

**WAYNE TOWNSHIP MEETING**  
**JULY 16, 2018**

The Wayne Township Board of Supervisors held a meeting on July 16, 2018 at 7:00 p.m. at the Wayne Township Municipal Building, with David W. Calhoun, James B. Maguire and Brad Rote present.

Those also in attendance: John and Cindy Noltee, Shanna, Kylee and Kindsie Berry, Jordan Hockenberry, Carolyn Hanna, Justin VanBuskirk, Linda Calhoun, Carl Bathurst, Kathy Dershem, Marci Orndorf of the Wayne Township Landfill, Daryl Johnson, Bob Johnson, Don White, Peggy Fanning, Zoning Officer Paula Kibler, John Segursky, P.E. of Uni-Tec and Paul D. Welch, Jr., Esquire

**Public Participation**

**Linda Calhoun**

Resident Linda Calhoun asked several questions about the Shoemaker Road Project regarding the cost of the over-dig discussed during the June meeting and whether the work being done was required and whether the township received anything in writing stating the work was necessary.

Supervisor Maguire explained that when compression tests were done on the first section of Shoemaker Road there were six or seven sections where water was coming up through and PennDot Engineer Daren Stover and Municipal Services Representative Randy Albert made the recommendation that the contractor go back and dig up those sections and place #4 stones and geo-tech material under those sections. It was also suggested that rather than testing each section of the road as it is completed that the contractor over-dig one foot the entire length of the road and place #4 stones and geo-tech material on the road.

A discussion was held as to the cost of the extra work; whether the township should have applied for more money under the Multimodal Grant; and whether the additional work that is not covered by the grant would be required to be placed out for bid.

John Segursy, P.E., explained that when the Township submitted the application for the Multimodal Grant the final design was not complete and the amount requested was based on a slightly elevated estimate and a contingency amount is also included in the plans should something unforeseen occur during construction. He added that under the contract the Township has the ability to issue change orders for additional construction or re-design work which allows the additional work to be done within the project without the need to advertise for bids.

**Kathy Dershem**

Resident Kathy Dershem asked if the Supervisors made a donation to the Fire Company from the general fund during 2018.

Supervisor Calhoun responded that the Township did not make a donation to the Fire Company in 2018.

Mrs. Dershem questioned the rehiring of Peggy Fanning as Substitute/Assistant Secretary and also asked for a comparison of the amount paid to Zoning Officer Paula Kibler and Code Enforcement Officer Terry Crawford who were hired to replace Zoning Officer Rod Shemory and the amount actually paid to Mr. Shemory to handle zoning.

The Board advised Mrs. Dershem that the information would be provided upon receipt of a Right To Know Request.

Mrs. Dershem also said she did not understand why it is not a conflict of interest for Solicitor Paul Welch to represent the Township and the Wayne Township Landfill but it is a conflict of interest for John Noltee to be on the Landfill Advisory Committee.

Solicitor Welch explained that the Landfill and Township are not in a legal dispute and, therefore, it is not a conflict of interest for him to represent both entities.

Mrs. Dershem then noted that the June meeting minutes state a letter was going to be sent to the County requesting the Zoning Map be amended and she asked why the County did not want to change the Zoning Map.

Chairman Maguire explained that the County believed that the way the area was described during the hearing and the Deeds for the properties made it unclear as to what area was to be rezoned. County Planner Katie DeSilva requested that the Supervisors send a letter to the County clarifying what area was to be rezoned in accordance with the public hearing and ordinance adopted by the Township in June of 2017. He stated that a letter was sent to County Planning and the Township has received the amended Zoning Map.

### **Approval of Meeting Minutes**

Chairman Maguire asked if there were any questions or comments on the minutes of the June 18, 2018 meeting, there being none, Supervisor Calhoun made a motion to approve the minutes as presented; seconded by Supervisor Rote, MCU.

### **Approval of Treasurer's Report**

Supervisor Calhoun made a motion to approve the Treasurer's Report as submitted; seconded by Supervisor Rote, MCU.

### **Police Report**

Chief Winkleman was not in attendance; however, a written report was submitted to the Supervisors prior to the meeting.

