

MINUTES

Those in Attendance: Chairman Adam Bills, Vice-Chairman Allen Fisher, Supervisors: Craig Keenan and Samuel Beiler, Township Manager David Thompson, Township Secretary/Treasurer Karen Farra, Township Solicitor Frank Mincarelli, Zoning Officer Walter Hockensmith, Roadmaster Blaine Stoltzfus, Bryan Stoltzfus, Michael Hartmann, Doug Brubaker, Daniel Beiler, Elmer Esh, Randy Kunkel, Cindy Hockensmith, Kim Skethway, Amos Fisher, Lavern Riehl, Jake Brubaker, Samuel L. Esh, Joshua Knosp, Paula Knosp, Nick Lopez, Christy Fieldsa, Ivan King, Clint Younce, Steve Shearer, Sam Petersheim, David Johnson, Tom Denlinger, Bob Bills, Jason Shaner, Attorney Bryan Beiler, Charles & Janet Groff, Ron Blank, Dennis Oberholtzer, and other members of the community that did not sign in.

CALL TO ORDER/FLAG CEREMONY

PUBLIC HEARING:

- Charles and Janet Groff – 35 S. Kinzer Road - Petition to Amend the Paradise Township Zoning Ordinance. Attorney Bryan Byler presented proposed re-zoning plans which would convert a portion of the Groff's property from Agricultural (A) Zoning District to the Commercial Industrial (CI) Zoning District. Attorney Byler advised of the status of the Lancaster County Planning Commission's ("LCPC") review of the plan. It was resolved this matter would remain open pending receipt of the opinion of the LCPC with the findings and ruling of the Board of Supervisors to be stated at the June 21, 2022 meeting of the Supervisors.
- The adoption of Ordinance 2-2022 Amending the Official Zoning Map for Paradise Township to Change the Zoning Classification of a Certain Tract of Land from Agricultural (A) Zoning District to the Commercial Industrial (CI) Zoning District is stayed until the June 21, 2022 Board of Supervisors meeting.
- Township Manager, David Thompson explained purpose and of Ordinance 1-2022 to the public. Thereafter, Craig Keenan **motioned** to adopt Ordinance No. 1-2022, An Ordinance Amending the December 16, 1997 Ordinance Which Created the Office of Township Manager/Roadmaster. Second by Samuel Beiler. All Ayes. **Motion Approved.**

MINUTES

- Samuel Beiler **motioned** to approve the Board of Supervisors Workshop Meeting Minutes for April 12, 2022. Second by Allen Fisher. All Ayes. **Motion Approved.**
- Samuel Beiler **motioned** to approve the Board of Supervisors Meeting Minutes for April 19, 2022. Second by Craig Keenan. All Ayes. **Motion Approved.**

TREASURERS REPORT/BILLS

- Craig Keenan **motioned** to approve the April 2022 Treasurer's Report. Second by Allen Fisher. All Ayes. **Motion Approved.**
- Samuel Beiler **motioned** to approve the May 2022 Disbursement List of Bills to be paid. Second by Craig Keenan. All Ayes. **Motion Approved.**
- Secretary/Treasurer, Karen Farra, presented Lancaster Chamber 150th Anniversary Voluntary Contribution request to the Board of Supervisors for consideration. The Supervisors unanimously decided no additional contribution would be made.

PERSONS TO BE HEARD/PUBLIC COMMENT:

- Jason Shaner, Impact Engineering - Lavern G. Riehl - 272 South Kinzer Road - Stormwater Management Plan. Mr. Shaner presented proposed stormwater management plans to the Board of Supervisors and requested conditional approval of the plans. After discussion was had, Craig Keenan **motioned** for conditional approval of the proposed plans. Second by Allen Fisher. All Ayes. **Motion Approved.**
- Jason Shaner, Impact Engineering – David Beiler - 74 Iva Road - Stormwater Management Plan. Mr. Shaner presented stormwater management plans for this project to the Supervisors. Township Solicitor, Frank Mincarelli questioned Mr. Shaner with regard to status of the lot tracts as the tax parcel record show as one lot, yet the plans presented shows two separate tracts. Mr. Shaner said it is their position each tract is a separate lot under a common deed and read to the Supervisors and Mincarelli an email from his consultation on the matter with Attorney Seth Hiller of Blakinger Thomas wherein Attorney Thomas provided his legal analysis and opinion in support of each tract being a separate lot under a common deed. These advices were accepted by the Supervisors and Attorney Mincarelli. Attorney Mincarelli provide draft copies of the escrow and stormwater management agreements he prepared for this project at the request of Mr. Shaner and Mr. Beiler. Mr. Shaner asked the Supervisors if they would entertain conditional approval of the stormwater management plans at this time. The Supervisor declined this request at this time.
- Jason Shaner, Impact Engineering - Ronald Blank - 275 S. Belmont Road. Mr. Shaner requested permission to present plans for this project at this time though the matter is not on the Agenda. Pursuant to his request, Samuel Beiler **motioned** to have this matter added to the Agenda as a briefing item only. Second by Allen Fisher. All Ayes. **Motioned Approved.** Mr. Shaner proceeded with presenting the stormwater management plans and providing a status update on the matter. He indicated the revised plans would be resubmitted to the Township Engineer, Rettew, this week, and it is his intention to come back before the Board of Supervisors at the June 21, 2022 meeting to request approval of the plans.

