
PINE GROVE TOWNSHIP SUPERVISORS

175 OAK GROVE ROAD, PINE GROVE, PA 17963

APRIL 14, 2010 MEETING MINUTES

CALL TO ORDER - Chairwoman Diane Tobin called the April 14, 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 joined the meeting at 7:40 PM. Also present were Secretary/Treasurer Kathy Ferguson, Roadmaster Ralph Geist, Zoning Officer Dan Bode, Donald Wenrich, John Stahl, Bonnie Brown, Allen Aungst, Tom McMullen, Robert Crist, Terry Ritzman, Ronald Madison (Rettew) and others; list on file.

PUBLIC COMMENT ON AGENDA ITEMS – No comments were received.

MINUTES / FINANCIAL ITEMS

March 10, 2010 Meeting Minutes – Tobin moved to approve the minutes, Lehman seconded the motion, all were in favor and motion carried 3 to 0.

Treasurer's Report, March 2010 – Ferguson reported the General Fund March beginning balance was \$276,842.24, March receipts were \$51,164.98 and March expenses were \$49,606.71. The General Fund March ending balance was \$278,400.51 and the Combined Funds ending balance was \$4,063,067.88. Zimmerman moved to approve the Treasurer's Report, Lehman seconded the motion, all were in favor and motion carried 3 to 0.

Fulton On-line Banking - Ferguson provided a new offer from Fulton Bank for on-line banking and the Board reviewed the offer. Zimmerman moved to approve the six month free trial offer for on-line banking and review it in six months. Lehman seconded the motion, all were in favor and motion carried 3 to 0.

Approval of Bills – Ferguson noted the bills include an invoice from Benesch for Roberts Road that was submitted by SEDCO. Zimmerman asked about mileage bills and Ferguson said the Township pays office staff for mileage for using their personal vehicles to go to the bank and post office. Tobin asked if the bill from Peiffer's for maintenance of the fire extinguishers included the ones that had to be replaced and Ferguson said yes. Tobin moved to approve the bills totaling \$17,199.38 for payment. Zimmerman seconded the motion, all were in favor; motion carried 3 to 0.

PERSONS TO BE HEARD

Tina Miller – Miller was not present.

Donald Wenrich – Wenrich said ordinances are law and the citations he got are severe if he is found liable. Wenrich asked what the penalty is for Supervisors if they don't uphold the law. Tobin said she couldn't answer that question. John Stahl asked what they didn't uphold and Wenrich said it would come out. Wenrich said there is a penalty for supervisors but he would not get into that.

REPORTS

Roadmaster – Geist said there are garbage bags along Oak Grove Road and 2½ Mile Road. Bonnie Brown said the Scouts cleaned up 2½ Mile Road and Allen Aungst said 2½ Mile Road was part of S.K.I.P. and he would get the bags. After discussion of the bags, the Board asked Geist to wait until Friday and if the bags are still along the roads, pick them up and let Zimmerman know if it is household garbage.

Roadmaster, cont.,

- › **Road Project** – Tobin said the project will be advertised this week, the bids will be opened in public on May 12th at 12:30 PM and awarded during the May 12th Board of Supervisors meeting at 7 PM.
- › **Recreation Area** – Bonnie Brown said there are poles and things on the bank where they want to plant trees and asked Geist if they can be moved.
- › **Crack Sealing** – Tom McMullen asked if they plan to crack seal the roads and Tobin said they have not discussed it.

Committee Reports

- › **Compensation & Benefits** – Zimmerman said one of the employees asked him about the Township paying for Plan B of the weekly disability insurance; this would cost the Township an extra \$357 per year. Zimmerman said he recommends they do not pay to upgrade to Plan B. Tobin moved to pay for Plan B weekly disability insurance for the fulltime employees. Lehman seconded the motion. Zimmerman said he feels it is a conflict of interest for Lehman to vote since she is also an employee. Tobin said the motion would be held until solicitor joined the meeting. Ralph Geist said the Township had no problem spending \$800 on badges for the fire police and \$160,000 on the bathroom and yet they won't spend \$400 on employees that do a good job for them. Zimmerman said if Plan B wasn't available they wouldn't be having this discussion. Geist said it is available and he feels it should be given to the employees because they are willing to give money to other people in the Township.
- › **Employee Handbook** – Lehman discussed the statement of purpose she gave to the Supervisors. Zimmerman asked if they are going to approve the handbook by sections or as a whole. Lehman said she thought they would approve it by sections. Zimmerman said he is getting copies of handbooks from other municipalities to compare. The Board agreed to table the item until Zimmerman can make copies of handbooks for them to compare.
- › **Fire Company** – Zimmerman said he is setting up an informal meeting with the fire companies to improve emergency services for the Township.
- › **Property & Roads**

Roberts Road - Tobin said Benesch has provided them with a new "Notice to Proceed" date of April 26th. Tobin move to authorize Benesch to give the contractor the new "Notice to Proceed" for April 26th. Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

Township Office Building – Tobin said the stucco is coming off the side of the building. Zimmerman said he will have someone look at it.

