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# **PINE GROVE TOWNSHIP SUPERVISORS**

**175 OAK GROVE ROAD, PINE GROVE, PA 17963**

**JUNE 9, 2010 MEETING MINUTES**

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**CALL TO ORDER** - Chairwoman Diane Tobin called the June 9, 2010 meeting to order with the Pledge of Allegiance at 7 PM. Attending were Vice-Chairwoman Judith Lehman and Supervisor Jeffery Zimmerman. Solicitor Gino DiNicola, Roadmaster Ralph Geist, and Zoning Officer Dan Bode were absent. Also present were Secretary/Treasurer Kathy Ferguson, Donald Wenrich, Janet Krammes, Bonnie Gilbert, Robert Crist, Tom McMullen, Tom Daubert, Kurt Wessner, Joe Fegley, Bonnie Brown, Allen Aungst, Mark Frankenfield, Salem Potts, John Schaeffer, Sue Ritzman, and others; list on file.

**PUBLIC COMMENT ON AGENDA ITEMS** – Donald Wenrich said he would like to comment on the Summit View Development plan.

## **MINUTES / FINANCIAL ITEMS**

**May 12, 2010 Meeting Minutes** – Lehman moved to approve the minutes, Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

**Treasurer's Report** – Ferguson reported the General Fund April beginning balance was \$278,400.51, April receipts were \$180,446.76 and April expenses were \$47,566.61. The General Fund April ending balance was \$411,280.66 and the Combined Funds ending balance was \$4,218,279.57. The General Fund May beginning balance was \$411,280.66, May receipts were \$90,531.23 and May expenses were \$197,609.33 (includes transfers of \$131,638.40 to the Capital Reserve Fund). The General Fund May ending balance was \$304,202.56 and the Combined Funds ending balance was \$4,243,131.09. Lehman moved to approve the April and May Treasurer's Reports, Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

**Approval of Bills** – Ferguson noted the final bill from Hutchinson for the garage and office roof is included in the bills list. Zimmerman asked if the final bill needs to be approved for payment if the project and expenses were already approved. Ferguson said the township code says the treasurer is to pay bills at the direction of the Board of Supervisors; when bills are presented for payment approval is needed to authorize the checks. Zimmerman said he should have put in the specifications how final payment would be released to the construction company. Ferguson said most vendors or people that work for townships are aware they pay bills once a month at the direction of their board. Ferguson said when discussing a project with someone or getting a quote it would be good to tell them how the township pays. Zimmerman moved to approve bills totaling \$48,513.36 for payment, Lehman seconded the motion, all were in favor and motion carried 3 to 0.

## **PERSONS TO BE HEARD**

**Janet Krammes** and **Bonnie Gilbert**, Camp Road, asked about the zoning ordinance complaint they filed. Krammes and Gilbert said it is 45 days since their neighbor got a notice to stop what he is doing and nothing has changed. Tobin said the Board is aware of the complaints and the Zoning Officer has addressed them. Tobin said the Zoning Officer and the Solicitor are not present so they will have to check with them, but they will look into it.

## **REPORTS**

**Roadmaster** – Roadmaster was not present. Zimmerman asked what the status of the John Deere mower is. Tobin said the mower caught fire while the road crew was mowing and the last she heard it was submitted to the insurance company. Zimmerman asked if it is back in operation and Lehman said no. Tobin said they had looked into renting one and it was \$1,900 per week. Tobin said the Township received a check from the insurance company and she sent the Roadmaster an email today requesting information on the status of the mower.

