

BOARD OF SUPERVISORS

Chairman Nelson Brenneman called the regularly scheduled meeting to order at 6:30 p.m. with the following in attendance:

Supervisor Tanya Crawford
Supervisor Dennis Luckenbaugh

Mark E. Derr, Manager
William Poole, Solicitor
Jason Brenneman, J.R. Holley Engineering
Julie B. Maher, Recording Secretary
Approximately 10 citizens

I. **Minutes**

Motion by Crawford, second by Luckenbaugh, to approve the minutes of the meeting of November 15, 2011. All members voted aye; motion carried.

Mr. Brenneman noted that an Executive Session was held on December 7, 2011, to discuss a personnel issue and pending litigation.

II. **Treasurer's Report**

A. **Motion** by Luckenbaugh, second by Crawford, to approve the Treasurer's Report for November 2011 as presented. All members voted aye; motion carried.

III. **General Public Comment**

Rodney Shearer asked if there's to be any tax returned to the residents after the tax increase related to the sewer authority fiasco. Mr. Derr noted that there were several expenses that the Township incurred relating to the sewer project. There are insurance claims and fines involved in some of the expenses and the bond issue cannot be refinanced until November 2012, so unfortunately any "refund" will likely not be forthcoming in 2012. Mr. Shearer hopes that the residents don't end up paying for the corrections to shoddy workmanship. The Board members hear his concerns. Mr. Derr noted that the Township is hiring a new sewer operator to hopefully keep on top of the operations of the plant/system to minimize problems.

IV. **Police Report and Police Board Report**

Chief Bean presented the police report for November 2011. There were some tragic incidents and at least one positive resolution to an unfortunate situation.

V. **Fire Company Report**

Warren Krout, Jr. gave the report for November 2011.

VI. **Permits, Plans, and Modules**

None at this time.

VII. **Administrative Reports**

A. **Manager's Report**

1. Confirmation of change of insurers from Keystone Insurers Group/EMC to Pennsylvania Intergovernmental Risk Management Association (PIRMA). The previous insurer for the sewer authority refused to renew coverage due to claims and problems with the sewer system. EMC offered to extend coverage to the Authority through the Township's policy. PIRMA would only extend coverage if both the Township and Authority made the change. **Motion** by Crawford, second by Luckenbaugh, to confirm the change of insurers from Keystone

Insurers Group/EMC to Pennsylvania Intergovernmental Risk Management Association (PIRMA), Authorization of Signature for Mark Derr to provide information, accept or decline coverage, sign applications and make decisions regarding coverage for NCT, appointing Mark Derr as Proxy and Esther Clark as the Alternate to act as liaison between PIRMA and the Township, approve the advertisement of the Intergovernmental Ordinance to join with the other local governmental units as a member of PIRMA. All members voted aye; Motion carried.

2. Consideration for extending reporting period for Public Official Liability Coverage

PIRMA recommended that the board extend the Public Official Liability Coverage, do you wish to do so? Discussion was held on what sorts of claims this would cover and the likelihood of its necessity. This coverage would be for the Board members only. **Motion** by Crawford, second by Luckenbaugh, to *decline* coverage of the Board of supervisors by PIRMA. All members voted aye; motion carried.

3. FEMA/PEMA – \$57,984.12 has been approved for work already done by the Township; there are additional projects to review for possible reimbursement.

4. Sherwood Forest – the force main is exposed; repairs are estimated at \$60K. There's also a concrete pier at the wastewater treatment plant that has settled and is leaning towards the SBR treatment tank; this situation must continue to be monitored.

5. **Motion** by Crawford, second by Luckenbaugh, to renew the junkyard permit for J & K Salvage. All members voted aye; motion carried.

B. Engineer's Report

1. Heindel Road

Approved plans were received from PennDOT for the ConSpan arch culvert. The Specifications required that all work should be completed by the end of December 2011, which is not feasible. **Motion** by Luckenbaugh, second by Crawford, to extend the time within which the work should be completed until May 15, 2012. All members voted aye; motion carried.

2. Bentz Road

Bids were opened on December 16, 2011. Fourteen bids were received. Mrs. Crawford requested that this bid award be postponed until after the auction to see how much money is available from the auction. Action must be taken within 60 days of bid opening, which would be February 16, 2012. **Motion** by Luckenbaugh second by Crawford, to *table* awarding this bid until the recess of the January 3, 2012, meeting to the auction on January 7, 2012. All members voted aye; motion carried.

3. Stambaugh dirt road; construction plans being put together

4. Slagel Road and Cold Springs Road

Culvert footers on Slagel Road were severely eroded by the storms in September. This road is fairly heavily traveled. Holley Associates is recommending to replace the entire culvert. Cold Springs Road has the same problem. **Motion** by Crawford, second by Luckenbaugh, to authorize the Engineer to prepare the permit applications, plans and specifications for Slagel and Cold Springs Roads to proceed with the culvert replacements. From the audience, there was a question as to whether the Bentz Road funds could be used for Slagel and Cold Springs Roads repairs, as the latter two roads are in more dire need than Bentz. Yes, that is possible. *Vote on the motion:* All members voted aye; motion carried.

5. Act 167 Stormwater Management Ordinance status – all changes were made to the ordinance; package is still in the process of being prepared.

6. Route 116 safety and improvement plan received. **Motion** by Crawford, second by Luckenbaugh, to approve the Engineer's sending the consistency letter to PennDOT regarding the realignment of Lehman Road at Route 116, pending the Engineer's review of PennDOT materials. All members voted aye; motion carried.

7. Mark was provided a copy of the Construction Materials Specifications that are to be incorporated into the SALDO.

C. Solicitor's Report

1. **Motion** by Luckenbaugh, second by Crawford, to adopt Ordinance 237-12-2011, repealing the Per Capita Tax. All members voted aye; motion carried.

2. A Public Hearing was convened for purposes of discussing the amendment for accessory structures in the front yard, Ordinance 238-12-2011. From the audience, Rodney Shearer asked what if there's no road frontage? The proposed change doesn't require road frontage. Hearing closed.

Motion by Luckenbaugh, second by Crawford, to adopt Ordinance 238-12-2011. All members voted aye; motion carried.

VIII. **Old Business**

A. None at this time, but Rodney Shearer asked about the progress of the Zoning Ordinance Review. Hopefully, the review process will start next month.

IX. **New Business**

A. The Fifth Amendment to the SWRPD Agreement reduced the police expense by \$50K. Mrs. Crawford feels that this amendment was not necessary.

Motion by Crawford, second by Luckenbaugh, to approve the Fifth Amendment to the Southwestern Regional Police Agreement. All members voted aye; motion carried.

X. **Announcements**

A. The Board of supervisors will meet on January 3, 2012, at 6 p.m. NOTE TIME CHANGE. This is the Reorganization meeting.

B. The Elected Auditors will meet on January 4, 2012, at 4 p.m.

C. The SWRPD Board will meet on January 11, 2012, at 7 p.m., at police headquarters.

D. The Sewer Authority will meet on January 16, 2012 at 3 p.m.

E. The Community Building Committee will meet on January 16, 2012 at 7 p.m., at the Community Building.

F. The Recreation Board will meet on January 23, 2012 at 7 p.m.

G. The Planning Commission will meet on January 24, 2012 at 6 p.m. NOTE TIME CHANGE FOR 2012.

Motion by Crawford, second by Luckenbaugh, to adjourn. All members voted aye; motion carried. The meeting adjourned at 7:43 p.m.

Respectfully submitted,

Mark Derr,
Township Secretary/Manager

Julie B. Maher,
Recording Secretary