

PROVIDENCE TOWNSHIP BOARD OF SUPERVISORS

John E. Schroeder • J. Pepper Goslin • Lori L. Crossen

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



SUPERVISORS MEETING

June 1, 2020

The regular meeting of the Providence Township Board of Supervisors was held in the Township Municipal Office on Monday, June 1, 2020 at 7:00 p.m. Present were Chairman John Schroeder, Vice Chairman J. Pepper Goslin, Member Lori Crossen, Solicitor Melvin Newcomer, Manager Vicki Eldridge and fifty-seven (57) observers.

The meeting was called to order by Chairman Schroeder at 7:00 P.M followed by the Pledge of Allegiance and a moment of silence.

Mr. Schroeder explained that each Supervisor received a copy of the written minutes from the May 11, 2020 board of supervisors meeting. Mr. Goslin asked that changes be made to his comments during old business about the liabilities associated with bicycle riding and horseback riding on the trail. With those changes noted, Mr. Schroeder made a motion, seconded by Mr. Goslin to approve the minutes. The motion was carried unanimously.

FINANCIAL REPORT

- Vicki Eldridge read the financial report.
- Mr. Goslin made a motion, seconded by Mrs. Crossen to ratify the payment of May bills in the amount of \$58,529.41 from the general fund. The motion carried unanimously.

REVIEW OF BUDGET

- Mrs. Eldridge reported that the earned income tax revenue is expected to be down about 10.19%. With that said, Mrs. Eldridge stated that we budgeted this line item conservatively so we may still receive more funds that we had included in the budget. Mr. Goslin noted that real estate taxes were down for the year to date as well. Mr. Schroeder thanked the office staff for limiting expenses during these trying times.

At this time, Mr. Schroeder announced that since there is such a large attendance this evening, the public comment period was being moved to the end of the meeting.

ROADMASTER REPORT

Vicki Eldridge, Township Manager, reported the following:

In May the road crew worked on the following projects:

- Sprayed guard rails;
- Mowed one pass on the trail;
- Mowed road banks;
- Placed pipes and inlet boxes on Pennsy Road;

- Repaired washouts on Clearfield, Pennsy and Sawmill Road; and
- Conducted a Safety Meeting: Working Around Mobile Equipment.

PARKS/RECREATION REPORT

- Mrs. Eldridge stated the next Parks/Recreation Committee meeting will be held on Thursday, July 9, 2020 at 7:00 p.m.
- Mr. Schroeder asked that minutes be taken at these meetings and distributed to the parks/rec committee members and the supervisors.

SOUTHERN LANCASTER COUNTY INTERMUNICIPAL COUNCIL REPORT

- Mr. Goslin stated the May meeting was cancelled. The next meeting will be held on Tuesday, June 16, 2020 at the East Drumore Township Office. Mr. Goslin stated that the committee has been talking with LG Health/Penn Medicine about expanding medical services to the southern end.

OLD BUSINESS

- Mr. Schroeder asked Mr. Newcomer to give an update on the Resolution that was to have been prepared to allow horseback riding on the trail. Mr. Newcomer stated that he thought the initial trail rules were adopted by resolution when in fact they were adopted by ordinance. Mr. Newcomer explained that to amend the rules of the trail, you would need to amend the ordinance. An ordinance needs to be advertised prior to its adoption thus no action could be taken this evening. Mr. Newcomer also stated he needs to have more direction as to what the supervisors wish to include in the amendment to the ordinance.
- Following a brief discussion regarding the Northview Lane Agreement (Quarry Ridge Development) with Quarryville Borough, the supervisors directed the manager to ask Quarryville if they would lower the amount on the agreement from \$1,000 to \$350. This agreement would authorize Quarryville Borough to provide year round maintenance for the portion of Northview Lane located in Providence Township.

NEW BUSINESS

- Mr. Schroeder asked everyone to remember to vote tomorrow, Tuesday, June 2, 2020. Polls are opened from 7:00 a.m. until 8:00 p.m.
- Mr. Schroeder announced the township offices will be closed on Thursday, July 2, 2020 in celebration of Independence Day.
- Mr. Schroeder announced the next zoning workshop will be held on Monday, June 22, 2020 at 7:00 p.m.
- Mr. Schroeder announced that LG Health will hold a blood drive at the township office on Tuesday, July 7, 2020 from 2:00 p.m. until 7:00 p.m.
- Following a brief discussion regarding rescinding the emergency declaration regarding the COVID-19 virus, Mr. Goslin made a motion, seconded by Mrs. Crossen to rescind the disaster declaration effective June 5, 2020. The motion was carried unanimously.

