

Main Township Supervisors Meeting
December 3, 2018 7:00 pm

The meeting began at 7:00 p.m. with the Pledge of Allegiance.

Present for the meeting were:

Robert Frey, Supervisor	Lisa Schell, Secretary
Thomas Shuman, Supervisor	Larry Frace, Zoning Officer
Robert Baylor, Supervisor	Matt Turowski, Solicitor
Jack Pollard, Police Officer	

Minutes of Meeting

Lisa read the minutes of the November 5, 2018 meeting. Tom a motion to accept the minutes as read; Bob Baylor seconded the motion.

Treasurers Report

General Fund

Bills paid from the General Fund Checking in November:

Previous Balance in General Checking:	\$251,365.68
Deposits Received	\$ 28,399.75
Bills Paid	<u>\$ 18,579.20</u>
Current Balance	\$261,186.23

Employer Tax Account Fund

Previous Balance	\$ 1,612.03
PA Department of Revenue	<u>\$ 191.24</u>
Current Balance	\$ 1,420.79

Special Account

Current Balance	\$ 200.00
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State Fund

Previous Balance	\$ 82,170.96
Interest	<u>\$ 135.18</u>
Current Balance	\$ 82,306.14

Public Comment

Kim Orzolek stated that she sent a complaint to the Zoning Officer on 10/2/2018 regarding 108 Mt. Pink Drive stating that the property was being used as a guest house and felt that is in violation with the criteria of the zoning law of 1992 and has not heard anything back from Mr. Frace. Mr. Turowski stated that she would need to be more specific on what she thought was being violated.

Mr. Turowski also addressed the issue Kim Orzolek inquired about at last month's meeting regarding the township taking action to appoint an architect and engineer that was referenced in Sections 703.4 and 703.5 of the newly adopted ordinance. Mr. Turowski stated that Section 703 entitled "Environmental Impact Statement" provides that the Board of Supervisors or Zoning Hearing Board based on the nature of a proposed project that requires an approval, may require the developer to submit an Environmental Impact Statement.

Section 703.4 provides that the EIS shall be prepared by a "professional architect, landscape architect, planner, engineer or other qualified individual whose qualifications have been previously approved by the Board of Supervisors or the Zoning Hearing Board as the case may be. Since the EIS is prepared by the developer, there is no need for the township to appoint an architect or engineer at this time. Should the developer submit an application for a project for which an EIS may be required, then the township at that time may desire to retain a professional if it feels such assistance is necessary to review the EIS.

Section 703.5 provides that "upon receipt of the application the township shall forward the EIS to the township engineer and any other agency or firm which it may desire to consultation". Mr. Turowski advised at the January 4, 2018 reorganizational meeting the township retained Todd Pysner as engineer and stated there is no need to appoint an engineer at this time.

Mr. Bodman asked the township to look at a hole caused by the weather near 81 Church Road and asked if they could fix temporarily.

Mr. Bodman complimented Larry Frace on the article in the paper on the training facility for building code officers.

Mr. Bodman stated that he called Greenwood Township regarding the Ag Security signs and got no help, but Deerfield Township has blue and white ones that are 24 x 6; and Madison Township has 24 x 10 green and white ones at the county line on Rt. 44. Bobby Frey and Tom stated they will look at them.

Mr. Turowski stated he wanted to respond to a letter that Mr. Bodman sent to the supervisors dated November 18, 2018 regarding the Norfolk Southern realty transfer Tax refund. Mr. Turowski read the letter from Mr. Bodman and then read his response letter to the supervisors dated November 27, 2018.

Mr. Turowski stated that the executive session held at last month's meeting was to discuss the options of how to respond to the Norfolk Southern refund issue as well as to conduct a hearing on the Petition in executive session. He also stated there was never a decision to fight the petition, rather, if a decision to deny the petition was not made at the November meeting, the petitioner would be entitled to claim a deemed approval of its refund petition. Mr. Turowski stated he explained to the supervisors the unified strategy with other parties involved and the likelihood of success. Tom Shuman stated that the supervisors respected Mr. Turowski's approach and the supervisors agreed to move forward with the approach presented.

Mr. Bodman requested that both letters be made part of the minutes. Mr. Turowski stated that he did not want his letter as part of the minutes since it is his direct response to the supervisors.

