

PINE GROVE TOWNSHIP SUPERVISORS
175 OAK GROVE ROAD, PINE GROVE, PA 17963
JANUARY 11, 2006 MEETING MINUTES



CALL TO ORDER

Chairman Larry Zimmerman called the January 11, 2006 meeting to order at 7 PM and opened the meeting with the Pledge of Allegiance. Attending were Supervisors Allen Aungst, Herm Clemens, Judith Lehman and Jerry Wise. Also present were Solicitor Gino DiNicola, Sect. / Treas. Kathy Ferguson, John Heinbach, Donald Wenrich, Ray Stump, Laura Sutherly, Diane Tobin, Ron Aungst, John Stahl, Lee Zimmerman, Earl Kreiser, Joan Schwer, other residents; list on file.

PUBLIC COMMENT ON AGENDA ITEMS

Donald Wenrich said he would like to address the Board before they approve the minutes of January 3rd. Zimmerman said it is the next item and told Wenrich to go ahead.

Wenrich said "I rise to a point of order" and "I rise to address this body under the rights set forth in the Sunshine Law concerning violations of said law". Wenrich said motions made at the January 3rd meeting concerning the Host Municipal hours were out of order and said "I move all motions made by Supervisor Zimmerman at the January 3, 2006 special meeting regarding reduction of the hours for the Host Municipal Inspector be expunged from the minutes." (Wenrich's complete statement is on file in the Township office.) Ray Stump and other residents said "I second that". Wenrich said to Zimmerman "I yield the floor to you".

Zimmerman turned it to the solicitor and DiNicola said he had briefly looked at the minutes from the January 3rd meeting, but had not been present at the meeting. DiNicola read portions of the minutes and said his preliminary opinion is that the motion was satisfactory, but to decide whether or not the technical procedures were in error, he would have to take a look at what basis or authority Mr.

Wenrich is raising.

Zimmerman asked what is wrong with the motion and Wenrich said the motion is out of order according to Roberts Rules of Order parliamentary procedures, at that point in the meeting you can't amend the previous question; you have to go to reconsideration. Zimmerman asked if he is questioning because he said part time and then said twenty hours. Wenrich said no he is questioning where he made the motion.

Aungst asked if Wenrich is saying Zimmerman couldn't make any motion, Wenrich said no, he is saying he should have made a motion to reconsider Clemens motion. Aungst said his motion was to continue her as Host Inspector, it didn't have anything to do with her hours; you can have a full time or part time Host Inspector. Wenrich said Clemens motion did concern her hours, the agreement she was working under was for forty hours. Aungst asked what agreement, Wenrich said the agreement Clemens made a motion to affirm, the people must be working under some agreement, they don't just come in when they want; she must have agreed to forty hours because you don't give benefits for less than forty hours.

DiNicola said he can research it, but his preliminary opinion stands; the motion was passed by the majority of the board members then present. DiNicola said the alternative is to have the Board reconsider it during tonight's meeting for clarity purposes.

Wenrich said he has a motion before the Board that was seconded. DiNicola asked under what authority he is raising a motion before the Board. Wenrich said he rose to a point of order, which gives him the floor; he took the chairman's place. DiNicola said he would have to cite the authority on which he was relying. Wenrich said he had it right there.

Zimmerman said it is a public comment period, Wenrich was allowed to comment; now we can move on. Wenrich said he has a motion before the Board and asked Zimmerman if he is going to deny that motion and Zimmerman said yes until our solicitor takes it under advisement.

**PINE GROVE TOWNSHIP SUPERVISORS
JANUARY 11, 2006 MEETING MINUTES - PAGE 2**

Wenrich asked how they will dispose of his motion and DiNicola said he understands the Board wants him to take it under advisement and research the issue after Wenrich provides him with the authority he is relying on. Wenrich asked if his motion is open until the next meeting and DiNicola said that is traditionally when he reports to the Board and he has no problem with Wenrich bringing the motion up for reconsideration at the next meeting. Wenrich said then the minutes for the meeting should not be approved and he is challenging the motions made at that meeting; DiNicola said let the records so reflect.

