

WORKSHOP MINUTES

Those in Attendance: Chairman Adam Bills, Supervisors: Ray Rice and Samuel Beiler, Township Manager David Thompson, Secretary/Treasurer Karen Farra, Jason Smith, Jonas Fisher, Ben Beiler, Daniel Beiler, Ivan King, Earnest Casey, Christy Fieldsa and Marsha Ault.

MINUTES

- To be reviewed at Board Meeting on Tuesday, March 15, 2022.

TREASURERS REPORT/BILLS

- To be reviewed at Board Meeting on Tuesday, March 15, 2022.

PERSONS TO BE HEARD/PUBLIC COMMENT:

- Deputy Chief Jonas Fisher, Paradise/Leaman Place Fire Company (hereinafter "PLPFC") provided a binder and thumb drives containing information from PLPFC's research regarding consolidation of fire and emergency services. He advised PLPFC is recommending an outside study be done by a third party such as the Pennsylvania Department of Community and Economic Development ("DCED"). Mr. Fisher said the binder contains examples of other DCED consolidations completed throughout the region. He further stated that PLPFC is not interested in participating in the consolidation without using an outside third party such as DCED. Mr. Fisher provided details and history regarding PLPFC's financial consultation efforts, efforts toward future development of a new firehouse, funding raising efforts, and their commitment to fully finance new firehouse and ability to do so as long as the Township continued to pay for their truck and to continue to provide other funding as historically done. The following comments, points and questions were set forth to the Supervisors:
 - Mr. Fisher asked if the Township still expects PLPFC to do fund raisers. Mr. Bills responded there would still need to be fund raisers of some sort by the new consolidated entity.
 - Mr. Fisher commented that there has never been a fire company in Lancaster County to not use a professional consultant for consolidation and referenced the Manheim consolidation. He feels the Township's position to not use DCED does not make sense and the Township is bully PLPFC. Mr. Bills asked if PLPFC has truly changed their mind about joining the consolidation and referenced PLPFC President, Barry Yunkin's, quote in the *Lancaster Patriot*. Mr. Fisher responded that Mr. Yunkin's quote is right. PLPFC is willing to dos if done by an outside third party. Mr. Bills explained that the Supervisors set policy only and they feel the consolidation is best. In this regard, the Supervisors have handed the actual consolidation process off to Kinzer Fire Company and

- Gordonville Fire & EMS to handle. There is no interest by the Township, nor the participating fire companies, to do a third party study, and all feel the consolidation can be completed without third party assistance/intervention.
- Mr. Fisher asked why there is a new sanction every time PLPFC makes a move? Mr. Bills responded that any actions taken were due to mudslinging and a complete lack of cooperation by PLPFC. Mr. Fisher responded that there were no issues pre-January 6, 2022 and that the Supervisors created a mess with its actions. Mr. Bills responded that the Supervisors do not feel good about the situation, but at this point it is up to the individual organizations to do complete the consolidation.
 - Mr. Fisher asked if PLPFC is disposable. Mr. Bills responded there is no place in the consolidation for PLPFC as long as they continue to disagree on the processes in place for completion of the consolidation.
 - Mr. Fisher expressed his frustrations with the process thus far and the emotional toll it has taken on PLPFC and him personally. Mr. Bills agreed and commented that it has not just been a drain on PLPFC, but everyone involved.
 - Mr. Fisher asked how the Supervisors are going to explain to the community that PLPFC is not on the run cards anymore? He stated he feels the Supervisors have not been communicating to the community what is happening. Mr. Bills explained the fire companies have been corresponding with each other on this matter and the Township has not been involved. He stated there are consequences to actions and that PLPFC needs to talk with Kinzer Fire Company and Gordonville Fire & EMS. He likened the situation to working with a company or vendor who is not doing what they were hired to do or handling a situation the way you wish, so you let them go and find someone else to do the work. Mr. Fisher advised PLPFC met with Kinzer Fire Company and Gordonville Fire & EMS last night and likened situation to using your brother to do knee surgery instead of a professional. Mr. Rice advised he does not agree with PLPFC being taken off the boxes and thinks this was wrong to do in his opinion. Mr. Ben Beiler asked if the other fire companies have the authority to take PLPFC off the boxes? Mr. Bills responded that yes they do and it is the Supervisors' intent that PLPFC stay on the boxes. Mr. Fisher asked why Bart took Strasburg off run card. Mr. Rice explained Supervisors cannot explain that. Mr. Bills said it was his understanding that it was explained at last night's meeting between PLPFC, Kinzer Fire Company and Gordonville Fire & EMS why PLPFC was taken off the boxes. Mr. Ben Beiler responded that a list of concerns was provided at the meeting. Jason Smith of Gordonville Fire & EMS said he felt the meeting went great, it was discussed at that meeting the reasons PLPFC was taken off the boxes and a list of issues were addressed. He felt the meeting was productive, there was good dialogue, a lot of light was shed, and explained that all are working through the issues identified. The Steering Committee for the consolidation will consider all comments. He stated the removal of PLPFC from the boxes is not permanent.
 - Mr. Keenan stated the meeting held last night should have happened sooner and he hopes communication continues. He stated nobody is looking to get rid of PLPFC.
 - Mr. Ben Beiler stated he feels the January Resolution changing first due territories was a major design for failure. He feels this was a questionable decision of the Supervisors that generated the current atmosphere and now they are handing it all back to the fire companies. He feels there are a lot of safety issues on scenes by all fire companies. Mr.

