

---

# **PINE GROVE TOWNSHIP SUPERVISORS**

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

**APRIL 13, 2016 MEETING MINUTES**

---

**CALL TO ORDER** - Chairman Bruce Kosack called the April 13, 2016 meeting to order with the Pledge of Allegiance at 6:30 PM. In attendance were Vice-Chairman Jeffery Zimmerman, Supervisor Ray Stump, Solicitor Gino DiNicola, Township Manager Kathy Ferguson, Robert Schumaker, David Tshudy (TKC), Larry Hoffman, and others; list on file. Road Foreman Rodney Fidler and Zoning Officer Dan Bode were absent.

**PUBLIC COMMENT ON AGENDA ITEMS** – Robert Schumaker complimented the Road Foreman Rodney Fidler for taking immediate action on his complaint of blocked ditches on Swopes Valley Road.

## **MINUTES / FINANCIAL ITEMS**

**March 9, 2016 Meeting Minutes** - Kosack moved to approve the minutes and Stump seconded the motion. Zimmerman abstained saying he was not present at the meeting. Kosack and Stump voted in favor of the motion and motion carried 2 to 0 with 1 abstention.

**Treasurer's Report** – Ferguson reported the March General Fund beginning balance was \$606,143.79; receipts were \$61,415.90; expenses were \$68,829.23 and the March General Fund ending balance was \$598,730.46. The Capital Reserve Fund March ending balance was \$2,854,201.32 and the Liquid Fuels Fund March ending balance was \$549,292.82. The March Combined Funds ending balance was \$4,002,224.60. Kosack moved to approve the Treasurer's March report, Stump seconded the motion; all were in favor and motion carried 3 to 0.

- 2015 Audit – Ferguson said the accounting firm of Garcia Garman & Shea, PC have completed and filed the 2015 audit; copies of the reports have been given to the Board of Supervisors.

**Approval of Bills** – Kosack moved to approve bills in the amount of \$32,926.10; Stump seconded the motion; all were in favor of the motion and motion carried 3 to 0.

## **PERSON TO BE HEARD**

Robert Schumaker, Swopes Valley Road, discussed his concerns about speeding and other safety issues on Swopes Valley Road. Road signs were discussed and it was referred to the Property & Roads Committee to check on adding signs.

## **REPORTS**

### **Committee Reports**

- **UCC Appeals Board** – Attorney DiNicola said an appeal for the UCC Board was received from Mars Diesel and we are in the process of scheduling a hearing date.

- **Public Works & Property**

1. **Road Project Bids** - Ferguson read the bid results received for the paving project:

<u>Pennsy Supply Inc.</u>	<u>Folk Paving Inc.</u>	<u>EJB Paving</u>	<u>Schuylkill Paving Inc.</u>
\$115,303.80	\$122,160.00	\$124,130.98	\$150,700.00

Stump moved to approve the bid from Pennsy Supply Inc. as the apparent low bidder, contingent on review of the documents and PennDOT project approval. Kosack seconded the motion, all were in favor and motion carried 3 to 0.

2. **Truck #5 Plow** – Stump discussed the quote to install a hydraulic plow on Rodney's truck to replace the manual plow which is a safety issue. Stump moved to approve the hydraulic plow kit from MJR Equipment in the amount of \$6,622.58 installed on Truck #5. Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

### **Engineer / Planning Commission**

- **TKC / Tractor Supply LDP** – David Tshudy, representing TKC and Tractor Supply, said everything on the Township's engineer letter has been addressed for the plan with the exception of the HOP from PennDOT. Tshudy said he understands the Township policy for not granting conditional approval, but in this case he is asking the Supervisors to grant one because of contractual obligations TKC must meet this month as Tractor Supply's landlord. Tshudy said if the Supervisors

**Engineer / Planning Commission, TKC / Tractor Supply LDP, continued**

were to sign the plans, the plans could be held at the Township until the HOP is received and then released to TKC for recording at the County.

DiNicola said he spoke with Township engineer Ryan Fasnacht; TKC has completed everything required for Township ordinances, the line of credit was received, the security is in place and they are waiting for a permit from a state agency which is expected shortly.

Stump moved to approve and sign the TKC / Tractor Supply Land Development Plan and agreement, and to hold the plans in the Township office until the HOP is received. Kosack seconded the motion, all were in favor and motion carried 3 to 0.

