
PINE GROVE TOWNSHIP SUPERVISORS

175 OAK GROVE ROAD, PINE GROVE, PA 17963

AUGUST 8, 2018 MEETING MINUTES

CALL TO ORDER – Chairman Bruce Kosack called the August 8, 2018 meeting to order with the Pledge of Allegiance at 6:30 PM. In attendance were Vice-Chairman Howard Lengel, Supervisor Ray Stump, Solicitor DiNicola, Township Manager Kathy Ferguson, Eileen Miller, Allen Aungst, Larry Hoffman, Bonnie Brown, Joe Fegley, and others, list on file.

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

MINUTES / FINANCIAL

July 11, 2018 Meeting Minutes – Lengel moved to approve the July 11, 2018 Meeting Minutes and Stump seconded the motion; all were in favor and motion carried 3 to 0.

Treasurer's Reports – The July General Fund beginning balance was \$622,438.76, receipts were \$25,276.29; expenses were \$288,946.90 and the July General Fund ending balance was \$358,768.15. The Capital Reserve Fund July ending balance was \$3,346,147.50 and the Liquid Fuels Fund July ending balance was \$675,973.51. The July Combined Funds ending balance was \$4,380,889.16. Stump moved to approve the Treasurer's July report. Lengel seconded the motion, all were in favor; motion carried 3 to 0.

- June YTD Budget Report – Ferguson gave the Board of Supervisors a copy of the YTD Budget Report from January through June of 2018. Ferguson noted at the halfway mark of the year there was net income of \$37,320 even though some expenses were coming in higher than budgeted.

Approval of Bills – Stump moved to approve the bills in the amount of \$41,433.14, Lengel seconded the motion; all were in favor and motion carried 3 to 0.

PERSONS TO BE HEARD

Eileen N. Miller spoke regarding 53 Oak Grove Road, stating she has been at meetings since 2014 and nothing has been done about the water coming over the road, the ditch has eroded into her driveway, and the macadam is all up. Miller gave further details about the stormwater issues and asked if the Township could put a pipe under the Moyer driveway.

Stump said after the last time Miller was here they contacted the Schuylkill Conservation District. Miller said she called them in January and didn't hear back, she called in July and they said they were going to check into it if there was an open permit; there was no open permit so they could not do anything and it was a municipal problem. Stump said Howard was out and checked the area.

Lengel said he talked to Rod about the driveway permit and it was never put in the way it was supposed to be. Lengel said the Road Foreman staked the Township right-of-way and that was where they were supposed to keep the pipe; the contractor changed things. Lengel questioned if the Township can go on their right-of-way, tear it up, and make him re-do his driveway to meet the Township specs.

Kosack asked if the pipe is the answer. Stump said the pipe, cleaning the ditches out and Readinger's driveway needs to be cut down. Lengel said Readinger is working to cut down his driveway. Kosack said there should have been a final inspection done on the driveway. Stump nobody checked it. Ferguson said there was no permit required at that time for paving a driveway. Ferguson noted that Lehigh Engineering now does the Township driveway permits and a \$500 escrow fee is required on a driveway permit for paving; it is refunded after the final inspection if everything is done correctly. After further discussion, the Board agreed to have Lehigh Engineering look at the driveways and make a recommendation regarding the stormwater issue.

REPORTS

Committee Reports

- **CDBG** – Kosack noted tonight before the Township meeting we had to re-do the public hearing that was held in June because of an error in the public advertising.
- **Fire Company / EMS** – Stump said he is setting up a meeting with the two fire companies.

- **Labor Relations** – Kosack said he understands a hire has been made for the Road Foreman position and a wage has been promised, they will set that tonight. Stump called for an Executive Session on the issue.

Executive Session – The Board of Supervisors, Solicitor DiNicola, and Township Manager adjourned into Executive Session at 6:56 PM on a Labor issue. Township Manager was dismissed from the Executive Session at 7:07 PM. Meeting resumed at 7:21 PM.

