

PINE GROVE TOWNSHIP SUPERVISORS  
175 OAK GROVE ROAD, PINE GROVE, PA 17963  
SEPTEMBER 14, 2005 MEETING MINUTES



**CALL TO ORDER**

Chairman Larry Zimmerman called the September 14, 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 Solicitor Gino DiNicola, Sect. / Treas. Kathy Ferguson, Judith Lehman, John Heinbach, Donald Wenrich, Jim Conville, Greg Pijar, Kevin Harris, Lee Zimmerman, Lillian Patten, other residents; list on file.

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

**MINUTES / FINANCIAL ITEMS**

- ♦ **August 10, 2005 Meeting Minutes** - Clemens moved to approve the minutes, Aungst seconded the motion; all were in favor and motion carried 5 to 0.
- ♦ **Treasurer's Report** - Zimmerman said the General Fund beginning balance was \$153,996.32, August General Fund receipts were \$82,036.41, August General Fund expenses were \$49,273.21 and the ending balance of the General Fund is \$186,759.52. Zimmerman said the Township Capital Reserves fund ending balance is \$2,002,428.00, the Liquid Fuels Fund ending balance is \$147,689.23 and the Combined Fund ending balance is \$2,336,876.75. Clemens moved to approve the Treasurer's Report, Wise seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ **Approval of Bills** –Aungst moved to approve paying the bills; Tobin seconded the motion, all were in favor and motion carried 5 to 0. Ferguson asked the board to approve a transfer of funds of \$104,736.98 from Liquid Fuels Fund to General Fund to pay for the paving of Berger Road and Scenic View Road for the 2005 road projects. Aungst moved to approve the transfer of funds, Clemens seconded the motion, all were in favor and motion carried 5 to 0.

**PERSONS TO BE HEARD**

**Donald Wenrich** submitted and read a prepared statement confirming remarks he made at the July meeting when he referred to three members of the board as the three stooges; he said he did not mean it in a derogatory manner, but meant to portray the supervisors as actors because of the manner in which they pretend to represent the electorate of the Township.

Wenrich said the supervisors negotiated and signed an agreement for Pad 12 and several months later when asked to affirm the agreement they voted no. Wenrich said they speak of industry for the Township, but vote against the infrastructure to support it and voted not to create a Water Authority thereby ceding to the Borough.

Wenrich also mentioned C.L.E.A.N. President Mr. Ravegum's negative response to his comment and lack of response at other meetings when bad language was used, a weapon was displayed and said perhaps it was because it was done by C.L.E.A.N. sympathizers or members.

Wenrich said at the July meeting there was an outburst from the chairman in which he derided John Stahl. Wenrich said the people's business should not be based on personal feelings, but based on what is best for the general public. Wenrich said the chairman should have explained why Township residents receiving water from the Borough are required to pay 24% more than the Borough residents.

Wenrich mentioned his concern for the ground water and said Commonwealth Landfill is directly over our supply and asked if C.L.E.A.N. is interested in facts or in a vendetta against a corporation.

A copy of Wenrich's complete statement is on file in the Township office.

**PINE GROVE TOWNSHIP SUPERVISORS**  
**SEPTEMBER 14, 2005 MEETING MINUTES - PAGE 2**  
PRINTED FROM WWW.PINEGROVETOWNSHIP.COM

**REPORTS**

**Engineers Report / Planning Commission Report**

- ♦ **Pine Grove Joint Treatment Authority Final Plan** – Ferguson said the plan had been previously approved and all of the conditional items have been met. Zimmerman moved to approve the plan, Clemens seconded the motion, all were in favor, and motion carried 5 to 0.
- ♦ **Swatara Creek CLC Final Plan** – Zimmerman said there was a change made on the plan to the entranceway which the Planning Commission has approved. Aungst asked if the change was the 21 foot setback and Zimmerman said yes. Aungst moved to approve the Swatara Creek CLC Final Plan with the revisions, Clemens seconded the motion, all were in favor; motion carried, 5 to 0. DiNicola said tonight he delivered the revised Site Improvement Agreements. Zimmerman moved to approve the revised Site Improvement Agreements in conjunction with the revised plans, Clemens seconded the motion, all were in favor; motion carried 5 to 0.

