

## **WAYNE TOWNSHIP MEETING AUGUST 20, 2018**

The Wayne Township Board of Supervisors held a meeting on August 20, 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 and Kylee Berry, Jordan Hockenberry, Carolyn Hanna, Carl Bathurst, Rick Sheesley, EMC, Mary Prince, Marci Orndorf of the Wayne Township Landfill, Robin Condo, Rod Shemory, Peggy Fanning, Zoning Officer Paula Kibler, John Segursky, P.E. of Uni-Tec and Paul D. Welch, Jr., Esquire

### **Public Participation**

#### **Rod Shemory**

Rod Shemory asked when the property line pins removed for the Shoemaker Road Project would be put back in place and whether properties will be resurveyed when the project is finished.

A discussion was held regarding property line pins and Supervisor Maguire said the Supervisors will discuss the pins with the Contractor and Lake Randall, P.E. of Mid Penn Engineering who engineered the project.

#### **Mary Prince**

Mary Prince questioned why her application for a permit was denied for her carport.

Supervisor Maguire explained that the carport was closer than fifteen (15) feet to the side property line and anything within the 15 ft. set back would require a variance.

#### **Rick Sheesley**

Emergency Management Coordinator Rick Sheesley requested approval to attend a one day PSATS training session in public safety being for emergency service providers held in Berks County, near Reading, asking the Supervisors to pay the registration fee and assist with room and meal expenses associated with attending the training session, noting that the cost of the training is \$125.

Supervisor Calhoun made a motion to approve the request and the Township will pay up to \$300 in expenses which includes the \$125 class registration fee; seconded by Supervisor Rote, MCU.

Rick also reported that he will be attending an Emergency Coordinator meeting on Wednesday regarding PEMA and NIMS requirements for municipalities, stating that the Supervisors are required to complete NIMS training as there are six classes but one is an option so five classes are actually required.

#### **Rod Shemory**

Rod Shemory asked the Board if they have acted on changing the wording in the Nuisance Ordinance.

Supervisor Rote stated that the Board has not reviewed the ordinance and plans to address the issue during the review of the updated Zoning Ordinance.

### **Approval of Meeting Minutes**

Chairman Maguire asked if there were any questions or comments on the minutes of the July 16, 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.

A discussion was held regarding the possibility of opening a bank account with Susquehanna Community Bank in West Milton as they are offering three percent (3%) interest on a premium savings account with a \$100,000 minimum deposit for six months, thereafter the rate would be the Prime Rate minus three percent. It was explained that if the Prime Rate is five percent (5%), the rate paid would be two percent (2%). There would be one withdrawal permitted every six months with a \$25 penalty for additional withdrawals.

Muncy Bank is offering 2.75% on a Money Market account for nine (9) months, and thereafter the rate is based on the T-Bill which is currently at 2.03%. The account allows six checks to be written per month.

Secretary/Treasurer Darlene Macklem expressed concern over the fact that the bank is located in West Milton and also suggested the Board wait until the Shoemaker Road Project is completed to see if the Township has excess funds to open a new account.

### **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 one Land Use Permit from July 17, 2018 through August 20, 2018 to Jeff Smith for a 25 ft. x 25 ft. patio and a 12 ft. x 18 ft. deck. An application for a Conditional Use was submitted by Bald Eagle Truck Stop.

Zoning Officer Kibler also gave the Code Enforcement Officer's report in his absence, reporting that on June 22, 2018 Code Enforcement Officer Terry Crawford went to the Bowmaster property and Mr. Bowmaster signed for a certified letter advising him that a fence needed to be installed around his salvage yard. Mr. Bowmaster said he was not sure when he could install the fence and also stated the previous Zoning Officer stated to him that he did not need a fence as the tree line would do for a fence.

Terry advised him that according to the Wayne Township Ordinance a fence would have to be installed around the area that is being used as a salvage junk yard and that the Township would work with him if he planned to dispose of the junk, but he did not seem to be inclined to do so.

Mr. Bowmaster asked what he needed to do to be in compliance and was given the option of putting up a fence or getting rid of the junk.

While at the property, Terry said he observed an obvious infestation of vermin around the house and adjoining structures, discarded refrigerator with door attached, old air conditioner units and the use of vehicles, motor homes and dilapidated mobile homes used as storage space.

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

John Segursky, P.E. reported that he attended a site visit to discuss corrective measures to correct stormwater impacts in the Linnippi Village Stormwater System. Several potential corrective measures were reviewed and in order to select the best solution calculations must be performed to ensure any corrective measure will not overwhelm the existing system and just move the problem to another point in the system and requested authorization from the Board for Uni-Tec to perform calculations of the proposed alterations to the stormwater collection and conveyance system.

Chairman Maguire said that the Township needs to find a permanent solution to the water problem but in the meantime the Township needs to take temporary measures that would include pull the grate off one of the inlets and block off the pipe that is discharging toward the north of the Triponey property and see if that would help and it may also help determine what is needed to resolve the problem.