### Committee Reports

- **Compensation & Benefits** - Zimmerman said a 90 day review was done for Melissa Dyer and he was pleased with the way she stepped up while Kathy Ferguson was out of the office. Tobin said she personally feels the position needs to go full time. Zimmerman said Dyer was not hired full time and sees no reason for the job to go full time. Zimmerman moved to approve a 50 cent per hour increase for Melissa Dyer, Tobin seconded the motion, all were in favor and motion carried 3 to 0. Ferguson asked if it was retroactive to the end of her 90 day period and Zimmerman said yes. Zimmerman said a 90 day review should have been done for the Zoning Officer also, that will be tabled until next month.
- **Fire Company** – Zimmerman said he received recommendations for dry hydrants from the Township Fire Chief. The Board agreed Zimmerman should move forward with the first hydrant at 343 Oak Grove Road; discussing it with the property owner and the solicitor. Zimmerman said it was discussed at the fire company meeting that there is no need for a dry hydrant on Roberts Road because there is a live hydrant there. Zimmerman said he will get some numbers for them on the cost of the hydrant.
- **Public Water Research Committee** – Tobin said no word was received if the bid was accepted and Solicitor DiNicola requested the Board proceed with the adoption of the resolution to apply for the H2O PA Grant on behalf of the authority as the incorporating municipality. Tobin moved to adopt Resolution # 2010-04 to apply for the H2O PA Grant on behalf of the Authority, Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.
- **Township Authority** – Tobin said the Authority Board would be made up of five members with terms of five years and the terms would be staggered when they make the appointments. Tobin said five applications have been received; her only concern is three of them are from residents who live in the same area. Zimmerman agreed with Tobin's concern. Tobin moved to appoint John H. Stahl to a five year term, John R. Benner to a four year term, Allen Fischer to a three year term and John Klinger Sr. to a two year term, leaving the one year term vacant. Zimmerman seconded the motion. Tobin and Zimmerman voted in favor of the motion, Lehman opposed the motion, motion carried 2 to 1.
- **Employee Handbook** – Lehman said she had nothing new on the handbook. Bereavement pay for in-laws was discussed, Lehman said John Heinbach and Deryl Fessler received it and it is hand written in her personnel book. Ferguson said no official action was taken by the Board or the book would have been updated; she looked in the minutes back through 2004 and did not find anything. Tobin asked Zimmerman if he want to look into it since he is on the Compensation and Benefits Committee. Zimmerman said Tobin should because she was on the Board during those years. Tobin said she will research the bereavement pay and the item was tabled.
- **Tax Collection Committee** – Robert Christ said the current status of the Tax Collection Committee is compatibility and cooperation. Crist said the by-laws have been formally approved and in August they will review proposals from potential tax collectors. Tom McMullen asked about the weighted voting. Crist said it has been modified and now requires a two thirds approval of members in attendance for a motion to pass.

### Engineers Report / Planning Commission Report

- **Summit View Development** - Donald Wenrich asked if the sewer authority is contacted about having enough EDU's for developments when they submit plans. Tobin said yes, the plan is reviewed by the Joint Treatment Authority's engineer for future development.  
**Discussion on Plan Extension Request** – Tom Daubert (Planning Commission member) said the developer came to them in December and in February with plans drawn under the old SALDO and they had a lot of things to correct. Daubert said the township infrastructure is not suitable for a development of this size.

**Summit View Development, cont.**

Curtis Frantz (Summit View developer) said they went by the current SALDO. Tobin asked if they addressed the items from the Township engineer's review letter. Frantz said there are still items that need to be resolved so they can move forward with the storm water plan. Daubert said the developer has come to the Planning Commission twice and said they can't afford it and were going to quit. Discussion followed on the plan, waivers, etc.

Tobin said the Planning Commission is to make sure plans match our SALDO; only the extension request is being looked at by the Board tonight. Zimmerman asked what the downside of granting the request would be. Kurt Wessner (Planning Commission) said he is concerned something will slip through that will not be good for the Township. Tobin said waivers are not being presented to the Board, only the time extension; most of the time the Board goes on the recommendation of the Planning Commission where the waivers are concerned. Zimmerman asked Frantz if it was a waste of their time and his to approve the extension and Frantz said no. Zimmerman moved to grant the 90 day extension requested by Summit View Development for their plan and Tobin seconded the motion. Zimmerman and Tobin voted in favor of the motion, Lehman opposed the motion; motion carried 2 to 1.

Wessner said it is the second time the Board over-ruled the Planning Commission and referred to a deed restriction on Lake Terrace. Zimmerman said he had asked if there was any downside to granting the extension and they could not give him any.

- › **Pine Grove Yamaha Bond Release Request** – Tabled because a recommendation had not been received from the Township engineer.
- › **Pine Grove Dollar General Bond Release Request** – Tabled because a recommendation had not been received from the Township engineer.