**Landfill Inspector** – Clemens asked if there was anything new on the landfill gas project and Lehman said she heard there is a hold up with the right-of-ways.

**Roadmaster** – Clemens asked if the state planned any work on Rt. 443 and Heinbach said he will ask them. Clemens said he was asking because at Old Forge Road the water comes on the road and in the winter it gets icy. Heinbach said there is a drop box near there that is covered, he will check into it. Zimmerman asked Heinbach if he was aware the State plans to pave the Arrow Lake Road next year and Heinbach said Aungst had given him the notice.

**Zoning Officer** – Zoning Officer was not present and Ferguson said a report had not been filed.

**OLD BUSINESS**

**Public Water** – Zimmerman asked if everyone had seen the letter from the Borough and asked for comments. Clemens said it is obvious from the letter that it was intended to kill the opportunity. Zimmerman said maybe that is true, but he has heard that Bob Allen has been working on getting grant money to get it done. Clemens said the Borough had the money previously and had let it go. Zimmerman said he understands they will be having a meeting shortly and will be calling us and the Borough.

Zimmerman said there was an issue with the hook-ups; the Borough wants everyone to hook-up within a certain distance. Clemens said that was probably designed to kill the project, because there are residents who don't want to hook up and we had an opportunity to go where the sewer lines were going and save half the money. Zimmerman said Bob Allen told him there is a possibility they can still get grant money without imposing that stipulation.

Wenrich asked if the Borough negotiated the conditions with the Township, Zimmerman said no, these are the requirements the Borough wanted in order to provide water to the Township. Wenrich said there should have been clarification from the Township after the article in the newspaper. Zimmerman said this was the first meeting the Township had since they received the letter from the Borough and the first time they could respond. Zimmerman said the newspaper was just reporting what happened at the Borough meeting and the Township had not received the letter from the Borough yet.

**PINE GROVE TOWNSHIP SUPERVISORS**  
**SEPTEMBER 14, 2005 MEETING MINUTES - PAGE 3**  
PRINTED FROM WWW.PINEGROVETOWNSHIP.COM

**Public Water (cont.)**

Tobin read the following statement she prepared and requested the complete statement become a part of the meetings records:

“Pine Grove Borough Council has known since January of a request for public water for businesses at the I-81 interchange area. Council’s final decision on the request, the only option given to the BOS, is dated August 25<sup>th</sup>.

This decision includes Council’s “stipulations” for supplying water to that area of the township. Some of these conditions are acceptable, even desirable. However, most are not feasible.

If all of the local government representatives involved in this decision-making process had carefully weighed the benefits of this request to the Pine Grove area, it seems hard to believe that our municipalities would be as far apart on this issue as we are.

There was a chance for the Borough and Township to co-partner and provide the community with an expanded water service, which will provide municipalities’ financial gains, increased conveniences, and employment opportunities for residents.

This project could have been delivered with very little out of pocket expense, and the Borough would have had expanded service with more income to help sustain, maintain, and upgrade its existing waterlines and service while helping the Township manage growth and provide a safe and reliable source of drinking water.

Given what is at stake to the area, and the lack of cooperation from the Borough, as indicated in its final decision, I believe the Township should seek an alternate source of water. Trying to work with the Borough has significantly increased the cost of doing this important project in a timely fashion.

I believe Borough Council isn’t interested in partnering with the township on this project. It has been evident since January and has been reaffirmed in its ‘final decision.’

Together, we could have set an example for other municipalities to follow. Instead, we continue with the status quo which proves unfortunate, unnecessary and a burden that likely will affect every resident in the Pine Grove area in one way or another in the future.”

Clemens said as Tobin indicated, the Borough knew about it and we had a golden opportunity to work together. Clemens said anyone who reads the Borough’s letter will see that it is not a question of quantity, quality or availability; it is a question of control.

