

## MINUTES

Those in Attendance: Chairman Dylan Coleman, Vice-Chairman Jason Myer, Supervisors: Adam Bills, Keith Landis and Bob Devonshire; Township Manager David Thompson, Secretary/Treasurer Karen Farra, Zoning Officer Walter Hockensmith, Roadmaster Blaine Stoltzfus, Sewer Authority Chairman Bryan Stoltzfus, Sewer Authority Board Member J.B. Stoltzfus, Parks Supervisor Adryan Yothers, Park Foundation Chairman Michael Hartmann, Planning Commission Member Allen Fisher, Park & Recreation Committee Member Raymond Rice, Dennis Groff, Kolby Bills, Wanda Ranck, Joey Narewski, Joshua Knosp, Intercourse Library Board Members which included Mary Alice High, Michelle Lichty, and three other members, Liz Rivera, John Mark Stoltzfus, Elmer Lapp, Marcella Peyre-Ferry (LNP), Mervin King, Jacob King, Neal Hershey, and Sam Petersheim.

### CALL TO ORDER/FLAG CERMONY AT 7:00 P.M.

#### MINUTES

- Jason Myer **motioned** to approve the Board of Supervisors Meeting Minutes for November 19, 2024. Second by Bob Devonshire. All Ayes. **Motion Approved.**

#### TREASURERS REPORT/BILLS

- Adam Bills **motioned** to approve Corrected October 2024 Treasurers Report. Second by Keith Landis. All Ayes. **Motion Approved.**
- Bob Devonshire **motioned** to approve the November 2024 Treasurers Report. Second by Adam Bills. All Ayes. **Motion Approved.**
- Jason Myer **motioned** to approve the December 2024 Disbursement List of Bills to be paid. Second by Adam Bills. All Ayes. **Motion Approved.**

#### PERSONS TO BE HEARD:

- Intercourse Library Board. Michelle Lichty presented the Library's 2024 Status Report and other updates and information regarding library services.
- Liz Rivera, TeamAg, Inc. – Cherry Crest Farms – SWM Plan – Proposed Building & Play Area: Prior to plan presentation, Dylan Coleman and Jason Myer provided letters recusing themselves from any decision making with regard to this project, and Supervisor Adam Bills was designated to preside over presentation of this matter. Thereafter, Ms. Rivera presented the plans and below noted Modification requests for approval. Following plan and modification presentation, the following actions were taken:
  - Keith Landis **motioned** to approve request for Modification of SWM Ordinance Section 404.3.C.5 – Wetlands Delineation. Second by Bob Devonshire. All Ayes. **Motion Approved.**
  - Keith Landis **motioned** to approve request for Modification of SWM Ordinance Section 504.4.a.4 – Minimum Pipe Diameter. Second by Bob Devonshire. All Ayes. **Motion Approved.**

- Keith Landis **motioned** to approve request for Modification of SWM Ordinance Section 506.1.B.3.a. – Loading Ratio. Second by Bob Devonshire. All Ayes. **Motion Approved.**
- Bob Devonshire **motioned** to approve request for conditional plan approval. Second by Keith Landis. All Ayes. **Motion Approved.**

**PUBLIC COMMENT (non-agenda items):**

- Dennis Groff regarding forever chemicals found in sludge being deposited on farm fields at various DEP approved disposal sites through the Country, and the effects those forever chemicals have had on cattle and crops. He said at this time the EPA currently does not require sludge be tested for these chemicals, but the Sewer Authority should be aware of this issue as it relates to any future impacts it may have on the current plant operations. Sewer Authority Chairman Bryan Stoltzfus thanked Mr. Groff for this information and indicated he would discuss the matter with the Authority’s engineer and plant operators.

**CORRESPONDENCE:**

- Ms. Farra presented the December 6, 2024 letter from the Township Solicitor, Appel, Yost & Zee, LLP, regarding 2025 General Billing Rate.
- Ms. Farra presented the December 10, 2024 County of Lancaster letter regarding interim assessment bills.

**TOWNSHIP REPORTS**

**TOWNSHIP MANAGER**

- Updates/Report by Township Manager, David Thompson.
- Mr. Thompson requested approval to schedule a Community Planning town hall meeting for discussion of housing, zoning and other community development/planning issues with Township residents. He advised that Tyler Prickett at Red Caboose offered their event space for use at no charge for the meeting.

**Public Comment:**

Kolby Bills: Mr. Bills expressed his support of this meeting and said it would be good to discuss how new housing and other commercial development will result in the deferral of expenses as it will result in more residents and employees resulting in increased tax revenues.

Dennis Groff: Mr. Groff asked if anything has been, or will be, sent to Doug Brubaker in honor of his service to the Township. Mr. Thompson said he was honored at the annual Township holiday appreciation dinner, but something can be sent to him as well.

After discussion was had, Bob Devonshire **motioned** to approve scheduling the Community Planning town hall meeting. Second by Jason Myer. All Ayes. **Motion Approved.**

### **ROADMASTER:**

- Updates/Report by Roadmaster, Blaine Stoltzfus.

