

Brecknock Township  
Board of Supervisors Meeting  
March 8, 2016

The regular meeting of the Brecknock Township Board of Supervisors, Lancaster County that was scheduled for March 8, 2016 was held at the Brecknock Township Building, 1026 Dry Tavern Road, Fivepointville. The meeting was called to order by Chairman Jerry Long at 7:00 p.m.

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

Present were Melvin Boyd, Arthur Zerbe & Jerry Long.

Chairman Long welcomed William Cassidy back as Township Solicitor, Carol Martin, Secretary/Treasurer and Mike Reinert, Twp Engineer.

#### Community Open Session

Ron Funk – presented a hand-outs and read them aloud regarding several topics (Attached to minutes as exhibit).

Garth Wise - Spoke about the list that seems to be a reoccurring topic last few months saying there is a list he has it and will make available to anyone who wants a copy.

Garry Woods asked what was going on on Rt. 625 across from his property (PPL transfer station).

Levi Leinbach talked about his son's property. Mentioned items like needing a permit for their temporary trailer that is being used for the family to sleep in while they are constructing an addition onto their existing home. He felt that if the campgrounds can have trailers in and we don't require them to get a permit his son shouldn't have had to either.

At this time the board was given an opportunity to make comments regarding the Community Open Session.

GUEST – At this time PSP had a representative present to give an update on what's been going on in the township. He also encouraged residence to call them if they have concerns of any kind (speeding on a certain roads, etc..)

At this time the floor was given to Mike Wetherhold from Adamstown Library. Also representing the library was Jane Webber from the library as well. Mike gave an update on the progress of the purchase of a property for the Library. Mike also brought a set of plans along which he put in the lobby for residents to look at if they wished too.

Hearing – Floodplain Ordinance & Amendments - At this time Bill Cassidy explained the new ordinance and amendments that are before the Board for consideration. As discussed in previous meetings, the implementation of legally enforceable floodplain management regulations is necessary for the township to continue to participate in the National Flood Insurance Program (NFIP). FEMA completed an update to the Flood Insurance Study and Flood Insurance Rate Map (FIRM) for Lancaster County that will become effective April 5, 2016. As a result the township is required to update its floodplain management regulations to adopt the new FIRM. In Brecknock Township in order to comply with these regulations we need to amend 3 existing ordinance and adopt the model ordinances which was prepared by DCED. These amendments have been before the Lancaster County Planning Commission and the Brecknock Township Planning Commission for their review and comments. These amendments have also been legally advertised. After little discussion the following motions were made.

A motion was made by Boyd and seconded by Zerbe to adopt Ordinance 208-2016 AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES, AND CORPORATIONS TO OBTAIN A PERMIT FOR ANANY CONSTRUCTION OR DEVELOPMENT; PROVIDING FOR THE

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ISSUANCE OF SUCH PERMITS; SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF THE TOWNSHIP OF BRECKNOCK WHICH ARE SUBJECT TO FLOODING; AND ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL, OR REFUSE TO COMPLY WITH, THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE. All in favor, motion was approved.

A motion was made by Zerbe and seconded by Boyd to adopt Ordinance 209-2016 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF BRECKNOCK BY REVISING AND AMENDING CHAPTER 110, BRECKNOCK TOWNSHIP ZONING ORDINANCE OF 1993, OF SAID ORDINANCE. All in favor, motion was approved.

A motion was made by Boyd and seconded by Zerbe to adopt Ordinance 210-2016 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF BRECKNOCK BY REVISING AND AMENDING CHAPTER 93, BRECKNOCK TOWNSHIP STORMWATER MANAGEMENT ORDINANCE OF 2006, OF SAID ORDINANCE. All in Favor, motion approved.

A motion was made by Boyd and seconded by Zerbe to adopt Ordinance 211-2016 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF BRECKNOCK BY REVISING AND AMENDING CHAPTER 98, BRECKNOCK TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, OF SAID ORDINANCE. All in favor, motion approved.

A motion was made by Boyd, seconded by Zerbe to accept the March 8, 2016 Board of Supervisors minutes as presented. All in favor, motion approved.

A motion was made by Zerbe and seconded by Boyd to approve the bills as presented. All in favor, motion was approved.

Roadmasters Report – Andy requested that the Board consider getting estimates for overlaying Malsnee Road. A motion was made by Zerbe and seconded by Boyd to authorize Mike Reinert to prepare a bid package for the Boards consideration at the April meeting. All in favor, motion approved.

Andy also discussed what the boards wishes were regarding E. Pieffer Hill Road - Andy will get current quotes on that road.

Shop roof discussion – a number thing were discussed as to how the roof can be repaired. It was decided that Jerry will meet Andy and take a look at the roof and report back next month.

