

Brecknock Township
Board of Supervisors Meeting
November 10, 2020

The regular meeting of the Brecknock Township Board of Supervisors, Lancaster County that was scheduled for November 13, 2020 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 Jerry Long, David Leinbach, & Andrew Baum.

Mr. Reinert was present as Township Engineer and Elizabeth Magovern, Twp Solicitor was present as Township Solicitor. Carol Martin noted herself as present.

Community Open Session –No one wished to speak so the meeting continued.

At this time Larry Van Etten made a request before the Board of Supervisors that he be allowed to place a wood lap rail fence on his property which would encroach into the stormwater easement. He's proposing to place a double gate over the easement on the left side of the property to allow for access if it were ever needed. After discussion motion was made by Leinbach and seconded by Baum to allow the fence to be placed as requested with the understanding that if the fence would need to be removed for any reason to gain access it's at the owner's expense. Liz will draft an agreement for the VanEtten's to sign. . All in favor, motion was approved.

The floor was given to Carolyn Reiste, Director of the Adamstown Library. Carolyn updated the Board on the new building progress, what the library is doing related to Covid-19, what services the library offers as well as new services that are available.

The minutes of the October 12, 2020 Board of Supervisors meeting were reviewed and discussed. A motion was made by Baum and seconded by Leinbach to approve the minutes as presented. All in favor, motion approved.

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

Roadmasters Report - nothing to add to the report.

At this time the board reviewed the items that needed action on Michael Reinert's Engineers report and presented by Mr. Reinert verbally at the meeting.

Mike Reinert discussed Ron Hershey's plan as he was not present. It is a lot add on plan for 411 Black Creek Road for James S & Mary Ann Zimmerman. There are several waivers being requested that the Planning Commission has already recommended approving.

Chapter 95-18.D (2) road widening/improvements; Chapter 98-27.C (3) (c) & 47 placement of monuments. Motion was made by Long and seconded by Baum to grant the waivers as requested and contingent on applicant meeting all the recommendations in the Township Engineers letter dated 10/20/20. All in favor, motion approved.

The following items within the engineering report require Board action/approval this month:

1. **James & Mary Zimmerman 411 Black Creek Road Lot Add on Plan** – Planning Commission recommended approval of waivers and conditional final plan approval per letter issued October 27, 2020.

2. **Randall L. Martin Builder SWM** – Issued financial security release recommendation letter dated October 22, 2020 in the amount of \$250.00.
3. **Jay Paul Martin SWM** – Issued financial security release recommendation letter dated October 21, 2020 in the amount of \$250.00.
4. **Robert Landis SWM** – Issued financial security release recommendation letter dated October 21, 2020 in the amount of \$13,228.50.
5. **M3 Explo, LLC SWM** – Issued financial security release recommendation letter dated October 26, 2020 in the amount of \$5,600.00.
6. **Jonathan Martin SWM** – Received memorandum of understanding and stormwater management agreement for action by the Board. Issued financial security recommendation letter dated November 5, 2020 in the amount of \$3,575.00.
7. **RJS Investments Land Development** – Issued financial security release recommendation letter dated October 26, 2020 in the amount of \$26,044.20.
8. **Robert & Deborah Books SWM** – Issued financial security release recommendation letter dated November 3, 2020 in the amount of \$450.00.
9. **Samuel Brubaker SWM** – Issued financial security release recommendation letter dated November 3, 2020 in the amount of \$300.00.
10. **Wilmer Leid SWM** – Received stormwater management agreement for approval by the Board.
11. **Leroy Martin** – Received a Memorandum of understanding.

Long asked Township Solicitor if she sees any reason not to grant all the requested actions on the Engineers report this month. She confirms she sees none. A motion was made by Baum and seconded by Leinbach to accept and approve 2-11 as recommendations noted by the Township Engineer. All in favor, motion approved.

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

PARK & RECREATION At this time a proposed project in Brubaker Park requesting to be done for an Eagle Scout Project & Pathways, to build a small pavilion w/a bench. Board will take action after a presentation that is to be done by the individual requesting permission, Caleb Myers.

Pathways is also seeking permission to construct temporary walls to close off the 2 openings of the fore bay of the barn, at no cost to the township. There is concern as to the fact that they are using the barn and it was not part of their contracted area. There is also concern of safety if a heater were to be used. Liz advised that the rental agreement would need to be revised if the township were to allow them to proceed with the request. The board would like to know if what they are proposing will meet code compliance for outdoor classes and code and safety requirements. This information will be forwarded to them.

OLD BUSINESS

ACT 537 Update – there have been no new developments from Ebert Engineering. There have

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been no contacts made with anyone regarding the draft copies of the plan since Oct 5th email stating we would have the draft in 2 ½ weeks. It should be noted that the township to date has paid Ebert Engineering \$22,441.23 of a cost estimate of \$24,750.00 to complete the update for the 537 plan. Board asked Liz what is their options. Liz will send Ebert's office including some deadlines before the township takes further legal action to get closure to the Act 537 special study. Motion was made by Baum and seconded by Leinbach to authorize Liz to send Ebert Engineering a letter. All in favor, motion approved.

Liz presented the second amendment to the LD Agreement for Villages at Hawk Valley was presented to the Board of Supervisors for signature as discussed in the October 2020 meeting. Motion was made by Baum and seconded by Leinbach to sign agreement as amended. All in favor, motion approved.

Liz presented a Storm Water Easement encroachment & indemnification agreement for Robert & Shirley Redcay to place a landscape wall within an easement on their property. Motion was made by Leinbach and seconded by Baum to sign the agreement as presented. All in favor, motion approved.

A proposed amendment to the amusement tax ordinance was presented by Liz. The amendment would expand on what the township is currently getting from amusements in the township. The proposed Ordinance was advertised and is ready for board action. Motion was made by Baum and seconded by Leinbach to adopt Ord. 222-2020 titled "**AN ORDINANCE OF BRECKNOCK TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF BRECKNOCK, PART II ENTITLED "GENERAL LEGISLATION", CHAPTER 99 ENTITLED "TAXATION", ARTICLE I ENTITLED "AMUSEMENT TAX", SECTION 99.1 ENTITLED "DEFINITIONS; WORD USAGE", LETTER A TO AMEND THE DEFINITION OF AMUSEMENT TAX AND SECTION 99.2 ENTITLED "IMPOSITION OF TAX" LETTER A TO PROVIDE FOR A CAMPING USE TAX RATE**" as presented. All in favor, motion approved.

NEW BUSINESS

LC Drug Task Force contribution – after some discussion regarding funding concerns, a motion was made by Baum and seconded by Leinbach to authorize a donation to the LC Drug Task Force in the amount of \$4,000. All in favor, motion approved.

Proposed 2021 Budget – Jerry thanked Andy Baum and Carol Martin for another great job on the budget. Jerry stated that the road maintenance budget has increased significantly over the past several years. There is a proposed Real Estate Tax increase of 0.15 mills which is \$15 per 100,000 of property value. The other items on the budget are proposed as the same level as 2020. Motion was made by Baum and seconded by Leinbach to authorize the advertising that the proposed budget is available for a public inspection prior to the board taking action on the proposed 2021 budget at their December 8, 2020 meeting. All in favor, motion approved.

A motion was made by Leinbach and seconded by Baum to adjourn at 8:05 pm. All in favor, motion approved.

Respectfully Submitted,

Carol L. Martin

Secretary/Treasurer/Admin.