

PINE GROVE TOWNSHIP SUPERVISORS  
175 OAK GROVE ROAD, PINE GROVE, PA 17963  
APRIL 13, 2005 MEETING MINUTES



**CALL TO ORDER**

Chairman Larry Zimmerman called the April 13, 2005 meeting to order at 7 PM and opened the meeting with the Pledge of Allegiance. Attending were Supervisors Diane Tobin, Herman Clemens, Allen Aungst, and Jerry Wise. Also present were Sect. / Treas. Kathy Ferguson, Judith Lehman, Dave Ravegum, Tom Daubert, Dennis Fidler, Lee Zimmerman, Dennis Shadle Jr., Donald Wenrich and other residents; list on file.

**PUBLIC COMMENT ON AGENDA ITEMS** – No comments.

**MINUTES / FINANCIAL ITEMS**

- ♦ **March 9, 2005 Meeting Minutes**
- ♦ **March 31, 2005 Special Meeting Minutes**

Aungst noted for the record that at the March 9th meeting he said footers had been poured for a building to enclose the chipper at Zimmerman's Sawmill; that is incorrect, he has since found out the area has been prepared for footers, but the footers have not been poured. Aungst moved to approve the minutes, Clemens seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ **Treasurer's Report** - Zimmerman said the General Fund beginning balance was \$165,555.90; March General Fund receipts were \$32,244.54, March General Fund expenses were \$70,993.03 and the ending balance of the General Fund is \$126,807.41. Zimmerman said the Combined Fund ending balance is \$2,091,578.06. Clemens moved to approve the Treasurer's Report, Tobin seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ **Approval of Bills** - Ferguson corrected the amount of the State Chemical invoice to \$325.72 and the total of the bills to \$19,063.11. Aungst asked if the Benesch invoice for Stanhope estates was billed. Ferguson said it has not yet been billed. Aungst asked if the Fisher Engineering invoices were billed. Ferguson said we do not bill for Fisher Engineering invoices; Fisher Engineering collects checks made payable to the township for sewage enforcement work; we deposit them and in turn pay Fisher Engineering for their services. Ferguson said she checked to see why this month's PP&L bill was higher and found that it was a longer billing cycle than last month. Ferguson said she also found that PP&L reads our meters every 15 minutes, takes the highest demand for the whole month and bills us for the whole month based on that rate. Ferguson said in reviewing the bills she found the billing demand for the office in 2004 had been mostly 0, since December the office went to 12 to 14 and last month the number had jumped to 16. Ferguson said the garage ranged from 8 to 12 in billing demand in 2004. Ferguson said this time last year the billing demand was 0. Ferguson said the spike in demand may have been in the time frame when the work release crew was in the building painting and that PP&L had said heating units can cause high demands. Aungst and Zimmerman said we have gas heat now and it should be less than last year. Clemens moved to approve paying the bills; Aungst seconded the motion, all were in favor and motion carried 5 to 0.

**PERSONS TO BE HEARD**

**Dave Ravegum**, president of **C.L.E.A.N.** spoke about their current and on-going projects. Mr. Ravegum said on April 23<sup>rd</sup> they will begin their third year with Adopt-a-Highway program and clean up trash along Suedberg Road from I-81 to the county line. Ravegum

**PINE GROVE TOWNSHIP SUPERVISORS  
APRIL 13, 2005 MEETING MINUTES - PAGE 2**

said they will also clean up trash at the commuter parking area at the I-81 exit as well as the garbage at the Borough recycling center and on township property east of the Borough recycling center. Ravegum said that in May C.L.E.A.N. helps financially sponsor a venture where they clean up the garbage on the creek banks of the Swatara. Ravegum said they are still working on the commuter parking area improvements including paving and dusk to dawn lights. Ravegum asked for questions and Tobin asked if they are working on the commuter parking area with the township. Ravegum said Allen Aungst was there when they first met with Gerry Fry the PennDot assistant district engineer. Tobin asked if he was there as a township representative because it is shown as Allen Aungst, township supervisor. Ravegum said no and Aungst said no, he was not there as a township representative. No other questions were asked.

## REPORTS

**Engineers / Planning Commission Report** - Zimmerman said he received an email from Anna Sweigart on the Planning Commission in regards to using the township solicitor. Tom Daubert said there are legal terms in the Comprehensive Plan that need to be clarified. Zimmerman suggested the Planning Commission gather all their questions for one meeting with the solicitor. Zimmerman moved to approve the township solicitor attending a meeting of the Planning Commission, Clemens seconded the motion; all were in favor and motion carried 5 to 0.