SEWAGE OFFICER

- Marvin Stoner issued 1 sewage permit and completed 1 perc and probe test with a total of \$300.00 remitted for the month of May.

MONTHLY REPORTS

Secretary:

- Receipts totaling \$108,906.89 were recorded in the month of May.

ZONING REPORT

- **Subdivision Escrow Release: New Providence Church of God-\$200.00.** Mr. Goslin made a motion, seconded by Mrs. Crossen to release subdivision escrow in the total amount of \$200.00. The motion was carried unanimously.
- **Buck Investors LP, Subdivision Bond Reduction, 950 Lancaster Pike:** The last reduction of the letter of credit was authorized on March 5, 2020 and a new amount of \$5,000.00 was established. Mark Deimler, Solanco Engineering Associates, LLC performed a site inspection and submitted a review letter dated May 14, 2020. The recommendation per the review letter is to release the bond in the amount of \$5,000.00 upon proof of the as-built plan recording. Mrs. Crossen made a motion, seconded by Mr. Goslin to release the Subdivision Bond for Buck Investors, LP, for Moove In Storage Final Subdivision and Land Development Plan, PT-84FP-07, 950 Lancaster Pike, Quarryville, PA 17566 upon proof of the as-built plan recording and payment of outstanding invoices. The motion was carried unanimously.
- **Creekside Subdivision Final Plan Phase 1, Letter of Credit Reduction, 470 Fairview Road:** The original letter of credit was \$2,496,642.23. The Letter of Credit was last reduced at the May 11, 2020 Board of Supervisors meeting to \$1,947,247.68. Mark Deimler, Solanco Engineering Associates, LLC performed letter of credit reduction inspection on May 27, 2020 and submitted a review letter dated May 27, 2020. The recommendation per the review letter is to reduce the letter of credit by \$466,842.00 and establish the new amount of \$1,480,405.68. Mrs. Crossen made a motion, seconded by Mr. Goslin to reduce the Letter of Credit No. STB223 from Fulton Bank from by \$466,842.00 and establish the new amount of \$1,480,405.68. The Letter of Credit is in the name of Joseph G. Nadu, Jr. for the completion of Creekside Phase 1, PT-271FP-19. The motion was carried unanimously.
- **Daniel Glick, Lot Add-On Plan, PT-282LAO-20, 153 Smithville Road:** The plan is joining one (1) 24.225-acre parcel with one (1) 80.914-acre parcel and subdividing one (1) 11.887-acre parcel. Steve Gergely of Harbor Engineering discussed the plan. Following discussion, Mrs. Crossen made a motion, seconded by Mr. Schroeder to grant waiver of Section 402.A.1, Plan Scale Requirements. The motion was carried unanimously. Mrs. Crossen made a motion, seconded by Mr. Goslin to grant waiver of Section 402.C.3, Existing Features within 200 feet of the subject tract. The motion was carried unanimously. Mrs. Crossen made a motion, seconded by Mr. Schroeder to grant waiver of Section 402.C.4, Existing Features within the subject tract, with the following condition: The plan shall depict the location of the well and septic system located on the parcel identified as 153 Smithville Road. The motion was carried unanimously. Mrs. Crossen made a motion, seconded by Mr. Schroeder to grant waiver of Section 403.D.12, Permanent Markers, with the following condition: The applicant shall mark all property corners not located within the bed and banks of the watercourses that traverse the site. The motion was carried unanimously. Mrs. Crossen made a motion, seconded by Mr. Goslin to conditionally approve the Lot Add-On Plan for Daniel Glick, PT-282LAO-20, 153 Smithville Road, subject to the review comments contained within the March 25, 2020 Solanco Engineering Associates review letter and any subsequent review letters. The motion was carried unanimously.