Mr. Devonshire asked how far outside of road right-of-ways snow stakes should be placed. Mr. Stoltzfus said 12" from the side of the road would be good.

### **EMERGENCY SERVICES**

- October 2024 Emergency Services Call Report.
- PVFD November 2024 Report.

### **PLANNING COMMISSION:**

- Updates by Planning Commission Member, Allen Fisher.

### **ZONING HEARING BOARD:**

- Report by Zoning Officer, Walter Hockensmith.

### **PARK & RECREATION COMMISSION:**

- Updates by Park Foundation Chairman, Michael Hartmann.
- Mr. Hartmann presented proposal for replacement of backstops and installation of outfield fences on Fields 3 & 4 and requested approval to proceed with project. He advised the project will be 100% funded by the Park Foundation. Bob Devonshire **motioned** to approve these improvements. Second by Jason Myer. All Ayes. **Motion Approved.**

### **SEWER AUTHORITY & SEO:**

- Updates/Report by Sewer Authority Chairman, Bryan Stoltzfus.

In response to Mr. Stoltzfus' report, the following comments were received.

- Dennis Groff: Mr. Groff said he feels the heart of the financial problems facing the Authority regarding the plant upgrade is that its engineers, Rettew, got over their heads and were not straight forward with the Township about that. Later, Mr. Groff warned that a property owner by the plant is becoming disturbed with the plant upgrade happenings. Bryan Stoltzfus said advised he was scheduled to meet with this resident following this meeting.
- David Thompson: Mr. Thompson said the other issue is that Rettew never answers any questions the Township or Authority present to them and there is no accountability from them. Conversation was had about holding Rettew financially accountable for issues that have arisen and the overall exorbitant increase in the plant upgrade costs.

- Michael Hartmann: Mr. Hartmann said that, ultimately, if the Authority wants any recourse, it will need to pursue legal counsel and a complete review of all documentation to determine if there was a breach of contract.
- Kolby Bills: Mr. Bills said the SOW (Statement of Work) will need to be reviewed and if there is any disagreement between it and what has actually taken place, that is where the authority will be able to get recourse.
- Jonathan B. Stoltzfus, Sewer Authority Board Member: Mr. Stoltzfus expressed the Authority's need for support and input from the Board of Supervisors – the Authority needs their help. He feels Rettew and the Authority's Solicitor just want to drive a wedge between the Authority and the Township. Mr. Bills responded that the Board of Supervisors wants to be partners with the Authority and help it where they can. Mr. Stoltzfus said he thinks it would be ideal for the Board of Supervisors to be under the umbrella of the Sewer Authority.
- Adam Bills: In response to the information provided regarding the status of the plant upgrades, increased costs, and the funding shortfall the Authority is facing, Mr. Bills asked Mr. Stoltzfus if the Sewer Authority could be dissolved and the Township assume overseeing the plant operations. Mr. Stoltzfus explained that because the Authority has facilitated conduit financing to several non-profit organizations (3 loans outstanding), the Authority cannot be dissolved until those loans are paid off. Mr. Bills asked if the Authority could be dissolved on paper so that the Township could purchase the assets of the authority and assume responsibility for overseeing plant operations and the sewer system as a whole. Mr. Hartmann said that the Authority By-Laws have no provisions for the dissolution of the Authority. Mr. Bills explained that the Township has retained a financial advisor, PFM, for advices regarding the Sewer Authority's financial position. They advised the Authority can be dissolved on paper and the assets sold to the Township. He explained that in PFM's attempts to fully advise the Township, they reached out to Rettew, Raymond James, and the Authority's Solicitor. None of them would communicate with them. Bryan Stoltzfus said Rettew and the Authority's Solicitor have taken the position the Board of Supervisors/Township should have no involvement in the situation unless they are going to guarantee the Authority debt.

**OLD/NEW BUSINESS:**

- Adam Bills **motioned** to adopt Resolution 2024-13 Setting Forth the Compensation for the Township Manager for 2025. Second by Jason Myer. All Ayes. **Motion Approved.**
- Jason Myer **motioned** to approve advertising Ordinance 2025-01, an ordinance establishing a speed limit on S. Kinzer Road between Rt. 30 and Rt. 741. Second by Keith Landis. All Ayes. **Motion Approved.**
- Adam Bills nominated and **motioned** to appoint Tom Denlinger as Township Auditor for the 2025 calendar year to fill seat vacated by Douglas Brubaker. Second by Bob Devonshire. All Ayes. **Motion Approved.**

- Discussed Act 94 of 2024, which became effective December 1, 2024, and provides for increasing the allowable compensation caps for township supervisors. After discussion was had, it was resolved an Ordinance providing for an increase of the annual supervisor compensation consistent with this Act would be prepared for consideration at the January 6, 2025 Board of Supervisors Reorganization meeting.

**ANNOUNCEMENTS:** None.

**ADJOURN:**

- At 8:10 p.m., Adam Bills **motioned** to adjourn meeting. Second by Jason Myer. All Ayes. **Motion Approved.**

Respectfully Submitted By:

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Karen E. Farra, Secretary/Treasurer