



**PERSONS TO BE HEARD, cont.**

♦ **Digital Voice Recorder - Bernard Kulkaski cont.**

After more discussion, Lehman moved to purchase a digital voice recorder to use for recording township meetings as the cassette recorder is now used. Clemens seconded the motion, all were in favor and motion carried 5 to 0. Clemens moved to table the decision on the procedure of handling the recorded data, Lehman seconded the motion, all were in favor and motion carried 5 to 0.

- ♦ **Storm Water Management - Bernard Kulkaski** said he attended the last Planning Commission meeting where the Sweet Arrow Lake plan was reviewed. Kulkaski said Fisher Engineers who reviewed the plan for the Township reported a problem with the storm water plan to the Planning Commission. Kulkaski said the Sweet Arrow Lake engineers presented a convincing argument saying the water would just go into the lake and the Planning Commission agreed to recommend the Supervisors give a waiver to the County Sweet Arrow Lake project. Kulkaski said he talked to Craig Morgan from the County after the meeting and he stated they wanted to meet the maximum storm water management requirements. Kulkaski said he feels if he had not been at the meeting the waiver would have gone through. Kulkaski also said none of the Planning Commission had heard of the new storm water resolution and suggested Benesch may not be a team player with the township's storm water management plans. Kulkaski requested the Board of Supervisors send a letter to the township's engineering firms asking them to state their position on storm water management and comment if they have the expertise to implement the townships' plan.

The Board of Supervisors discussed the issue and Clemens moved to send a letter to Benesch and Fisher Engineering asking them to state their position on storm water management and expertise, Lehman seconded the motion. Clemens, Lehman, Aungst and Wise voted in favor of the motion, Zimmerman opposed the motion; motion carried 4 to 1.

Kulkaski submitted to the Board draft storm water management ordinances for municipalities whose counties are not in compliance with Act 167; he would like the Board to consider adopting them in the upcoming months.

**REPORTS**

**Engineers Report / Planning Commission Report**

- ♦ **Tom Feeser, Reduction in Letter of Credit - Aungst moved to approve the reduction in letter of credit for Swatara Creek CLC in the amount of \$13,179.55, Clemens seconded the motion, all in favor, motion carried 5 to 0.**
- ♦ **Dennis Aungst Request for Planning Waiver - Aungst moved to approve the Request for Planning Waiver and Non-Building Declaration, Clemens seconded the motion, all were in favor and motion carried 5 to 0.**

**Landfill Inspector** – Clemens asked if there was news on the gas project, Lehman said no.

**Roadmaster** – Roadmaster was not present. Lehman said she went on a road tour with the road crew and reported they did a lot of clean up work. Aungst said they should do an inspection to decide which roads to bid. Lehman suggested bidding work with other townships. The Board agreed to advertise a road inspection on Saturday January 20, 2007 leaving from the Township building at 7 AM.

**Zoning Officer** – Zoning Officer was not present. Zimmerman said he reported two approved permits for the month of December.

## OLD BUSINESS

- ♦ **Roberts Road Engineer Report** - Zimmerman gave Kulkaski time to comment on the item. Kulkaski asked about the review and Zimmerman noted there had been no second on the motion last month to have the Township engineer review Kulkaski's report. Zimmerman moved to have the Township engineer review the Roberts Road report, Lehman seconded the motion, all were in favor and motion carried 5 to 0. Zimmerman said he had called Dave Horst and Kulkaski said he had provided Horst with a copy of his engineer's report.
- ♦ **Land near Ravine Memorial** - Ferguson reported DiNicola said he expects to close on the property next week and he has no concerns with gaining access to the property, he also suggested the Board entertain a motion to authorize the chairman to sign paperwork necessary to complete the purchase of the property. Clemens moved to authorize Chairman Larry Zimmerman to sign the necessary paperwork to complete the purchase of the Levan property in Ravine. Aungst seconded the motion. Clemens, Aungst, Zimmerman and Wise voted in favor of the motion, Lehman opposed the motion saying she is not in favor of purchasing the land. Motion carried 4 to 1.
- ♦ **Vacation of Miller Drive** - This item was tabled until further paperwork is received.

## NEW BUSINESS

- ♦ **Flood Plain Management Report** - Aungst said he has copies of the forms and the 2006 building permits; he will overlay them with the flood zone. Zimmerman asked if it needs his signature, Aungst said Clint signed it last year. Lehman asked if Clint is in charge of filling the form out, Aungst said he will do it. Lehman asked if the Zoning Officer would be the one to know if things were in the flood zone. Zimmerman said not really. Aungst said the addresses of the permits are really the key, he will fill it out.