Beiler said all of these issues were acknowledged at last night's meeting between the fire companies. He feels Supervisors used poor foresight. There cannot be winners and losers.

- Supervisor Samuel Beiler commented that he thinks if everybody takes their talents and works together, the new Pequea Valley Fire Company can be a really strong entity. He agrees there are not winners and losers, and understands not all will agree with the consolidation, but if everyone takes their talents and works together, this can be a great thing. He said it is important to look to the main goal and make the best of it. Mr. Fisher agreed with Mr. Beiler's comments, but wanted to know why the Township is taking this stance to not use a third party professional to do the consolidation. Mr. Beiler responded he does not think there is a need to use an outside third party. This is a small community and if everyone works together, there is no need for a bunch of outside help to make it happen.
- Mr. Fisher commented that there have been years of discussions about PLPFC and Kinzer Fire Company merging, but never Gordonville Fire & EMS. He explained that the design for their new firehouse has room for growth (extra bay), and he wouldn't want to throw out this work. He feels design could still work with a merger. He said PLPFC was shut out from the beginning. There were letters things would transpire in six months. Come January 2022, PLPFC felt there was nothing in it for them to join a consolidation and a meeting was held without them. Then, as soon as PLPFC resisted the consolidation, things transpired into what they are today. PLPFC feels nothing they said was ever considered and that Barry Yunkin's suggestions were shutdown. Mr. Bills said he is correct there was a meeting in November without them, but PLPFC was invited. Ideas for the consolidation were only received from Gordonville Fire & EMS. It is not true that PLPFC's ideas were shutdown. Ways were offered to address PLPFC's concerns and it was stated policies and procedures can be established to address those concerns. Mr. Bills said he feels what was discussed in the consolidation meetings was not correctly communicated to the members of PLPFC creating a snowball effect.
- Mr. Fisher stated PLPFC just wants to wipe the slate clean and start over with an outside third party agency. He said he cannot see how this doesn't make sense and referenced the Garden Spot consolidation as an example. He said he feels once the consolidation happens, it will cost more money as all the eggs are in one basket. He said over the years, he has probably spent half of his volunteer hours doing fundraisers and he is not willing to hand that off. Mr. Rice responded that if an outside third party was used, things would happen the same way, but the process would be delayed for a year or more. Mr. Bills responded that the Steering Committee is consulting with outside parties for help, but it is not the position of the Board of Supervisors to go with an outside agency for help. The Supervisors feel the fire companies can handle the consolidation themselves.
- Mr. Keenan said he appreciates the comments received, but the concerns as stated need to be taken to the Structuring Committee and worked through there.
- Mr. Fisher said PLPFC desires to do the consolidation as it makes sense, but only sees it working out if their first due is restored and they are put back on the boxes/call cards. Otherwise, he sees no other way it can happen. Mr. Keenan asked Mr. Fisher if this was