MINUTES / FINANCIAL ITEMS

- ♦ **December 14, 2005 Meeting Minutes**
- ♦ **January 3, 2006 Reorganization Meeting Minutes**
Aungst moved to approve both sets of minutes, Zimmerman seconded the motion. Wise, Zimmerman and Aungst voted in favor. Clemens and Lehman opposed the motion and motion carried 3 to 2.
- ♦ **Treasurer's Report** - The General Fund beginning balance was \$151,993.21. Zimmerman said the December General Fund receipts were \$62,853.51, December General Fund expenses were \$46,655.93 and the ending balance of the General Fund is \$168,190.79. Zimmerman said the Combined Township Fund ending balance is \$2,208,389.90. Clemens moved to approve the Treasurer's Report, Aungst seconded the motion, all were in favor and motion carried 5 to 0.
- ♦ **Approval of Bills** – Lehman asked to see the insurance bill and Ferguson said it was not entered yet but the renewal application is in the correspondence folder. Lehman said then she'll address the issue later with the correspondence. Aungst moved to approve paying the bills totaling \$27,259.96; Wise seconded the motion, all were in favor and motion carried 5 to 0.

PERSONS TO BE HEARD

- ♦ **Laura Sutherly** from Lebanon Valley Farmer's Bank discussed some account options for investments and the proposal previously submitted to the Township. Sutherly said if the Township goes with one of the two options presented, a corporate employee banking account is available for any Township employee at no cost.

Aungst said there was a question about the bonding and asked if two signatures are required on the checks and if money fixed in an account for a year would be pretty tough to access by an individual. Sutherly said yes, when the account is set up you can require two signatures and anything redeemed would be payable to the Township.

Aungst asked if regular checking accounts can require that as well, Sutherly said they can be set up any way you deem necessary and then it is on their system that you require two signatures.

Ferguson suggested direct deposit for employees. Sutherly said there is no charge for the service from Lebanon Valley Farmer's Bank and the company the Township utilizes for payroll is already established with the bank; it is in the proposal and in addition they would give the Township on-line banking at no charge.

Zimmerman said they should have a separate meeting for these issues and Sutherly said they are available to answer any questions.
- ♦ **Diane Tobin** said the County Comprehensive Planning Commission will be holding a public hearing on February 1st at 6 PM at the Schuylkill County Courthouse on the draft plans which are available for examination in the Planning Office in Pottsville.
- ♦ **Diane Tobin** reported on the Elected Auditor's minutes from their meeting of January 4, 2006. Tobin submitted written minutes to Ferguson, copy on file in the Township office.

**PINE GROVE TOWNSHIP SUPERVISORS
JANUARY 11, 2006 MEETING MINUTES - PAGE 3**

REPORTS

Engineers Report / Planning Commission Report

- ♦ **Swatara Creek CLC, Reduction of Letter of Credit** – Zimmerman noted the request for a reduction in the letter of credit in the amount of \$37,510.00. Zimmerman said we have Dave Horst's signature that he verified it. Aungst moved to approve a reduction in the letter of credit for the Swatara Creek CLC in the amount of \$37,510.00, Clemens seconded the motion, all were in favor; motion carried 5 to 0.
- ♦ **Pine Vista Phase III Final Plan** – Zimmerman said an issue was brought up about the water and asked Ferguson if the Planning Commission was okay with it other than that. Ferguson asked about the letter of credit and said she knows it was to be filed with the County, but the last time it was mentioned it hadn't been filed yet. Ron Aungst said it has been filed and he would send DiNicola a copy of the letter.

Zimmerman said the issue with the water was only brought up last month and this project has been in the works for years, two of the three phases have been approved, to bring the issue up at this late in the development stage is not something we can control as far as this particular development.

Lehman asked if this is in our Subdivision and Land Development ordinances and if the Planning Commission did not realize it was in our ordinances. Zimmerman said they were supplied with the information they needed to approve this ordinance; a letter stating the Borough would give them water.

Lehman said in our ordinance it reads different, she researched some of what John Stahl mentioned and asked if we are setting a precedent and from this point on will we address this by following the ordinance.