- ♦ Hampton Inn Preliminary Plan - After review of the plans, Tobin moved to approve the plan contingent upon the same conditions as requested by the Planning Commission. Clemens seconded the motion, all were in favor; motion carried 5 to 0.
- ♦ Stanhope Estates Preliminary Plan - Zimmerman questioned the placement of a proposed culvert in the middle of a lot. Dennis Fidler said it was placed at that location because it is the natural swale and there is a drainage easement on that lot. Tobin asked who owns the property; Fidler replied that Howard Lengle is still the legal owner of record. Aungst asked if we received the planning module back from DEP on this plan, Ferguson said there wasn't any submitted with this plan and Fidler said it would be submitted with the Final Plan. Zimmerman moved to conditionally approve the plan with all items noted by the Planning Commission to be addressed in the Final Plan. Clemens seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ Frantz Parcel A Sketch Plan of Record and Sewage Module - Zimmerman said there is no erosion plan and the board can require a note on the plan that individual lot purchasers are responsible for their own erosion control. Aungst moved to approve the sewage module and sketch plan including adding the note to the plan for erosion control and waivers of section 4.1431 and 5.521 as approved by the Planning Commission. Clemens seconded the motion, all were in favor; motion carried 5 to 0.
- ♦ Aungst, Shelters, Umbenhauer Sketch Plan of Record - Zimmerman said this plan was approved by the Planning Commission in March contingent upon receiving DEP's approval of the planning module. Ferguson said we have received the approval from DEP for the planning module. Allen Aungst asked at what point the module can be forwarded to DEP, it seems like there is a delay of our approving it and he got a call from surveyor Lehr about the time it has taken for this plan. Ferguson said when it is presented to the office it first goes onto the Planning Commission's agenda, the following week it would go on the Supervisor's agenda and then the Zoning Officer needs to sign also. Aungst asked if they have to

**PINE GROVE TOWNSHIP SUPERVISORS  
APRIL 13, 2005 MEETING MINUTES - PAGE 3**

approve it before it goes to DEP or if Ferguson could sign it. Ferguson said she cannot sign it, the chairman must sign it. Tobin said the plans must be approved at a public meeting before we send it to DEP, then they have a 60 or 90 day time frame for approval. After review of the plan, Zimmerman moved to approve the plan, Clemens seconded the motion, all were in favor and motion carried 5 to 0.

**Landfill Inspector** - No comments.

**Roadmaster** - Roadmaster was not present. Tobin said we have been replacing a lot of road signs. Zimmerman said neighboring municipalities are having the same problem.

**Zoning Officer** - Zoning Officer was not present. Zimmerman asked if anyone knew if he had finished his tests yet, Aungst said he thought he had, but was not sure. Zimmerman said if he has finished his codes courses, they need to set up a meeting with the other municipalities. Tobin asked if there is an inter-municipal agreement. Aungst said there is one that needs to be circulated.

## **OLD BUSINESS**

**EMS Tax** - Tobin said they are at a point where they need to decide if they are going to collect it and notify the school; they need to make a decision before the end of the school's fiscal year. Zimmerman said they were waiting for word from the solicitor regarding changes to the new law. Tobin said she knows the legislators are appealing it. The board agreed they don't intend to collect it this year. Ferguson said that she had been contacted by someone working in Pine Grove Township whose employer withheld \$52 from their pay according to their notice from Berkheimer. Ferguson said she checked with Berkheimer and found that Berkheimer had the employer listed in Pine Grove Borough, not the township. Ferguson said she was going to pursue getting a listing of employers for the township and the borough from Berkheimer for an audit to make sure that businesses are listed correctly but wanted direction from the board before going any further. The supervisors agreed and directed Ferguson to follow up by asking Berkheimer for a list of employers.

**Zimmerman Sawmill Noise Complaint** - Aungst said a letter came in from H. A. Thompson who did the measuring of the noise on March 31<sup>st</sup> and it reports the noise level at 65 and with highway traffic noise it went up to 75 to 90. Aungst said it is within the ordinance levels. Zimmerman said the secretary should send a copy of the letter to the Loves and to the sawmill. Tobin asked if the sawmill plans to enclose the chipper as recommended in the letter. Aungst said they will enclose it on three sides and put a roof over it which should reduce the noise.

