-13 establishing the tax millage rate for real property within Providence Township at 0.63 mills for the fiscal year 2017. Millage in 2016 was 0.8075. The motion was carried unanimously.
- Mr. Gerhart made a motion, seconded by Mr. Shaffer to advertise for the 2017 Board of Supervisors Organizational Meeting to be held on Tuesday, January 3, 2017 at 7:00 p.m. and for the 2017 Elected Auditors Organizational Meeting on Wednesday, January 4, 2017 at 4:00 p.m. The motion was carried unanimously.
- Mr. Gerhart made a motion, seconded by Mr. Schroeder to close the books for fiscal year 2016 on December 31, 2016.
- Following a brief discussion regarding our electricity supplier, Mr. Gerhart made a motion, seconded by Mr. Shaffer to award the 2017 electricity contract to Direct Energy. The motion was carried unanimously.
- Following a brief discussion, Mr. Gerhart made a motion, seconded by Mr. Shaffer to approve the assistance of the Quarryville Fire Company Fire Police for traffic control on December 23, 2016 for the Midnight Gladness Sale. From 6:00 p.m. until midnight. The motion was carried unanimously.
- Mr. Shaffer made a motion, seconded by Mr. Schroeder to advertise for the sale of a 10' Monroe Snow Plow and the 6610 tractor with mower on Municibid, an online auction site. The motion was carried unanimously.

- Following a brief discussion regarding the transfer of an EDU (Equivalent Dwelling Unit) from the proposed Creekside Development (Developer, Joe Nadu) to the Quarryville Borough Authority, Mr. Shaffer made a motion, seconded by Mr. Gerhart to authorize the transfer of an EDU from the Creekside Development to the Quarryville Borough Authority. Any fees associated with the transfer will be the responsibility of Mr. Nadu. The motion was carried unanimously.
- Following a brief discussion regarding applying for a community development block grant, Mr. Shaffer made a motion, seconded by Mr. Gerhart to authorize the submission of a letter of intent to apply for a community development block grant through the Lancaster County Housing Development Corporation. This grant would be used to make storm water improvements, widen and reconstruct Truce Road between Hollow Road and Main Street. The motion was carried unanimously.

### **SEWAGE OFFICER**

- Marvin Stoner completed 2 perc and probe tests, issued 6 sewage permits and completed 1 planning module with a total of \$1,150.00 remitted to the township for the month of November.

### **MONTHLY REPORTS**

#### **Secretary:**

- Receipts totaling \$156,682.93 were recorded in the month of November.
- Maher Duessel will begin the 2016 audit on January 17, 2017.

#### **Road Master:**

In the month of November the road crew built a parking lot on Fairview Road between Cinder Road and Truce Road for additional parking for the trail. The handicap parking space and entrance onto the trail will be paved in the spring. The road crew also serviced all trucks and equipment. The plows and spreaders are ready when the snow begins. Our intern, Kayla Shirey's, last day was November 23. We were able to finalize our map of the storm sewer system in preparation for the MS4 waiver. The November safety meeting was on Snow Plow Safety.

Projects to be completed in December

- Leaf clean up along roads
- Prepare snow plow routes
- Trim trees
- Start up wood chip boiler
- Purchase materials to build park benches

### **ZONING REPORT:**

- **Storm water escrow release:** Metzler Home Builders (20 Herr Road): \$5,719.45. A motion was made by Mr. Gerhart and seconded by Mr. Schroeder to authorize the release of storm water escrow in the total amount of \$5,719.45. The motion was carried unanimously.
- **William and Tammy Stull, Letter of Credit reduction, 1096 Rawlinsville Road:** After review of the letter by Mark Deimler, Township Engineer, a motion was made by Mr. Gerhart and seconded by Mr. Schroeder to release an amount of \$24,309.16 from the Letter of Credit No. D006993, from Fulton Bank, for storm water improvements completed at 1096 Rawlinsville Road. This reduction would leave a remaining amount of \$700.00 in the Letter of Credit, in the name of William and Tammy Stull. The motion was carried unanimously.

