

PINE GROVE TOWNSHIP SUPERVISORS
175 OAK GROVE ROAD, PINE GROVE, PA 17963
JANUARY 3, 2006 REORGANIZATION MEETING MINUTES



Appoint Temporary Chairperson

At 7 PM Herman Clemens was appointed Temporary Chairperson and called the meeting to order. Clemens introduced newly elected Supervisor Judith Lehman and acknowledged re-elected Supervisor Allen Aungst. Clemens asked for public comments on the agenda items; no public comments were received and Clemens led the Pledge of Allegiance. Also present were Supervisors Jerry Wise, Larry Zimmerman, Allen Aungst and Judith Lehman; Secretary - Treasurer Kathy Ferguson, Clinton Koontz, Lynn Johnson, John T. Stahl, Diane Tobin and other residents; list on file.

AGENDA ITEMS

Elect Chairperson – Judith Lehman nominated Allen Aungst. Aungst nominated Larry Zimmerman, Clemens seconded Zimmerman’s nomination; all were in favor and Zimmerman was elected Chairman.

Nominations for Vice-Chairperson - Lehman nominated Jerry Wise, Clemens seconded the nomination; all were in favor and Wise was elected Vice-Chairman.

Appointment of Secretary/Treasurer - Aungst moved to reappoint Kathy Ferguson. Clemens said he thought this was a Board secretary as opposed to Ferguson’s position, Zimmerman said no. Lehman seconded the motion, all were in favor; motion carried 5 to 0. Zimmerman said he thinks what they had before was an alternate in case Kathy wasn’t here and asked Tobin if she had been an alternate in case Kathy wasn’t here to take minutes. Tobin said a few years ago and Zimmerman asked her if they did it last year and Tobin said no; Zimmerman said that’s fine we don’t have to.

Establish amount of Treasurers Bond – Zimmerman asked if the amount is sufficient and Ferguson noted the Second Class Township Code requires the bond amount to be equal to the highest amount of Township funds available to the treasurer at any time during the year and she recommended the bond be increased to two million dollars. Aungst said the investments require two signatures to withdraw from them. Ferguson said we require two signatures, but the bank has said they don’t always check each account; it is our policy to require the two signatures but it is possible to be done without two signatures.

Clemens asked how she feels about it since she is the one that is bonded. Ferguson said she feels the bond should be increased to two million because according to the code that would be the recommended amount and perhaps she won’t always hold the office; if another person held the office and they wanted to change the amount it would be person specific rather than position specific.

Aungst said we have gone through this before and checking with other municipalities, they don’t bond the whole amount of the funds available and with our requiring two signatures to cash a check, he doesn’t see the value of tripling our expense. Ferguson said the cost of the bond would probably increase at least \$500, but to cover the funds of the Township she feels that amount is somewhat negligible.

Lehman said she thinks it has nothing to do with the trust of Ferguson or any other treasurer, but thinks it is good business to protect the Township funds. Lehman asked Ferguson if she had a quote for how much the bond would cost for two million dollars. Ferguson said she did not have a quote, but in looking at past bills, she is assuming it would be at least \$500 more than what we pay now per year. Lehman asked what we pay now and Ferguson said \$742 per year for a \$500,000 bond.

Establish amount of Treasurers Bond, cont.

Ferguson read the section from the Second Class Township Code and noted it is at the Board's discretion. Clemens said he thinks they should protect the amount of money that is in the treasury; if the lawyer feels differently we could change it in the coming year.

Lehman said if we could be assured the bank would honor the two signatures, but we can't.

Zimmerman said then why do we sign that paper, we might as well burn the paper if they are not going to honor what we want. Aungst said if we go into a fixed amount of money you wouldn't be able to withdraw the money anyhow. Koontz said he doesn't understand why we don't have an account that requires two signatures, don't they have signature cards.

Zimmerman said that is what we have. Ferguson said the bank's point is they don't look up the signature cards for every account.

Zimmerman suggested leaving it where it is now and when our solicitor is available to get his opinion, he's the one who should take care of us legally. Aungst asked Ferguson to check on the cost of increasing the bond. Zimmerman moved to keep the bond amount at \$500,000.00 for now, Aungst seconded the motion, all were in favor and motion carried 5 to 0.

Establish Compensation for Meetings - Clemens moved to increase the compensation for the Secretary to \$50 per meeting, Lehman seconded the motion, all were in favor; motion carried 5 to 0. Zimmerman said the Roadmaster and Zoning Officer are not required to stay for the meeting; they are free to leave the meeting as soon as their report is done. Clemens moved to keep the compensation for meetings for the Roadmaster and the Zoning Officer at \$15, Lehman seconded the motion, all were in favor; motion carried 5 to 0.

