

MINUTES

Those in Attendance: Vice-Chairman, Allen Fisher; Supervisors: Raymond Rice, Craig Keenan and Samuel Beiler; David Thompson, Township Manager; Karen Farra, Secretary/Treasurer; Walter Hockensmith, Zoning Officer; Blaine Stoltzfus, Roadmaster; Frank Mincarelli, Esq., Township Solicitor; Michael Hartmann, Sam Petersheim, Wanda Ranck, Dave Anderson, Amos A. Stoltzfus, Jacob Brubaker, Tome Denlinger, K. Devone, Ivan Ebersol, Jason Smith, Marcella Peyre-Ferry (LNP), Kevin Baker DK Smokin', Dewey Null, Chris Montagna, Aaron & April Fankhauser, Jim Knosp, Joshua Knosp, Paula Knosp, Ivan King, Alvin Fisher, Mark King, Barry Yunkin, Jr., Amos Fisher, Jr., Christ Fisher, Marlin G. Groff, Rick Cummings, Daniel Beiler, Manny Stoltzfus, Christy Fieldsa, Daniel Beiler, Jacob Dolbow, Clint Younce, Jonas Fisher, Travis Hoover, Elmer Lance and Neal Hershey.

CALL TO ORDER/FLAG CEREMONY AT 7:00 PM

PUBLIC HEARING:

- Adoption of Ordinance No. 2022-3, An Ordinance of the Township of Paradise, Lancaster County, Pennsylvania, Amending the Paradise Township Stormwater Management Ordinance.
- David Thompson, Township Manager, provided public and Supervisors with overview/summary of Ordinance updates/requirements.
- Public Comment was taken regarding Ordinance as follows:
 - Sam Petersheim asked if these ordinance updates are done every year, if the Township is still required to do stormwater management projects and does DEP help fund stormwater projects. Mr. Thompson replied that that ordinance updates are only made when DEP makes changes to their requirements. He explained that yes, the Township is still required to do various stormwater management projects in order to comply with DEP's requirements and expressed his concern that as DEP continues to change their requirements, there will be more and more projects that must be completed in order for the Township to stay in compliance. Mr. Thompson said he anticipates there will be new and heftier requirements passed down by DEP over the next 2 – 4 years, especially since the last Census population count resulted in Paradise Township being considered "urban" rather than rural.
- At conclusion of public comment, Craig Keenan **motioned** to Adopt Ordinance No. 2022-3 An Ordinance of the Township of Paradise, Lancaster County, Pennsylvania, Amending the Paradise Township Stormwater Management Ordinance. Second by Samuel Beiler. All Ayes. **Motion Approved.**

MINUTES

- Samuel Beiler **motioned** to approve the Workshop Meeting Minutes for June 14, 2022. Second by Ray Rice. All Ayes. **Motion Approved.**
- Samuel Beiler **motioned** to approve the Board of Supervisors Meeting Minutes for June 21, 2022. Second by Craig Keenan. All Ayes. **Motion Approved.**

TREASURERS REPORT/BILLS

- Ray Rice motioned to approve the June 2022 Treasurer's Report. Second by Craig Keenan. All Ayes. **Motion Approved.**
- Upon review of the July 2022 Disbursement List of Bills, it was determined payment of the Winter Generator Service invoice for the Community Building generator would be deferred until the August 2022 Board of Supervisors Meeting. Thereafter, Craig Keenan **motioned** to approve all other invoices on the July 2022 Disbursement List of Bills for payment. Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Karen Farra, Secretary/Treasurer, advised the Supervisors that the second tranche of ARP funds will not be disbursed in June 2022.

PERSONS TO BE HEARD/PUBLIC COMMENT: None.

CORRESPONDENCE:

- Eagle Disposal notice regarding fuel surcharge.
- East Lampeter Township June 22, 2022 notice regarding Zoning Ordinance Amendments.
- DEP July 8, 2022 email regarding working in streams and wetlands.
- APWA Lancaster County Branch 2022 Golf Tournament Invitation.