- **Jacob L. & Lydia B. King, 475 Truce Road, civil complaint judgment:** The Kings did not respond to the civil complaint and so the matter was ruled in favor of the township. A judgment of \$12,000.00 was awarded to the township. Mr. Shaffer suggested that the township solicitor prepare options for us to proceed with this matter. Mr. Newcomer will have these options to the supervisors for the January meeting.
- **Quarry Ridge Builders, 288 Hollow Road:** Discussion postponed until January.
- **Creekside Preliminary Subdivision Plan:** The Board acknowledged the ninety (90) day extension of time to act on the plan. This would give the Board until April 10, 2017 to act on the Creekside plan.
- **Creekside Subdivision Planning Module:** Following a brief discussion regarding comment number 45 on the plan, Mr. Gerhart made a motion, seconded by Mr. Schroeder, to complete the module, adopt the module with Resolution No. 16-14 and forward the module to the DEP for final approval. The motion carried with two favorable votes. Mr. Shaffer abstained since he is a neighboring property owner to this proposed subdivision.
- **Jacob Stoltzfus, 2 Oak Bottom Road, storm water management plan:** Following a brief discussion, Mr. Shaffer made a motion, seconded by Mr. Schroeder, to acknowledge the 60 day extension of time for a resubmittal to be made to the township, or until February 3, 2017, with the condition that the money currently owed the township is paid within several days. The motion carried with two favorable votes. Mr. Gerhart voted in opposition to the motion.
- **David Beiler, 722 Truce Road, request for a waiver of the LDP process:** This request pertains to moving two businesses into the structure which used to be B & S Woodcraft. The proposed uses are an engine contractor shop and office and a bakery supply facility. Because of the proposed multiple uses, a land development plan would be required to be approved. After review, a motion was made by Mr. Gerhart and seconded by Mr. Schroeder to grant a waiver of the land development plan process for David Beiler, as pertaining to two uses being operated out of the existing structure at 722 Truce Road, with the condition of completion of compliance of all the conditions of the Solanco Engineering letter, dated November 9, 2016, and any subsequent review letters. The motion carried unanimously.
- **Samuel King, Lot Add-On Plan and waivers, Pennsy and Refton Roads:** Craig Williams, from Strausser Surveying, was present to explain and present this new plan. The plan involves two tracts of land, 223 Refton Road and 191 Pennsy Road, which are both owned by Samuel King. There are no improvements proposed as part of the plan. Mr. King is proposing to add a portion of 223 Refton Road to 191 Pennsy Road. After review and discussion, a motion was made by Mr. Gerhart and seconded by Mr. Shaffer to grant a waiver of Section 402.A.1, plan scale, to allow a scale be used of over the maximum scale allowed of 1" = 50'. The motion was carried unanimously. Mr. Shaffer then made a motion to grant a waiver of Section 402.C.3, to allow the existing features within 200 feet of the parent tract to not be required to be shown on the plan. Mr. Gerhart seconded the motion and it was carried unanimously. A motion was then made by Mr. Schroeder to grant conditional final plan approval of the Samuel King, Lot Add-On Plan, with the condition of completion of compliance with all conditions set forth within the Solanco Engineering letter, dated November 3, 2016, and any subsequent review letters. Mr. Gerhart seconded the motion and it was carried unanimously.
- **Musselman Tract Plan/Eric Probst, Mt. Hope School Road, waiver of the requirement for fencing around the storm water basin:** Craig Williams also explained this waiver request. This fencing is a requirement from the "old" storm water ordinance, from a subdivision started in 2004. The properties are located on Mt. Hope School Road. After review and discussion, a motion was made by Mr. Gerhart and seconded by Mr. Shaffer to grant a waiver of Section 403.15.4 of the 1989 Storm Water Management Ordinance, requirement for fencing around storm water basins with inside side slopes

steeper than 5:1, based on the fact that the current storm water standards would not require such a fence. The property is on Mount Hope School Road and the subdivision was originally entitled the "Musselman Tract". The motion was carried unanimously. After further consideration, a motion was made by Mr. Shaffer and seconded by Mr. Gerhart to authorize the release the remaining storm water escrow for the project to the Roy C. Probst Trust Et Al, in the amount of \$9,900.00, upon payment of the billing due to the township, in the amount of \$641.30. The motion was carried unanimously.

- **Jonas Esh, 557 Sawmill Road, civil complaint:** Following a discussion regarding the silo business and the civil complaint filed at the District Magistrate's office, Mr. Esh stated he is no longer operating the silo business on the Sawmill Road. The Board directed the township manager and Mr. Newcomer to gather all the costs associated with this action. The amount of these costs will be communicated to Mr. Esh. Mr. Gerhart made a motion, seconded by Mr. Shaffer, to withdraw the civil complaint if Mr. Esh pays all the costs associated with filing this action. The motion was carried unanimously.

**ADJOURNMENT:**

- With no further business, Mr. Gerhart made a motion, seconded by Mr. Shaffer, to adjourn the meeting at 8:55 p.m. The motion was carried unanimously.

PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS

ATTEST: \_\_\_\_\_  
Vicki L. Eldridge, Secretary

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David J. Gerhart, Chairman

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C. William Shaffer, Vice Chairman

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John E. Schroeder, Member