

- ♦ **George and Matthew Nyer** spoke regarding their 65 acre property on Sager Drive. Nyer said he and his wife want to sell 12 acres to their son Matthew and have talked to the Planning Commission twice about the subdivision. Nyer said the issue is the right-of-way they own which serves two homes; they would need a waiver to use it to access the 12 acre parcel and a third home. Zimmerman said the board could grant the waiver, but hasn't done any recently. After discussion on the size of the right-of-way, the fact neighbors do not have a problem with the subdivision and additional possible access from Cabin Road, Clemens moved to grant the waiver. DiNicola suggested a deed restriction be added to the subdivision plans and it be sent back to the Planning Commission for further review. Clemens amended his motion to include deed restrictions and the board discussed the issue further. Clemens motion died for lack of a second and the Board agreed the Nyers should provide deed restrictions for no further subdivision with a plan and submit it to the Planning Commission for review.
- ♦ **Bernard Kulkaski** asked about the status of the stormwater resolution discussed at the last meeting. DiNicola said he had spoken with Lisa Mahall at the County who said the County does not have a watershed management plan; he also discussed our ordinances and regulations for stormwater management with the township engineer. DiNicola read a draft ordinance he prepared. After discussion, Clemens moved to adopt Resolution #2006-07 which urges Schuylkill County to comply with the Stormwater Management Act. Lehman seconded the motion. Clemens, Lehman, Aungst and Wise voted in favor of the motion, Zimmerman opposed the motion, motion carried 4 to 1.

Kulkaski thanked the Board and added he has found out the federal government has been monitoring the Swatara for the last 18 years by satellite and he has the website where real time data of the height of the stream and conditions of the roads can be gotten on an hourly basis; he added the data could be used to see if the County is successful if they implement a stormwater management plan.

- ♦ **Bernard Kulkaski** asked for an update on the SEDCO project. Aungst said nothing has come into the Planning Commission, but they are re-working the layout and the 350,000 square foot building was not an engineer's building plan, they had just looked at the land and setbacks, not taking into consideration any flood plans, they are still in planning stages.
- ♦ **Bernard Kulkaski** said he had put in record requests for documents in the last two months; one was for a copy of the Comprehensive Plan. Ferguson said we do not have any copies but there is a copy available to review in the office. Kulkaski said the second item was the required submittals for the Kay-Tee building built in 1996, there should be several hundred pages and he only received four pages. Kulkaski said he would like to get what was submitted to the township. Zimmerman said the engineer may have a copy of the records; they may not be in existence anymore. Zimmerman said we can request it from the engineer and he would have to pay for them.

REPORTS

Engineers Report / Planning Commission Report

- ♦ **Marilyn Henry Sketch Plan of Record** - Clemens moved to approve the Henry plan, Aungst seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ **Zimmerman Parcel A, B, C** - Aungst moved to approve the Zimmerman Planning Waiver & Non-Building Declaration, Clemens seconded the motion, all were in favor and motion carried 5 to 0. Zimmerman moved to approve the Zimmerman Sewage Planning Module Resolution # 2006-06, Aungst seconded the motion, all were in favor; motion carried 5 to 0.
- ♦ **Planning Commission Member Applications** – Aungst moved to re-appoint John Myers to the Planning Commission to finish the term vacated by Lynn Johnson, ending January of 2010, Wise seconded the motion, all were in favor and motion carried 5 to 0.

- ♦ **Planning Commission Letter re Comprehensive Plan** – Zimmerman said the Planning Commission gave the Board of Supervisors a letter recommending the Township get professionals to complete the work on the Comprehensive Plan as they feel they do not have the resources to complete it. Zimmerman said he spoke with Dave Horst, the Township engineer and he said he could review it and recommend the appropriate changes. After discussion, Aungst moved to have Benesch quote a price for reviewing our Comprehensive Plan and current ordinance requirements. Wise seconded the motion, all were in favor and motion carried 5 to 0.