**Landfill Inspector** – No comments were received by the Board.

**Recreation Board**

- › **Parking Lot** - Joe Fegley said water is ponding in the bathroom parking lot and there is a 5" to 6" drop-off between the handicap parking space and the parking lot. Discussion followed on grading behind the building, the walking path, the plans and other issues with the parking lot. Tobin asked if Fegley had contacted Matt Brandt since the rain. Fegley said he will contact Brandt to get the parking lot work completed.
- › **Bathroom Floors** – Bonnie Brown said the bathroom floors were supposed to be textured and Aungst said they are; it is an epoxy finish with an aggregate in it. Tobin said it was built to specs and inspected by the engineer.
- › **Opening/Closing Schedule** – Tobin said the road crew does not have a problem with opening the bathroom up on the days they work. Bonnie Brown said the Recreation Board made up a schedule for the members to each take a week at a time to close the bathroom and open it on weekends. Bonnie Brown said Marvin Weber will provide backup for the members if they can't make it.
- › **Communication Centers** – Bonnie Brown said they would like to have two of the centers to post signs etc. and they have suggested it as a Scout project.
- › **Bathroom Cleaning** – Brown asked if the cleaning person for the Township was interested and Lehman said no, she is not interested. Zimmerman said he will contact a local independent cleaning service for a quote for two to three times a week. Supplies were discussed and the Board agreed Ferguson should purchase the supplies.
- › **Occupancy Permit** – The permit has not yet been received from Light-Heigel, the inspection report was received and Ferguson will check on the permit.
- › **Volleyball Court** – Zimmerman asked if they are going to call Tim Unverdorben about the Eagle Scout Project. Joe Fegley said it is the scout's responsibility to take care of the project; it is part of the boy's job. Brown said she will call his mother.

**Verbal Quotes** – Tobin moved the Board will not accept any verbal quotes for work to be done; Lehman seconded the motion, all were in favor and motion carried 3 to 0.

**Zoning Hearing Board** – Tobin said Alternate Member Donald Brown has requested appointment to the vacant seat on the Zoning Hearing Board. Zimmerman moved to appoint Donald Brown to fill the vacant seat on the Zoning Hearing Board with the term ending January 2011. Lehman seconded the motion, all were in favor and motion carried 3 to 0. Tobin said a hearing is scheduled for June 24<sup>th</sup> and it is listed on the Township's website. Ferguson noted the appointment of Donald Brown to the Board leaves a vacancy in the Alternate Member position.

**Zoning Officer** – Tobin said the Zoning Officer (not present) report shows 13 approved permits, 3 complaints, 21 phone calls, 14 inspections, 2 meetings and 2 variances.

#### OLD BUSINESS

**Donations** – Lehman moved to approve a donation of \$1,000 to Pine Grove Ambulance Association and \$1,000 to Pine Grove Borough for the fire hydrants. Tobin seconded the motion, all were in favor and motion carried 3 to 0.

#### NEW BUSINESS

**Office Telephone** – Ferguson said the main switchboard phone in the office has stopped working and the cost of a new phone from Norstar is \$180. Tobin moved to purchase a new phone from Norstar at \$180, Zimmerman seconded the motion; all were in favor and motion carried 3 to 0.

**S.R. 645 Bridge Project** – Tobin said Borton Lawson presented a program here on May 25<sup>th</sup> about the bridge replacement project. Tobin said as a result of that meeting she met with representatives from the industrial park, SEDCO and Representative Seip's office, she has a narrative of that meeting. Tobin said she would like to set up a meeting for the Supervisors to do a detour run and inspection of the bridge and the roads, followed by a meeting with the same representatives from the industrial park, SEDCO and Representative Seip's office and include the Fire Chief and Roadmaster. The Board agreed to advertise a special meeting on June 21<sup>st</sup> at 5:30 PM; Tobin will do the wording for the advertisement.

**Voting Room** – Tom Daubert said he received a survey letter from the Election Board about the polling place being up to standards for handicap access etc. Daubert said there is a list of things to be addressed before the election and the need for painting handicap parking spaces was discussed. Tobin said the road crew can paint the spaces and she reviewed the list with Daubert.

#### CORRESPONDENCE

**Roberts Road Payment** – Tobin said there is a letter from Benesch about payment for the culvert project on Roberts Road. Tobin moved to approve payment to Grand Prix Excavating in the amount of \$47,642.95 as recommended by the Township engineers. Zimmerman seconded the motion all were in favor and motion carried 3 to 0. Zimmerman commented the road sign before the cul-de-sac on Roberts Road saying "No trucks beyond this point" needs to be moved to the other side of the cul-de-sac. Tobin said she will handle it with the Roadmaster.

**USDA Rural Development Letter** – Tobin said the purpose of the letter is to obtain comments for the Paraclete Foundation's application for Federal assistance in their project of renovating an existing facility for a public library. Tobin said this was forwarded to the Zoning Officer for his review of the land use.

**Schuylkill County Planning & Zoning Watershed Meeting** – Tobin said the letter is about Phase I of the Act 167 Stormwater Management Plan and the next meeting on June 22<sup>nd</sup> at 6:30 PM. The Board of Supervisors said they cannot attend; Tobin said she will try to re-arrange her schedule.