- Lehman / Miller Annexation Boundary Line Adjustment Plan – Kosack moved to approve the Lehman / Miller Plan as recommended by the Planning Commission. Stump seconded the motion, all were in favor and motion carried 3 to 0.

**Recreation Board** – Zimmerman noted the Board asked for keys to the Recreation Area bathrooms and Ferguson said it was taken care of. Larry Hoffman said Allen Aungst ordered one picnic table to look at. Zimmerman asked about a table they were going to put near the electrical outlets. Ferguson said Allen was not happy with the first quote he received, so he is still looking for a lower cost table.

**Road Foreman** – No comments received.

**Zoning Hearing Board** – Kosack said hearings will be held at 6:30 PM on April 28, 2016 to hear a request from the Ten Pin Club, 85 Long Stretch Road for Uses Permitted by Special Exception and from Marlin & Donna Hummel, 35 Moonshine Road for zoning variances of §406 and §407.

**Zoning Officer / Floodplain Administrator** – The Zoning Officer issued 4 new permits, received 26 phone calls, 1 complaint, performed 3 inspections in March, and reviewed 5 plans under the floodplain administration.

**OLD BUSINESS**

**Executive Sessions** – DiNicola noted executive sessions were held by the Board on March 15<sup>th</sup> and April 4<sup>th</sup> to discuss personnel matters, the executive sessions were not envisioned by the Board at the last meeting so it is required by the Board to announce them; no action was taken.

**8 Geary Wolfe Road Deed** – DiNicola said FEMA requires additional information on the deed on file for the 8 Geary Wolfe Road property the Township now owns under the Hazard Mitigation Grant Program. DiNicola said the amended deed is a formality and he is asking the Board to authorize the chairman to sign the deed to be recorded and submitted to Marty Sowers. Zimmerman moved to authorize the Township chairman to sign the amended deed for 8 Geary Wolfe Road, Stump seconded the motion, all were in favor and motion carried 3 to 0.

**Telephone System Update** – Ferguson said the current Internet speed was confirmed to be sufficient for the ShoreTel telephone system based on larger companies with a larger call volume than ours. Ferguson signed for the purchase and the equipment should be delivered in April with a proposed date of using the new telephones by May 20<sup>th</sup>.

**District Magistrate Judgement Payments** – Ferguson discussed payments from a resident who was making small payments on the District Magistrate's judgement rather than the full amount. Ferguson said previously the Board had instructed her to return the small payments to the resident as they considered other action. Ferguson said we are receiving the payments on a regular basis and as Treasurer she feels the Township should accept the payments if we are not going to move forward with other action to collect the full amount. Discussion was held and DiNicola concurred with Ferguson's assessment to accept the smaller payments. Zimmerman moved to authorize the deposit of the resident's partial payments. Kosack seconded the motion, all were in favor and motion carried 3 to 0.

**Township Manager Job Description** – DiNicola said he has reviewed the Manager's job description proposed by Ferguson, he found no concerns, had no objections, and it is satisfactory. The Board of Supervisors concurred, it will become part of the personnel handbook and Ferguson's file.

**Property Tax** – Stump said he would like the Board to consider a property tax and DiNicola has information for them. DiNicola said the Township should consider a real estate tax in the near future; typically, a municipality would look at their budget and determine their needs and large expenses, such as the bridges, then estimate what real estate tax millage would be necessary to raise revenue

**Property Tax, cont.**

for general purposes. DiNicola said from a timing standpoint it would be prudent for the Board to consider a motion authorizing him to prepare an ordinance for their review and consideration for adoption. DiNicola said the Board has talked about the tax for the last several months and if the Board were to enact a real estate tax the ordinance would need to be adopted before the year's end and the tax collector, etc. would need to be notified well in advance. DiNicola said if the tax goes into effect it would be likely be January 2017 and the tax bills would come out in the end of February with the County taxes. DiNicola said the total taxable real estate in the Township is approximately \$92,000,000 - \$94,000,000 and the revenue on one mill would equal \$92,000 - \$94,000 of taxable revenue to the Township. DiNicola said (at one mill) for every \$1,000 of assessed value (not fair market value) the property owner would be taxed \$1. DiNicola strongly urged the Board to consider authorizing him to prepare an ordinance which requires one advertisement for public notification and the public would be invited to attend any meeting between now and the time the ordinance would be adopted; the goal is to give the public notice as far ahead of time as possible.