**2005 Road Projects Bid Opening** - Zimmerman opened three bids received as follows:

1. Pennsy Supply - total bid: \$171,235.60
2. EJB Paving - total bid: \$187,744.55
3. Eastern Industries - total bid: \$175,189.15

Zimmerman read the itemized details of each bid and the complete bids are on file in the township office. Zimmerman said the overall low bid was received from Pennsy Supply. Zimmerman said before the bid can be awarded they have to decide what items they are going to do. Aungst said Berger Road and Scenic View Road would come out of Liquid Fuel funds and asked if we received their allocation for this year. Ferguson said we received notification, the letter is in the correspondence folder, but she has not confirmed the deposit. Lee Zimmerman from the Landfill said he approves the amount for Laurel Drive. Tobin said the fire company was under the impression that the Township was paying for the paving of

**PINE GROVE TOWNSHIP SUPERVISORS  
APRIL 13, 2005 MEETING MINUTES - PAGE 4**

their parking lot and Dennis Shadle Jr. said that was the initial understanding, that is why the township was putting it out for bid. Aungst said he and Heinbach measured the fire company lot and the conversation was clear that the township would get the bid and the fire company would decide whether they wanted to do it or not. Aungst said the township had agreed at a meeting to grade the lot for the fire company. Tobin asked the fire company if they want to pay the \$5,202 for the paving and Shadle replied not at this time. Aungst moved to approve awarding the 2005 road projects to Pennsy Supply as the low bidder, including the township parking lot and excluding only Item # 4A (Ravine Fire Company parking lot), contingent upon review of the bid package. Clemens seconded the motion, all were in favor and motion carried 5 to 0.

**NEW BUSINESS**

**VFIS - Vehicle Insurance** - Tabled until next meeting.

**Janitorial Position** - The board accepted Tammie Todero's resignation. Ferguson said that Sallie Deichert has been doing the job when Tammie was not available and Sallie would like to do the job permanently along with her position as office assistant. Ferguson said it would not be a problem keeping the hours separate and posting them to the correct budget line item so we do not have to amend the budget. Ferguson also noted that the board should consider a review of Deichert's salary as she is taking on more responsibility in the office and making considerably less than the janitor. Aungst moved to approve Sallie Deichert as janitor at the current janitor salary of \$10.00 per hour, Clemens seconded the motion, all were in favor and motion carried 5 to 0. The board agreed to evaluate Deichert's salary as office assistant at the next meeting.

**Township News Subscriptions** - In a discussion of purchasing the CD version of the Township News magazine instead of having individual subscriptions, Ferguson said that it is only available at the end of the year and would not keep the supervisors current with the issues during the year. It was agreed to continue the monthly magazine subscriptions and Tobin moved to purchase the CD version at the end of every year to keep on file in the township office, Zimmerman seconded the motion, all were in favor and motion carried 5 to 0.

**Application for Recreation Board, Joseph Fegley** - Zimmerman moved to approve appointing Joseph Fegley to a five year term on the Recreation Board in the seat left vacant after Donald Brown's term was completed in January 2005. Clemens seconded the motion, all were in favor and motion carried 5 to 0.

**Portable Toilet for Recreation Area** - Ferguson said residents have been asking when facilities will be available for the playground. Zimmerman moved to approve getting the portable toilet for the recreation area, Aungst seconded the motion. Tobin said Pine Grove Landfill has agreed to pay for the portable toilet again this year. All were in favor of the motion and motion carried 5 to 0. Wise asked if there are plans to put a permanent facility in. Zimmerman said it is on the long term plans and there are water and electric lines already there. Aungst said the plans are when a line gets dug across for water, to take a line from the building here and put them in the same trench instead of having a separate meter. Tobin said she thought they would have had it in before now, instead of putting portable toilets there every year. Zimmerman said to look at other recreation areas, they don't have bathrooms. Tobin said since there are services there it seems feasible it should be done quickly rather than long term.