Salt bins – the side wall of the salt bin needs to be reinforced it's starting to lean and before it falls it needs to be fixed. Andy would like to get a poured wall so that maybe in the future they could put a roof over them. Andy will get a quote on what a poured wall would cost.

At this time the board reviewed the items that needed action on Michael Reinert's Engineers report:

A motion was made by Boyd and seconded by Zerbe to authorize a reduction in the Curtis Zimmerman financial security in the amount of \$1,425.00 and withholding \$250.00 for the maintenance period. All in favor, motion approved.

A motion was made by Zerbe and seconded by Boyd to authorize a reduction in the escrow for David Brubaker's Storm Water Management for Panorama Drive in the amount of \$2375.00 and withholding \$375.00 for the maintenance period. All in favor, motion approved.

A motion was made by Zerbe and seconded by Boyd to accept the Memorandum of Understanding for Andrew H. Martin of 1209 Woodlyn Drive. All in favor, motion approved.

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A motion was made by Boyd and seconded by Zerbe to accept the Storm Water Management Agreement for Andrew H. Martin. All in favor, motion approved.

A motion was made by Zerbe and seconded by Boyd to accept a financial security in the amount of \$2,750.00 for the Andrew H. Martin for the Storm Water Facilities for the construction of an AG building . All in favor, motion approved.

A motion was made by Boyd and seconded by Zerbe to accept the Roadmaster, Engineer, SEO & Zoning reports as presented. All in favor, motion approved.

**PARK & RECREATION** A motion was made by Boyd and seconded by Zerbe to authorize the purchase of 100CY of playground mulch at the cost of \$2,101.90. All in favor, motion approved.

### **OLD BUSINESS**

A proposed amendment to Chapter 110, Zoning Ordinance has been drafted to amend the regulations regarding the sale of plan, nursery and garden materials. The amendment would read as follows;

- Amend §110-68.A, to read as follows: "The sale of non-plant items, excluding peat moss and mulch, shall be incidental to the business. The display area for such items shall not exceed 15% of the total gross display and sales area on the subject property or 1,500 square feet, whichever is greater."

A motion was made by Boyd and seconded by Zerbe to authorize advertisement for action by the Board of Supervisors at the April 12, 2016 meeting. All in favor, motion approved.

A motion was made by Boyd and seconded by Zerbe to accept the resignation of Levi Hoover from serving on the Zoning Hearing Board. All in favor, motion approved.

A motion was made by Long and seconded by Zerbe to appoint Levi Hoover as Township Zoning/Code Enforcement Officer beginning the second week of April. All in favor, motion approved.

### **NEW BUSINESS**

A motion was made by Boyd and seconded Zerbe to accept the time extension for Ammon Burkholder's Land Development for 1200 Muddy Creek Road. All in favor, motion approved.

A motion was made by Zerbe to adjourn at 7:59pm Boyd seconded. All in favor, motion approved.

Respectfully Submitted,  
Carol L. Martin  
Secretary/Treasurer

presented @ the  
March 8th BOS  
mtg

9 March 2016

To: Supervisors, Brecknock Township Lancaster County

From: Ron Funk; Spokesperson for concerned Brecknock Township Residents

This letter contains a summary of discussions and documents pertaining to zoning violations by Brecknock Township Businesses.

- At the 4 January 2016 Organization Meeting Supervisor Boyd asked why there is a list of zoning violations that target specific businesses. At that meeting Supervisor Zerbe said he had nothing to do with the list and Supervisor Long said he did not intend to threaten anyone.
- At the 12 January 2016 Supervisors meeting Ron Funk presented a letter from concerned residents. This letter said a list of zoning violations was discussed at the January Organization Meeting. Supervisor Long said discussion of zoning violations was not on the 4 January 2016 Meeting Agenda and it is false that there is a list of businesses with zoning violations.
- At the 16 February 2016 Supervisors Meeting Ron Funk presented a letter from concerned residents asking the Township to release the list of businesses with zoning violations. Supervisor Zerbe said there is no list of businesses with zoning violations.
- On 17 February 2016 Supervisor Long sent a letter to concerned residents with notes on a list of businesses with zoning violations that he discussed in December 2015 with Quinn Haller of Technicon.
- In February 2016 it was learned that in December 2015 Technicon presented the Township Supervisors a list of business with zoning violations and asked for approval to investigate the violations. Supervisors Boyd, Wise and Zerbe received the list and agreed to defer consideration to the 2016 Supervisors. It was also learned that the LNP requested the list of businesses with zoning violations and that the Township released the list to the LNP.

Concerned Brecknock residents again request the Township release the list of businesses with zoning violations and that the businesses be contacted and told whether or not the Township intends to investigate the violations.

Sincerely,



Ron Funk