Aungst asked if a committee should meet with the Borough to discuss the issues. Tobin said only if we agree to the Borough’s stipulations, because as the letter states, it is their final decision and it is our only option.

Aungst said at sometime down the road we are going to need water in the Township and we should look at purchasing land for water or approach the High Bridge about water. Tobin said there is a parcel in Swope’s Valley designated for public water, but it is owned by the Borough and you would be dealing with them. Tobin said there are also private sources out there for water, but studies would have to be done.

**PINE GROVE TOWNSHIP SUPERVISORS**  
**SEPTEMBER 14, 2005 MEETING MINUTES - PAGE 4**  
PRINTED FROM WWW.PINEGROVETOWNSHIP.COM

**Public Water (cont.)**

Lehman asked if there was ever an agreement with Lebanon for water. Zimmerman said there was a possible agreement at one time, but he does not know if it is official, he was told this by a supervisor. Wenrich said he talked to Richard Longenecker who was a supervisor and he said he doesn't remember any agreement. There was no further discussion.

**Employee Dental Insurance** – Ferguson said the employee group dental coverage was dropped because not enough of the eligible employees participate in the program. Ferguson said she researched other insurances and found one that has increased coverage and costs less. Ferguson reviewed with the Board the current dental insurance (Delta) and three other insurance plan options. After comparing the annual rates, Zimmerman moved to approve the dental plan CFB from United Concordia, Aungst seconded the motion, all were in favor and motion carried 5 to 0.

**Roadmaster Vacation Time** – Zimmerman said Heinbach is not requesting or receiving the extra vacation hours at this time, but they still need to make a policy for the handbook. Ferguson said she prepared a revision to the Vacation Benefits portion of the handbook if the Board would want to review it for the next meeting and the board agreed to do so.

**Fire Company Meeting** – Zimmerman said he instigated the meeting because he was under the impression that all four fire companies were dispatched to structure fires in the Township, but found out that only three are responding. Zimmerman said they had a meeting with the fire companies and they explained they can't control more than three companies at a scene. Zimmerman said he and Wise were at the meeting and he didn't think any issues were settled on either side. Zimmerman said he was bringing it to the board to request the present fire chief of the Township change it to read that four companies be dispatched to a structure fire in the Township, because he feels if you ask four companies to come your chances are better at having at least two or three there than if you only ask three companies.

Wise said his concern at the meeting was response time to a structure fire and the issue that kept coming forward was the number of pieces of equipment responding could hamper the ability of firefighters to fight the fire and get to the scene. Wise said he understands this is a legitimate issue, but is concerned about the response time since some volunteer firefighters work out of town. Wise said if we remain with the system the way it is, there could be a delay in the response from the 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> companies; but if we have four companies available to respond, then the possibility of a quicker response time increases. Wise said he would like to have all four companies respond to a structure fire and the fire chief would be able to call off the fourth one. Wise said the way it is now the first one to the scene determines how serious the structure fire is and if additional help is needed the fourth one is called and time is lost.

Wise said he does not want the issue to tear the fire companies apart and to break the relationship between the supervisors and the fire companies. Wise said the fire companies are very important and he gives them all the respect, they certainly deserve it.

Tobin asked if the four fire chiefs were at the meeting and if they gave an opinion on the issue. Zimmerman said three out of four said to let it the way it is and the fourth had no comment.

Jim Conville, Solicitor for Ravine Fire Company, said that at the meeting all four fire companies were working together and there weren't any disagreements. Conville said the fourth one that had no comment, wasn't in disagreement that anything should be changed; Zimmerman said correct. Conville said basically they all agreed that what is in place now is working for them. Zimmerman said no, they agreed to what is happening right now, No. 1 did not agree with the way it is set up. Greg Pijar, Township Fire Chief said I disagree with that statement.

**PINE GROVE TOWNSHIP SUPERVISORS**  
**SEPTEMBER 14, 2005 MEETING MINUTES - PAGE 5**  
PRINTED FROM WWW.PINEGROVETOWNSHIP.COM

**Fire Company Meeting (cont.)**

Conville said if there is a change to be made, it can't be from the Township alone, pursuant to the agreement Pine Grove Borough would also have to get their Council to agree to make changes and there isn't anything in the works or agreed upon to change the protocol.