- **Enforcement Notice, DFB Property Management LLC, 722 Truce Road:** A stone area (impervious) was added to the property without a stormwater permit. Compliance Date: April 9, 2020. Following up from the Board of Supervisors direction in May, Mrs. Martinez sent a letter and received an email response on May 16, 2020 from Mr. Beiler that Strausser Surveying & Engineering, Inc. would be submitting a storm water management plan shortly. Following discussion, the supervisors asked Mr. Beiler to have a plan submitted to the township by the July 6, 2020 supervisors meeting.
- **Landvision LLC, request for zoning map change:** A request has been submitted by Landvision LLC to rezone the parcels located at 748 Lancaster Pike and 752 Lancaster Pike owned by Lancaster Pike Properties LLC. John Pogue of Landvision LLC discussed the rezoning request. Following discussion, Mr. Schroeder made a motion, seconded by Mr. Goslin on acceptance of zoning change request, as submitted, and passing the request along to Mark Deimler, The Township Planning Commission and the Lancaster County Planning Commission. The motion was carried unanimously.
- **Ross Lawn Service, Final Land Development and Lot Add-On Plan, PT-274FP-19, 2328 Beaver Valley Pike, Extension of time:** Email submitted for extension of time for the Supervisors to take action on the Ross Lawn Service, Final Land Development and Lot Add-On Plan for an additional 90 days until September 2nd. The supervisors acknowledged and noted the 90 day extension.

PUBLIC COMMENT

- Carl Hess does not want horses on the trail. He stated that if a path is put alongside the trail, Mark Wilson (engineer) should be consulted.
- Warren Walter asked why the issue of allowing horses on the trail has surfaced. He asked if motorcycles and ATVs will be allowed also. He wanted to know if any of these questions will be answered this evening.

Mr. Schroeder stated that the supervisors would answer these questions at the end of the public comment period.

- Lori Walter said we have a fantastic trail and does not want to see horses destroy it.
- Isa Breneisen is against horses on the trail. She states horses will damage the trail. She also asked how the manure will be handled.
- Tom Benton is against horses on the trail. The manure will be a problem.
- James Barker stated his is a regular trail user. He is concerned with the parking for horse trailers. There is not enough room for them. He stated the PSP have a mounted patrol and should be allowed on the trail if necessary to help locate children or other issues that may surface.
- Linda Voyner is totally against horses. The trail is in great condition now and she feels horses will destroy the surface.
- Frank Voyner expressed appreciation for everyone that came to the meeting. He stated the trail was not engineered for horses. He also stated this issue was brought up over ten years ago and dropped.
- Bev Wimer stated horses will destroy the surface.
- Korleen Calkins stated she has served on the parks/rec committee for over 10 years. She stated initially the trail was opened to horses and we saw the damage that was created by their use. There will be parking issues as well as safety issues with horses. She thanked the township for only mowing one pass to allow the berries to grow and birds to return. She also asked if the supervisors are considering purchasing the Creekside water system.