### **Zoning Officer's Report**

Zoning Officer Paula Kibler reported issuing the following Land Use Permits from June 18, 2018 through July 16, 2018:

Colleen Zethakis – two 20 ft. x 21 ft. carports

Orvis & Donna Timblin – 10 ft. x 16 ft. deck

Timothy & Teala Kowalski – 27 ft. round above ground swimming pool

Zoning Officer Kibler also gave the Code Enforcement Officer's report in his absence, reporting that on June 27, 2018, Terry Crawford went to 354 Pine Mountain Road about a complaint that chickens were running at large and upon investigation of the property noted that the property owner has chickens but at the time of the investigation the chickens were in a pen. He requested that the property owner put the chickens in their pen in a timely manner when they do get out of the pen.

On July 12, 2018, Terry Crawford attended the Supervisor's work session and discussed the complaint about the chickens at 354 Pine Mountain Road and also discussed the Bowmaster property. The Supervisors were notified that Mr. Bowmaster signed for a certified letter on the 22<sup>nd</sup> of June and has until July 22<sup>nd</sup> to comply with the Township Ordinance regarding the fence around his scrap yard. Terry Crawford plans to go to the Bowmaster property after July 22<sup>nd</sup> to see if the property is in compliance and will report back to the Supervisors after that visit.

### **Monthly Engineer's Report**

John Segursky, P.E. reported that he is not actively working on anything for the Township, but noted that he completed and submitted the Environmental Report to PennDOT which was required as part of the Multimodal Grant for the Shoemaker Road Project.

## **Recreation Committee Report**

Don White of the Recreation Committee requested a T-Tag Truck load of large stone for the trout pond at the Nature Park.

The Board approved the request.

## **Old Business:**

### **Shoemaker Road Project**

Kathy Dershem asked if any law suits had been filed by property owners along Shoemaker Road who did not sign easement agreements for the Shoemaker Road Project.

Attorney Welch indicated that there was only one occasion that the Township had to file Eminent Domain proceedings for a 22 square foot temporary easement.

## **New Business:**

### **Maguire Subdivision – Side Lot Addition to the Restless Oaks Property**

Chairman Maguire noted that he submitted a letter to the Township Secretary prior to the meeting stating that he may have a conflict of interest with regard to business addressed during the meeting.

Supervisor Rote made a motion to approve the subdivision for the side lot addition as presented; seconded by Supervisor Calhoun, the motion was approved with Supervisors Calhoun and Rote voting in favor of the motion and Supervisor Maguire abstaining.

### **Donation Requests – Horses of Hope & Farm City Family Festival**

The Supervisors discussed the donation requests received from Horses of Hope and Farm City Family Festival and it was noted that the Township donated \$200 in 2017 to Horses of Hope and \$100 to the Farm City Family Festival.

Supervisor Calhoun made a motion to donate \$200 to Horses of Hope and \$100 to the Farm City Family Festival; seconded by Supervisor Rote, MCU.

### **Ordinance 07-16-2018 – Permitting Sale of Alcoholic Beverages in the HI Zoning District**

Supervisor Calhoun made a motion to adopt Ordinance 07-16-2018 permitting the sale of alcoholic beverages in the HI Zoning District as a conditional use; seconded by Supervisor Rote, MCU.

### **Resolution 07-2018 - Approving the transfer of Restaurant Liquor License No. R7208 into Wayne Township**

Supervisor Calhoun made a motion to adopt Resolution 07-2018 approving the transfer of Restaurant Liquor License No. R7208 into Wayne Township; seconded by Supervisor Rote, MCU.

## **Executive Session**

Supervisor Calhoun made a motion at 7:40 pm for an Executive Session to discuss personnel matters and budget issues; seconded by Supervisor Rote, MCU.

The regular meeting was reconvened at 8:03 pm.

Supervisor Calhoun made a motion to reallocate \$250,000 from the Sewer Fund to the General Fund; seconded by Supervisor Rote, MCU.

### **Final Completion Report – South Road Pipe Replacement**

Supervisor Rote made a motion to approve the Final Project Completion Report for the South Road Pipe Replacement Project; seconded by Supervisor Calhoun, MCU.

### **Amended Zoning Map**

Supervisor Calhoun made a motion to sign the amended Zoning Map revised by County GIS per the public hearing held June, 2017 and adoption of Ordinance No. 06-19-2017 rezoning the Big Woods Land Company Property from R-1 to O/R along Reservoir Road to the property line adjacent to the Durt Dabbers property; seconded by Supervisor Rote, the motion passed with Supervisors Calhoun and Rote voting in favor of the motion and Supervisor Maguire abstaining.

### **Landfill Advisory Committee**

The Board of Supervisors received two letters from individuals interested in being appointed to the Landfill Advisory Committee from Jon Schall and Russ Johnson.

