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# **PINE GROVE TOWNSHIP SUPERVISORS**

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

**JANUARY 10, 2018 MEETING MINUTES**

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**CALL TO ORDER** - Chairman Bruce Kosack called the January 10, 2018 meeting to order with the Pledge of Allegiance at 6:30 PM. In attendance were Vice-Chairman Howard Lengel, Supervisor Ray Stump, Township Manager Kathy Ferguson, Frances and John Heinbach, Bob Spotts, Paul Ney, Gerald Lengel, Aaron Maidenford, Rodney and Barb Luckenbill, and others; list on file. Road Foreman Rodney Fidler, and Zoning Officer Dan Bode were absent. Solicitor Gino DiNicola joined the meeting in progress at 6:39 PM.

**YEARS OF SERVICE RECOGNITION** – Chairman Kosack presented retiring Tax Collector Frances Heinbach with a rosewood desk clock from Pine Grove Township in honor and appreciation of her forty years of service to the Township.

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

## **MINUTES / FINANCIAL**

**December 13, 2017 Meeting Minutes** – Kosack moved to approve the December minutes, Stump seconded the motion, Lengel abstained; motion carried 2 to 0 with one abstention.

**January 2, 2018 Organization Meeting Minutes** – Stump moved to approve the January Organization Meeting minutes and Lengel seconded the motion; all were in favor and motion carried 3 to 0.

**Treasurer's Reports** – The December General Fund beginning balance was \$591,809.53, receipts were \$54,591.32; expenses were \$61,393.65 and the December General Fund ending balance was \$585,007.20. The Capital Reserve Fund December ending balance was \$3,330,485.81 (Includes a deposit of \$409,920.22 for the repayment of the Township Authority loan during the sale of the water system to the County) and the Liquid Fuels Fund December ending balance was \$423,491.83. The December Combined Funds ending balance was \$4,338,984.84. Kosack moved to approve the Treasurer's December report. Stump seconded the motion, all were in favor; motion carried 3 to 0.

**Approval of Bills** – Stump moved to approve the bills in the amount of \$32,778.36, Kosack seconded the motion; all were in favor and motion carried 3 to 0.

**Solicitor DiNicola joined the meeting in progress.**

## **PERSONS TO BE HEARD**

**David Kavitsky, PE, BCM Engineers** represented Pine Grove Borough for their Water System Improvement Project to place a 62' high water tank on property located in Pine Grove Township. Kavitsky reviewed project plans with the Board and requested a waiver for a driveway. Kavitsky noted they have a zoning hearing scheduled for variances for the height of the tank and setbacks on the property.

DiNicola said he thought the Borough was looking for a waiver from submitting a Land Development Plan. Kavitsky said what we submitted is just waivers for the road; we are going to look for a minimum Land Development Plan because there really isn't any sewage involved, only the variances for the tank. Discussion on the tank, the road, and the Land Development Plan followed.

DiNicola said this would ordinarily be submitted to the Planning Commission as a Land Development Plan and they would review it, ask for modifications if necessary, then make final recommendations to the Board of Supervisors on the individual requests for waivers like the road etc. DiNicola said he believes Kavitsky has come to the Supervisors for preliminary insights if they are amenable to the waivers listed.

DiNicola said the Supervisors could decide the Borough did not need to do a plan and only do zoning, but historically speaking, when the Township Water Authority put in a water tank the Township required a Land Development Plan and the County was also required to submit a Land Development Plan to the Township. DiNicola said the tank would be in the Township and the Supervisors have some jurisdiction over it. After discussion, the Board agreed the Borough needs to submit a Land Development Plan to the Planning Commission.

**PERSONS TO BE HEARD, cont.**

**Bob Spotts** and **Paul Ney** spoke to the Board of Supervisors requesting a holding tank for a septic system on their property at 123 Suedberg Road. Nye said the property is under contract to be sold and the sewage system failed, it also failed for a sand mound system and the only thing left is to install a holding tank. Ferguson noted Township SEO Jeremy Bentz submitted a letter confirming the testing and confirming the need for a holding tank.