- discussed at last night's meeting between the fire companies and he said yes. Mr. Bills said there needs to be consequences for actions taken, to which Mr. Fisher and Mr. Ben Beiler said can't these actions be forgiven?
- Township Manager, David Thompson, said he took a call from Barry Yunkin last night in which feelings regarding the consolidation efforts were shared. Mr. Thompson stated he is disappointed in how long it has taken for PLPFC to talk with Kinzer Fire Company and Gordonville Fire & EMS, as he has been telling Mr. Yunkin and Chief Neal Hershey for months that they need to speak with them, but they weren't doing it. He stated the current consequences are due to a lack of communication, but things can get back to square if communication continues. Mr. Fisher responded that this can happen if PLPFC's first due is restored and they are put back on the call cards. Mr. Ben Beiler stated communication is not a one way thing, all need to communicate. Jason Smith of Gordonville Fire & EMS said last night's meeting between the fire companies was a good opening discussion. He said the biggest realization from the meeting was the lack of good communication by all parties. He said he promised at the meeting he will keep communication open, and will accept blame for any lack of communication going forward.
 - Christy Fields asked what it means to be taken off the boxes. Mr. Rice explained it means PLPFC will not get called to incident scenes.
- Mr. Bills opened floor to discussion and public comment regarding Allan Myers quarry.
 - Mr. Thompson opened discussion advising he had received two calls in one week regarding various complaints such as dust, etc.
 - Marsha Ault provided photographs evidencing issues she is experiencing from quarry operations.
 - Christy Fieldsa opened public comment stating that a little over two years ago, she had conversations with Allen Myers about ways to help the community to deal with the issues they were experiencing from quarry operations. Allen Myers responded with saying smoke stacks can be raised and they will spray to keep the dust down. Mrs. Fieldsa advised she would call Andrew at Allen Myers and former Township Supervisors/Roadmaster, Dennis Groff, every time there was an issue (smell, dust, etc.). She advised she lives on Harristown Road where the smell gets so strong, it is as if a load of hot asphalt was dumped in her front yard. The smell is so bad, she and her family cannot sit on their front porch, or open their windows. She said she once called on a Sunday to complain about the smell and was told there was hole patching being done that day despite the obvious knowledge that PennDOT was not working on a Sunday patching roadways. Mrs. Fieldsa said though Andrew is always responsive and nice, nothing ever changes. She is concerned about what chemicals are being released into the air and the effects they could have on the children and other members of the community. She feels the Township needs to step in to assist. Mrs. Fieldsa emphasized the importance of the Township being more thoughtful when approving plans for development.
 - Ernest Casey commented that the Township met with Allen Myers about permits for tanks and nobody knew about this. Allen Myers had started installation of the tanks without permits. At the meeting, Allen Myers said the tanks would ensure the asphalt was odorless and guaranteed there would be no smell. There were discussions about

traffic impacts of the plant where Allen Myers said there would be a 1% or less impact. He has been calling for 10 years to complain about damages caused from blasting. Allen Myers is supposed to blast at 4:30pm, but they don't keep to that. They blast at all hours - 1:15pm, 2:40pm, 6:00pm, etc. They also do not call to tell anyone when they are blasting as they promised. Mr. Casey said he came here from California where he experienced earthquakes and said when they blast, it feels just like an earthquake. He has called the EPA to complain, but they just say they can't come out every day to see what is happening. Trucks leave the plant without being covered and drop rocks on the roads. Mr. Casey said there have been accidents where rocks were dumped on the road. The trucks are speed down the roadways and kick-up rocks. He has had a windshield broken from the rocks being kicked-up. The plans for the plant called for a planting buffer for dust reduction, but they planted a bunch of little trees that will take years to grow big enough to be an actual buffer. Dust is so bad, it turns his black truck gray and even coats his garage kept vehicles to where he has to wash them off at least once a week. He has called Allen Myers to complain, but they always have an excuse. They even told him they are doing him a favor because the dust fertilizes his lawn. In the meantime, the dust is even killing the trees by the railroad. He called Nick Lopez at the Township for 10 years only to always be told there is nothing the Township can do. The trucks have destroyed McIlvane and the Township has control over that road. Allen Myers always says nothing is their fault. He can't sell his house due to the smell, dust, etc. All night long, the plant is running loads and the echo effect from the trucks running makes it sound like they are working in his front yard. The lights they have on when during evening and early morning hours are so bright, he has to keep his windows shuttered.