Zimmerman said the ordinance was followed as far as the engineer was concerned, they did establish a means of water, the ordinance says we require verification of wells, public water or municipal water. Zimmerman said the Planning Commission was supplied with that information, what John Stahl brought up pertains to how the water is brought into the Township.

Lehman asked what the Board is going to do to rectify this type of problem. Zimmerman said in his opinion if there were any precedents set, it was when the original water lines went in from the Borough a hundred years ago. Lehman asked if it needs to be struck out of the Land Development ordinances. DiNicola said he looked at the section and all that is required under our ordinances at the preliminary stages and if necessary at the final stages, the Planning Commission needs an agreement to serve the area with water from a municipal corporation and the Borough constitutes a municipal corporation. DiNicola said he understands Pine Vista did that as part of their application.

Ron Aungst said they feel they satisfied section 5.77 with the letter from the Borough when they submitted the preliminary plans.

John Stahl said the ordinance says when the Borough supplies the water it should be with a PUC certificate. DiNicola said not the way he interprets the ordinance.

Stahl stated for the record that he is not picking on Pine Vista, it as an example; he feels the Township is not adhering to their policies in a proper manner.

DiNicola disagreed saying there are two separate issues, one is if Pine Vista has satisfied the ordinance, which we believe they have done; the other issue is if the Borough should get certification if it is deemed necessary by the PUC because they are supplying water outside of their boundaries.

Stahl continued but Zimmerman stopped him saying the issue has been satisfied at this meeting. Stahl said he wants the record to reflect what you are doing. Zimmerman said the next time under public comments on agenda items he should announce that. Stahl said "This is on the table now". Zimmerman said "It doesn't matter; you are part of the public".

**PINE GROVE TOWNSHIP SUPERVISORS
JANUARY 11, 2006 MEETING MINUTES - PAGE 4**

Pine Vista Phase III Final Plan cont.

Zimmerman asked for any other questions from the Board. Donald Wenrich said "Point of order" and Zimmerman told him to sit down. Wenrich said "Point of order" several times as Zimmerman continued. Zimmerman moved to approve the Pine Vista Phase III Final plan, Clemens seconded the motion. Zimmerman, Clemens, Aungst and Wise voted in favor; Lehman opposed the motion, motion carried 4 to 1.

Wenrich asked Zimmerman if he knew the rules for chairman; Zimmerman said yes and you are out of order. Wenrich said Zimmerman was out of order because he had called for point of order. Zimmerman said the chair did not recognize you.

♦ **Brandt to Fish & Game – Request for Planning Waiver & Non-Bldg Declaration**

Zimmerman requested the Board table this item saying there are issues with this particular lot the Board should address and he would like to attend the next Planning Commission meeting, the Board agreed to table the item.

- ♦ **Letter from Administrative Consulting re Joint Treatment Authority** – Ferguson said this letter is item #5 in the Planning Commission minutes and pointed out the minutes say information will be given to the Township secretary to create a letter and she feels she wouldn't be able to do that not having been present at the Planning Commission meeting. Zimmerman said he appreciates that and all he knows about it is the Joint Authority is asking for extra funds for the treatment plant.

John Stahl said there are new requirements for the plant and the upgraded design will cost an extra \$200,000 that was not in the original funding for the project. Stahl said they are applying to Pennvest for a grant; this letter is a requirement from all agencies to comment or state if they meet all the land use requirements. Stahl said all they need from us are comments saying if they have complied with the Township's land use requirements.

After more discussion, Clemens moved to provide a letter to Pennvest for the Authority, Aungst seconded the motion, all were in favor and motion carried 5 to 0.

Landfill Inspector – Clemens asked if there was anything new on the gas plant, Lee Zimmerman said the permit application for the construction of the plant is before DEP.

Roadmaster – Clemens asked if the State said anything new on the Lake Road, Heinbach said no. Zimmerman said our salt should be holding up and Heinbach said the salt is holding up very well. Aungst asked if they determined why the water pump was running so often and Heinbach said he didn't know if they were here to look at it.

Zoning Officer – Zimmerman said there was one disapproved and Koontz said it is going to a hearing this month, it was required by the book.