Establish Compensation for Mileage Reimbursement - Aungst moved to change the rate to the current IRS rate of 44.5 cents per mile, Clemens seconded the motion, all were in favor and motion carried 5 to 0.

Set Wages of Employees

Zimmerman said the increase for the cost of living is 4% and Aungst said the county increase is 3%. Aungst said for discussion purposes he would like to consider a 45 cent increase per hour for hourly rate employees, this would be between the 3% and 4% cost of living increase.

Secretary Treasurer Wages - Clemens asked if work from the other committees like Zoning and Planning is coming back to fall on our secretary; Ferguson said she does put a lot of time in on the Planning Commission work, partly because she is the one who is here to answer questions when applicants and developers come in. Clemens moved to increase the Secretary / Treasurer's hourly rate by \$1.00 per hour, Lehman seconded the motion, all were in favor; motion carried 5 to 0.

Other Hourly Employees Wages - Lehman moved to increase all other hourly employee's rate by 45 cents, Clemens seconded the motion, Aungst and Zimmerman voted in favor, Wise opposed the motion and motion carried 4 to 1.

Zoning Officer Wages - Koontz said he has information for the Board. Koontz said last year at the reorganization meeting the Board asked him to do a time study on his job, but needless to say that fell through. Koontz made a copy of the law that concerns his compensation; it is in the Municipalities Planning Code and provided the Board with a copy of the section. Koontz said the code says you can charge as much for permits as needed to cover the administration and enforcement etc. of the zoning ordinance. Koontz said he looked back two years and according to the permits, there were three types written – commercial, to which he assigned a minimum value of \$250; residential permits which are \$100 and accessory permits are \$50. Koontz said in 2004 we had gross income from zoning of \$7,850 that is with minimum value assigned to commercial permits; in 2005 we had gross income of \$7,400; both years he was

Zoning Officer Wages, cont.

compensated gross wages of \$6,900. Koontz said we are in both years well underneath what is required to cover his wages. Koontz said other fees that need to be appropriated are separate from that and there is information there how to handle that, for instance the Zoning Hearing Board, their counsel, etc.; these are the guidelines for the salary fixing for the zoning enforcement officer, you have to balance it with what you are bringing in and what you are paying out. Koontz said according to his calculations, minimally you have at least \$500 a year extra out of those two years and that's with 90 permits each year.

Lehman asked where Koontz got the copy from and Koontz said from the Municipalities Planning Code, the state law that governs planning and zoning.

Zimmerman said going by that we are talking about \$50 a month more to get us a lot closer. Koontz said he's not saying to go ahead and do this, we may write 75 permits next year, but if we find we are short money in a given year, a \$5 increase in each permit, which is very minimal at the user end, would result in almost \$1,000 income if we need it. Koontz said he is not saying we need to increase permit fees to cover a salary raise, the money is there already to cover a salary raise; planning and zoning is supposed to be a break even venture. Zimmerman said technically it's not any money out of the taxpayer's pocket either, because it's paid for in permits.

Aungst said we didn't change the rate last year. Aungst moved to increase the Zoning Officer's rate to \$600 per month. Clemens seconded the motion. Lehman asked if it should be looked into and Zimmerman said he is trusting that Koontz took it right out of the code. Aungst said even if it didn't, it doesn't matter; we haven't increased it for the last two years. Lehman asked how Koontz was hired and if he was he hired by permit payment. Lehman said he is saying the permit payments come out to \$7,850 gross, but what is the net, what else is paid out of that, isn't there some office fees that come out of it. Koontz said it says in there administration and enforcement and the office collects the money, date stamps the permit and issues it when the person comes in, but permit processing is obviously the zoning officer.

Aungst asked if we reimburse mileage and Koontz said he doesn't charge mileage and he also doesn't bring his private phone bill in and charge for that either, he thinks \$25 a month is kind of minimal. Lehman said to Koontz he has an office here with a phone. Koontz asked if he should drive out here every time someone calls him at home to call them back if they are out of the toll area. Lehman asked Koontz if he is employed by the Township. Koontz did not reply.

Zimmerman called for the vote on Aungst's motion to increase the Zoning Officer's pay, Zimmerman and Wise voted in favor, Lehman opposed the motion, motion carried 4 to 1.