It was the consensus of the Board to take temporary measures as discussed and approve John Segursky, P.E. preparing calculations to determine a permanent solution to the problem.

### **Recreation Committee Report**

Chairman Maguire presented a quote for plants for the rain garden at the ball field from Rizzo's Greenhouse in the amount of \$1,167 for the Board's consideration.

Supervisor Rote made a motion to approve the purchase of the plants from Rizzo's Greenhouse in the amount of \$1,167; seconded by Supervisor Calhoun, MCU.

### **Old Business:**

#### **Shoemaker Road Project**

Chairman Maguire reported that the project is moving forward and hopefully will be completed within the next two to three weeks, notice must be given to PennDot before doing the cut-in on Pine Mountain Road because PennDot inspectors are required to be present when that work is done.

A discussion was held regarding the driveway at the Rishell property and the depth of the amsite.

#### **Bowmaster Zoning Violation**

The Supervisors discussed how to proceed with regard to the zoning violation on the Bowmaster property and, according to Solicitor Welch, the Township has gone before the Magistrate twice and on both occasions Mr. Bowmaster was granted time to correct the violations. The fence was an issue in the past and I believe former Zoning Officer Rod Shemory had indicated that to Mr. Bowmaster.

According to Attorney Welch, the ordinance provides for a civil penalty, which is a fine payable to the Township and also the Supervisors may seek equitable relief including an injunction to enforce compliance; but if a court order is issued that requires he install a fence and he does not put up a fence, Attorney Welch said he was unsure what the Court would do if Mr. Bowmaster is financially unable to do that. There is no provision in the ordinance for the township to go on the property install a fence and place a lien against the property. The Township also has the option of revoking the salvage yard permit.

Neighboring property owner Robin Condo questioned whether Wayne Bowmaster has a working salvage yard where items are brought in and taken out.

Attorney Welch provided the following definition from the zoning ordinance –

**"Salvage Accumulation – Commercial"** - shall mean the existence of any person, partnership or corporation, engaged in a commercial or industrial enterprise of buying, selling, collecting, and/or maintaining abandoned or junk vehicles, including parts thereof, and reusable materials regardless of whether such business is for profit or not for profit.

He said that the Township can go in if it determines the accumulation of salvage is creating a nuisance i.e. rats.

Chairman Maguire said the junk yard was grandfathered in and that the Township has tried to accommodate him but the bottom line is that Mr. Bowmaster cannot afford to clean up the property.

Chairman Maguire indicated that the Code Enforcement Officer has requested direction from the Board of Supervisors as to how to proceed in the matter.

Attorney Welch suggested the Board inform the Code Enforcement Officer to pursue the matter in accordance with the zoning ordinance and noted that previously the Board approved the Zoning Officer to enforce the ordinance with the assistance of the Township Solicitor.

It was the consensus of the Board to advise Code Enforcement Officer Terry Crawford to move forward on the Bowmaster zoning violation and confer with the Township Solicitor. Zoning Officer Kibler agreed to contact Terry Crawford and advise him of the Board's decision.

### **New Business:**

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

Chairman Maguire reported that he received a quote from Saar's Tree Service to remove dead trees along Camp Ground Road in the amount of \$7,500, adding that the property owners have agreed to allow the Township to cut down trees on the property and they would like to keep the fire wood.

Attorney Welch recommended that the Township obtain written approval from the property owners before proceeding.

Supervisor Calhoun made a motion to accept the quote for tree removal from Saar's Tree Service in the amount of \$7,500 on the condition that written approval is obtained by the Township to enter onto private properties to remove the trees; seconded by Supervisor Rote, MCU.

#### **Wayne Township Fire Company – Roof Quotes**

The Wayne Township Fire Company provided the Board of Supervisors with three quotes for a new roof on the Fire Company's social hall. The Board discussed the quotes which were as follows:

A.R. Building & Materials - \$36,910 which includes removal and disposing of the existing shingles, make necessary repairs, install 26 gauge metal roof; with the option of installing 29 gauge metal roofing for \$23,140  
(Proposal dated June 29, 2018)

Arndt Construction - \$38,750 – which includes removal and disposing of existing shingles, make necessary repairs and installing 29 gauge metal roofing  
(Proposal valid through May 31, 2018)

Sugar Valley Builders - \$17,000 – which includes installing 26 gauge metal roofing over existing shingles (Proposal dated February 24, 2017 and valid for 30 days from that date)

The Board discussed the proposals and noted that they varied as to the scope and materials to be used and the Fire Company should make a decision as to what they want as far as replacing the roof i.e. removal of shingles; gauge of metal, etc., and obtain specific quotes for the roof replacement. It was also noted that the proposal from Sugar Valley Builders was dated February 24, 2017 and would no longer be valid.

Supervisor Calhoun agreed to discuss the matter with members of the Fire Company.