DiNicola advised the Board to follow the recommendations of their SEO and the Ordinance requirements were reviewed. Lengel said he is not in favor of a holding tank. Discussion was held on possibilities of hooking up to public sewer, the system regulations, etc. Spotts noted there are about 15 houses along there that are not hooked up and if anyone else sells their house they will be in the same situation.

The Board noted if the hold tank is approved, it would have to be part of the sales agreement. Kosack moved to accept a holding tank for the property at 123 Suedberg Road, with a minimum of 1,200 gallons as recommended by the Township SEO, and according to requirements of Township Ordinance #46. Stump seconded the motion. Kosack and Stump voted in favor of the motion, Lengel opposed the motion, motion carried 2 to 1.

**Executive Session** – The Board of Supervisors, Solicitor DiNicola and Township Manager Ferguson adjourned into an executive session at 7:06 PM for personnel and possible legal matters. Meeting resumed at 7:20 PM; Chairman Kosack stated no action will be taken on what was discussed.

**REPORTS**

**Committee Reports**

- **Labor Relations** – Kosack said the Township is in the process of making some changes to the policies and procedures in the Personnel Handbook.
- **Public Works** – Ferguson gave the Board a sample work order for equipment repair and suggestions were made to add a parts column and an estimate column. Lengel said there is some excess equipment here and we are going to clean and paint it so we can advertise it, the men are working at it during the cold days.
- **Workplace Safety Committee** – Ferguson said the December safety meeting was cancelled.

**Engineer/Planning Commission**

- **Robert W. & Elizabeth F. Pugh Minor Subdivision Plan** - Planning Waiver & Non-Building Declaration – Lengel moved to approve the Planning Waiver & Non-Building Declaration application, Stump seconded the motion, all were in favor and motion carried 3 to 0.
- **2017 Annual Planning Commission Activity Report** – Ferguson said the 2017 Annual Report of the Planning Commission activities was prepared and submitted by Secretary Cynthia Hummel. Ferguson thanked the Planning Commission for all the work they do for the Township and Hummel for the well organized and thorough report.

**Lehigh Engineering (Floodplain, Code Issues, UCC Permits)** – DiNicola said the Code Enforcement Officer notified him that he is having substantial problems with one specific property owner and may need his guidance on how to proceed with an order to vacate the premise or get an injunction from the court.

**Recreation Board** – Ferguson noted their meeting was only held on January 8<sup>th</sup> and the minutes have not been received.

**Road Foreman** – No comment was received on the report.

**Zoning Hearing Board** – Kosack said a Zoning Hearing will be held January 25, 2018 at 6:30 PM to hear a request from Pine Grove Borough for a Special Exception and Variances to put a water storage tank on Lot #71, Woodhaven Vista Drive, Pine Grove.

**Zoning Officer / Floodplain Administrator** – The Zoning Officer issued 4 permits, received no complaints, 10 phone calls, and performed 2 inspections in November.

**OLD BUSINESS**

**Swopes Valley Road Bridge #1**

- **Revised Project Budget/Commitment Letter** - Ferguson said because the budget figure was revised for the Swopes Valley Road Bridge project, the Township needs to confirm our matching funds of \$434,017 in a commitment letter to Commonwealth Financing Authority (CFA).

**Swopes Valley Road Bridge #1, cont.**

Stump moved to authorize the Chairman to sign a commitment letter for \$434,107 to be used as the match portion of the \$799,000 CFA – Multimodal Transportation Fund Grant for the replacement of Swopes Valley Road Bridge #1. Lengel seconded the motion, all were in favor; motion carried 3 to 0.

- **Benesch Engineering Proposal** – The Board of Supervisors reviewed the proposal from Benesch for Engineering Services for the Swopes Valley Road Bridge #1 Project including design specifications, meetings, contract administration, and construction supervision for an estimated \$108,600. Kosack moved to approve the proposal for Engineering Services for the Swopes Valley Road Bridge #1 for an estimated \$108,600; to be paid with General Fund money. Lengel seconded the motion, all were in favor and motion carried 3 to 0.