Affirm Supervisor Lehman as Host Municipal Inspector – Zimmerman questioned this item on the agenda and said if it is for compensation, the Board cannot set that. Ferguson said it is not for compensation, but according to PSATS there is a need to affirm supervisors employed by the Township in other positions and the Board needs to confirm Lehman's continued employment as Host Municipal Inspector. Zimmerman asked if that is interpreted out of the second class code. Ferguson said she is going by the checklist for the Township annual reorganization meeting provided by PSATS and it says to "affirm those supervisors employed by the township as roadmaster, laborer, etc. or any employee capacity not prohibited by the Township Code or any other act, the board of supervisors may recommend pay scales to the auditors for these supervisor / employees".

Zimmerman said he is not aware of anything that conflicts with it and asked if anyone else is, no one responded. Zimmerman asked if anyone had come in and said they had a problem with it, Ferguson said no, she thinks it may be a formality, but it should be done in the form of a motion.

Clemens moved to affirm Supervisor Judith Lehman's continued employment as Host Municipal Inspector, Zimmerman seconded the motion, all were in favor; motion carried 5 to 0.

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Appointments

- ♦ **Auditor** – Ferguson said this is the elected auditor seat that has been vacant since William Blain’s term expired in 2004 and the Board can appoint someone to fill the term to 2010. Aungst questioned when Howard Lengel’s term was up and Ferguson said his term was up tomorrow night; Diane Tobin is filling that seat having been elected in November. No applications were received for auditor and Zimmerman said to keep in mind this and other vacancies on our boards. Clemens asked the newspaper to report the vacancy also.
- ♦ **Chairperson of Vacancy Board** – Aungst said Larry Barr, Sr. is interested in being reappointed. Clemens moved to reappoint Larry Barr, Sr. as Chairman of the Vacancy Board, Wise seconded the motion, all were in favor; motion carried 5 to 0.
- ♦ **Emergency Management Deputy** – Zimmerman asked if we have an Emergency Management Coordinator and Ferguson said yes, Crystal DeLong. It was noted this position has been open since Venetta Pettigrew resigned, Zimmerman said he doesn’t think it is necessary since we have an Emergency Management Coordinator and no longer have a joint agreement with the Borough. Lehman said Tim Weaver might be interested and Zimmerman said to check with him.
- ♦ **Engineer** – Aungst moved to reappoint Alfred Benesch & Co. as Township Engineer, Lehman seconded the motion, all were in favor and motion carried 5 to 0. Zimmerman moved to adopt the fee schedule as proposed by Benesch, Lehman seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ **Health Officer** – Zimmerman moved to reappoint Lewis Moyer; continuing to be paid \$25 per incident, Clemens seconded the motion, all were in favor; motion carried 5 to 0.
- ♦ **Legal Counsel** – Zimmerman moved to reappoint Pfeiffer, Brown, DiNicola & Goodman, and Aungst seconded the motion, all were in favor; motion carried 5 to 0.
- ♦ **Sewage Enforcement Officers** – Clemens moved to reappoint Light-Heigel & Assoc. and Fisher Engineering and adopt the fee schedule submitted by Light-Heigel & Assoc. Wise seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ **Tax Hearing Officer** – Clemens moved to reappoint Berkheimer Assoc., Aungst seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ **Fire Marshal** – Aungst moved to reappoint Jonathan Flynn as Fire Marshal, Clemens seconded the motion, all were in favor and motion carried 5 to 0.

Re-Appoint / Appoint Members

- ♦ **Planning Commission** – Lynn Johnson’s term expired and when questioned, he said he would serve again. Zimmerman moved to reappoint Johnson for a four year term expiring January 2010, Aungst seconded the motion, all were in favor and motion carried 5 to 0. The Board reviewed applications submitted and Clemens moved to appoint John Stahl to fill a vacancy left by Anna Sweigart’s resignation; term ending in January 2007. As Clemens was speaking, Clinton Koontz said loudly “What, John Stahl!” and other comments. Lehman declared “Point of Order”. Aungst said it is John Stahl’s son. Zimmerman asked if everyone knew who they were voting for and Lehman said John Stahl was present; Stahl acknowledged his presence. Lehman seconded Clemens motion to appoint John Stahl, Aungst and Wise voted in favor, Zimmerman opposed the motion, motion carried 4 to 1.
- ♦ **Recreation Board** – Rachel Salen’s term expired. Aungst said she has declined to serve again, but the Board did have someone interested, he didn’t know if they put in an application. Ferguson gave the Board an application received from Wes Levan and they reviewed it. Aungst said Craig Lehman was interested, but he apparently didn’t get the form in. Lehman moved to appoint Wes Levan to serve a 5 year term expiring January 2011. Clemens seconded the motion; all were in favor; motion carried 5 to 0.

