
PINE GROVE TOWNSHIP SUPERVISORS

175 OAK GROVE ROAD, PINE GROVE, PA 17963

JANUARY 13, 2010 MEETING MINUTES

CALL TO ORDER - Chairwoman Diane Tobin called the January 13, 2010 meeting to order with the Pledge of Allegiance at 7 PM. Attending were Vice-Chairwoman Judith Lehman and Supervisor Jeffery Zimmerman. Also present were Solicitor Gino DiNicola, Roadmaster Ralph Geist, Secretary/Treasurer Kathy Ferguson, Tom McMullen, Donald Wenrich, Nick Stark, Don Simpson and others; list on file.

PUBLIC COMMENT ON AGENDA ITEMS – No public comments were heard.

MINUTES / FINANCIAL ITEMS

- **December 9, 2009 Meeting Minutes** - Tobin moved to approve the December 9th meeting minutes, Jeffery Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.
- **January 4, 2010 Reorganization Meeting Minutes** – Jeffery Zimmerman moved to approve the January 4th meeting minutes, Lehman seconded the motion, all were in favor and motion carried 3 to 0.
- **Treasurer's Report, December 2009** – Ferguson said not all of the bank statements were received and the numbers stated do not accurately reflect the activity for December. The December General Fund beginning balance was \$377,934.33. December receipts were \$447,213.03 (includes inter-fund transfers of \$311,000) and December expenses were \$61,101.03. The General Fund December ending balance was \$764,046.33 and the Combined Funds ending balance was \$3,714,295.40. Lehman moved to approve the Treasurer's Report, Jeffery Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

A brief discussion was held on investments with the agreement to table investing in CD's until it is clear how revenue from the EIT tax will be collected under the new TCC Committee.

- **Approval of Bills** – Lehman moved to approve the bills totaling \$19,286.73 for payment. Tobin seconded the motion, all were in favor and motion carried 3 to 0.

PERSONS TO BE HEARD – No requests to be heard were received.

REPORTS

- **Auditor's Meeting** – Tobin said there are two requests in the minutes the Board may need to address; the motion to provide the same benefits for working supervisors as other employees and the motion requesting the Supervisors to discontinue the payment program in lieu of health care benefits. Tobin said working supervisors are currently receiving the same benefits as other employees. Tobin said regarding the request to discontinue the payment program in lieu of health care benefits, she didn't know if it was part of the auditor's duties and it would have to be looked into. Auditor Tom McMullen said that was a suggestion for the Board to look into and make a decision. Tobin asked Jeffery Zimmerman (Health Insurance & Benefits Committee) to look into it for next month.
- **Committee Reports** - Tobin said the following committees should be listed on the agenda each month so their reports can be heard: Employee Handbook, Fire Company, Health Insurance & Benefits (renamed Compensation & Benefits), Property & Roads, Tax Collection Committee, UCC Representative and Public Water Research.

- **Engineers Report / Planning Commission Report** – Tobin moved to approve the request for Sewage Planning Exemption for the Brandt Land Development Plan. Jeffery Zimmerman seconded the motion, all were in favor and motion carried 3 to 0. Jeffery Zimmerman moved to approve the request for Planning Waiver for the Saufley Minor Subdivision Plan. Lehman seconded the motion, all were in favor and motion carried 3 to 0.

- **Landfill Inspector** – No comments were received by the Board.
- **Recreation Board** – No minutes were received from the Recreation Board. Application for Payment # 3 of the Bathroom facility has been received. Tobin said representatives from CadWorx and L&K Construction did a walk-through of the facility, however there were some items that need to be completed. Tobin said per the payment agreement we are allowed to withhold 2% on unfinished items which is a balance of \$2,454.00. Tobin said according to the architect from CadWorx, that amount is sufficient to cover the outstanding unfinished items, so the certified amount of the third request for payment is \$30,180.02.

Tobin said Allen Aungst, who was a supervisor last year and was the contact person for the project, had requested to continue to be the contact person and finish the project. However, Tobin said in his role now as elected auditor he cannot be appointed or elected to any other position in the township including being a liaison for the project according to an opinion on the situation provided by PSATS. Tobin volunteered to finish the project and the Board agreed. Tobin said a letter needs to be sent to L&K Construction to change the contact person.