Zimmerman said we are not asking to change the agreements; the agreement between the Borough and the Township is that their fire companies are allowed to come into the Township and we are allowed into the Borough; they have nothing to do with the way we have the run cards set up. Pijar said you are changing the agreement if you are making the Borough the primary responder, which they would be if you are going to call them on every call. Conville said if all four companies respond every time you are making them primary responder and it becomes a question of liability.

Zimmerman said he guesses we would have to change the agreement, which takes a written letter from the Board and a three month waiting period to change the agreement. Conville said that is correct, but both municipalities would have to be on board. Zimmerman said you are saying we need to change the agreement if we want this situation the way we would like it. Conville said if a change is to be made; it has to be between the two municipalities. Zimmerman said he doesn't have a problem with that.

DiNicola said if they are referring to the mutual aid agreement, he has not reviewed it yet in detail, but the ninety day proviso is if either party wants to terminate it there is a ninety day notice. DiNicola said if either party wants to amend it or make any changes in writing, that can be done so long as both parties agree and he didn't think there was any time frame designated for that. Conville agreed with DiNicola. DiNicola said there may be a question of semantics in terms of one fire company being designated the primary responder and there being a liability issue versus all four being dispatched. DiNicola said they have a valid point and there is a concern in the event that H. H. & L. was somehow determined by a liability carrier to be primary, there may not be coverage for that entity if they came into the Township, technically it should be covered under a mutual aid agreement with the Borough.

DiNicola said there are a lot of variables involved and they should look at the agreements, but the question is the three versus the four issue and is it the Township's responsibility to make the determination what is in the best interest of the welfare of the residents on this issue or is it up to the fire company chiefs.

Zimmerman said he didn't think we were changing primary fire companies but apparently someone thinks we are and he hates to see lawyers involved. Zimmerman asked Kevin Harris (previous Township Fire Chief) if he had told him that all four companies were dispatched to structure fires in the Township. Harris said on "working" structure fires, there is a difference. Harris said to 911 a structure fire can be a camper trailer in a backyard, a workshop, a bus shelter; they do not know what the structure fire is until they are on the truck and going. Harris said he was the one in '87 that did not want to see all four fire companies run on every call in the community like they had been for years, because the four fire companies are not only responsible for that one emergency; emergencies do not always happen one at a time, you need someone available and not tied up in a cluster of hoses.

Harris said the four companies are responsible for approximately 20,000 people in Washington Township, Pine Grove Borough, Pine Grove Township and some in Tremont Township; if you have all four committed to everything that is called a structure fire, you will find out what it is to be liable, because there is not going to be adequate coverage. Harris said it would be nice to have all four come to a fire, but that is not always the best thing for the protection of the community, someone has to think about the other guy also. Harris said he thinks the fire chiefs should resolve the issue.

**PINE GROVE TOWNSHIP SUPERVISORS**  
**SEPTEMBER 14, 2005 MEETING MINUTES - PAGE 6**  
PRINTED FROM WWW.PINEGROVETOWNSHIP.COM

**Fire Company Meeting (cont.)**

Zimmerman asked why we don't just send the two Township fire companies to the fires until it is determined that it is a house and Harris said he did that for quite some time, it is only recently that it's been changed and they're running the third one along for more manpower.

Zimmerman asked what a house fire is. Harris said a chimney fire is a structure fire too and asked Zimmerman if he wants eight pieces of equipment on the street for a chimney fire. Zimmerman said no. Harris said you have to be careful when you say you want it a certain way, because you can be making things worse.