- Bill Musser stated he serves on the parks/rec committee. The committee has spent many hours cleaning up the trail and providing other maintenance. He is against horses and stated a lot of research was put into the regulations. Horses will tear up the trail.
- Ken Wilson is against horses. He stated there will be parking issues, manure issues and liability issues. He asked if any trail allows horses.
- Janice Kreider stated she sent a picture to the township of manure left on the trail. She does not want to see horses tear up the trail. She stated the trail is beautiful asset for the township.
- Paul Kreider loves the trail. He does not want to see horses tear up the trail. He mentioned the great job the township does with trail upkeep.
- Paul Buehler does not want horses on the trail. Who will be liable for accidents?
- Randall O'Connell thinks the trail is awesome. He does not want horses to tear it up. He also mentioned the great job the road crew has done maintaining the trail. He would be in favor of a trail alongside the walking trail for horses.
- Sis Conrad asked who gets to have the final vote to allow horses.
- Merv Conrad asked who brought this topic back up. Who is responsible for injuries.
- Margie Gascon stated she is in support of horses on the trail. Most equestrians want to walk on trails not run. Also she stated that equestrians do not pick up horse manure, they leave it for fertilizer.
- Shannon Kreider does not want to see horses ruin the integrity of the trail. She is concerned with safety should the horses spook.
- Kevin Kreider stated he enjoys working on the trail, loves to ride bike and hike. He does not want to see the horses ruin the surface. He also is concerned with the manure.
- Darlene Kreider is against horses. She said they will damage the surface, leave manure and spook. She questioned who will complete the repairs.
- Jess Wenger is against horses. Concerned with safety of children.
- Chad Wenger loves hiking and biking on the trail. He is not in favor of horses.
- Roy Musser thanked the road crew for maintaining the beautiful trail. He does not want to see horses on the trail.
- Dan Thomas thanked the road crew for maintaining the trail. He does not want to see horses ruin the surface. He also maintains the blue bird boxes and has seen baby birds being hatched this year.
- Jeff Phillips does not want horses on the trail.
- Toni Phillips does not want horses on the trail. She said the trail is a gem for southern end residents. She asked the supervisors to listen to the parks/rec committee members for advice.
- Carol Reitz does not want horses.
- Catherine Swarr does not want to see horses on the trail. Just today she saw a horse with a 10-12 year old rider spook and go out of control on the trail.
- Adam Bilheimer does not want to see horses on the trail.
- Bonnie Stoeckl stated that you cannot construct a trail off to the side due to the stormwater runoff. She is concerned that Amish will use the trail for commerce.
- Jack Eldridge does not want horses on the trail. He said the trail will become a thoroughfare for horse users.
- Larry Brown agrees with the other comments, no horses. He was involved in a horse accident and he is concerned with the horses that spook.
- Marie Brown does not want horses.
- Greg Hohenwarter said the trail was not engineered for horses and he does not want them to be allowed to use the trail.
- Gail Stewart is not in favor of horses. She thanked Providence Township for the trail and its maintenance.

- Kelly Stigall Jones is a new horse owner. She is surprised you cannot come to a compromise. She is in support of horses on the trail.
- Doug Long stated this horse topic has been discussed years ago. He asked what will it take for you to admit you are wrong. Damage will occur. He asked the supervisors to admit they are wrong.
- John McBeth the Mayor of Akron Borough said the Borough is responsible for the Ephrata Trail. He has seen horses spook and almost run over a child on the Mt. Gretna Trail. He said you have a beautiful trail that is an asset to the community.
- Charlene Petraghani loves the trail and loves horses. She does not want horses on the trail.
- Dan Bender stated his brother works for Conestoga Township and it took 8 hours to repair a small area of their trail due to horse damage. Does not want to see horses on the trail.
- Charles Kneisley stated he uses the trail a lot. He sees horse prints now and it makes it really rough.
- Steve Ober does not want to see horses on the trail.
- Isa Breneisen asked what the horses do when they reach Martic Township. Horses are not allowed in Martic Township.
- Larry Brown stated that the blood drive should be advertised sooner so people can make plans to donate.
- Paul Buehler asked if horseback riders would need to get a permit.
- Korleen Calkins thanked the road crew for maintaining the trail.

At this time the supervisors addressed the questions and concerns of the public.

Mrs. Crossen stated the reason this topic has come up is that the supervisors were hearing of horses on the trail and thought perhaps if horses are already being used on the trail, perhaps they should be authorized to use the trail. She is glad to see so many people in attendance this evening and really appreciated all the valid points raised by those in attendance. She said as an elected official, she wants to listen to the people.

Mr. Goslin stated he is in favor of horses on the trail. He did not think of a potential problem with trail rides. Mr. Goslin is concerned with individual liberties. Mr. Goslin stated that our budget is also a concern at this time.

Mr. Schroeder asked Kevin Kreider how often the township drags the trail. Kevin said in the past it was drug about every three weeks. Currently this is done 1-2 times a year. Mr. Schroeder noted that the parks/rec committee was charged with raising funds for trail maintenance. To his knowledge, this has not occurred. Mr. Schroeder stated the township recently took some trees down that were sold. Those funds will be used for trail maintenance. Mr. Schroeder again asked the parks/rec committee to come up with fund raisers to help with trail maintenance. Mr. Schroeder stated that the horse topic was brought up by the parks/rec committee at their last meeting. Mrs. Crossen stated this topic was brought up following a supervisors meeting in which the topic was mentioned. Mr. Schroeder shared that a survey he asked voters to take at the polls with the question "Do you want horses allowed on the trail", showed 57% of the 255 surveys completed favored horses on the trail. Mr. Schroeder said this speaks volumes to him. Mr. Schroeder is disappointed that the supporters of horses on the trail were not in attendance tonight.