## PUBLIC COMMENT

- ♦ **Terry Ritzman** thanked the Board for the donation to the fire company.
- ♦ **Lillian Patten** said "Cats with No Name" would like to hold a rabies clinic in the Township parking lot. Zimmerman moved to allow the rabies clinic to use the parking lot twice in 2007, Aungst seconded the motion, all in favor, motion carried 5 to 0. Patten also asked the clinic be allowed to use the former Joint Treatment Authority office as a recovery room for a spaying and neutering clinic. After discussion, Aungst moved to allow the clinic to use the room two times on a trial basis, Clemens seconded the motion. Aungst, Clemens and Lehman voted in favor of the motion, Wise and Zimmerman opposed the motion, motion carried 3 to 2.
- ♦ **Bernie Kulkaski** asked if it was possible for the secretary to do a draft summary of the minutes that might be used if a digital record was the official minutes of the meetings. Aungst said we should first decide how minutes are going to be retained. Clemens asked Ferguson about it and she said she is preparing for the auditors. It was agreed to do it with next month's meeting minutes.
- ♦ **Donald Wenrich** requested his statements be recorded in the minutes and Zimmerman acknowledged his request. Wenrich said last month Zimmerman denied him the right to speak during a comment period in a motion. Wenrich added Zimmerman denied him saying "It is our motion and you do not have the right to talk". Wenrich said the public does have the right to comment during a question period on any motion before the Board. Zimmerman said that is correct. Wenrich asked why he said he didn't have the right to talk. Zimmerman said Wenrich did comment on the motion, he made a derogatory remark about Jerry Wise when the motion came up; that was his comment. Zimmerman said he denied him anymore; he had his comment and he denied his second comment.

**Public Comment cont.**

(Donald Wenrich)

Wenrich said he should show him that in the law; comments go back and forth. Wenrich said Zimmerman got angry when he commented to Jerry. Zimmerman asked Wenrich if he admits commenting to Jerry and Wenrich said yes.

Wenrich said anytime there is a motion on the floor; you should inform the public they have the right to comment. Aungst said he needs to show him that in writing, he thinks it is up to the chairman if he asks the audience for comments. Zimmerman said he asks for comments every meeting in the beginning and the end of the meeting.

Lehman suggested we try to clarify the Sunshine Law with the Attorney. Zimmerman said this is the third year we have discussed Robert's Rules with Mr. Wenrich and asked Wenrich if he had any other comments.

Wenrich said when Zimmerman asked the solicitor what to do when he rules him out of order; it showed him the two of them are engaged in complicity.

- ♦ Ferguson said the elected auditors have re-scheduled their meeting to January 15, 2007 at 6:30 PM.
- ♦ Zimmerman would like an updated list of employee and Board member telephone numbers, Ferguson said she will provide the Board with a new list.
- ♦ Zimmerman said he would like to have one Supervisor go with him to the next Sewer Authority meeting because there are some issues that people and the Borough have been complaining to him about. Zimmerman said people are told to dig up the streets and clean out sewer laterals going to the main line but that is the sewer authority's problem. Lehman asked if it is a misunderstanding with the property owner and Zimmerman said no, his company was there when the owner was told what to do. Zimmerman said he wants one person to go with him to the meeting with the Borough and the Sewer Authority, not the public meeting. Wise said he will go with Zimmerman.
- ♦ Clemens noted for the record that draft versions of the Zoning Hearing Board minutes for last year were received. Clemens said he doesn't see why they don't have time to vote on the minutes at their next meeting so they become part of the record.
- ♦ Aungst said he saw in the Zoning Hearing Board minutes that Donna Chamberlain sent an email to Larry Mann saying she resigned; he said next meeting they should be looking for a replacement for her. Zimmerman said we didn't get a letter from her, it's not official. Aungst said he called Donna and she said she is resigning, he suggested she send a letter, but didn't know if we have to wait for it. Zimmerman said we have to wait for a letter.
- ♦ Aungst said the fixed rate investment account comes up for renewal on January 31, 2007. He would like to have the Board give Kathy the ability to transfer the fixed rate investment into the variable rate account if the rate goes down. After discussion, Aungst moved to authorize Ferguson to move the fixed rate investment account to the variable rate account if the interest changes before the next meeting. Wise seconded the motion, all were in favor and motion carried 5 to 0. Aungst said next month we can pick the fixed rate for the account.

**ADJOURNMENT**

At 8:53 PM Clemens moved to adjourn the meeting, Aungst seconded the motion, all were in favor, motion carried 5 to 0 and meeting was adjourned.

*Printed from [www.pinegrovetownship.com](http://www.pinegrovetownship.com)*

**Respectfully submitted,  
Kathy Ferguson, Secretary / Treasurer**

**Approved by the Board of Supervisors on February 21, 2007.**