OLD BUSINESS

December Road Inspection - Zimmerman said it was cancelled due to snow. After discussion, Zimmerman moved to advertise a road inspection for February 4, 2006 at 9 AM, Clemens seconded the motion, all were in favor and motion carried 5 to 0.

Host Municipal Inspector's Hours – Lehman said speaking as the HMI, not as a Supervisor, as far as the hours go, what about overtime. Zimmerman said he doesn't see the need for any unless there is a complaint or emergency.

Wise asked when she feels there might be a situation. Lehman said when they cut her to twenty hours she saw a situation she wanted to revisit at the landfill; on a vault that holds leachate. Lehman said when she went back this week, it was all cleared up and she has no idea of what went on, now she can only take the word of the personnel at the landfill; it was a situation where the emergency light went off and she had no time left.

**PINE GROVE TOWNSHIP SUPERVISORS
JANUARY 11, 2006 MEETING MINUTES - PAGE 5**

Host Municipal Inspector's Hours cont.

Lehman said what if she finds something on site and she is out of time; who calls it an emergency. Zimmerman said if we have complaints from the citizens. Lehman said just as a complaint from a citizen, that clarifies it. Aungst said to call the chairman or somebody to let them know. Lehman asked a call that there is a complaint or call that I see a situation. Aungst said either one if you need to go beyond the hours set. Zimmerman agreed.

Diane Tobin asked if all employees are required to call the chairman when they go over forty hours. Zimmerman said no, not at this time. Tobin said you are only making one call the chairman when they go over their allotted time. Zimmerman said no, it was a request.

Lehman said it is not a request, she is asking the Board what to do when she has her twenty hours in and there is a situation at the landfill, who calls it, is there overtime, is there compensation, or does she forget it and not go. Aungst said if it is a health situation, she calls and she goes. Lehman asked who she calls. Aungst said she should call someone on the Board.

Clemens said you can't call me, because I was against reducing your hours and for the record it is the wrong time to do that because the landfill is starting back up and with all the fuss that was in the community about health I can't imagine cutting back at this time; there is start up procedures you should be looking at. Aungst said that could be this year or next year. Lehman said when they receive the permit they will start constructing the cell.

Aungst said a year ago Judy said to give her a year to get things cleaned up and at that point she agreed there isn't going to be the amount of time required up there as there would be when they are in operation. Lehman said at that time she did say she wanted to clean up paperwork, which was part of it; she was one of two full time employees they have had as HMI so the records were in some disarray, she is trying to archive them. Lehman said in the meantime Waste Management brought in their own people to run the leachate treatment plant and the gas system; so she came in on the bottom line to educate herself on both; to her the education is power and she also had brought that out at that time. Lehman said she became very involved; from January of last year the leachate treatment plant engineering firm was let go. Aungst said it sounds like you are doing their job. Lehman said I am inspecting it and making sure they are doing their job; I'm checking the records on the pump houses of the leachate, the levels in the tanks; I write down all the information and check it against their records. Lehman asked if they want Waste Management guarding the henhouse and said there is a fox guarding the henhouse now. Lehman said she's not saying there is anything wrong there now or she would have DEP there immediately, because she holds them to the highest standard of the Pennsylvania code that she can.

Zimmerman said what you are saying is that you need to be full time now. Lehman said she is very disappointed that three members of this Board, who have said they are against the landfill, against what it stands for, and are concerned for the health, welfare and safety of our citizens, have voted against me. Aungst and Zimmerman said that is not the issue. Lehman said it certainly is.

Zimmerman said if you need 40 hours now, how many hours are you going to need when the trucks start coming in. Lehman said the actual trash is not a great issue, there is a lot more than watching trash come off the truck.

Wenrich asked if it is a matter of money and Aungst said no, it is a matter of justification of the job, of having a full time person there when the operation is in full swing and when you close the landfill he has a tough time justifying it to be a full time job. Wenrich said if it is not a matter of money, he doesn't see it is a matter of justification, because right now based on 2,000 hours per year; the Township is out \$5.58 an hour for her salary and in 2006 if the landfill comes back on, based on 2,000 hours the Township will be paying 58 cents an hour.