Before proceeding with any further public comment, Township Manager, David Thompson, issued public comment policy guidelines. Thereafter, the following public comment ensued.

- Steve Shearer: Mr. Shearer stated he lives on Hershey Avenue and relayed issue with truck traffic coming through area from Capital Forest Products on Meadow Lane. He suggested the Township maybe place signs to deter truck traffic from using Hershey Avenue. Michael Hartmann

recommended a stipulation that truck traffic exit to the south side and indicated he believes the property owners would be amenable to working with the Township. He further advised that during the Zoning Hearing Board and planning stages, the owners had represented the truck traffic would be the same as was with the auction house, which has not held true. It was discussed that an ordinance would need to be put in place for any new signage to make it enforceable. The Board of Supervisors took this matter under advisement with the intent to pursue allowable remedies by the Township to cure the problem.

- Sam Petersheim: Mr. Petersheim asked if the list of permits presented by the Zoning Officer, Mr. Hockensmith, includes permits issued. Mr. Hockensmith said that most of the permits listed are issued, but now and again, a few are still under review. He then explained the permit review process. Mr. Petersheim asked how many permits get rejected. Mr. Hockensmith said none get rejected. The permits are reviewed and then the applicant is advised if the permit cannot be approved as submitted and of any needed revisions in order to be approved. Once the appropriate revisions are made and submitted, the permit will then get approved. Mr. Lopez, former Zoning Officer in attendance at the meeting, confirmed this process and concurred that he does not recall any permit be rejected. Mr. Petersheim thank Mr. Hockensmith for this information.

CORRESPONDENCE:

- Lancaster County Conservation District April 12, 2022 memorandum regarding LCCD Annual Banquet on June 6, 2022. The Supervisors were asked to let the Secretary, Ms. Farra, know if they wished to attend the banquet.
- David P. King – 42A Cherry Hill Rd – Sewer Module: PA Department of Environmental Protection May 10, 2022 Technical Deficiency Letter – Revision (*Briefing Item Only*).
- American Public Works Association (APWA) Spring/Summer 2022 newsletter.
- Invitation to America250PA Gettysburg Press Event on June 2, 2022 at 10:00am.

TOWNSHIP REPORTS

TOWNSHIP MANAGER

- Updates by Township Manager, David Thompson.
- Mr. Thompson presented *Township Important Information* brochure to the Supervisors for consideration/approval indicating it would cost \$350 for 1,000 mat copies. Samuel Beiler **motioned** to approve printing and circulation of brochures. Second by Allen Fisher. All Ayes. **Motion Approved.**
- Mr. Thompson presented RoadWay pavement condition assessment product proposal to the Supervisors. It was resolved Mr. Thompson would participate in demonstration and speak with Manheim Township, who uses this product, then come back before the Board of Supervisors with more detail and information.
- Updates regarding Allan Myers complaints. Mr. Thompson advised of his communications thus far with the Township Solicitor, Frank Mincarelli, and Allen Myers. He stated he is to have a site meeting at some point with Allen Myers. Mr. Mincarelli

advised that the PA Department of Environmental Protection would be who handles complaints regarding odors and the most issues surrounding the plant, are governed by the State, so there is not much the Township can do. Chairman Bills advised of pictures of dust issues. Mrs. Fieldsa what are they to do when the smell occurs after normal business hours and/or when it is gone by the time anyone from DEP can get there? Mr. Mincarelli advised this is a question to be put to DEP. Chairman Bills advised the Township would be maintaining a log of events that can be given to DEP. Mrs. Fieldsa said that Adam at Allen Myers was to be tracking issues/complaints and suggested the Township ask him for his list/log. Mr. Mincarelli suggested the Township notify the state air quality persons. Nick Lopez said since the local DEP office relocated to Reading, it has been more difficult to reach them and have any action taken. He was advised they would not accept pictures or videos taken by the Township or any other third parties - they had to witness the issues directly themselves. Michael Hartmann advised the Zoning Hearing Board records should show the environmental impacts Allen Myers presented at the special exceptions hearing.