Zimmerman asked Pijar why the closest three fire companies were not dispatched to a fire. Pijar said he disagrees with Zimmerman's take on the meeting and the four fire chiefs there agreed almost immediately that there really wasn't an issue except a couple of conflicts when road names were changed. Pijar said there wasn't any other issue and Zimmerman was the instigator like he said and created the issue and told them to send the letter. Pijar said after he showed Mr. Sattizahn what the problem was, it was resolved and Sattizahn told Zimmerman several times that he believed two Township fire companies and one from the Borough was more than sufficient to go to a structure fire. Pijar said the four fire chiefs who are trained and have experience in this made that decision for a myriad of reasons that they could sit here and discuss for days, but we feel it is most appropriate based on call volume, type of call, manpower available and the possibility of having to respond to more than one emergency at a time. Pijar said the two Township fire companies have primary responsibility in the Township and it has worked, there has not been a problem, it is all pure speculation from Wise and Zimmerman and not based on anything that has occurred.

Wise demanded to know who goes to Zimmerman's house if it is on fire and Pijar said North End, Ravine and Suedberg because of a problem on the run cards when the road name was changed. Wise said who is the closest and Pijar said H. H. & L. is by 200 feet. Wise said that is what we are talking about and Pijar said at the meeting Mr. Sattizahn and he agreed to pick out the card and change it. Wise asked Pijar if he agrees it should be changed and Pijar said at the meeting they had resolved it and said there were a couple of roads that were messed up because of the computer change and they would fix that. Wise said so it is changed now that the two Township companies and the closest Borough company will respond. Pijar said no, because Wise and Zimmerman told them at the meeting they were going to make their own decision and do what they needed to do. Zimmerman said that is right. Pijar said Mr. Sattizahn and I both agreed we were not going to go through the run cards and spend hours of our time correcting it to the way we thought it should be only to have you two change it without any consideration of our training and experience. Wise said the two of us can't change it, that is a wrong statement; it has to be an agreement of the board.

Pijar said it was portrayed that the fire chiefs disagreed at the meeting and he disagrees with that. Wise said he disagrees with how Pijar is portraying the meeting and it was not as harsh as Pijar is making it now. Pijar said he believes it was pretty hostile.

Tobin asked for clarification if the Board has to agree to what the run cards are changed to and Pijar said not according to the contract. Wise said the Board has to agree to changes to the run cards. After discussion, the Board agreed that the run cards were not an issue for the Board to decide on. Pijar said he agrees that the run cards are not an issue for the Board, but that is not what they were told at the meeting.

Pijar said the problem with the run cards is only a few select roads because of name changes and conversions to the electronic file at the 911 center where some roads got switched.

Tobin said she thinks the fire chiefs should get together and put down the two Township fire companies and the closest Borough fire company on the run cards, what she is hearing now is they already agreed to this. Tobin said she is not in the fire company business and last month there were issues where she wasn't prepared to say which way she preferred it to go.

**PINE GROVE TOWNSHIP SUPERVISORS**  
**SEPTEMBER 14, 2005 MEETING MINUTES - PAGE 7**  
PRINTED FROM WWW.PINEGROVETOWNSHIP.COM

**Fire Company Meeting (cont.)**

Conville said there are areas where they recognize there is a problem and it will take time to put it down on paper, but they are willing to do that and submit it to the Supervisors. Tobin said that is understandable. Conville said it has been portrayed to him there is a level of cooperation where the four fire chiefs will be able to do this to the satisfaction of the Township Supervisors and Borough Council.

Wise said it was mentioned towards the end of the meeting that they would consider the three option run card with the two Township fire companies and the closest Borough fire company and asked Zimmerman if he had agreed to that. Zimmerman said no, he said the three closest fire companies.

Aungst asked what the downside was of not having the three closest fire companies go to the fire. Pijar said it becomes a matter of the area they are primarily responsible for and familiar with and pulling the two fire companies out of the Borough for the Township calls basically leaves the Borough without a company as their primary unit. Aungst said he knows there is a lot of things that go into the decision making process and he thinks the three closest should go to a fire, but it should be the fire companies chiefs decision.

Aungst asked if all four companies go to a fire and you do have another call, wouldn't the response time to the second fire be quicker. Pijar said no, when the 911 center dispatches all four companies to a call, those companies are committed to that call and 911 would call a different company in from another area for the second call.