- **Labor Relations, cont.** – Stump moved to appoint Daniel Orwig as Road Foreman effective July 17, 2018 at the pay rate of \$19.06 per hour. Lengel seconded the motion, all were in favor and motion carried 3 to 0.

- **Public Works & Property**

- Old Forge/Oak Grove Roads Bridge Bids – Ferguson reported bid figures for the PennDOT bridge bundling project including Old Forge Road Bridge and Oak Grove Road Bridge. The lowest bid was Lobar Site Development Corp. at \$1,787,893.73 and the highest of the ten bidders was H&K Group Inc at \$2,318,694.95. Ferguson noted the cost breakdown is not by individual bridge, it is by type of work; figures are available if anyone would like to look at them.
- Swopes Valley Bridge – Stump questioned the status of Swopes Valley Bridge. Ferguson said we are getting funding for the bridge, we signed the Township commitment letter in January. Ferguson said Benesch is done with all the preliminary testing and habitat studies and we are working on the land agreement with the adjoining property owner.
- Atlantic Sunrise Letter of Acceptance of Used Rock – Ferguson said an Atlantic Sunrise engineer called and asked her if the Township would like to accept used rock as they take it out of road openings they put in. Ferguson said she talked with Stump and the Road Foreman about it and they agreed we should take it; she signed a letter for the pipeline engineer that day and subsequently Lengel also signed the letter.
- Ash Trees – Ferguson said dead trees creating a hazard along Township roads were discussed this year in the March and April meetings. Ferguson said she put it on the agenda for the Board’s consideration because any action they plan to take to mitigate the hazard should be considered now so expenses can be put into the 2019 budget.

Discussion was held and DiNicola said if the trees will be done Township-wide they should have some sort of policy. DiNicola said according to Township Code the Township does have the right to take down trees inside the right-of-way and he noted further rules in the Township Code on the removal of trees. After further discussion of the issue, the Board asked DiNicola to give them some ideas on how to proceed.

Engineer/Planning Commission

- Daubert Lot 10 Annexation Final Plan – Stump moved to approve the Daubert Lot 10 Annexation Final Plan, Lengel seconded the motion; all were in favor and motion carried 3 to 0.
- Solar Innovations Field Modification Letter – Stump moved to approve the Solar Innovations Field Modification Request, Lengel seconded the motion; all were in favor and motion carried 3 to 0.

Recreation Board – Allen Aungst reported they replaced 160’ of the playground fence that had holes in it and they picked up the new regulations sign which the Recreation Board will be placing in the next few weeks.

Road Foreman – Lengel noted they are getting ready to macadam August 27th on Mountain Road and they will be patching Swopes Valley Road again tomorrow. Kosack asked if they will be okay on the budget. Stump said he thinks so; Ferguson said they are okay on the part-time wages, but are over on road materials.

Zoning Hearing Board – Kosack noted the July 12, 2018 Workshop Meeting on the proposed Zoning Ordinance revisions. Kosack asked DiNicola if the proposed revisions go to him for review. DiNicola said the proposed revisions go to the Township Planning Commission; they can make comments and accept or reject any proposed revisions. DiNicola said after the Planning Commission review, the proposed revisions go before the Board of Supervisors and a public hearing must be held with adoption at the next month’s meeting if there are no substantive changes to the proposed revisions.

Zoning Hearing Board, cont.

Kosack asked if the proposed revisions in the Zoning Hearing Board minutes were forwarded to the Planning Commission. Ferguson said Cynthia Hummel is organizing the topics as the workshops are held; they will be turned over to the Planning Commission when the Zoning Hearing Board is finished their work on the project. Ferguson recommended Benesch review the proposed revisions and Kosack agreed saying it would make sense for them to do so.

The Zoning Hearing Board will meet on August 23, 2018 Meeting at 6:30 PM to work on the proposed Zoning Ordinance revisions.

Kosack noted the July 26, 2018 Zoning Hearing Board minutes were received and read the decision of approval for the variances granted to City of Lebanon Authority property on Old Forge Road.

