
PINE GROVE TOWNSHIP SUPERVISORS

175 OAK GROVE ROAD, PINE GROVE, PA 17963

FEBRUARY 8, 2017 MEETING MINUTES

CALL TO ORDER - Chairman Bruce Kosack called the February 8, 2017 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, Ralph Hummel (Lehigh Engineering, LLC), John H. Stahl, Ron Rizzardi, and others; list on file. Road Foreman Rodney Fidler and Zoning Officer Dan Bode were absent.

PUBLIC COMMENT ON AGENDA ITEMS – No public comment was received.

MINUTES / FINANCIAL

December 14, 2016 Meeting Minutes and January 11, 2017 Meeting Minutes - Stump moved to approve the minutes, Zimmerman seconded the motion; all were in favor and motion carried 3 to 0.

Treasurer's Reports – Ferguson reported the January General Fund beginning balance was \$572,939.18; receipts were \$20,654.16; expenses were \$55,881.37 and the January General Fund ending balance was \$537,711.97. The Capital Reserve Fund January ending balance was \$2,894,470.95 and the Liquid Fuels Fund January ending balance was \$366,365.47. The January Combined Funds ending balance was \$3,798,548.39. Stump moved to approve the Treasurer's January report, Zimmerman seconded the motion; all were in favor and motion carried 3 to 0.

- **Capital Reserve Savings** – Ferguson noted the account is only earning .01% interest and the Board could invest the money in short term commercial paper for a much higher return. Zimmerman said his issue is if we have to pull the cash out, there is a penalty to do that. Ferguson said it is her recommendation to invest \$400,000 to \$500,000 in the commercial paper for three months. Kosack asked Ferguson, as Township Manager and Treasurer, if we have money available that we wouldn't have to go into the investment and pay the penalty. Ferguson said there is \$460,000 available right now in the General Fund Revenue account and for any future projects that may be done, it would be several months before any invoices would come due. Based on the Treasurer's recommendation, Kosack moved to invest the money in a short term account, Stump seconded the motion, all were in favor and motion carried 3 to 0.

Approval of Bills – Zimmerman recommended holding 10% of the Martin's Flooring invoice because he was not happy with the vinyl coving and the Board agreed to reduce their payment by \$506.30. Zimmerman will contact Martin's about the repairs. Zimmerman moved to approve bills in the amount of \$61,641.46, Stump seconded the motion; all were in favor of the motion and motion carried 3 to 0.

Upper Swatara Watershed Recovery Manager – Ferguson said we received an invoice today from Schuylkill Conservation District for supporting the cost of funding the Recovery Manager (\$3,750). Kosack said we have paid it every year and he sees no problem with it. Zimmerman asked if Marty Sowers would still be a part of the Board. John Stahl said he has been on the committee for five years and Marty has never been there. Stahl gave an update on the activities of the Swatara Watershed Recovery Committee. Zimmerman moved to approve the expense of \$3,750 to Schuylkill Conservation District for the Swatara Watershed Recovery Manager. Stump seconded the motion, all were in favor and motion carried 3 to 0.

PERSONS TO BE HEARD

Ralph Hummel, Lehigh Engineering, LLC, introduced himself to the Board of Supervisors and reviewed their January report. The Board of Supervisors spoke with him briefly and Zimmerman noted the code is black and white, there are no gray areas; Hummel agreed.

Ron Rizzardi, 43 Lake Terrace Drive, said he would like the Board of Supervisors to consider selling him a Township right-of-way that adjoins his property. Rizzardi said the subdivision for his property was done in the early 1970's and has been untouched for over forty years. Rizzardi said a section of his driveway is on the right-of-way, that was done by the original property owner. Rizzardi showed maps

Ron Rizzardi, cont.

and said the purpose for asking for the land is he wants to add a garage on his property. Zimmerman questioned if he would do an annexation and Rizzardi said yes. Rizzardi said he talked to adjoining property owner Moyer and he doesn't have a problem the plan, but he doesn't know how to reach the property owner behind the right-of-way. Rizzardi showed a print from the Schuylkill County parcel locator and showed the section of his driveway on the right-of-way and where he wants to put his garage, which would require a variance. Zimmerman said the right-of-way was probably there for expansion of the existing development, which hasn't happened.

