

Brecknock Township
Board of Supervisors Meeting
January 13, 2015

The regular meeting of the Brecknock Township Board of Supervisors, Lancaster County that was scheduled for January 13, 2015 was held at the Brecknock Township Building, 1026 Dry Tavern Road, Fivepointville. The meeting was called to order by Chairman Garth Wise at 7:00 p.m.

At this time the Pledge of Allegiance took place followed by Roll Call of Officials.

Present were Garth Wise, Melvin Boyd & Arthur Zerbe.

Michael L. Reinert, P.E. was present as Township Engineer as well as William Cassidy, Esq.

Community Open Session – At this time Larry Horning announced he would be seeking a position on the Board of Supervisors and is looking for signatures for his petition to be placed on the ballot.

Terry Darrow spoke for several residents of Abbey Lane in Bowmansville in attendance who are concerned with the recent No Parking area that has been posted on their street. They are questioning how the side that was posted was selected as well as why is it necessary at all. There was discussion about Emergency vehicles, new development at the end of Abbey Lane currently under construction, plowing during snow storms. The residents are concerned there will not be available parking if any of them would have visitors as well as they are concerned that their vehicles will all be plowed in. They feel that there is plenty of area for parking on both sides of the street and still allow for plenty of travel lanes. The board has agreed to reevaluate the no parking on Abbey Lane.

A motion was made by Boyd and seconded by Zerbe to approve the minutes from the November 11, 2014, December 9, 2014 & January 05, 2015. Motion was approved.

A motion was made by Boyd and seconded by Zerbe to approve the bills as presented. Motion was approved.

ROADMASTERS REPORT – This was Arthur's last road master report. He did mention that the road crew should have new traffic cones. The current ones they have are in really bad shape. 12 will be ordered.

A discussion took place regarding an item of the road master report which was that the garage roof was patched but will need to be replaced this spring or summer.

A motion was made by Boyd and seconded by Wise to accept the Roadmasters Report as presented. Motion was approved.

At this time Michael Reinert presented the **ENGINEERS** report, noting he needed action on following items.

A motion was made by Boyd and seconded by Zerbe to release \$2,975.00 from the Edwin Leinbach's escrow for the completion of the Storm Water improvements leaving a balance of \$338.20 to be held for the required maintenance bond for the structural integrity of the facilities on the property. Motion was approved.

A motion was made by Zerbe and seconded by Wise to release \$2,375.00 from the Andrea Holder's escrow for the completion of Storm Water improvements leaving a balance of \$375.00 to be held for

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the required maintenance bond for the structural integrity of the facilities on the property. Motion was approved.

A motion was made by Boyd and seconded by Zerbe to accept a financial security in the amount of \$9,251.00 for the Brandon Gingrich Storm Water Management facilities which needs to be posted prior to any issuance of any building permits. Motion was approved.

A motion was made by Zerbe and seconded by Boyd to release \$4,275.00 from the Jeffrey Weaver escrow for the completion of Storm Water improvements leaving a balance of \$675.00 to be held for the required maintenance bond for the structural integrity of the facilities on the property. Motion was approved.

A motion was made by Boyd and seconded by Zerbe to release the remaining balance of \$950.00 for the David Newswanger Storm Water Management facilities as it has been inspected and has completed the required maintenance period. Motion was approved.

A motion was made by Boyd and seconded by Zerbe to accept the Memorandum of Understanding, Storm Water Management Agreement as well as a financial security in the amount of \$2,750.00 for the Storm Water Management Facilities located at 1508 Dry Tavern Road. Motion was approved.

A motion was made by Zerbe and seconded by Wise to authorize the release of \$70,198.94 from the letter of credit for Fivepointville Ambulance for the completed items. Motion was approved.

A motion was made by Boyd and seconded by Zerbe to accept the Land Development Agreement for John Smucker at 209 Laurel Road. Motion was approved.

A motion was made by Wise and seconded by Boyd to accept the Roadmaster, Engineer, SEO & Zoning Reports as presented. Motion was approved

No Park & Recreation report, they did not meet last month.