Aungst said it doesn't change the reimbursement when the landfill comes back. Wenrich said it does, the landfill contributes \$10,000 toward her salary and Lehman said from the host agreement.

**PINE GROVE TOWNSHIP SUPERVISORS
JANUARY 11, 2006 MEETING MINUTES - PAGE 6**

Host Municipal Inspector's Hours, cont.

Aungst said yes, but it's not a matter of money, just because a person gets paid for a job, doesn't mean when the job is half of what it used to be that you should continue to have them full time.

Lehman asked Aungst how he judges it to be half when he has never come with her on any inspections. Zimmerman said he is the one who said twenty hours.

Aungst said he doesn't have a problem with additional hours when there is an emergency, but it is wrong for the community to give her forty hours every week. Lehman said when the trash was coming in she was too busy in the field to learn about the gas and leachate plant, but now she is educating herself, although she is not fully aware of all that goes on with the gas and at any time there could be a problem with that, the leachate and gas will be there when the landfill is closed. Lehman said she does not agree, but the Board can take the responsibility and she will call, do what she has to, but she doesn't feel she should be responsible if anything should happen.

Zimmerman said she is not responsible, she is an inspector, if anything happens it is Waste Management who is responsible for the problem. Lehman said no, the public is looking at me. Lehman asked if they don't consider her job a responsibility to the people and Aungst said absolutely and Zimmerman agreed.

Lee Zimmerman from the landfill said there is a training seminar on their gas system that will be coming up and he has invited Lehman to attend, but if she is limited to twenty hours she won't be able to attend. Aungst said that is a request and all she has to do is make the call. Zimmerman said no one has ever been denied training since he has been supervisor and if Lehman has nothing further to add they will move on.

Permit Money from Municipalities – Zimmerman said this was tabled until the solicitor was present; it refers to land owned in the Township by the Borough and the County, he is asking for a legal opinion on not charging them money for permits even though we make them apply for them. Zimmerman also asked about the building codes, saying the County is building a bridge and applied for their permit, but instead of us have our engineering firms inspect their work, could the County have their own qualified engineer do the inspections instead of us charging them for our engineer for something they already pay their engineer. DiNicola said it does appear to be a duplication of efforts, he feels it could be done by amending our ordinance or by resolution giving an exemption for municipal corporations or municipalities. DiNicola also noted that there would be no reciprocal advantage since the Township does not own land in any other municipality.

Discussion followed with Aungst asking if exemption could be granted on a specific basis by job. DiNicola said he thought a resolution could be worded that way and the fee schedule amended.

John Stahl stated if they don't include the Authority, it will be challenged; they must include similar classes if they grant special exemptions to any one class, or it would be illegal.

Zimmerman asked if they can make it specific to the Borough and the County since they are the only ones who own land in the Township. DiNicola said they would have to deal with the objections that will be made by users of the same type and kind, such as Stahl said.

After further discussion of liability issues, the item was tabled until the solicitor reports back to the Board on the matter.

Statement of Values for Township Property – The Board reviewed the form and Ferguson said taking into account the computers and other things she feels the value of the contents of the Township Building may be more than what is listed on the form. The Board decided to stay with the values listed on the form.

**PINE GROVE TOWNSHIP SUPERVISORS
JANUARY 11, 2006 MEETING MINUTES - PAGE 7**

Treasurer's Bond Amount – DiNicola said the Board establishes the bond which is state mandated to be the highest amount available to the treasurer during the year, he added that anything with fixed terms that limits withdrawal could probably be excluded; he felt the half million dollar bond was sufficient.

Lehman asked Ferguson what the fee is for a two million dollar bond. Ferguson said Stump quoted \$1,250 for a two million dollar bond and \$750 for a one million dollar bond which is only \$8 more than the Township is currently paying for a half million dollar bond.

Ferguson said that in regards to the fixed term account with Sovereign Bank, she checked with Randy Pyle at Sovereign Bank and he said in respects to bonding he definitely feels she should be considered to have access to that money.

Lehman said it not about the trust of the treasurer; it is taking into consideration the finances of the Township, it is the residents' money and it is only \$500 more to cover the two million.