Landfill Inspector – No comments were received on the report.

Roadmaster – Roadmaster was not present. Clemens said he talked to Joe Kretulskie about two storm sewers that belong to the State that are filled up with stone and was referred to Frank Barone in the Schuylkill County office but Barone has not returned his calls.

Zoning Officer – The Zoning Officer was not present, no report was received.

OLD BUSINESS

- ♦ **Appraisal of Land near Ravine Memorial** – Zimmerman said the appraisal was received and the legal requirements have been met if the Township wants to purchase the land. Anna Potts raised several questions on the purchase of the land, asking what it would be used, if there was access to the land, and if a title search had been done. Clemens said if it was purchased it would remain as it is, as a park behind the Ravine Memorial. Clemens said the map shows Mustang Drive as the access to it. DiNicola said the title search would be done as part of the sales agreement. After further discussion, Aungst moved to pursue purchasing the property for \$5,000 contingent upon a clear title and access to the property and Zimmerman seconded the motion. Aungst, Zimmerman, Clemens, and Wise voted in favor of the motion, Lehman opposed the motion, motion carried 4 to 1. Lehman said she feels the \$5,000 would be better spent on the existing recreation area the Township has, also there is enough land to expand the memorial if they should want to.
- ♦ **Office Window Quote** – Ferguson said the quote was not received and the item was tabled until next month.

NEW BUSINESS

- ♦ **Trick or Treat Night** – Zimmerman moved to have the Township Trick or Treat night on October 31, 2006 from 6 PM to 8 PM. Lehman seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ **VFW Request to use Fire Police** – Clemens said the VFW will be holding a ceremony at the Ravine Memorial on November 11th and they have asked for permission to use the fire police to help with traffic control. Clemens moved to approve the request, Aungst seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ **Request for Office Assistant to Attend Classes** – Ferguson said Shiffer would like to attend the Fall Planners Seminar in October and also a PSATS class in December on the Duties of a Zoning Hearing Board. Aungst moved to approve the request, Lehman seconded the motion, all were in favor and motion carried 5 to 0.

Clemens asked if we are getting minutes of Zoning Hearing Board meetings and Ferguson said Shiffer has been unable to get her minutes approved as the Zoning Hearing Board wants all members who were present at a hearing to be present when the minutes for that hearing are approved. Clemens asked why members or alternates have not been there for hearings and said some improvements need to be made in the Zoning Hearing Board.

CORRESPONDENCE

- ♦ **Pine Grove Borough Request** – Zimmerman said the Borough has requested to use Township roads for detour purposes during the Halloween Parade. Zimmerman moved to approve the request, Clemens seconded the motion, all were in favor; motion carried 5 to 0.
- ♦ **Health Officer Request for Inspections** - Zimmerman said the Health Officer wants to meet with the Board to discuss health and sanitary inspections of the businesses in the Township. After discussion the Board of Supervisors agreed to have Ferguson ask Lewis Moyer to attend the next agenda meeting and DiNicola will review the PA Food Code Act and send a letter to the Board about its requirements.
- ♦ **Schuylkill County Comprehensive Plan** - Ferguson noted a copy is here and available for public review in the office and it is on the County website.

OTHER NEW BUSINESS

- ♦ **Sewer Authority Request** – Zimmerman said the Joint Treatment Authority would like the Board to approve putting sewer from the Borough line to the archery course. Zimmerman said he doesn't feel comfortable with it because it was not engineered and not advertised for bids. Aungst said there seems to be a need for the sewer to go there, but he has a concern with the contractor they are using because of an error they made here. After further discussion, Zimmerman moved to disapprove the request unless it is properly engineered and advertised. Wise seconded the motion. Zimmerman, Wise, Aungst and Clemens voted in favor of the motion and Lehman abstained stating she lives in the area involved. Motion carried 4 to 0.