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- ♦ **Zoning Hearing Board** – Larry Mann’s term expires, Aungst said he is interested in serving again. After reviewing applications received, Aungst moved to reappoint Mann to another term on the Zoning Hearing Board expiring January 2009; Wise seconded the motion. Zimmerman voted in favor, Clemens and Lehman opposed the motion and motion carried 3 to 2. Aungst moved to appoint Dan Bode to fill the vacant second alternate position with the term expiring in January 2008, Lehman seconded the motion, all were in favor and motion carried 5 to 0.

Select Independent Auditor – Zimmerman opened one proposal received from Huber and Associates in Harrisburg, the cost proposal was \$3,500.00. Ferguson said it is the firm who did last year’s audit and the cost was the same as last year. Zimmerman moved to approve Huber and Associates to conduct an audit of the books for the year 2005, Aungst seconded the motion, all were in favor and motion carried 5 to 0.

Select Depositories

- ♦ **Lebanon Valley Farmer’s Bank** – Zimmerman moved to adopt Resolution # 2006-01 to designate Lebanon Valley Farmers Bank as a depository of Township funds and authorize the Board of Supervisors and the Treasurer to sign the signature forms required by the bank. Clemens seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ **Sovereign Bank** – Zimmerman asked if they wanted to keep the money in separate banks. Clemens asked if it would be simpler to keep the same banks. Ferguson said yes, there are amounts in PLGIT that belong to the fire companies and also the Landfill trust account is in PLGIT. Ferguson added that there is one account in Sovereign Bank with a fixed rate until mid-January and also an escrow account in Sovereign. Ferguson said she recommends keeping all three banks at this time, but possibly reallocating some of the money during the year. Clemens moved to adopt Resolution #2006-02 to designate Sovereign Bank as a depository of Township funds and authorize the Board of Supervisors and the Treasurer to sign the signature forms required by the bank. Lehman seconded the motion, all were in favor; motion carried 5 to 0.
- ♦ **PLGIT** – Aungst moved to adopt Resolution # 2006-03 to designate PLGIT as a depository of Township funds and authorize the Board of Supervisors and the Treasurer to sign the signature forms required by the bank. Clemens seconded the motion, all were in favor; motion carried 5 to 0.

Select Preferred Advertisement location – Aungst said the Press Herald has lower rates and is widely circulated in the community. Aungst moved to advertise in the Press Herald whenever possible, Clemens seconded the motion, all were in favor; motion carried 5 to 0.

Establish Times, Dates, Location of Monthly Meetings - Lehman moved to keep the township meeting the same, on the second Wednesday of the month, at 7:00 PM in the Township Building. Clemens seconded the motion, all were in favor; motion carried 5 to 0.

Certify Delegates to State Association Annual Convention in Hershey and choose voting delegate - Zimmerman said he plans to attend the convention this year; Clemens, Lehman and Ferguson will also attend; Aungst and Wise said they do not plan to attend. Zimmerman moved to appoint Lehman as the voting delegate, Clemens seconded the motion, all were in favor and motion carried 5 to 0.

Determine Holidays for non-union township employees - Aungst moved to keep the same ten paid holidays; (New Year’s Day, Good Friday, Primary Election Day, Memorial Day, July 4th, Labor Day, Election Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Day) Zimmerman seconded the motion, all were in favor and motion carried 5 to 0.

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Select Committee Representatives – Zimmerman asked if anyone wanted to change the committee they were on and Aungst asked Lehman which ones she would like to be on. Lehman said she would be interested in the Employee Handbook and Property and Roads committees. Zimmerman said he would give Lehman his seat on the Employee Handbook committee and she could join him on the Property and Roads committee. The Board agreed to the following committees:

- ♦ Budget and Finance - Allen Aungst, Jerry Wise
- ♦ Employee Handbook - Herman Clemens, Judith Lehman
- ♦ Fire Company - Jerry Wise, Larry Zimmerman
- ♦ Property and Roads - Larry Zimmerman, Judith Lehman
- ♦ Salary Reviews, Health Insurance and Benefits - Allen Aungst, Herman Clemens

PUBLIC COMMENT

- ♦ Lehman asked if there were certain meeting days for the committees, Zimmerman said no, you get together with the other person when you want to.
- ♦ Wise asked for a short executive session on our organizational meeting tonight as far as appointments. Zimmerman said he doesn't know if they can because it has to be legal or employee related. Wise said it would be one of the employees. Zimmerman said then it is okay.