Mr. Schroeder feels that most of the concerns brought up tonight can be handled by allowing the horses to walk on the side of the walking trail. Regarding horse manure, Mr. Schroeder noted there is dog manure on the trail as well. Track indentations on the trail are from people, dogs and bikes, not just horses. The trail can be dragged to smooth horse tracks if they do not heal. He feels that a bike can make deep tracks just like a horse.

Mr. Schroeder stated that when people have a right or certain privilege they tend to speak out about others that want that same right. I think this is a valid concern. He stated that back in the days of slavery, those who supported slavery were already free and they didn't care much about those that wanted the same freedom.

Mr. Schroeder stated that when he ran for office his platform was to reduce regulations and reduce expenditures of the township. He is for the freedom of property owners.

Mr. Schroeder stated that perhaps group of trail riders could be required to obtain a permit similar to the permit required for large walking groups or biking groups.

Mr. Schroeder asked if neighboring townships allow horseback riding.

As for the liability concerns, Mr. Schroeder stated he has the same concern with bicycles, horses and any other trail user in that anyone and/or anything may cause accidents on the trail.

Mr. Schroeder shared how concerned he is for our liberties. He shared how much of our lands are owned by the government.

Mr. Schroeder thanked everyone for coming to the meeting this evening and expressing their concerns. Mr. Schroeder feels that the issues raised this evening are legitimate concerns.

Alex Gruenberg stated that our individual freedoms should allow for ATVs, motorbikes and scooters on the trail as well if horses are allowed.

Mr. Schroeder again emphasized the costs involved with the trail far exceed the cost to drag the trail.

Following a brief discussion regarding moving forward with an ordinance or resolution, Mrs. Crossen feels like we need to have more discussion on these issues. She would like to know that we have been proactive with a plan to handle all these concerns instead of being reactive.

Mr. Goslin feels that we need to address how these issues will be rectified. He thinks we need more discussion on these issues. He is grateful to see everyone that came out to support this cause. Mr. Goslin believes in preserving the liberties of individual citizens which were being interrupted by excessive regulations. He also feels that the limited group of people using the trail should be opened to allow other groups that same right.

Lori Walter asked about the survey taken at the polls. She feels it is being skewed to support the cause. She said it is important to emphasize that the 57% relates only to the 255 people who took the survey. It does not mean 57% of the 7,000 township residents.

Janice Kreider asked how you can get horses to the side of the trail beings most of the gutters are already wet and filled with water.

Merv Conrad asked how a horse can get off to the side on the bridges.

Alex Gruenberg asked stated the side gutters are for drainage. He stated if you believe in freedoms, why not allow motorcycles.

Larry Brown stated a recreational trail if opened to horses should also allow motorized vehicles.

Korleen Calkins would like to have a parks/rec meeting to have more discussions from the members.

Mrs. Crossen stated she is disappointed that there is no one here representing the equine community. Mr. Schroeder stated the equine community probably wasn't aware of this meeting.

Randy O'Connell stated you cannot compare horse hoof prints with those of a bicycle. A horse weighs approximately 1,200 pounds.

Kay Swarr stated that she feels it's obvious the pro-horse people are the supervisors. Everyone else here is against the horses. She said she thought there was going to be a vote tonight.

Chris Harnish asked the solicitor to address liability concerns should an accident occur.

Bill Musser stated the parks/rec committee may not have conducted fund raisers however they have put a huge amount of time (hours) working on the trail doing clean up, maintenance, and other things such as building kiosks. The evidence shows that horses will damage the trail.

ADJOURNMENT

- With no further business, Mr. Schroeder made a motion, seconded by Mr. Goslin, to adjourn the meeting at 9:41 p.m. The motion was carried unanimously.

PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS

ATTEST: _____
Vicki L. Eldridge, Secretary

John E. Schroeder, Chairman

J. Pepper Goslin, Vice Chairman

Lori L. Crossen, Member