EMERGENCY SERVICES

- Updates by Township Manager, David Thompson. Mr. Thompson presented monthly call report and advised of May 17, 2022 correspondence provided to Mr. Barry Yunkin, President, and Mr. Neal Hershey, Chief, of Paradise Leaman Place Fire Company.

ROADMASTER:

- Updates by Township Manager, David Thompson. Mr. Thompson advised of ongoing work to resolve curbing, stormwater runoff and sink hole issues at Vintage Business Park, including working with new land developer, Breeo, to adjust stormwater management plans to resolve some of the issues.

PLANNING COMMISSION:

- Updates by Supervisor, Craig Keenan.
- Red Caboose Motel Minor Land Disturbance - May 2, 2022 Rettew Review Letter & status update by Township Manager, David Thompson.

ZONING HEARING BOARD:

- Report submitted by Zoning Officer, Walter Hockensmith

PARK & RECREATION COMMISSION:

- Updates by Supervisor, Ray Rice.
- Discuss incident regarding kids climbing on Girl Scout cabin roof and various options for site security, signs, etc. Mr. Hartmann advised of security systems currently in place

(security cameras, motion detectors, monitors, etc.). It was proposed to contact constable about providing security/enforcement of park rules.

- Determine need to re-establish park security. Pursuant to the above, Samuel Beiler **motioned** to approve contacting constable about providing security/enforcement. Second by Allen Fisher. All Ayes. **Motion Approved.**
- Rettew proposal for putting Community Building Generator project out for bid. Mr. Thompson presented Rettew proposal of \$5,550 to prepare and handle generator project bid. He advised that the current estimated cost for installation of the generator prior to the bid process is \$35,000. Discussion was had about the location of the generator. Mr. Thompson advised of the extension granted until next year to complete the project. Additional discussion was had regarding costs and need for Rettew to handle bid. Mr. Hartmann mention that if the Park and Recreation Commission may be able to defer some funds from the grant for the tractor shed to the generator project. Allen Fisher **motioned** or approval of Rettew proposal to put generator project out for bid. Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Secretary/Treasurer, Karen Farra, requested approval for Forgotten Friend Reptile Sanctuary proposal to provide 1 hour show at August 5, 2022 Community Day Event. Mr. Hartmann said to forward the proposal to him to present the Parks and Recreation Commission for approval by them to pay for show.

SEWER AUTHORITY & SEO:

- April 4, 2022 Minutes of Paradise Township Sewer Authority.
- Bryan Stoltzfus, Chairman of the Paradise Township Sewer Authority Board, provided updates regarding generator issues and status of plans for plan upgrades. He advised the final plans for plant upgrades are to be presented at the June meeting of the Sewer Authority and that the ARC permit has been granted.
- Mr. Thompson presented the Lancaster County ARPA Funding application requesting \$500,000.00 in funds to be used towards the sewer plant upgrades. Mr. Mincarelli advised the Sewer Authority is handling this matter, but the Supervisors can approve it as well. Craig Keenan **motioned** to approve the Lancaster County ARPA Funding application. Second by Samuel Beiler. All Ayes. **Motion Approved.**

OLD/NEW BUSINESS:

- Samuel Beiler **motioned** to adopt Resolution 7-2022 Setting Forth Compensation for the Township Manager. Second by Allen Fisher. All Ayes. **Motion Approved.**
- January 7, 2022 Memorandum from Kara Kalupson, MS4 Coordinator, Rettew, regarding 2022 Model Stormwater Updates as Required by 2018 MS4 Permit. Mr. Thompson explained the requirements to update the MS-4 Ordinance and requested permission to advertise adoption of DEP 2022 Model SWM Ordinance at public hearing on June 21, 2022. Craig Keenan **motioned** to approve request to advertise ordinance. Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Application to request Lancaster County ARPA Funding (see *Sewer Authority & SEO* above).