**2009 Audit** – Tobin stated the 2009 audit has been received and is available for review.

**PUBLIC COMMENT**

**Diane Tobin** said she has had phone calls from residents inquiring about water rates from Pine Grove Borough and today she requested rates from the Borough. Discussion followed on Township residents paying more for water than Borough residents. Tobin moved to approve the Township officially request the water rates from the Pine Grove Borough in a letter. Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

**Mark Frankenfield, John Schaeffer and Salem Potts**, Pine Crest Village Drive, brought concerns to the Board of Supervisors regarding sale of property in the subdivision. Frankenfield said the subdivision built by C. H. Klinger, who has gone bankrupt, has properties that were put up for auction on June 22<sup>nd</sup>. Frankenfield said his concern is the road, who will own it, maintain it and if it will be finished to turn over to the Township. Frankenfield also asked if there was an agreement with Klinger when he started the development to finish the road. Tobin said she had inquiries on it and knew it was being sold but was not aware it was coming up so soon. Tobin said she had already started the process of checking on the improvements agreement, but does not have the information right now. Tobin said normally when a development is put in a road has to be brought to the Township's standards before it is turned over to them. Schaeffer said someone from the auctioneer was there with plans but didn't seem to know much about the property. Potts said he had contacted the Union Bank and told them the ad was incorrect. Frankenfield asked if there was any way to find information about the road before the auction and Tobin said we have to go back to the improvements agreement and see what it says. Tobin said it goes back to 2002 and the engineer's files are archived, but it is definitely being looked into. Schaeffer said they contacted a lawyer and the lawyer said the bank has it. Frankenfield said there a lot of covenants on the lots that appear to ride with the property and not with the ownership. Tobin said that would be up to a lawyer. Tobin asked Frankenfield, Schaeffer and Potts to leave information with the secretary so we can contact them.

**Allen Aungst**, Trumbo Road, asked if any additional funding had been received for the Roberts Road Project. Tobin said no. Aungst also said he highly recommends the Supervisors macadam the Recreation Area walking path and parking lot this year because there was a lot of work done on it. Discussion followed on the paving etc. Aungst recommended they have two bids, one for the parking lot and one for the walking path. Aungst said he would give the specs to Fegley. Tobin asked if that would complete the paving and Aungst said yes.

**Sue Ritzman**, Suedberg Road, asked if they are taking the Assistant Fire Chief along on the road tour. Tobin said he will be asked, but she is not sure she has his contact information. Discussion followed on who the Assistant Fire Chief for the Township is – Charles Wertz or Bert Witmer.

**Larry Hoffman**, Hoffman Lane, asked Lehman if he would get a written response on his letter about Comcast or just her verbal response that she was going to see if a local number was available for our area. Lehman said he would not get a written response. Tobin asked if Lehman had looked into it and a resident said they should check with Tom Brixius who is a salesman for Comcast. Tobin asked Lehman if she is going to follow up on it and Lehman said Hoffman is going to call Tom Brixius. Tobin said she will follow up on it.

**Marilyn Henry**, Brookside Road, said she was present to follow what the potential use of Brookside Road will be during the S.R. 645 bridge replacement. Henry asked if the Township had allowed temporary use of Brookside Road for trucks; a truck driver said he was at the bridge meeting in May and said they were told they could use it. Tobin said no permission had been given for trucks to use Brookside Road and Zimmerman said not even to a local resident who had requested permission from the Board. Tobin said they have not yet addressed if or how Brookside Road will be used during the bridge replacement. Tobin said they need to take into consideration the bridge needs to be replaced, the safety of everyone involved, the time frame, bus traffic, the industrial park traffic etc. The meeting on June 21<sup>st</sup> will be about these issues.

**PUBLIC COMMENT, cont.**

**Bonnie Brown**, Pine Heights Drive, said she had attended the Flood Summit meeting for the Township. Brown reported they discussed areas of flooding in Pine Grove Township and plan to visit each municipality to do surveys about flooding issues and possible corrections.

**Donald Wenrich**, Suedberg Road, said the Planning Commission member who commented about being over-ruled sounded disgruntled and they are volunteers, if the Board doesn't have them the Board would have to do research (on the plans). Tobin said they are paid a minimal amount, \$25 per meeting, and they are an advisory board to the Board of Supervisors.

**Judith Lehman** said John Stahl (Water Authority) has asked to use the office in the Township garage that was formerly used by the Pine Grove Joint Treatment Authority. The board agreed the Township Water Authority could use that office and the Township building meeting room for their meetings.

**ADJOURNMENT** – At 9:45 PM Lehman moved to adjourn the meeting, Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

**Respectfully submitted,**

**Kathy Ferguson, Secretary / Treasurer**

**Approved by the Board of Supervisors on July 14, 2010.**