Recreation Area Bathroom – Tobin said the contractors are not finished and we cannot open it until an occupancy permit is issued. Tobin said they received a bid for the concrete for \$1,955. Zimmerman said Steve Morgan bid \$700 if the Township buys the concrete, the 2B stone and grades the area. Morgan would provide the steel mesh, anchors, framing and finishing. Zimmerman said the other bid from Frantz Construction for \$1,955 to do the concrete project could be paid by selling Frantz scrap metal guide rails and panels we have to get rid of.

(Solicitor DiNicola joined the meeting in progress.)

Tobin said she does not recommend doing this because PSATS said if we are going to sell the scrap metal, we should put it out for bid. Discussion followed on the scrap metal. Zimmerman said it is a way to get a project done at no cost to the Township and Frantz would not need all the guide rails, probably only half of them.

Recreation Area Bathroom, cont.

Zimmerman moved to have Steve Frantz do the concrete project at the Recreation Area Bathroom and sell him scrap metal guide rails for the amount of Frantz's bill to the Township. Tobin asked about the bid from Morgan and if he was aware of the scrap metal, Zimmerman said that it was not part of Morgan's proposal. Tobin reviewed the issue for Solicitor DiNicola. DiNicola said PSATS is a good tool and they make recommendations based on their interpretations of the code. DiNicola said the amount is only \$2,000 and he feels the Township would have latitude in this situation to barter or they could put it out for bid, it wouldn't make a difference. Lehman asked Zimmerman if he spoke to Frantz and Zimmerman said yes. Lehman seconded Zimmerman's motion to have Steve Frantz do the concrete project at the Recreation Area Bathroom and sell him scrap metal guide rails for the amount of Frantz's bill to the Township. All were in favor and motion carried 3 to 0. Tobin said she voted in favor based on DiNicola's opinion.

Brookside Road - Zimmerman said trucks are still running on the road, especially Sunday afternoon and evening and around 3 AM. Zimmerman questioned asking the State Police to patrol the road.

- **Public Water Research Committee** – Tobin said the Board will hold an executive session later in the meeting.
- **Tax Collection Committee** – Robert Crist (Delegate) reported the Committee would like the Board to vote if they would like to have the LST collected with the EIT. Crist said the consensus is there will be a cost savings to do it together. Crist also said according to legal interpretation the Committee's bylaws have been determined to be null and void so there will be a meeting held on April 27th at 6 PM for the bylaws committee. Crist noted Lehman is the delegate to the bylaws committee, but said he would represent the Township if the Board wanted him to. Lehman moved to approve Robert Crist as the Township delegate to the bylaws committee, Zimmerman seconded the motion, all were in favor and motion carried 3 to 0. Zimmerman moved to approve to combine the collection of the LST and EIT under the Tax Collection Committee's management. Tobin seconded the motion, all were in favor and motion carried 3 to 0.
- **Compensation & Benefits, continued** – Tobin reviewed the voting issue from earlier in the meeting for the solicitor. DiNicola said there is an appearance of conflict and he recommends Lehman abstain from voting on the benefits issue. Tobin's motion to pay for Plan B weekly disability insurance for the fulltime employees died for lack of a second.
- **UCC Inter-Municipal Committee** – Zimmerman said they held a meeting in March; all members were present except for Bob Pankake. Zimmerman said Marty Sowers from Light-Heigel reviewed the duties of the UCC Inter-Municipal Committee and the members got a good understanding of what they are.

Engineers Report / Planning Commission Report – No plans were forwarded from the Planning Commission to the Board of Supervisors for review.

Landfill Inspector – No comments were received by the Board.

Recreation Board – Tobin said one of the questions the Recreation Board had was already answered and said on the security of the bathroom doors nothing can be done right now because it was taken out of the plan. Tobin said they are requesting two of the gates be fixed and a fence post put in. Joe Fegley said the rubber mulch would be good to use in more areas of the playground because of the softness and how it will hold up better than the wood mulch. Bonnie Brown said she is concerned the rubber mulch may get dragged out of the area. On the question regarding a spouse attending the Recreation Board meetings for her husband, DiNicola said the Recreation Board is a volunteer committee and she could act as his proxy. Bonnie Brown said markers are getting knocked over and she is concerned about having to get the area resurveyed.

Recreation Board, cont.

Brown reported numerous requests for the use of the recreation area and Daryl Wessner’s offer to make a donation to use the sand volleyball court for team play when it is completed. Dan Bode said Tim Unverdorben is ready to start on building the volleyball court. The Board of Supervisors agreed the Recreation Board should continue scheduling the use of the recreation area. Tobin said the close-out report for the DCED grant for the playground has been submitted.

Zoning Hearing Board – Ferguson said there are no hearings for April and two hearings are on the agenda for May.

Zoning Officer – Dan Bode discussed the revised permit fee schedule he submitted to the Board. The new fee schedule removes the building permit issued by the Township and incorporates the fees from it into zoning permit fees. DiNicola noted the fee schedule, if approved, should be adopted by resolution and reminded the Board he had previously suggested they review the Zoning Hearing Board fees. The Board asked DiNicola to prepare a resolution to adopt a new fee schedule and Ferguson to review the costs incurred for the zoning hearings.