Mr. Bodman stated that there should be a correction to the minutes on the size of the PennDot regulations of road signs. They should be 6" not 8" as noted in the November minutes.

Mr. Bodman stated that he feels the township is ignoring its own ordinance establishing a planning commission since there is no sitting planning commission in the township and the new zoning ordinance does not mention it at all and someone could possible file a challenge.

Mr. Turowski stated that there is no active Planning Commission in Main Township which has been appointed by the supervisors. Mr. Turowski stated he also spoke with the executive director of the County Planning Commission who stated she was not aware of any Main Township planning commission and that the county handled all subdivision and land development submissions involving Main Township. At the Supervisors request, Mr. Turowski will prepare an ordinance to repeal Ordinance No. 2 of 1989.

Dave Broadt wanted gave kudos to the township road crew for the good work they did on the roads during the two ice/snow events.

Old Business

Norfolk Railway Petition

Mr. Turowski stated that he has provided the supervisors a settlement agreement for their review and approval for the Norfolk Southern Realty Transfer Tax Refund Appeal. The terms of the agreement would be that Main Township make a one-time payment of \$3,496.72, which is 75% of the total local realty transfer tax received by the township. The settlement is consistent with every other taxing district involved. The agreement provides a 2% prompt pay discount if paid within 10 days of Board approval. The 30-day window provided by the agreement to accept is running out on December 5th, so if approved by the supervisors tonight, and payment is made tonight, Mr. Turowski will hold the check in escrow pending execution of the agreement.

Tom made a motion to accept the settlement agreement with Norfolk Southern Railway for \$3,426.79, which includes the 2% quick pay discount, Bob Baylor seconded the motion; all were in favor.

Abandoned Trailer

Jack stated that the initial form downloaded from the forms list on PennDot's webpage was the not the correct form. He has called PennDot and requested the correct form which is in triplicate. The correct form was completed and sent to Dave Michaels as the salvager. He will need to pay a \$15 fee and send in to PennDot. Once the approval is given, as a licensed salvager in Pennsylvania, Dave Michaels can put the trailer up for sale, contact Mr. Hoover to see if he wants the trailer back or keep it.

New Business

2019 Budgets

Lisa stated that the 2019 Budgets were advertised and posted for adoption at tonight's meeting.

General Fund - \$216,000

State Fund - \$73,000

Bob Baylor made a motion to adopt the 2019 General Fund and State Fund budgets; Tom seconded the motion; all were in favor.

Carport

The supervisors are looking to purchase a 12 x 21ft carport to put outside the township building to free up space in the garage and park the old truck under it. They plan to place it between the two doors by the ramp in front of the building.

Roaring Creek and Catawissa Snow Agreements

Tom made a motion to keep the 2018/2019 Snow Agreements the same:

Roaring Creek - \$300

Catawissa - \$600

Bob Baylor seconded the motion. Lisa will send out the agreements to each township for their acceptance.

Sewage Officer Report

Lisa stated no report was received for the month.

Zoning/Construction Report

Larry Frace provided the following report for November:

Zoning Permits

The following permits were issued:

1. Ricky Milheim, 835 Mainville Dr., shed
2. Gerald Casteel, 52 Eagle Dr, addition
3. Steve Welsh, 16 Kile Dr, solar
4. Steve Shannon, 558 E. Hillcrest, pole building
5. Steve Shannon, 558 E. Hillcrest, residence

Construction Permits

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Zoning Reports

Zoning violation for Ag Services for structure without zoning and construction permits. Certified letter sent to them.

Tom made a motion to approve Zoning/Construction Reports; Bob Baylor seconded the motion.

Police Report

Jack read the November report:

134 hours

593 miles

0 Incidents

Traffic Citations – 1

Non-Traffic – 0

Investigated several Children & Youth investigations.

Jack asked the supervisors for permission to order snow tires for the vehicle, they agreed to have them ordered.

Tom made a motion to accept the November Police Report; Bob Baylor seconded the motion.

With no further business to discuss, Tom made a motion to adjourn the meeting at 7:55pm; Bob Baylor seconded the motion.

Respectfully submitted,

Lisa Schell
Secretary