Wise asked if both Borough companies were ever dispatched to the Township and Pijar said for commercial calls, the dispatch codes are different and all four companies are dispatched right away. Wise said when he left the meeting the fire companies were talking together and evidently there is no decision we have to make. Zimmerman said we stand where we did a month ago. Wise said there are areas that can be changed for the better, errors in the system that can be changed and it comes back to are we satisfied if the fire chiefs address those issues.

Pijar said the issue that started this was not actually an error on run cards, but an error in dispatching when a different company was dispatched than was on the run card. Pijar said this issue got blown way out of proportion and it could have been handled with a simple question. Pijar said it will take about 90 days to have the major problems on the run cards corrected.

Zimmerman said it is easier to clear up the run cards than to explain to the residents why the closest one is not coming their house. Zimmerman said the residents don't look at it as Township and Borough, but at the fire companies and wonders why the closest one is not dispatched to their house. Pijar said the closest one will be dispatched and said the fire companies have tailored their apparatus purchases over the years based on their responses and they don't have the same type of equipment, it evolved that way based on how things were dispatched; if you are going to change that you are going to change the composition of what type of equipment is going to a fire and you are impeding services. Zimmerman asked what company has different apparatus except North End with a ladder. Pijar said we have a heavy rescue that is not duplicated anywhere, Suedberg has an engine that carries larger quantities of water than anyone. Zimmerman said everybody has an engine, a brush truck, and a tanker. Pijar said not everyone has a brush truck, depending on capability.

Zimmerman asked for other comments and Aungst said he thought they should come back to us after changing the run cards. Pijar asked what they want, do they want a letter from the other companies or have him explain the run cards to them. Tobin said she has seen the run cards and doesn't think they should try to do that at a meeting, the Board agreed.

**PINE GROVE TOWNSHIP SUPERVISORS**  
**SEPTEMBER 14, 2005 MEETING MINUTES - PAGE 8**  
PRINTED FROM WWW.PINEGROVETOWNSHIP.COM

**Fire Company Meeting (cont.)**

Pijar asked what the Board wants to be satisfied. Aungst said it would be good for the fire chief to come to some of the Township meetings and share information with us, every other month or once a quarter, we should be hearing from the fire chief during the year.

Tobin asked Zimmerman if he and Wise are still going to keep up the quarterly meetings with the fire companies. Zimmerman said he went to the one he wanted to go to. Tobin said he has all the meetings and Zimmerman said he didn't. Tobin said yes he does and Zimmerman said then you better get a motion that this Board reinstates you, he is not going. Tobin said she has not been reinstated. Zimmerman said he is not going. Aungst said the fire chief could come to our meetings. Tobin said we don't have just one fire company, we have two. Zimmerman and Aungst said but we have one fire chief. Tobin said we have two fire companies that we have tried to maintain communication with. Wise said we can continue the quarterly meetings and Aungst agreed.

**NEW BUSINESS**

**2005 Schuylkill County Township Officials Convention Attendance** – Ferguson said the convention will be held Wednesday, October 19<sup>th</sup> and if anyone plans to go she needs to send a check in by September 30<sup>th</sup>. Tobin, Zimmerman and Clemens said they are unable to attend and Aungst said if can go he will send a check in himself. Wise said he couldn't commit at this time and Ferguson said if they do go, they would get reimbursed for mileage.

**2006 Budget Meetings** – After discussion, Zimmerman moved to advertise Budget Meetings for October 18<sup>th</sup>, October 25<sup>th</sup> and November 1<sup>st</sup> at 6 PM, Clemens seconded the motion, all were in favor; motion carried 5 to 0. Zimmerman moved to advertise for an independent auditor for review of the 2005 records, Clemens seconded the motion, all were in favor and motion carried 5 to 0.

**PMRS Minimum Municipal Obligation (MMO)** – Ferguson said as Chief Administrative Officer of the Township she is presenting the annual form for the Township pension plan to the Supervisors as required by law with the worksheet that shows her calculation of the projected expenses for next year's pension obligations. Ferguson said the minimum obligation for the Township pension plan for 2006 is \$8,117.00 and we will receive State reimbursement for the majority of this obligation. Aungst moved to approve the PMRS MMO worksheet as prepared by Ferguson, Zimmerman seconded the motion, all were in favor and motion carried 5 to 0.