**Williams Gas Pipeline Proposed Detours** – Board of Supervisors reviewed proposed detours from Williams for Old Forge Road and Darkwoods Road submitted with their request to close the roads in order to put the pipeline through. Williams estimates a 3 - 4 day closure for Darkwoods and a 7 - 10 day closure for Old Forge. Kosack moved to approve the detours contingent upon Fire and EMS approval. Stump seconded the motion, all were in favor and motion carried 3 to 0.

**NEW BUSINESS**

**2018 Municipal/County Emergency Operations Plan** – Ferguson said Schuylkill County Emergency Management completed an update to the basic Emergency Management Plan for all the municipalities in the County and we will receive copies when we approve the plan. Kosack moved to adopt the 2018 Municipal/County Emergency Operations Plan under Resolution #2018-10. Stump seconded the motion, all were in favor and motion carried 3 to 0.

**CORRESPONDENCE**

**Nestle Waters North America Inc. Donation** – Ferguson said John Liebold delivered a \$1,000 donation from Nestle Waters North America and said we were to use it to benefit the community.

**PA Game Commission Swope Valley Run Bridge** – Ferguson said the PA Game Commission sent the Township a notice they would be replacing a bridge on State Game Lands over Swope Valley Run and there is a map of the location if anyone is interested in seeing where it is, no action is needed by the Board.

**Joint Treatment Authority Grant** - Ferguson said the engineers for the Joint Treatment Authority have notified the Township they are applying for a grant to rehabilitate Lift Station Number Seven and add a proposed generator at the intersection of Sweet Arrow Lake Road and Spittler Road, no action is needed by the Board.

**PUBLIC COMMENT**

**Aaron Maidenford**, an officer with Ravine Fire Company, spoke representing Hegins Area Ambulance. Maidenford said last year when West Schuylkill Life Support went out of business, there was a void in this area and in many cases, they waited for medics. Maidenford said Hegins Area Ambulance was able to start their own Advanced Life Support (ALS) agency and are covering the majority of the west Schuylkill area. Maidenford said Schuylkill Communication Center has Pine Grove Ambulance listed as a provider for the Township, but ALS service is still listed as West Schuylkill. Maidenford said Hegins ALS now has Pine Grove Township by default since they are the closest, but they would like to know if the Township would approve a contract for Hegins ALS to be their primary provider. Stump moved to approve Hegins Area Ambulance as the primary provider of ALS services for Pine Grove Township. Lengel seconded the motion, all were in favor and motion carried 3 to 0.

**Rodney and Barb Luckenbill** – Rodney Luckenbill spoke to the Board of Supervisors regarding his retirement last May and said he submitted his paperwork to Ferguson last year but has not received any payments. Kosack asked if he got any written notification the pension plan received his paperwork, Luckenbill said no. Kosack asked when they last contacted the pension plan; Barb Luckenbill said Ferguson contacted them in October. Discussion followed and Kosack said he would defer the issue to the Solicitor to resolve it with the pension plan.

**PUBLIC COMMENT, cont.**

**Solicitor DiNicola** said at the meeting with PennDOT, it was discussed that some work that needs to be done on the wing wall at Old Forge Road bridge may be outside of the Township right-of-way. DiNicola said there may be a need for the Township to contact the adjoining property owners to see if they would be amenable to working with us for permanent rights-of-way to do the work; one of the owners is Lebanon Water Authority.

Ferguson said she spoke with Bob Sentz from the City of Lebanon Authority today on a property matter and asked him about a possible right-of-way; she received a favorable response and he suggested we send them an official request. DiNicola said he has the engineer's drawing and he will prepare a right-of-way easement agreement.

**ADJOURNMENT** – At 8:07 PM Stump moved to adjourn the meeting, Lengel seconded the motion; all were in favor and motion carried 3 to 0.

**Respectfully submitted,**

**Kathy Ferguson, Township Manager**

DRAFT