- Marsha Ault said she has been living in her home for 7 years, and hasn't been able to open her windows even once. They cannot be in their yard and had to take their pool down due to the dust. They cannot have picnics or be outdoors due to the dust, and have had to take their dog to vet and get medication for treatment due to the effects of the dust on him. She has called the Township and been told there is nothing they can do. She called Allen Myers to speak to the supervisor who said the problem is because the piles of rock are so high, their sprayers can't reach the tops of them. She has called DEP, EPA, Pottstown and all say there is nothing they can do.
- Mr. Bills and Mr. Thompson advised they have been unable to locate any documentation from Dennis Groff of the complaints made over the years. They advised that the Township will reach out to its Solicitor to determine what can be done. Mr. Thompson advised he spoke with Allen Myers about complaints and will keep in contact with them to work toward addressing the concerns, but it will take time to see any changes.
- Mr. Bills said the Supervisors will check Zoning Hearing Board records, speak with the Township Solicitor, and will continue to communicate with Allen Myers in effort to address all of the complaints and concerns. They will also review the Commercial Zoning requirements.
- Mr. Samuel Beiler asked what the odor smells like. Mrs. Fieldsa said it is definitely asphalt that lingers all day and into the evening when the plant is running, and the smell gets even worse if when it is hot, humid and/or foggy out. Mr. Beiler said he just

wanted to check because he was aware there was a different odor previously, which he understood was resolved when the stacks were raised and the plant switched to natural gas.

- Mr. Keenan assured these issues would not be swept under the rug and that the Supervisors will work to resolve these concerns by meeting with representatives from Allen Myers and others as/if needed.

CORRESPONDENCE:

- March 24, 2022 PSATS Memorandum regarding 2022 Proposed Bylaws Changes, Nominations Report, and Resolutions to be considered at the PSATS Annual Conference on April 24-247, 2022.
- 3320 Lincoln Highway East – MK Builders: March 28, 2022 Lancaster County Conservation District Notice of Termination Approval Letter (*briefing item only*).

TOWNSHIP REPORTS

TOWNSHIP MANAGER:

EMERGENCY SERVICES:

- Jason Smith advised regarding the status of the emergency services consolidation efforts stating there have been no changes at this time. The consolidation committee continues to work with their attorney to get paperwork together. The committee has decided on a number and name for the new emergency services entity. It will be #40 - Pequea Valley Fire Department.

PLANNING COMMISSION:

ZONING:

- Mr. Thompson provided update regarding efforts with regard to driveway permits.

PARK & RECREATION COMMISSION:

ROADMASTER:

- Jonas Fisher inquired as to the status of the work to be done to the Keneagy Hill Road & Rt. 741 bridge. Supervisors advised PennDOT has pushed this work back until 2023.

SEWER AUTHORITY & SEO:

- March 15, 2022 letter from PennDOT to the Paradise Township Sewer Authority providing Authorization to Proceed with Preliminary Engineering regarding the US 30 improvements project.

OLD/NEW BUSINESS:

- Discussion was had whether or not to adopt ordinance requiring permit prior to demolition of buildings and historical structures (sample ordinance provided). Chairman Bills provided briefing regarding this matter, presented sample Ordinance, and requested the Supervisors review the ordinance and consider adopting a like ordinance.
- Raymond Rice **motioned** to approve Amended Workshop Agenda for March 18, 2022 Workshop Meeting. Second by Samuel Beiler. All Ayes. **Motion Approved.**
- Raymond Rice **motioned** to adopt the proposed Resolution No. 6-2022, A Resolution of Paradise Township, Lancaster County, supporting Pennsylvania Commission for United States Semiquincentennial. Second by Samuel Beiler. All Ayes. Resolution No. 6-2022 **Adopted.**
- David and Amos Fisher - 391 Osceola Mill Road request for release or reduction of financial security. See Rettew March 30, 2022 letter recommending conditions for approval of full release of financial security. Craig Keenen **motioned** for conditional approval of release of financial security. Second by Raymond Rice. All Ayes. **Motion Approved.**
- Supervisors reviewed March 17, 2022 Memorandum from Craig J Haertter, Director of Assessment, regarding release of mobile home tax liens and noted no objection to release of the tax liens.
- March 15, 2022 announcement and request for donation to the Paradise Sportsman's Association for the May 21, 2022 54th Youth Fish Day. Secretary, Karen Farra, advised that in past, the Township has provided portable toilets for this event in lieu of a cash donation and requested the Supervisors approve doing the same for this year's event. Raymond Rice **motioned** to approve this request. Second by Craig Keenan. All Ayes. **Motion Approved.**
- Raymond Rice **motioned** to accept March 29, 2022 Letter of Resignation from Marlin G. Groff, Vice-Chairman of the Paradise Township Board of Supervisors as of May 3, 2021. Second by Samuel Beiler. All Ayes. **Motion Approved.**

PERSONS TO BE HEARD/PUBLIC COMMENT:

ADJOURN

- At 11:30am, Craig Keenan **motioned** to adjourn meeting. Second by Samuel Beiler. All Ayes. **Motion Approved.**