TOWNSHIP REPORTS

TOWNSHIP MANAGER

- Updates by Township Manager, David Thompson.
- Mr. Thompson presented information regarding SMS Engagement, a text message notification system to the Supervisors and the public for their input and feedback. Public Comment was taken on this matter as follows:
 - Sam Petersheim asked if there is a cost associated with the service. Mr. Thompson said there is a cost to the Township, but not the residents.
 - Christy Fieldsa said she felt it was a good idea if residents can select which type of notifications they receive, i.e., road closures, etc.
 - Wanda Ranck asked if weather alerts/warnings could be sent. Mr. Thompson said yes.

No further action was taken regarding the SMS Engagement proposal.

ROADMASTER:

- Updates/Report by Roadmaster, Blaine Stoltzfus.
- Mr. Thompson presented the 2022 Road Materials and Oil & Chip Bid results to the Supervisors for consideration. Craig Keenan **motioned** to award the bids as presented. Second by Samuel Beiler. All Ayes. **Motion Approved.**

EMERGENCY SERVICES

- Updates by Township Manager, David Thompson.
- Mr. Thompson presented the June 2022 Emergency Services Call Report. A copy of the report was provided to Wanda Ranck upon her request.

PLANNING COMMISSION:

- Updates by Supervisor, Allen Fisher.

ZONING HEARING BOARD:

- Report submitted by Zoning Officer, Walter Hockensmith, with comment to the public regarding burning violations and advised of the burning ordinance and general requirements of same.
- Joshua Clinger – 3551 Lincoln Hwy E: Craig Keenan **motioned** to ratify July 14, 2022 Nuisance Ordinance Violation Notice, Ordinance #4-1982, Section #2 (E) regarding allowing growth of grass, weeds or other vegetation non-edible or planted for some useful purpose, to exceed a height of six (6) inches, or to throw off any unpleasant or noxious odor or pollen. Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Christopher Montagna – 41 Creekview Drive: Courtesy Letter regarding barriers across Emergency Access Easement Drive in Village of Paradise at Rt. 30 and Creekview Drive. Discuss Mr. Montagna's June 29, 2022 email regarding this notice and proposals to prevent trespassing via the Emergency Access. Mr. Montagna presented his concerns with regard to the Emergency Access Easement, to include trespassing and traffic issues he and his neighbors have experienced. Mr. Montagna proposed replacing existing paved access with permeable tile/grass system and provided information regarding this system to the Supervisors. Multiple unidentified residents offered comment regarding their concerns and opinions regarding the Emergency Access. It was resolved the Township would discuss the matter with Paradise fire companies and EMS for their input with regard to the Emergency Access.

PARK & RECREATION COMMISSION:

- Updates by Supervisor, Ray Rice. Mr. Rice reviewed the most recent financial statement provided to the Supervisors and advised account balance is now significantly reduced as payment for the new field lights has since been made.

- Mr. Rice announced to the public that the annual Community Day event will be held on Friday, August 5, 2022.
- Mr. Thompson provided KCP Generator Grant Updates and advised the Supervisors he learned that since this is a reimbursement grant, the Township can choose not to pursue this project without any repercussions. Discussion was had as to status of project and increased expenses. It was resolved determination of whether or not to continue with the generator project would be tabled until a later date since the Township has until June 2023 to decide what to do.

SEWER AUTHORITY & SEO:

- June 6, 2022 Minutes of Paradise Township Sewer Authority.
- Updates by Township Manager, David Thompson. Mr. Thompson announced Brian Kauffman's (Rettew) formal retirement and thanked him for his assistance and efforts on behalf of the Township.

OLD/NEW BUSINESS:

- Paradise Township v. Isaac Colon: Frank Mincarelli, Esq., Blakinger Thomas, presented the June 30, 2022 letter and enclosed Notice of Entry of Judgement, and explained the Townships options let the Judgement remain of record only, or pursue collection. The Board resolved to permit Mr. Mincarelli to run a PennDOT check to determine if there is a vehicle that can be levied upon.
- Supervisors reviewed and accepted the proposed Request for Proposals for Independent Auditing Services as presented for circulation.
- Ray Rice **motioned** to approve \$500 donation to Next Gen Services for 29th Annual Fall Fest. Second by Craig Keenan. All Ayes. **Motion Approved.**
- David Thompson presented An Ordinance of Paradise Township, Lancaster County, Pennsylvania, Regulating the Installation of Partition Fences. Mr. Mincarelli provided legal considerations for the Ordinance. Public comment was had on the matter as follows:
 - Daniel Beiler asked if the ordinance would include farm fencing. Mr. Mincarelli advised it would not – only partition fences.
 - Wanda Ranck expressed she feels fence guidelines would be better than an ordinance.
 - Other informal general comment was provided by multiple individuals.