Aungst questioned Sutherly if the bank would be responsible for any transfers of money without two signatures and she said yes if that is what they have set up, but the Township would have to prove there were no changes that would negate their liability.

Aungst moved to increase the treasurer's bond to one million dollars. Clemens seconded the motion. Aungst, Clemens, Zimmerman and Wise voted in favor, Lehman opposed the motion, the motion carried 4 to 1.

NEW BUSINESS – No new business.

CORRESPONDENCE

Zoning Boundary Change for Dennis and Marie Aungst – Koontz said no action is needed; he noted it for the record and said it is kept on file in the zoning office. Aungst asked what the zoning change was. Koontz said it is a strip of land across from Jeck's where the district boundary is C1 and RP. Koontz said in our ordinance there is a provision if a district line crosses a person's property that had ownership when the ordinance was adopted, they can move the line one time only fifty feet in whatever direction they desire; they changed it from RP to C1.

PUBLIC COMMENT

- ♦ Lehman said on the PIRMA insurance application the landfill is listed and she doesn't see why we are responsible for the landfill. Aungst said it is an inquiry if there is a landfill in the Township. Lehman asked if we are paying liability on the landfill. Ferguson said we are paying liability insurance on a landfill, but not for the Pine Grove Landfill; she had questioned this the first year she saw it on the form and Randy Stump told her it was for the old dump the Township had that was located on Oak Grove Road.

Lehman asked if the old Township dump is now a liability to the Township even though we no longer own the property. Zimmerman said he thinks we leased the land and we put the garbage there, so we are probably liable since we put the garbage there; she can check with Stump.

Aungst said he thinks it is an inquiry if there is one here, not an assessed amount that would affect the rate.

- ♦ Aungst submitted the Recreation Board's minutes. Aungst moved to send a letter to Rachel Salen in recognition of her service to the community on the Recreation Committee since its inception. Clemens seconded the motion, all were in favor; motion carried 5 to 0.
- ♦ Aungst said there was discussion on being open Thursdays. Ferguson said she would like to discuss some personnel issues related to that and Zimmerman suggested an executive session at the end of the meeting.

**PINE GROVE TOWNSHIP SUPERVISORS
JANUARY 11, 2006 MEETING MINUTES - PAGE 8**

- ♦ Clemens discussed an email received from the secretary. Clemens said the secretary has her hands full and if he read it correctly she got information from the Zoning Hearing Board secretary at a last minute crunch to get it in the paper. Clemens said Donna Chamberlain is getting paid to do that and furthermore this email came from her place of employment. Clemens said he doesn't care what her employer lets her do, but if we are paying her to do this on her own time, she shouldn't be sending it to Kathy to do it on hers. Clemens said at a minimum this needs some disciplinary action and in his opinion it should be removal from the Board. Aungst said he didn't think she was getting compensated for what she's doing here. Clemens asked what she is getting compensated for. Aungst said for meetings. Zimmerman said she gets so much for secretary. Aungst said secretary for taking minutes and things. Zimmerman said no, she gets paid to do this; they normally have a stenographer for minutes.

Clemens said she sent it in here after she had it for a month; it could have been all ready to go; she has a key to the building and could have brought it in and put it here for postage.

Lehman asked Ferguson if this is the first time this happened and Zimmerman said this is not the first time. Wise said he thought they discussed this issue before. Zimmerman said we did and apparently the issue was not resolved. Ferguson said she often receives it near the publishing deadline. Lehman asked if it must be published and Ferguson said yes or the hearing cannot be held and we could miss the deadline to respond to the applicant. Koontz said it leads to deemed approval of the application which is why there is a time limit.

Zimmerman asked if they should talk to the Zoning Board as a whole and Aungst said yes.

Zimmerman said the Zoning Board should be held responsible if it does not get advertised, it will be automatically approved and it is nothing we did because the Zoning Board is a separate entity. Aungst said they are appointed by us so we should meet with them and deal with it.

Lehman asked if one person is paid to do this and Zimmerman said the whole board is paid and the secretary gets an additional amount to do this. Lehman said so it is actually her responsibility and Zimmerman said yes, but the Zoning Board made this person the secretary, we didn't.