OLD BUSINESS

Regional Police Force Feasibility Study – Stump said he, Lengel, and Ferguson attended a meeting at the Borough on August 1st where Pine Grove Borough, Pine Grove Township, and Tremont Township signed an agreement to participate in a feasibility study. Stump said the school intends to join the program. Ferguson gave the Board contact information for the DCED person who is managing the program and for the Consultant that will be conducting the study. Kosack noted this in no way says that the Township has accepted a police force; DiNicola added there would be a lot more needed before that could happen.

August 15th Township Meeting – The Board of Supervisors agreed to cancel the August 15th Township meeting.

NEW BUSINESS

Schuylkill County Spittler/Fegley Street Lot Annexation – Ferguson said for the record, the County had a Lot Annexation plan come before them from Pine Grove Borough where a portion of the annexed parcel was located in Pine Grove Township. The County neglected to inform the Township of the plan and it was approved and recorded in the Courthouse. Ferguson said Township Engineer Ryan Fasnacht (Benesch) became aware of the plan, contacted the County on behalf of the Township and let them know the Township had a right to comment on it.

Fasnacht said he did not see the value of the Township Planning Commission reviewing the plan as nothing was planned for the land located in the Township. Fasnacht said the County responded saying their Planning Commission will be made aware of this and moving forward we will be notified.

CORRESPONDENCE

FEMA Map Review – Kosack read excerpts from the July 24th letter from FEMA notifying they are validating the draft Flood Insurance Rate Map (FIRM) database for Schuylkill County. Opportunity to comment was discussed; Ferguson noted the deadline for comment is August 23rd.

Pine Grove Borough Road Detour Request – Kosack moved to approve Pine Grove Borough's request to use Pine Grove Township's roads for detour purposes on Saturday, August 25, 2018 during the Schuylkill County Firefighter's Convention from approximately 12:30 PM to 4 PM. Stump seconded the motion, all were in favor and motion carried 3 to 0.

Donations Received – Ferguson noted Arthur (Pat) Aungst Inc. loaned the Township their John Deere Loader at no charge for seven days following the flood. Ferguson said Nestle Water Company donated 3,200 bottles of water to the Township after the flood; the Township had half of them delivered to the Borough. A monetary donation was made to the Recreation Board by a resident for pet waste bags at the Recreation Area.

Larry Hoffman – Comcast Cable Issue – Kosack said the Board received a letter from Larry on an issue with Comcast and probably everyone here is full agreement about issues with them. Kosack said we will work on the issues when we negotiate our franchise agreement due next year.

PUBLIC COMMENT

Allen Aungst asked what the procedure will be after the feasibility study on the police force is completed, will the Supervisors make the decision? **Bonnie Brown** asked if it would go on the ballot for the people to vote on. DiNicola said it will likely be a several month or years process and there will be special advertisements in the Township for public participation. Kosack said he feels it deserves a lot of input from the public and he is in favor of putting it on the ballot.

PUBLIC COMMENT, cont.

Bonnie Brown said regarding the FEMA study, she wants the Board to know that Swatara Creek before the I-81 bridge is blocked solid from bank to bank; 100 yards up the creek it is blocked again. Brown said water is not draining down there; they called Mike Tobash, DEP, and FEMA. Brown said they are waiting to get answers, but if somebody doesn't open it, Pine Grove is in for a big surprise the next time it rains. Joe Fegley said if it is against the bridge abutments it would be PennDOT's issue to clear it away. Brown said they can't get down there to see if it is.

Larry Hoffman asked when the zoning revisions are done, when can the public review them and where will they be available. Kosack said the Zoning Hearing Board is only at the beginning of working on the revisions, it will take several months. Ferguson said the minutes right now are in draft form, but the workshop meetings are public. DiNicola said there will be a minimum of two public meetings with public notice prior to adoption of the revisions.

Joe Fegley asked about the Township putting an ordinance against people who plow snow onto the roads after the Township plows them. DiNicola said there probably is something in our ordinances that prohibits any encroachment in the Township right-of-way. A brief discussion of enforcement of an ordinance followed.

ADJOURNMENT – At 8:08 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

Approved by the Board of Supervisors on September 12, 2018.