**PennDOT On-line Account** - Ferguson said for the CDL program we are required yearly to get employee's driving records for those involved in the program. Ferguson said she can set up an on-line account with PennDOT to request these records free of charge and requested approval from the Supervisors to complete the application and have it notarized. Zimmerman moved to approve authorizing Ferguson to set up the on-line account, Clemens seconded the motion, all were in favor and motion carried 5 to 0.

**Planning Commission Secretary Pay** - Zimmerman said this was discussed last month in executive session and moved to pay the Planning Commission Secretary \$25 per month, Clemens seconded the motion, all were in favor and motion carried 5 to 0.

**CORRESPONDENCE**

- ♦ Zimmerman gave the information for the County Fall Clean Up to be held here Thursday through Saturday, September 22<sup>nd</sup>, 23<sup>rd</sup> and 24<sup>th</sup> and confirmed the schedule for manning the site.

**PINE GROVE TOWNSHIP SUPERVISORS**  
**SEPTEMBER 14, 2005 MEETING MINUTES - PAGE 9**  
PRINTED FROM WWW.PINEGROVETOWNSHIP.COM

**PUBLIC COMMENT**

- ♦ Tobin said there is a problem at the recycling area with people taking things out of the bins. Tobin said the bin was locked and Heinbach said the lock was broken. After discussion the board agreed to have Ferguson send a letter to the person who has been seen taking cans and Zimmerman will give her the name to send the letter to.
- ♦ Aungst said the Recreation Board asked to use the Township letterhead to send a letter to Sherwin Williams to request a donation of paint for the basketball court. Tobin said she thinks the Planning Commission, the Zoning Hearing Board, the Fire Chief, and the Fire Marshal should have a letterhead with their affiliation to Pine Grove Township to use when they need to send a letter. Clemens said the Township office should get a copy of the letters they send and the Board agreed to the request.
- ♦ Aungst said he wanted to recognize the Fire Police and the outstanding job they did on August 29<sup>th</sup> when there was an accident on I81 and they directed traffic from 5:30 in the morning to 2 PM, they did a super job.
- ♦ Clemens said someone approached him about filling out a form for information on building permits to contact the contractors to do business with them in the community. Clemens said as he understands it the building permits have personal information with costs etc. on it but he was wondering if there was a way this person could find out where construction was going on so he could talk to contractors for sales. DiNicola said the person could submit a request on a regular basis and the Township could issue a record in a redacted form but it may not be useful then. Ferguson asked if the building permit is a public record and DiNicola said he will answer that when the request is made and he knows exactly what the person wants. Lillian Patten said the person should drive around and find where construction is going on, not have the secretary look it up for him. Ferguson said the Township has a public records policy and if it is a public record then she has to look it up for him, anyone can come in and request a public record and she must take the time to respond to the request.
- ♦ Ferguson said the Borough called today and requested approval for use of Township roads for the Halloween parade on October 15<sup>th</sup>. Aungst moved to approve the Borough's request. Tobin seconded the motion, all were in favor; motion carried 5 to 0.
- ♦ Ferguson said the IRS increased the mileage rate to 48.5 cents between September 1<sup>st</sup> and December 31<sup>st</sup> of 2005; she noted the Township has their rate the same as the IRS rate in the January minutes. Zimmerman moved to increase the reimbursement for mileage to 48.5 cents per mile effective September 1<sup>st</sup>, 2005. Clemens seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ Donald Wenrich asked Zimmerman why he is resisting creating a water authority and Zimmerman said he isn't, he is against using the present authority; he would not oppose creating a new authority. Wenrich asked how many people in the Township are on the Borough water supply. Zimmerman said basically the residents in Ravine, the Industrial Park, and Natale's and Heinbach's trailer courts. Wenrich asked if there are businesses on Borough water. Zimmerman said the ones in Ravine are. Wenrich asked if the trailer plants are and Tobin said the new plant is. Wenrich asked if the Borough comes to the Supervisors and gets an ok when they run a line and Zimmerman said no. Wenrich asked why not, they are infringing in our municipality. Zimmerman said he would agree with that statement if we had a water system. Wenrich said he is not saying deny them the water, but it gives negotiation power to people, you should be representing those people; the Borough can charge whatever they want. Tobin said they are charging what they want. Wenrich said they can charge more, there is not a set level; to me you're not representing the people in that respect. Zimmerman said the Board hasn't had a problem with businesses saying the Borough is charging them too much and the Township residents are charged more for water but nobody has complained because it is a fairly cheap rate. Tobin said she thinks a lot of them don't realize they are paying more.