Aungst said she types all the letters and everything that needs to go out, emails them to Ferguson to mail out and to notify the newspaper. Zimmerman said yes, but that is what she is supposed to be doing. Ferguson said she also arranges for the stenographer, attaches all the copies and until recently also looked up the adjoining property owners and sent notices to them too.

After discussion the Board decided to have Clemens and Lehman meet with the Zoning Hearing Board, including the alternates, after the hearing scheduled on January 26th.

- ♦ Ferguson said the last offer for the truck on eBay for \$2,100 was sent this week and the person has several days to respond to that offer.
- ♦ Wenrich asked Clemens if he got any more information on the EMS tax. Clemens said about the source of income, Berkheimer said they want to see a 1040; all sources of income are included. Clemens said there is a Senate bill with adjustments to the tax. Aungst said the tax replaced the occupational privilege tax and you only pay if you are working, you pay tax only on earned income, not on social security or interest. Wenrich said that was tax laws from 1965 and 1971, and asked if the bill that is amending the law will have it on income from all sources. Aungst said not according to PSATS.
- ♦ Earl Kreiser asked if the Board had any questions for the Fire Company or anything they need to be aware of, Zimmerman said no.

**PINE GROVE TOWNSHIP SUPERVISORS
JANUARY 11, 2006 MEETING MINUTES - PAGE 9**

Executive Session – At 9:05 PM the Board of Supervisors, DiNicola and Ferguson went into and executive session on personnel matters. At 9:32 PM the meeting resumed.

Zimmerman moved to advertise for additional office personnel. Lehman said since she has been cut back to twenty hours, could she take this to become full time. Zimmerman said that is possible and it has been done before, she can put in an application. Lehman asked if they would consider it a full time position; hours with the landfill and hours for secretarial. Zimmerman said he personally would consider it full time.

Lehman asked if the positions are always advertised or if they are offered to the employees first. Zimmerman said he didn't know. Lehman said she would appreciate if they would consider her and not make a motion to hire outside.

DiNicola said the Board could hold off on advertising and have Lehman submit an application and talk with a Board representative and Kathy to see if she would be satisfactory.

Ferguson said she has seen Lehman's work and reports and feels she would definitely be able to train her to do the job. Clemens said if they are within their rights to do it legally, he would make a motion to do that. Aungst said they should evaluate what needs to be done.

Zimmerman said he is willing to table his motion but he would like to have a meeting before the next monthly meeting to go back into executive session; we can't set the rate, the auditors have to set the rate.

Tobin said the auditors had set a rate for that position. After looking at the rate from the auditors, Zimmerman said he is putting his motion back on the table because he had a problem with the dollar figure the auditors set.

Aungst said there would be a problem of training someone else when Lehman goes back full time at the landfill. Lehman asked if they are going to put her back as a full time landfill inspector. Zimmerman said yes he is sure that will happen. Zimmerman and Lehman discussed the landfill inspector's hours. Zimmerman said Lehman wasn't hired to learn to be a landfill operator and Lehman said that learning is part of it and more knowledge is more power to do her inspections.

Aungst asked Tobin if they advertise a lower rate for the position than the auditors have set for a supervisor working as part time, would the auditors consider reconvening and setting an assistant secretary rate. After further discussion, Aungst said he would second Zimmerman's motion providing the auditors reconvene to establish a part time secretary rate.

Tobin said they would have to set part time rates for all the positions and DiNicola agreed.

After further discussion, Zimmerman said there was a motion made and that Aungst had seconded it. Aungst, Wise and Clemens voted in favor of the motion, Zimmerman opposed the motion, Lehman abstained. Motion carried 3 to 1. Zimmerman said he voted no because of Aungst's amendment to the motion.

Joan Schwer asked why Lehman abstained and Zimmerman said because of her position. Schwer said then you are pre-selecting her. Zimmerman disagreed. DiNicola said she doesn't want to vote on the issue because of what it is; we have the majority vote of the quorum of the members here.

ADJOURNMENT

At 9:58 PM, Aungst moved to adjourn the meeting, Zimmerman seconded the motion and 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 March 8, 2006.