DiNicola said it gets involved from a legal standpoint, there are certain things the Township would have to do. DiNicola said the value of the land would have to be identified, at a certain value the Township would have to put it out for bids, it may be feasible to sell it outright by a quitclaim deed, or vacate it by agreement. DiNicola said the property behind the right-of-way Rizzardi is saying has direct driveway access and he only sees Heather Lane. Rizzardi said Heather Lane connects directly to the property. DiNicola said other than Heather Lane it is landlocked and asked if Heather Lane is a private drive. Rizzardi said he is not sure.

DiNicola said the Board can take it under advisement, but cannot make a decision tonight. Rizzardi said he understands and if it can't be done he will apply for a variance or make his garage smaller than he wanted. Zimmerman gave the name and address of the property owner behind the right-of-way and Rizzardi said he may have his attorney contact her.

John Stahl, Township Authority Chairman, said in the next 60 days they will be making decisions that will affect the Township and he feels they should have some input on the decisions. Stahl said on March 23rd he expects to receive a grant money and he has met with Pine Grove Borough and other people in the Township to discuss how to best use the money. Stahl said at the same time they are looking at negotiations to turn over the Water Authority to the County. Stahl asked the Supervisors if they want to turn over the Water Authority or keep some options to control the Water Authority in the future.

Zimmerman asked where the grant money was going to be used. Stahl said it was going to extend the line from where it stopped at Arby's on the north side to the west side. Stahl said he doesn't expect to get the full amount they applied for, so he developed a plan to extend an 8" line that was terminated on the south side of Swatara Creek. Zimmerman asked if the grant money could be applied towards the Township Authority debt. Stahl said no, only for expansion or improvement of the water system.

Zimmerman asked where Pine Grove Borough enters into this. Stahl said we already have a joint effort with the Borough in the sewer and long term he thinks it would be in the best interests of both to have a similar relationship for water. Zimmerman asked if the Borough has any interest and Stahl said they do, he met with them last Monday. Stahl discussed extension of a water line from the Fish & Game Club, down the railroad bed parallel to the sewer line, and tying in to the Tractor Supply line to the Water Authority for about \$150,000; he said the Borough is in favor of that. Stahl said it would provide a huge backup water source protection to the Township's service to motels and things like that.

Zimmerman said to sum things up, the Township took over the water company because it was in distress and the Board found it necessary to take care of that portion of the Township and service their water. Zimmerman said the Authority has done an awesome job making sure the residents are getting good water. Zimmerman said his interest is that the residents get good water and the Township gets their money back.

DiNicola said if a third party would take over the water company, you would no longer have local representation and you would lose control over the direction the Authority would go, the rates, etc. DiNicola said it is the first the Board has heard of a joint venture with the Borough. Stahl said not a joint venture, but cooperation with the grant money and then discussed a 119 acre watershed in Swopes Valley that the Borough has spent money investigating but they can't afford to put a line into.

Stump said the main question is if the Board wants to give up control of the Water Authority. Stahl agreed and said when he meets with the County on the 15th he is proposing to turn the Water Authority over to them or to turn the Water Authority over to them with a condition that in ten years the Township reserves the right to take control back. DiNicola said with the condition, the County would be hired as a contract operator. Stahl said yes.

John Stahl, Township Authority Chairman, cont.

A brief discussion was held on the Borough's water service in the Township. Zimmerman thanked Stahl for the information. DiNicola said in the event the Water Authority's assets were transferred to a third party; the Township would be a necessary signatory. DiNicola said he has only seen one draft agreement and that was over six months ago, in his opinion he should be getting copies of the drafts. DiNicola said what Stahl is bringing to the Board's attention is "don't undervalue what he thinks is a valuable asset". Zimmerman said DiNicola should contact Wiest and let him know he needs to be informed of the negotiations. Stump said he really doesn't think the Township should sell the Water Authority and Kosack agreed.