Dan Bode said the old ordinances required permits for outdoor furnaces and he is receiving complaints about outdoor furnaces in use that did not get permits and cannot comply with the new ordinance. Bode said he is working with the individuals and if they cannot comply they may have to remove the furnaces. Bode said he wants people to be aware the minimum lot size for an outdoor furnace is three acres.

Tobin said the Zoning Officer approved 20 permits from February 22nd to April 14th and numerous complaints were addressed. Tobin said the Zoning Officer has hours in the Township office on Wednesdays from 8 AM to 4:30 PM and from 6 PM to 8 PM.

Dan Bode thanked Melissa Dyer and Kathy Ferguson for helping him in the last few weeks.

Ferguson asked the Board of Supervisors about a request the Zoning Officer received to complete a historical review on a plan and the Board discussed the ordinance with Bode. The Board agreed the Zoning Officer would review plans for historical impact.

OLD BUSINESS

Telephone System – Ferguson said Norstar repaired the programming issues with the phone messages. Ferguson also noted two phones are not working and need to be replaced. Zimmerman said he would check on phones.

Records Room – Ferguson said specifications for the quotes are needed. Discussion followed on the need for a fire proof room. Lehman said she would look into getting the specifications for quotes.

Township Buildings Roof Bids – Zimmerman said a bid from Allen Wolff has been rejected because proof of insurance was not submitted as required in the bid specifications. The following bids were publicly opened on April 9, 2010 at 3:15 PM.

BIDDER NAME	ADDRESS	GARAGE BID	OFFICE BID
BANES ROOFING	TELFORD, PA	\$21,333.00	\$10,206.00
E. A. JOHNSON GROUP	SCHUYLKILL HAVEN, PA	\$21,250.00	\$7,680.00
HUTCHINSON CONST.	HAZLETON, PA	\$16,953.00*	\$6,910.00
		<i>*Plus \$650 for trash removal</i>	
PHILLIP J. MCARDLE	ANDREAS, PA	\$21,828.00	\$8,447.00
SPOTTS BROTHERS INC	SCHUYLKILL HAVEN, PA	\$21,800.00	\$9,800.00
SUPERIOR 3	PINE GROVE, PA	\$17,875.00	\$7,120.00

Zimmerman moved to award the garage and office roof project to Hutchinson Construction as the lowest bidder. Lehman seconded the motion, all were in favor and motion carried 3 to 0. Zimmerman said he would like to add to the project the fees incurred for Waste Management for disposal of the used materials and he is working with Sean Ryan on it. Zimmerman requested Ferguson get a color sample of the shingles for the Board to approve.

NEW BUSINESS

Inter-Office Communications – Tobin said in response to Zimmerman’s request she contacted American Computer for prices of a laptop, netbook, wireless internet and Microsoft Office. The Board reviewed and discussed the price estimate. Zimmerman said a computer use policy is needed for the Township. Tobin moved to purchase one laptop for the Township Emergency Management Director, one netbook for the Zoning Officer, one netbook for a supervisor, the wireless connection and three Microsoft Office software packages for the computers for a total of \$2,875. Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

Emergency Management Coordinator – Tobin said we have received notice the Emergency Management Director’s application was sent to the Governor’s office.

Cub Scout Pack 650 Trash Pickup – Tobin said Pack 650 has requested to do trash pickup in Pine Grove Township and Ralph has given them the roads. Tobin said she checked with Pine Grove Landfill and they will donate the disposal. Tobin said after they have collected it on Sunday, April 25th, we need to coordinate with Ralph a place to pick it up.

CORRESPONDENCE

PennDOT Request for Meeting re SR645 Bridge – Tobin said the request is for approval to use the Township Building on Tuesday, May 25th from 5 to 6 PM to meet with the Board of Supervisors and hold a public plan display from 6 to 8 PM. The Board approved the request for the use of the Township meeting room.

Senator Argall’s Flood Summit – Argall’s office is holding a meeting on storm water issues on May 20th at 6 PM at the DEP office and is inviting local officials to attend. The Board members are unable to attend and Bonnie Brown volunteered to go as a Township delegate.

PUBLIC COMMENT

Terry Ritzman asked who is the Emergency Management Director and it was noted that Bobby Milligan is the Director. Ritzman said thanks for the badges that are being purchased for the fire police because they are mandated.

Allen Aungst said the Recreation area grading needs to be done for the walkway and stone added for two foot support on each side, also the parking lot above the bathroom needs to be graded down about three inches. Tobin asked Bonnie Brown to get a list of items that need to be done and the Board agreed they would be worked on.

Larry Hoffman – Tobin mentioned the board did receive his letter today.

EXECUTIVE SESSION - At 9:13 PM the Board of Supervisors went into an executive session concerning property acquisition, litigation and personnel. The meeting resumed at 10:32 PM.

Township Authority - Tobin moved to authorize DiNicola to take the necessary steps to activate the Township Authority, Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

DiNicola said the Board should solicit members to be seated on the Authority Board as it will be one of the first steps in establishing the Authority.

ADJOURNMENT – At 10:34 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 May 12, 2010.