Executive Session –The board went into executive session at 8:10 PM. Executive session ended at 8:15 PM and the meeting resumed. Zimmerman stated they discussed a possible conflict of interest but agreed there was none.

- ♦ Aungst said he has heard complaints about the office being closed on Thursdays. Ferguson said she would like if the Board would table that issue until next week's meeting when she will have some information on that issue. The board agreed to table the item.
- ♦ Zimmerman said WJP, the engineers for the project at Sweet Arrow Lake has contacted him about the fees the Township is requesting for the bridge they are constructing. Zimmerman said he feels we should waive fees from other municipalities because their engineers inspect their work. Koontz said as long as the engineer is certified, there shouldn't be a problem and it would save community funds. Aungst said the project is still in our municipality, we would be responsible. Clemens said he would like our solicitor to comment on this. Zimmerman tabled the item until the January 11th meeting.
- ♦ Zimmerman said he doesn't think we need the landfill inspector full time; he had brought it up last year. Clemens asked when the landfill is going online again and Lehman said more than likely it will be this year. Zimmerman said he doesn't want her to be full time now when it's closed or then when it opens they'll say we need two people.

Lehman said there will be two and a half years where trash is going in, after DEP approves the permit for Pad 12, possibly this year. Lehman asked Zimmerman if he is saying he does not want her there when the building of the cell is going on. Zimmerman said yes she should be there for building of the cell where the trash goes in. Lehman said the cell is not only where the trash goes in, it is the construction of the cell and placement of the liner and then filling with trash.

Zimmerman moved to make the Landfill Inspector part time as long as deemed necessary, Aungst seconded the motion.

Wise asked Lehman if she finished the paperwork that she said she was going to catch up on when the landfill closed. Lehman said yes and no, she has been studying the leachate treatment plant, training herself on the gas operation and has spent time with the Waste Management gas technicians. Lehman said she has gained a lot more knowledge in both the leachate and gas operations.

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Wise asked if the paperwork was completed and Lehman said some of it, but most of her time was spent in the field with the technicians and on daily reports.

Aungst repeated his second of Zimmerman's motion; Zimmerman said it was 20 hours a week until the landfill opens. Wise voted in favor of the motion, Clemens opposed the motion. Ferguson asked the chairman if Lehman had voted and Zimmerman said Lehman had to abstain. Lehman abstained and motion carried 3 to 1.

- ♦ Ferguson said for the record she would like to note that Diane Tobin has been elected as auditor with her term expiring in January 2012; Frances Heinbach was elected as Tax Collector for another four year term and Donna Stokes was elected as Assessor for a four year term.
- ♦ Ferguson said before the Board comes in on January 9th to destroy old records, she checked into the Records Retention schedule and there is a 94 page book of instructions on how things are to be handled. Ferguson said it also states in the book that all municipal codes make the Secretary responsible for preserving the records. Ferguson said the instructions for record disposal are lengthy and suggests further thought be given to the action before the Board actively destroys any records. The Board of Supervisors agreed and cancelled the January 9th meeting.
- ♦ Ferguson said she received a request from the insurance agent to complete a statement of values for Township property and Zimmerman said to fill in the same amounts as last year. Ferguson said the amounts were not filled in last year and Zimmerman said to give the form to Heinbach to fill in the square footage of the buildings etc and bring it back to next week's meeting.
- ♦ Lynn Johnson said the Planning Commission received a letter requesting input on a grant application for the Joint Treatment Authority and asked direction on how to handle it. Zimmerman suggested the Planning Commission review the letter and forward it to the Board of Supervisors stating it should probably have been sent to the supervisors.
- ♦ Tobin said if the Township would continue to maintain the Township website financially, she is volunteering to update the site. Aungst asked if the secretary could do that and Tobin says it does take a lot of hours to maintain the site. The Board agreed to have Tobin continue maintaining the Township website.
- ♦ Tobin said as a Township Auditor, she has to set the rate of pay for Lehman as a working supervisor and she is asking if the change in Lehman's status to part time will cut her holidays, vacation time and benefits. Zimmerman said Lehman no longer gets holidays, vacation or any other benefits.

ADJOURNMENT

At 8:40 PM, Zimmerman moved to adjourn the meeting, Clemens seconded the motion, all in favor, motion carried 5 to 0 and meeting was adjourned.

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Respectfully submitted,

Kathy Ferguson, Secretary / Treasurer

Approved by the Board of Supervisors, January 11, 2006.

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