REPORTS

Committee Reports

- **CDBG** – Ferguson said Schuylkill Community Action reported they don't have any applicants for housing rehabilitation in Pine Grove Township and there are more funds available, so if anyone knows someone who may be eligible for the program, please give them the information.
- **Public Works & Property**
 - **Bridges** – Zimmerman said like the motion last month, the grants will be applied for one more time and if we don't get the money we are going to fix something.
 - **Roads** – Stump said they decided not to pave any roads this year, it will cost less if we hold them and do more at a time next year. Zimmerman said we budgeted for 2½ Mile Road. Discussion was held on the roads and Zimmerman asked for roads 1, 2 and 3 to be ready for advertisement at the March meeting, you can deny all bids. Stump said he will contact Charlie Paris for the mileage.
- **Workplace Safety Committee** – Ferguson said the December safety meeting was on Lockout/Tagout compliance and the January meeting was on safe winter driving; the next meeting will be an hour long webinar held on February 28th.

Engineer / Planning Commission

- **Eugene Martin Land Development Plan** – Zimmerman moved to approve the Eugene Martin Land Development Plan Improvements Agreement and Letter-of-Credit in the amount of \$55,705.00. Stump seconded the motion, all were in favor and motion carried 3 to 0.
- **Annual Planning Commission Report** – Ferguson said Cynthia Hummel, Planning Commission Secretary, submitted the financial data to go along with the annual report submitted in January.

Recreation Board – January meeting minutes were received. Zimmerman moved to open the Recreation Area bathrooms on March 1st, Stump seconded the motion, all were in favor and motion carried 3 to 0. Zimmerman said maintenance needs to be done on the inside and outside of the bathroom doors.

Road Foreman – Zimmerman said we are getting an enormous amount of trash along Township roads – tires, furniture, etc.; we need to figure out what we can do. Kosack said one thing would be to have mandatory trash pick-up. A brief discussion was held, no decisions were made.

Zoning Hearing Board – February 23, 2017 hearing is cancelled; no applications were received. Ferguson noted the Supervisors received the annual Zoning Hearing Board 2016 Activity report prepared by Cynthia Hummel as required by the Municipal Planning Code.

Zoning Officer / Floodplain Administrator – The Zoning Officer issued no new permits, received 12 phone calls, no complaints, and performed no inspections in January.

OLD BUSINESS

Smiles for Miles 5K – Ferguson said the Fire Marshal and the Emergency Management Coordinator verified there would be assistance with traffic control and public safety for the Township on May 13th for the 5K fundraiser event. Kosack moved to approve the Smiles for Miles 5K fundraiser event fundraiser event. Zimmerman seconded the motion, all were in favor and motion carried 3 to 0.

County Demolition Program – Ferguson said the County has updated some of the forms for the program and noted in the letter it states the County will give priority to properties located in communities with a proactive code enforcement to address blight. A brief discussion was held on quality of life ordinances. The Supervisors have several properties they would like the Township Manager to consider for the program; Ferguson asked them to send her the property information.

NEW BUSINESS

2016 Survey of Financial Condition – The Board of Supervisors approved the report prepared by the Township Manager.

Tax Collector – Ferguson reported the Township Tax Collector, Frances Heinbach, said she is not running for re-election at the end of her term this year. Ferguson said the Township should look for someone interested in the Tax Collector office for this year's election. The Board noted they would have to appoint someone as Tax Collector if no one is elected to the office.

CORRESPONDENCE – No items requiring action by the Board of Supervisors were received.

PUBLIC COMMENT – No public comments were received.

ADJOURNMENT – At 7:35 PM Zimmerman moved to adjourn the meeting, Stump 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 March 8, 2017.