OLD BUSINESS

At this time Bill Cassidy reviewed last month's action of authorizing the advertisement of an Ordinance to affirm the township membership in the PSATS Unemployment Compensation Trust in addition to some administrative and organizational changes which have been in place since 1980. A motion was made by Wise and seconded Zerbe to adopt Ordinance 2015-203 an ORDINANCE AUTHORIZING THE PARTICIPATION OF BRECKNOCK TOWNSHIP IN THE PSATS UNEMPLOYMENT COMPENSATION GROUP TRUST PURSUANT TO THE PENNSYLVANIA INTERGOVERNMENTAL COOPERATION LAW. Motion was approved.

The township has the opportunity to participate in a Health Insurance Cooperative Trust managed by PA State Association of Township Supervisors (PSATS) for Life Insurance that is provided as a benefit to the full time employees. This is not a new benefit just a change in Insurance Carriers. Last month the Board of Supervisors authorized the advertisement of an ordinance to participate in the Cooperative Trust. It has been advertised and posted as required. A motion was made by Boyd and seconded by Zerbe to adopted Ordinance 2015-204 AN ORDINANCE AUTHORIZING THE PARTICIPATION OF BRECKNOCK TOWNSHIP IN THE PSATS UNEMPLOYMENT COMPENSATION GROUP TRUST PURSUANT TO THE PA INTERGOVERNMENTAL COOPERATION LAW. Motion was approved.

A motion was made by Boyd and seconded by Zerbe to authorize the signing of the PA Township Election of Participation for the Life Insurance. Motion was approved.

A motion was made by Wise and seconded by Boyd to authorize the signing of a construction contract between the township and Stewart and Tate for crack sealing of the following roads Country Drive, Clover Drive, Horizon Drive, Glenview Drive, Millstone Drive, Oatfield Drive & Dwight Road at the cost of \$9,900.00. Motion was approved.

A motion was made by Boyd and seconded by Zerbe to authorize payment of payment App #1 and #2 in the amount of \$9,161.50 and \$18,000.00 to Uhrig Construction for the security enhancements to the Township Office. Motion was approved.

NEW BUSINESS

At this time Bill Cassidy discussed some correspondence we received from the Firearms Industry Consulting Group regarding Section 77-2 of the Township Code of Ordinances which prohibits the carrying firearms in the parks. There was a recent case, Dillon v. City of Erie, in which it was successfully argued that Section 6129 of the PA Uniform Firearms Act preempts local government from regulating the lawful possession of firearms. The Commonwealth Court held that section 6120(a) does preempt a local government from regulating the lawful possession of firearms and prohibited the City from regulating the possession of firearms in its parks. After discussion motion was made by Wise and seconded by Boyd to authorize Bill Cassidy to draft an amendment for the Board to review for consideration to Section 77-2 of the Code of Ordinances to comply with the State law and this case. Motion was approved.

At this time possible Road projects were discussed for the year 2015. Arthur suggested that we advertise for a workshop to discuss the options for the roads and invite representatives from the industries (i.e. black topplers. Micro surfacing, etc...). He feels that the best long term solution is to build good roads with Blacktop. The joint bidding group will be meeting on the 21st of January to discussed the bidding process for this year as well as what the others are doing with their roads. All Board members were encouraged to come to gather information.

It was also mentioned that the Roadmaster Steve Kulp would be attending the Low Volume Roads session on the on the 22nd of January presented by Lancaster County Conservation District

A motion was made by Zerbe and seconded by Boyd to authorize the uncollected taxes be forwarded to the Tax Claim office for the year 2014. Motion was approved.

A motion was made by Boyd and seconded by Zerbe to appoint Steve Kulp as the Deputy Tax Collector at the recommendation of the tax collector Nancy Kulp. Motion was approved.

A motion was made by Wise and seconded by Boyd to approve the activity list for the Bowmansville Fire Company for the year 2015. Motion was approved.

A motion was made by Boyd and seconded by Zerbe to approve the activity list for the Fivepointville Fire Company for the year 2015. Motion was approved.

Meeting was adjourned at 8:21 p.m.

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Respectfully Submitted,
Carol L. Martin
Township Secretary/Treasurer