Tobin moved to approve the application for payment #3 to L&K Construction in the amount of \$30,180.02, Lehman seconded the motion, all were in favor and motion carried 3 to 0.

Lehman asked if there were any stipulations on the grant to fulfill and Tobin said \$4,000 of the grant money is withheld until the project is finished. Tobin said the project cannot be finished until the grading is finished, some things cannot be done because of the weather. Tom McMullen asked for a final cost of the bathroom and Tobin said we do not have the final total at this time.

- **Roadmaster** – Tobin said the Roadmaster provided a five year plan for road paving projects. After discussion, the Board asked Geist to get estimated costs to pave what he listed for 2010 and Geist said he would have it for the next meeting. Jeffery Zimmerman asked if any restrictions were put on Brookside Road after the resurfacing was done. Geist said the ordinance was done and he sent a letter to the state asking where we must erect the signs on the state roads and he will erect the signs on Brookside Road as soon as he gets them. Geist said he plans to call the trucking companies he knows are using the road to let them know.
- **Zoning Officer** – Tobin said the zoning report from Alfred Benesch says they issued seven zoning permits and answered eight to ten inquiries. Tobin gave Geist a copy of the report for him to check on driveway permits on the report. Lehman asked how the Township is billed from Benesch and Ferguson said on a monthly type basis, the bill approved tonight covered November 16th to December 13th.
- **Appoint Zoning Officer** – Tobin said the question from last week's meeting is whether they are going to advertise for a zoning officer and asked for discussion. Ferguson said an application was received for the position. Jeffery Zimmerman recommended they continue using Benesch and table the decision until next month. Tobin said for the record they are retaining Benesch as Zoning Officer and tabling the decision to appoint a Zoning Officer or advertising for one until next month.
- **Zoning Hearing Board Pay** – Tobin said she wants to clarify the Zoning Hearing Board pay, she checked into the question from the reorganizational meeting about them being paid \$30 per meeting plus \$9 per hour. Tobin said they cannot be paid both; they can only be paid one or the other.

Zoning Hearing Board Pay, cont.

Tobin suggested they pay the Zoning Hearing Board the meeting pay as they pay the other boards per meeting. Tobin moved to pay the Zoning Hearing Board \$30 per meeting, Jeffery Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

OLD BUSINESS

- **Joint Treatment Authority Board Appointment** – Tobin said she abstained from voting at the reorganization meeting and she will abstain again from voting because of the ethics law and the advice of counsel she received January 10, 2000 (copy on file*). Tobin said she has been abiding by this since she received it; she is employed by the Pine Grove Joint Treatment Authority therefore she would be in conflict by voting. Jeffery Zimmerman moved to appoint Sean Ryan to the Joint Treatment Authority Board and Lehman seconded the motion.

Nick Stark, Supervisor at Pine Grove Joint Treatment Authority wastewater treatment plant gave reasons he felt there would be a conflict of interest to have Sean Ryan on the Board. After discussion, DiNicola said his preliminary thoughts would be there is no potential conflict in appointing Sean Ryan to the Joint Treatment Authority Board.

Jeffery Zimmerman and Lehman voted in favor of Zimmerman's motion to appoint Sean Ryan to the Joint Treatment Authority Board, Tobin abstained* and motion carried 2 to 0.

- **Meeting Pay for Full Time Employees** – Tobin said this was looked into and is the same situation as the Zoning Hearing Board, you can have one or the other and the Board sets the rate. The Board made no changes in the rates.
- **UCC Inter-Municipal Committee Representative** – Tobin said this committee representative would be a member of the Board of Supervisors and is needed in case of a vacancy on the board or if one of the appointed member resigns. Jeffery Zimmerman said this person would also need to notify the committee to set up the hearing date if a zoning issue would come up from our municipality. Tobin said she thought that would be taken care of through the code enforcement. Jeffery Zimmerman volunteered to head up the Committee and the Board agreed for him to do it.

Tobin said they also have the Code Enforcement Officer and Code Administrator they need to appoint in coordination with the other two townships. Tobin said the other townships appointed Light-Heigel at their reorganization meetings. Tobin moved to appoint Light-Heigel as our Code Enforcement Officer and Code Administrator.

Don Simpson, Swatara Creek, said they had that inspector go through their home when it was being built and they missed problems with the home. Tobin asked him to bring in information so the Board could look into it and Simpson said he would.