The Supervisors stated they would prefer to see the Township institute guidelines for partition fence rather than adopting an ordinance.

- Mr. Thompson presented sample ordinance regarding short term rentals for discussion about adopting a like ordinance in Paradise Township. He explained the main purpose in having such an ordinance is to ensure the safety of renters and to provide a “registry” of sorts so the Township would know where the short term rentals are. Currently, there are no zoning ordinance regulations regarding short term rentals. Public comment was taken as follows:
 - Paula Knosp shared that ABNBs are required to have a special insurance policy; however, that policy does not regulate safety matters, such as smoke/CO2 detectors, etc.

- Sam Petersheim asked if the Township would dictate who can have an ABNB. Mr. Thompson said no, only a registration/application would be required.
- Amos Stoltzfus explained that when a property owner registers with ABNB, there is a check list of requirements that need to be met that includes items such as smoke/CO2 detectors.
- Daniel Beiler provided comment regarding issues with an ABNB on Cherry Hill Road.
- Neal Hershey advised his parents have an ABNB at which they have had issues with renters that resulted in the police being called. He said ABNB has an area where ABNB owners and review groups of renters and make comment as to any issues with those renters.
- Michael Hartmann, Zoning Hearing Board member, explained special exception process for granny flats and that maybe this could be used as a basis for developing process for short term rentals/ABNBs.

No action was taken by the Supervisors on the short-term rental ordinance proposal.

- Ray Rice **motioned** to approve conversion of Secretary/Treasurer position from part-time to full-time hours. Second by Craig Keenan. All Ayes. **Motion Approved.**
- Consider email request of DK Smoking BBQ, Kevin & Dana Baker, to use the Township's lower parking lot on Saturdays and Sundays to operate food truck from. Mr. Baker was present to answer any question regarding this request. The Supervisors provided comment regarding liability issues, allowing use of Township facilities for for-profit uses, etc. After some discussion, it was resolved this request would be tabled pending Mr. Thompson further discussing the matter directly with Mr. Baker.

PERSONS TO BE HEARD/PUBLIC COMMENT:

- Sam Petersheim: Mr. Petersheim voiced comments and questions regarding proposed fence ordinance with regard to how it will apply to Agricultural and Residential zoning districts/uses, and squatters' rights. Mr. Mincarelli explained ordinance applies to partition fences only – not agricultural fences, and sets forth limits on height, materials, and setbacks for property maintenance purposes. He explained ordinance would require fences to be placed 2 feet from the property line. He further stated that squatters' rights only occur at after 21 years and can be eliminated with a letter from the property owner to the squatter.
- Wanda Ranck: Mrs. Ranck expressed her disagreement and frustration with the way the Township has handled the emergency services merger and the treatment of Paradise Leaman Place Fire Company.
- Elmer Lance: Mr. Lance inquired about the emergency access easement on Creekview Drive. Mr. Hockensmith confirmed that the easement is deeded to the Township, it is not a public thruway, and is meant for use by emergency services vehicles only. Mr. Fisher explained that barriers cannot be placed in the easement that cannot be run over/through by a fire truck or ambulance
- An unnamed gentlemen asked Roadmaster Stoltzfus if the Township has equipment to fill in the horse tracks on the roads. Mr. Stoltzfus explained the type of equipment used to do this work.
- Tom Denlinger: Mr. Denlinger stated he lives in Gordonville's call area, but every year he gets a letter from Strasburg for dues to pay to the Strasburg ambulance (LEMSA) and a letter from Gordonville. Sam Petersheim asked Mr. Denlinger if he feels unsafe as a result of the merger of emergency services. Mr. Denlinger said he does not and he is very pleased with how the Township has handled the merger.

ADJOURN

- At 8:44pm, Samuel Beiler **motioned** to adjourn. Second by Craig Keenan. All Ayes. **Motion Approved.**