- ♦ **Creek Excavation** - Aungst said he gave each of the Board a copy of the Army Corps of Engineers review for the stream silt and debris build up at the five bridges in the township. Aungst said FEMA has not approved funding and they need to decide if they want to go ahead and perform the work, the Borough has gone ahead and done their portion of the work.

Lehman asked if it isn't PennDOT's responsibility. Aungst said PennDOT is supposed to take care of 50 feet on each side of the bridge and under the bridge; however they said at the meetings they have no funds and wouldn't take care of it.

Lehman asked if this is the one we did not have to put out for bids and Zimmerman said yes because it was emergency work. Lehman asked what the total was and Aungst said \$109,000, but he feels it will be under \$100,000 due to reduced linear footage downstream.

Wenrich asked which bridges are involved. Aungst said the bridge on Sweet Arrow Lake Road near Hess's, the bridge in Pleasant Valley, the 645 bridge, Swopes Valley bridge in Suedberg and Mill Creek bridge on Rte 443.

Lehman asked how we proceeded with PennDOT; Aungst said they were at the first three meetings he was at where they made the statements. Aungst said there is enough money in the General Fund to proceed. Aungst moved to proceed with the creek clean out project with the contract given by Arthur Pat Aungst, Clemens seconded the motion, all were in favor and motion carried 5 to 0.

- ♦ **Landes Property Zoning Issue** – Aungst said he spoke with Clint Koontz today and he said it is C-1, Aungst is asking the Board to send a letter to Ms. Landes saying the Board and the Zoning Officer concur the property is zoned C-1. Lehman asked if Koontz put it in writing and Aungst said no, Koontz told him today that he looked at it some time ago, measured it and determined it to be C-1. Zimmerman moved the property is zoned C-1. Lehman asked if it is on the record that it is Koontz who made the determination, Aungst

said yes; there is no problem with sending a letter saying it is C-1. Clemens seconded the motion, all were in favor and motion carried 5 to 0.

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- ♦ **Baseball Field on High Street** – Aungst said the grounds manager called and asked if the Township would assist Washington Township in removing topsoil at the baseball field on High Street to increase the parking area, we would share in the topsoil removed with Washington Township and it would take two trucks and drivers a few days. Zimmerman moved to approve the request, Wise seconded the motion, all were in favor and motion carried 5 to 0.

PUBLIC COMMENT

- ♦ Kathy Warhola, realtor for Kathy Landes, asked if a copy of the letter regarding the zoning of the property could be sent to the real estate agency. Zimmerman said yes and Clemens apologized for the delay.
- ♦ Lillian Patten asked if the Trick or Treat night could be put in the newspaper with the other communities, Ferguson said she would take care of it.
- ♦ Bernie Kulkaski thanked the Board for passing the stormwater resolution and asked them to approach surrounding municipalities and ask them to adopt similar resolutions.
- ♦ Joan Schwer said the voting machines will be delivered to the Township on the Saturday before the elections. Zimmerman said someone will be available to open the doors, let the office know when she has a time.
- ♦ Wenrich asked if drafts of the minutes would be available before the meeting. Zimmerman said our policy is to have them available at the beginning of the meeting.
- ♦ Ferguson said PMRS will be awarding excess interest to the pension plan and gave the Board information on the different ways it could be distributed. Ferguson asked the Board to read the information, consider the options and asked that she be allowed to distribute the information to all the active employees on the pension plan. The Board agreed to have her distribute the information and put the issue on the November agenda.
- ♦ Aungst said he would like to make a correction; the Citizen Standard newspaper reported that Guildford Mills received a million dollar grant for the landfill gas to energy project, but it was actually a \$100,000 grant that was received.

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ADJOURNMENT

At 9:23 PM Zimmerman moved to adjourn the meeting, Lehman seconded the motion, all were in favor, motion carried 5 to 0 and meeting was adjourned.

Respectfully submitted,

Kathy Ferguson, Secretary / Treasurer

Approved by the Board of Supervisors on November 8, 2006.

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