- Secretary/Treasurer, Ms. Farra, presented Intergovernmental Insurance Cooperative (IIC) 2022 Non-Charter Board Member May 19, 2022 Election information and Nomination Form to the Supervisors and explained option to nominate someone from Paradise Township to run for election to this Board. No nominations were made.
- April 21, 2022 Letter of Resignation and Recommendations from all three Elected Auditors was presented. Mr. Keenan provided second copy of letter signed by Auditor Kevin McClarigan. After discussion regarding same, Craig Keenan **motioned** to accept resignation. Second by Allen Fisher. All Ayes. **Motion Approved.**

PERSONS TO BE HEARD/PUBLIC COMMENT:

- Steven Shearer relayed information regarding accident at Belmont Road and Route 30 to which Gordonville Fire & EMS and Kinzer Fire Company responded, but the rescue from Gap was called (and recalled) rather than the rescue from Paradise Leaman Place Fire Company. He commented that Paradise Leaman Place should not have been taken off the call boxes and he feels it is doing more harm than good to have done this. He further stated that he understands there are personal feelings and issues regarding the situation, but everyone just needs to grow up and get along so Paradise Leaman Place can be put back on the call boxes. Chairman Bills responded to Mr. Shearer's comments advising the Township does not handle fire company operations and the fire companies are working together to address the issues at hand. Chairman Bills said he feels that there is good coverage in place and though he cannot comment on the situation at Belmont and Route 30, he appreciates Mr. Shearer's comments.
- Dennis Oberholtzer stated he is disgruntled with how information regarding the Paradise Leaman Place matter was given. Paradise Leaman Place has been around since Rt. 741 was a dirt road. He feels we need the fire company and that there are plenty of volunteers. Mr. Oberholtzer pointed out that if we look at a map, all of the fire companies are on the north side of Route 30 and referenced a letter he received from Strasburg Fire Company. He said the problem he sees is that there is no south side fire company and there has been, and is, a lot of development on that end of the township. Strasburg Fire Company cannot handle all of this area as they can't get out on time when there is a lot of tourist traffic. He feels it makes no sense to close Paradise Leaman Place, nor to maintain that same location for them. He would propose the Township consider a new fire company being placed in the south side of the township. He stated the population is 8 times what it was when he was born here. Mr. Oberholtzer referenced the issue they had with the "fire bug" years ago burning barns, and the number of calls he noticed over a two month period last fall/late summer – it seemed there were either ambulance or rescue calls almost daily. He asked that the Township take a look at the situation to see what's going on and consider his proposal of a south side fire company. Chairman Bills responded that it is definitely worthy of looking into the future location of emergency services and that this has been a topic of discussion along with that of volunteers.
- Christy Fieldsa asked about the status of the Paradise Truck & Tire violations. Mr. Hockensmith advised that he had a meeting with them last week, the stormwater management plans were approved today, and that tires have been removed and they are currently in compliance with PA DEP requirements.

- Clint Younce addressed the Supervisors asking, “So you have no idea what is happening?” (with regard to status of fire company merger). Mr. Younce said they (Paradise Leaman Place Fire Company members) are not hearing anything - that they keep getting blocked by Kinzer Fire Company and Gordonville Fire & EMS making the feel like they are not worth serving the Township. Chairman bills stated that he would need to talk with Kinzer Fire Company and Gordonville Fire & EMS regarding operations, and that he understands the issues that lead to Paradise Leaman Place not being on calls are being worked on between the fire companies. Mr. Bills said if he feels he is not being informed, then he needs to talk to the leadership at Paradise Leaman Place. He further stated that the Township appreciates the service of all members of Paradise Leaman Place and want them to stay, but the issues have to be worked through between the fire companies. Mr. Shearer responded that taking Paradise Leaman Place is not working together, it is just pissing them off. He feels there is more going on than is being said and that some of the issues are because of problems with prior fire chiefs. Mr. Bills responded that this is not accurate and understands the disagreement on this, but all is being discussed between the fire companies.
- Sam Petersheim stated he found it interesting over the years to watch Kinzer and Gordonville grow, their buildings are cleaner, they seem to be more respectable and organized compared to Paradise Leaman Place and all with no more funding than Paradise Leaman Place got (from the Township). Mr. Petersheim said he wondered if Dennis (Groff) was funneling money to Paradise Leaman Place stating this is just his speculation, not a question. Mr. Petersheim clarified that he does not support shutting Paradise Leaman Place down. He also stated he does not think it is a good idea to put all of the equipment in one building. He stated he has spoken to the fire company with paid staff and sees that volunteers don’t like this. He thinks under the new organization it may be a good idea to look into having paid staff that work under supervision of the volunteer staff.
- Elmer Esh of Esbenshade Road asked why the Township assigned Gordonville to first due for his area when Strasburg Fire Company is closer. Mr. Bills replied that the Supervisors think the first due territories assigned are the best option to serve the community.
- Zoning Officer Walter Hockensmith advised all present to make sure they keep things they have outside locked up and relayed situation that occurred at his home with person looking inside and of his vehicles and trying to open the door.

ADJOURN

- At 9:01pm, Allen Fisher **motioned** to adjourn meeting. Second by Samuel Beiler. All Ayes. **Motion Approved.**