### **September Meeting**

The Board of Supervisors discussed rescheduling the September meeting to September 24<sup>th</sup> to accommodate Supervisor Calhoun's schedule.

Supervisor Rote made a motion to reschedule the September meeting from the 17<sup>th</sup> to September 24, 2018 at 7:00 pm; seconded by Supervisor Calhoun, MCU.

### **Conditional Use Hearing - Bald Eagle Truck Stop**

Attorney Welch stated that a Conditional Use Hearing has been scheduled for Bald Eagle Truck Stop for September 24, 2018 at 6:30 pm for approval to sell alcoholic beverages, adding that it was his understanding that the size of the building will not change and a portion of the store will be used in for the sale of beer and malted beverages in accordance with PLCB requirements.

### **Charles Construction Pay Application #10**

Supervisor Rote made a motion to approve payment of Pay Application #10 submitted by Charles Construction in the amount of \$217,962.30, for the Shoemaker Road Project; seconded by Supervisor Calhoun, MCU.

### **Charles Construction Invoices**

The Board reviewed four invoices submitted by Charles Construction for payment as follows:

- Invoice #7221 - \$8,569.00 for a ditch on Shoemaker Road by the Dale Johnson property
- Invoice #7222 - \$2,449.00 for repairs to catch basin in Linnippi Village
- Invoice #7223 - \$3,816.50 for a rock swale west of Johnson Lane on Shoemaker Road
- Invoice #7224 - \$24,900.88 reflecting a price adjustment for asphalt on Shoemaker Road

Secretary/Treasurer Macklem explained that Invoice #7221; #7222 and #7223 may be paid out of the liquid fuels account and Invoice #7224 would be paid using general fund monies.

Supervisor Calhoun made a motion to approve payment of the four invoices; seconded by Supervisor Rote, MCU.

### **Comprehensive Plan Update**

Chairman Maguire reported that Solicitor Welch reviewed the proposed Comprehensive Plan and sent a letter to the Township as to the procedure for adoption and requested Attorney Welch explain the process.

Attorney Welch explained that in order to adopt the Comprehensive Plan, the Planning Commission must hold a hearing to obtain public comment and once that occurs it can then be put in a format for recommendation of adoption to the Supervisors then the Supervisors must hold a public hearing prior to adoption.

Chairman Maguire asked if Attorney Welch had any comments on the plan.

Attorney Welch said it is not his place to comment on what is proposed and from a legal perspective he did not find anything of concern in the Comprehensive Plan.

Chairman Maguire then asked Planning Commission Member Rod Shemory who was in attendance if the Clinton County Planning Commission has reviewed the Comprehensive Plan and whether they had corresponded with County Planning.

Attorney Welch stated that the Planning Commission also has the obligation to present the proposed Comprehensive Plan not only to the County Planning Commission, but also to the adjoining municipalities and the School District for comment allowing a 45 day review period.

### **Personnel Policy**

Supervisor Calhoun stated that in reviewing the Township's personnel policy he learned that the policy requires employees take a one-half hour unpaid lunch and employees have not been doing that. Chairman Maguire explained that the Supervisors discussed the requirements of the Personnel Policy

that employees take a one-half hour unpaid lunch during the August work session, as well as having a work session to review and revise the policy which is over 18 years old. He suggested that until such time as the Supervisors are able to review and revise the policy, he would entertain a motion that employees add one-half hour lunch to their work day.

Supervisor Calhoun made a motion that the employees add a one-half hour unpaid lunch to their work day; seconded by Supervisor Rote, MCU.

### **Invoices**

Supervisor Calhoun made a motion to approve payment to Cipriani Electric in the amount of \$882.90 for work completed to date for the ball field project; seconded by Supervisor Rote, MCU.

Chairman Maguire reported that he met with Lecce Electric regarding an issue with the camera and timing of the traffic signal and the cost to make the repairs to the signal could cost up to \$3,500.

Supervisor Rote made a motion to contract with Lecce Electric to make the needed repairs to the traffic signal; seconded by Supervisor Calhoun, MCU.

Supervisor Rote made a motion to approve the invoices as submitted; seconded by Supervisor Calhoun, 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 8:15 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 – August 20, 2018:

General Fund Accounts:

First National Bank Checking	\$12,113.67	.65%
First National Bank – MM Acct.	\$36,425.38	1.30%
FNB – Linnwood Drive Project	\$10,296.89	.00%
Jersey Shore State Bank MM	\$58,634.53	1.05%
Jersey Shore State Bank CD	\$60,000.00	1.35%
PLGIT – Checking	\$52,426.75	1.51%
PLGIT PLUS	\$ 6,599.41	1.67%
PLGIT – Sewer Fund	\$5,620.61	1.43%
Woodlands Checking Account	\$182,910.21	1.24%
Woodlands Certificate of Deposit	\$147,940.83	2.0%
Woodlands Bank – Act 13 Funds	\$1,505.75	.95%

State Fund Account:

PLGIT Checking	\$227,416.34	1.51%
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