**CORRESPONDENCE** - Zimmerman said there are some school items he brought in they can look at.

**PINE GROVE TOWNSHIP SUPERVISORS  
APRIL 13, 2005 MEETING MINUTES - PAGE 5**

**PUBLIC COMMENT**

- ♦ Tobin reported there have been 2,700 visits to the township website since it was started.
- ♦ Wise said everyone received copies of the financial statements from both Ravine and Suedberg Fire companies. Suedberg's report covers only expenses from '03 and '04; he is still trying to get a financial report for the year. Wise reported that Ravine Fire Company responded to a call last night near Berger's and after the call their truck was parked next to a light pole in the store parking lot. Wise said the light was not lit and when they moved the truck, they hit the cement base of the light pole and did damage to the rescue truck. Tobin said the truck is out of commission. Wise said he looked under the truck and thinks there is no apparent damage to the frame, but some welds to the equipment pods are broken and potentially some equipment is damaged too. Tobin said the fire company called the insurance company and the adjuster will be coming to look at the truck. Wise said the fire company says the truck payment is becoming an issue and is a potential problem, they feel they will not have enough money from fund-raising to make the payment. Tobin said the fire company has actively pursued grants and other funding. Tobin said merger talks have continued.
- ♦ Zimmerman asked Tobin to have John Stahl let him know when they can have a meeting with the Borough and the Township.
- ♦ Zimmerman called for an executive session with Ravine Fire Company after the meeting to get some answers because next month they will have to make a decision and the payment is due in June.
- ♦ Ferguson said there is a notice of resignation in the correspondence folder from Venetta Pettigrew, the assistant Emergency Management Director. Ferguson also said that a new Emergency Management plan will need to be completed in June. Zimmerman moved to accept Pettigrew's resignation and advertise the position on the township website, Clemens seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ Ferguson said in the correspondence folder there is a report on the township's flood plain activity that needs to be completed and asked where she should direct it to. Zimmerman said he will take it and speak with Dane Huntzinger about it.
- ♦ Ferguson said in the correspondence folder there is an agreement from Schuylkill County Real Estate Department for us to participate in inter-governmental data sharing, to share county GIS data. Tobin said the county is no longer printing the tax parcel maps, but are putting them on CD, updating them quarterly and providing them free of charge to the municipalities; she said the agreement is for us to receive the discs. Zimmerman moved to sign the agreement for the complimentary discs for GIS maps from the County, Clemens seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ Ferguson said there was an amendment to the Municipalities Planning Code in January that allows municipalities to charge a developer for the solicitor's fees billed for working on subdivision and land development plans. Ferguson said we currently have some plans that our solicitor has been working on and asked if the board would like to pursue collecting those fees from the developer. Zimmerman moved to collect actual solicitor fees for work done on subdivision and land development plans from the applicants of those plans, Aungst seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ Ferguson reported to the board two accounts for engineer's fees for review of subdivision plans that have not been paid and past due notices were sent in February. Ferguson asked the board what steps they would like her to take to collect the past due amounts. Tobin asked if the plans had been released, Ferguson said the plans were released on good faith before the billing was done due to the people involved and their standing in the community. The board directed Ferguson to have the solicitor send a certified letter to both individuals and attach certification fees to the amount due.

**PINE GROVE TOWNSHIP SUPERVISORS  
APRIL 13, 2005 MEETING MINUTES - PAGE 6**

- ♦ Ferguson said in the correspondence folder there are ballots for officers from PLGIT and the Chamber of Commerce that need to be completed.
- ♦ Donald Wenrich said last month he questioned if the board follows Robert's Rules of Order and asked if there were a constitution or by-laws and Zimmerman had said no. Zimmerman said it is the supervisor's meeting and the public is allowed to comment, but we are elected by the public to take care of the issues, so technically the public does not have the say in the issue that is before the board. Wenrich disagreed and said we are supposed to have a representative democratic form of government. Zimmerman said you do; we are your representatives, you have elected us.
- ♦ Tom Daubert asked when the adjuster will look at the fire truck that was damaged, it is an emergency vehicle that is out of order and should be taken care of. Tobin said if they find it is a problem getting the adjuster to look at the truck, they will take care of it. Zimmerman added that it is possible they got a call already; the call will not come to us, but will go to the fire company.

**ADJOURNMENT**

At 9:05 PM, Zimmerman moved to adjourn the meeting and go into executive session. Clemens seconded the motion, all in favor, motion carried 5 to 0 and the meeting was adjourned.

**Respectfully submitted,**

**Kathy Ferguson, Secretary / Treasurer**

Approved by BOS on May 11, 2005