Stump moved to authorize Atty. DiNicola to draft a real estate tax ordinance, without a set millage rate, for consideration and review by the Board of Supervisors for possible adoption at a later date. Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

**NEW BUSINESS**

**Zoning Hearing Board Member Application** – Zimmerman moved to approve the application of Dale Reichert and appoint him as a Zoning Hearing Board 2<sup>nd</sup> Alternate Member, term ending January 2017. Stump seconded the motion, all were in favor and motion carried 3 to 0.

**Township Office Closed April 18<sup>th</sup> & 19<sup>th</sup>** – Kosack said the Township office would be closed on April 18<sup>th</sup> & 19<sup>th</sup> for the employees to attend classes at PSATS. Ferguson noted she would be taking her final primary class on April 17<sup>th</sup> along with additional classes on April 18<sup>th</sup> & 19<sup>th</sup> for the PSATS Municipal Government Academy (PMGA) which was set as a condition by the Board of Supervisors in January in order for her to receive an additional \$1,000 per year raise (28¢ per hour).

**2-1-1 Program** – Ferguson said she attended the meeting at the Penn State Campus for the 2-1-1 System in Pennsylvania. Ferguson said the program is sponsored by the United Way in Schuylkill County, it is widely available in other states, and is a centralized database of information where people can call for help with health and human services. Ferguson said it is a great resource in the county to get people the help they need and if anyone knows of any churches or organizations that can offer assistance of any sort in Schuylkill County she has a form for them to be listed in the 2-1-1 database, she also has flyers available for the program.

**CORRESPONDENCE**

**Williams Company FERC Review Schedule** – Ferguson said for public information, the Federal Regulatory Commission (FERC) issued its Notice of Schedule for Environmental Review for the Atlantic Sunrise gas line coming through Pine Grove Township; FERC expects to issue its final Impact Statement on October 21, 2016. Ferguson said information on public comment periods will be received in the coming weeks.

**Schuylkill County Municipal Solid Waste Plan** - Ferguson said the Township received the final draft of Schuylkill County Municipal Solid Waste Plan, it is over 300 pages long. Ferguson said one thing in the plan that is important to Pine Grove Township is the future of the recycling program; for fiscal reasons the plan proposes phasing out the drop-off recycling bins the Township currently uses and shifting to municipal contracts for curbside pick-up of recycling and waste. Ferguson said the other part of the plan the Township needs to look at is a proposed ordinance for establishing a hauler registration program, transportation of municipal waste, and some expectations for municipal recycling. Ferguson said this is a draft plan, if the Board has any comments they would need to be directed to Joe Scribbick at the County Solid Waste office.

Zimmerman said he didn't see any comments about electronic disposal. Ferguson said Scribbick had said earlier the County would not sponsor the event this year. Zimmerman said it is not budgeted for this year, but possibly the Township could have their own electronic recycling one day a year at our expense to get the electronics to a disposal site. Zimmerman said Ferguson should discuss this with the Road Foreman and put it on the next month's agenda.

**Schuykill Conservation District Waterfall Development Project** – Zimmerman recommended the Board send a letter of support for the project to the County, the Board concurred.

**PUBLIC COMMENT**

**Joan Schwer** asked what the Waterfall project is. Zimmerman said the project is for grant money from DCNR for a new pavilion, a well and resurfacing of the parking lot area.

**Robert Schumaker** said if they thought about dry fire hydrants installed at spring fed ponds, it would help residents lower their fire insurance costs. Zimmerman said there was some interest in that from the residents and they are willing to provide the water source but the money to do it would have to come from the Township or the fire companies. Zimmerman said it involves Fish & Wildlife studies, and engineering costs. Zimmerman said several years ago they worked with the fire companies and picked several locations for dry hydrants but because of all the studies and engineering costs it was not economically feasible to put the hydrants in.

**ADJOURNMENT** – Stump moved to adjourn the meeting at 7:39 PM, Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

**Respectfully submitted,**

**Kathy Ferguson, Township Manager**

**Approved by the Board of Supervisors on May 11, 2016.**