**PINE GROVE TOWNSHIP SUPERVISORS**  
**SEPTEMBER 14, 2005 MEETING MINUTES - PAGE 10**  
PRINTED FROM WWW.PINEGROVETOWNSHIP.COM

- ♦ Wenrich asked if he thinks it is fair for a person who has their own well to be charged for using their own water and Zimmerman said definitely not. Wenrich said it is happening in the township; when this person was hooked up to the sewer they had a meter put on their well. Zimmerman asked if it was at a business; Wenrich said yes. Zimmerman said that is different, years ago they had a system that, in a barroom for example, you paid so much for sewage based on the number of barstools and to make it fair for a business, now they put a meter on their water so the sewage is charged by the gallons of water they could possibly send into the sewer system; they are not paying for their water, they are paying for a fair amount of sewage. Wenrich asked if the new businesses at the interchange will have meters on their wells. Tobin said they are metered.
- ♦ Wenrich asked Wise why he voted no in July when Tobin brought it up about establishing a water authority. Wise said at the time he thought the situation between the Township and the Borough would be worked out immediately and with the businesses voicing their concerns here and at the Borough we would get a plan back from the Borough that would be more acceptable to everybody, he had faith in the Borough that this was an issue that could be resolved because of it's importance, but he was surprised at what came back. Wise said at some point we have to decide do we want to continue to develop our areas in the Township like we see it happening; he can visualize a mini mall in the fields along 443.
- ♦ Wenrich asked Aungst why he voted no for establishing a water authority. Aungst said he voted no because at that time he thought they were talking about using the sewer authority, he is opposed to that. Wenrich said he thinks the Township would be in better shape to negotiate with whoever is going to supply water if we had an authority because we would come under some P.U.C. laws. Tobin said the Borough is the ones under the P.U.C, they are not an authority and they have the water source. Wenrich said if we have an authority we have to give them permission to come into our municipality. Tobin said an authority is not regulated by the P.U.C. DiNicola said they are governed by the Municipalities Authorities Act and their powers are strictly confined to that.
- ♦ Lee Zimmerman said the landfill is having a meeting on September 23<sup>rd</sup> at 9 AM with County officials to discuss the wildlife habitat program they are starting and invited the Board to attend. Lee Zimmerman said Clint said they did not need a building permit to relocate an office trailer from behind the treatment plant to where the Longenecker buildings used to be to develop an education center there. Larry Zimmerman said you are technically not building anything and as long as you are not putting footers in he doesn't see a problem with that.
- ♦ Judith Lehman said she thinks the Township should pursue the property in Swope's Valley and see if Richard Boyer ever put any stipulations in for water for the Township. Lehman said she thought when Boyer gave it to the Borough there was some type of inclusion for the Township. Tobin said it was purchased by the Borough and there is a stipulation on the deed that it is to be used for water; if the Borough doesn't use it for water they can't use it for anything else.
- ♦ Clemens asked DiNicola to look into for the next month's meeting if it is legal to charge different rates for water if you fall under the P.U.C.

**ADJOURNMENT**

At 9:36 PM, Zimmerman moved to adjourn the meeting, Tobin seconded the motion and all were in favor; motion carried 5 to 0 and meeting was adjourned.

**Respectfully submitted,**

**Kathy Ferguson, Secretary / Treasurer**

PRINTED FROM WWW.PINEGROVETOWNSHIP.COM

**Approved by the Board of Supervisors October 12, 2005.**