Supervisor Calhoun made a motion to appoint Jon Schall, and the motion died for lack of a second.

Supervisor Rote made a motion to appoint Russ Johnson to the Landfill Advisory Committee; seconded by Supervisor Maguire, the motion passed by a 2-1 vote with Supervisors Rote and Maguire voting in favor of the motion and Supervisor Calhoun voting against the motion.

### **Change Order #1 from Cipriani Electric – Ball Field Project**

The Board received a request from Cipriani Electric for a change order to install three ceiling mounted occupancy sensors in lieu of single pole switches for control of the 2 ft. x 4 ft. LED lights in the amount of \$325.

Supervisor Calhoun made a motion to approve Change Order #1 from Cipriani Electric; seconded by Supervisor Rote, MCU.

### **Charles Construction Pay Application No. 9 – Shoemaker Road Project**

Supervisor Rote made a motion to approve Pay Application No. 9 submitted by Charles Construction for the Shoemaker Road Project in the amount of \$386,407.82; seconded by Supervisor Calhoun, MCU.

Linda Calhoun questioned what the payment to Charles Construction was for and the Board noted that the payment was for work performed under the Multimodal Grant.

A discussion was held regarding reallocating and using money from the Sewer Fund to pay for the Shoemaker Road Project.

### **Proposed Parking Lot for Ball Field/Rail Trail**

Chairman Maguire reported that a representative of the Conservation District met with Supervisors Calhoun and Maguire about an E&S Plan for the parking lot by the ball field and rail/trail and since the parking lot exceeds the limit of disturbance of the NPDES permit they were willing to alter the parameters and include the work in that permit, however, it is now Supervisor Maguire's understanding that the additional storm water must be addressed and specs are required to put it out for bid. He noted that a retention basin must be installed in the lower left corner of the parking lot.

The Supervisors agreed to take the necessary steps to move forward with the parking lot.

### **Steve Simcox – Culvert Pipes on Pine Mountain Road**

Resident Steve Simcox reported that there are two culvert pipes on Pine Mountain Road just beyond Carolyn Hanna's property that he believes need to be replaced.

A discussion was held and it was the consensus of the Board to look at replacing the culverts.

### **Reservoir Road & Linnippi Village Road/Culvert Repairs**

The Supervisors received a quote from Charles Construction to replace a culvert in Linnippi Village near the property of Mitch Christensen and on Reservoir Road by the Wascher property totaling \$2,449, \$950 for Linnippi Village and \$1,499 for Reservoir Road.

Supervisor Calhoun made a motion to accept the quote from Charles Construction; seconded by Supervisor Rote, MCU.

### **Tree Removal – Campground Road**

Supervisor Calhoun reported that there are trees that need trimmed along Campground Road.

It was the consensus of the Board to contact Saar's to obtain a quote for trimming the trees along Campground Road.

### **Lecce Electric – Traffic Signal Maintenance Agreement**

Supervisor Calhoun made a motion to approve the annual traffic signal maintenance agreement with Lecce Electric for \$775; seconded by Supervisor Rote, MCU.

### **Invoices**

Supervisor Calhoun made a motion to approve the invoices as submitted; seconded by Supervisor Rote, MCU.

### **Adjournment**

There being no further business, Supervisor Calhoun made a motion to adjourn the meeting; seconded by Supervisor Rote, MCU, and the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

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Darlene S. Macklem  
Secretary/Treasurer

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James B. Maguire, Chairman

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David W. Calhoun

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Brad L. Rote

Supervisors

Financial Business – July 16, 2018:

General Fund Accounts:

First National Bank Checking	\$12,111.62	.65%
First National Bank – MM Acct.	\$36,374.36	1.30%
FNB – Linnwood Drive Project	\$10,296.89	.00%
Jersey Shore State Bank MM	\$ 2,254.42	1.05%
Jersey Shore State Bank CD	\$60,000.00	1.35%
PLGIT – Checking	\$73,822.85	1.51%
PLGIT PLUS	\$ 6,551.03	1.67%
PLGIT – Sewer Fund	\$255,305.79	1.43%
Woodlands Checking Account	\$98,862.00	1.24%
Woodlands Certificate of Deposit	\$147,940.83	2.0%
Woodlands Bank – Act 13 Funds	\$61,503.63	.95%

State Fund Account:

PLGIT Checking	\$227,083.50	1.51%
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