Lehman seconded Tobin's motion to appoint Light-Heigel as the Township Code Enforcement Officer and Code Administrator for the UCC, all were in favor and motion carried 3 to 0.

NEW BUSINESS

- **Office Assistant Resignation** – Tobin said the Board regretfully accepts the resignation of Becky Ibarra effective January 15, 2010. Jeffery Zimmerman moved to advertise the part time office assistant job. Lehman seconded the motion. Discussion on advertising and hours was held. Jeffery Zimmerman amended his motion to include 40 hours per pay period at the 2009 pay rate, all were in favor and motion carried 3 to 0.

NEW BUSINESS, cont.

- **Records Room** - Ferguson suggested the garage in the basement of the Township building be made into a fire-proof records room and said she had someone look at and give a rough estimate of approximately \$4,000 to do the work. Lehman moved to obtain written quotes, Jeffery Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.
- **Voting Room** – Tobin said the voting room has been torn apart, she recommends the people who are on the election board and use the room be allowed to give ideas of what would be helpful to them. Discussion followed on the basement walls and the item was tabled.
- **Township Office Building Roof** – Tobin said the shingles are laying in the parking lot and the grass. Lehman said the garage roof is worse than the office; Geist agreed and said the garage roof is about 25 years old. Jeffery Zimmerman moved to get three bids on roof replacement for both buildings (as separate quotes). Tobin recommended getting quotes for a shingled roof and a metal roof. Jeffery Zimmerman said he would write the specifications for the quotes. Lehman seconded Zimmerman's motion to receive separate quotes for shingled and metal roofs for the office and garage buildings, all were in favor and motion carried 3 to 0.
- **Annual Township Authority Report** – Tobin said the authority is inactive and this is a form that needs to be signed for the record.
- **Ethics Form** - Ferguson reminded the Board the forms are due in the office by May 1st.
- **Telephone System** – Ferguson noted the complaints received from callers who become lost in our phone system and the problem with old system messages being played at random. Jeffery Zimmerman suggested calling the Geek Squad to find out what it would cost for them to look at it. The Board agreed to have Zimmerman contact someone about a price for them to come in to look at the system with a cap of \$200.
- **Public Water Research Committee** – Tobin asked if there was any interest in the committee and Ferguson said one resident applied – John Stahl. Lehman moved to appoint John Stahl to the Public Water Research Committee and advertise the committee again for next month's meeting. Jeffery Zimmerman seconded the motion, all were in favor; motion carried 3 to 0. The Board said Ferguson should advertise in the Pottsville Republican on a Saturday and Sunday.
- **Building Permit Form** – Ferguson said past Supervisor Larry Zimmerman had been signing the building permits issued by the township and said she is not qualified to sign them. Discussion followed on the building permit, its fees and the UCC permit. Lehman moved to authorize Alfred Benesch engineers to execute the building permit until further notice, Jeffery Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

CORRESPONDENCE

- **PennDOT Bridge Reports: Old Forge Road / Fishing Creek & Oak Grove Road / Mill Creek**
Tobin said the reports are in the correspondence for review and gave Geist a copy of the report regarding missing delineators and cracks.

PUBLIC COMMENT

- **Donald Wenrich** asked what can be done about the people in the Township paying 60% more for water than people in the Borough. Tobin said that can be looked into under the committee. DiNicola said it was suggested before that he contact the P.U.C.

EXECUTIVE SESSION - At 8:50 PM the Board of Supervisors and Solicitor went into an executive session concerning pending litigation. At 9:35 PM the meeting resumed with no action taken by the Board as a result of the executive session.

Robert's Road Project Invoice – The Board discussed the second application for payment from Grand Prix Excavating including the change orders, the contractor hitting the sewer line and the engineer's recommendations. DiNicola recommended paying the invoice less the amount of the change order pending clarification from the engineer on the broken sewer line. After further discussion, Jeffery Zimmerman moved to pay the second application for payment from Grand Prix Excavating in the full amount of \$54,251.01 based on the recommendation from the engineer. Tobin seconded the motion, all were in favor and motion carried 3 to 0. The Board agreed to request Chris Bentz from Benesch to attend the February meeting to discuss the project.

ADJOURNMENT – At 9:59 PM Lehman moved to adjourn the meeting, Tobin 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 February 18, 2010.