

**WAYNE TOWNSHIP MEETING
SEPTEMBER 24, 2018**

The Wayne Township Board of Supervisors held a meeting on September 24, 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: Steve Leitch, Rob Bowmaster and Malcolm Stabley of the Wayne Township Fire Company, Don White, Doris Fritz, Pine Creek Township Police Chief Dave Winkleman and Officer Dennis Gill, Rodman Hall, Rod Stabley, Sonny Singh, Paul Ryan, Esq., Carolyn Hanna, Linda Calhoun, Carl Bathurst, Mary Prince, Marci Orndorf of the Wayne Township Landfill, Robin Condo, Lorraine Shemory, Peggy Fanning, Zoning Officer Paula Kibler, and Paul D. Welch, Jr., Esquire

Public Participation

Robin Condo

Robin Condo questioned whether both of the September work sessions were advertised.

Secretary/Treasurer Macklem stated that the September 13th work session was advertised as part of the Township's annual meeting schedule at the beginning of 2018 and the additional work session held on September 20th was advertised in The Express.

Carl Bathurst

Resident Carl Bathurst asked that it be noted in the minutes that his property got water during the September 11th rain storm.

Gary Myers

Gary Myers asked if it was legal for the Township to tie into the storm water drainage ditch along Sister's Lane off of Shoemaker Road because the ditch had been installed and paid for by the property owners living along Sister's Lane, questioning whether the drainage system would be capable of handling the water from the property owners living along the lane and the water running off of Shoemaker Road.

Solicitor Welch suggested that Mr. Myers speak with his legal counsel if he has issues with what the Township did.

Rodman Hall

Rodman Hall complained about speeding on Shoemaker Road and about people blowing grass clippings out onto the roadway stating he was concerned the grass would cause problems in the storm drains.

Chairman Maguire indicated that both subjects will be discussed later in the meeting.

Lorraine Shemory

Lorraine Shemory asked what direction the trucks from H2O will be traveling now that Shoemaker Road is finished.

Chairman Maguire stated that trucks traveling Shoemaker Road will be able to travel in both directions but stated there is a Court Order in place that requires the trucks from H2O to turn left when exiting onto Shoemaker Road.

Mrs. Shemory then questioned why a portion of her property was taken and the intersection of Shoemaker Road and Pine Mountain Road widened.

Chairman Maguire explained the intersection was designed in order to meet PennDot requirements for access onto a state highway.

Mrs. Shemory said she understands there is a Court Order in place requiring trucks exiting H2O to turn left and suggested the order be changed stating traveling in the opposite direction on Shoemaker Road would be shorter and there are less homes along that section of Shoemaker Road.

Attorney Welch explained that there was a conditional use approved that applied to H2O requiring their trucks to turn left onto Shoemaker Road which is still a mandate. The issues of the conditional use hearing that were appealed included the days and hours of operation and the Court reversed the Board on those two issues. According to Attorney Welch, it is his perspective that in order to change any of the conditions imposed; it would require another hearing before the Board of Supervisors and would not go before the Court. The Supervisors can schedule another hearing on that issue if they want to, but it only applies to trucks coming out of the H2O business and not to other trucks that may be traveling Shoemaker Road.

Lori Shemory suggested signage be installed by H2O directing trucks to and from the facility along Shoemaker Road.

A discussion was held with no action being taken by the Board of Supervisors.

Mary Prince

Mary Prince requested that her property be resurveyed now that Shoemaker Road is finished because she is unable to locate the surveyor pins in front of her property.

Chairman Maguire said the properties along Shoemaker Road have been surveyed at least three times in conjunction with the Shoemaker Road Project and he is not sure if the Township wants to spend any additional money on surveys.

A discussion was held regarding the use of metal detectors to locate surveyor pins.

Rob Bowmaster

Rob Bowmaster provided information on behalf of the Wayne Township Fire Company to the Board of Supervisors in reference to the fire company purchasing a new combination pumper/rescue truck to replace a 24 year old engine tanker truck and 12 year old rescue unit and purchase a pumper rescue, stating the fire company is trying to downsize and cut costs.

Mr. Bowmaster said the purchase of the pumper rescue truck would be contingent on the ability to use host fee money stating that if the fire company places a \$100,000 deposit on the truck the annual payments would be \$40,000 per year and without a deposit the annual payments would be \$50,000 for fifteen years.

A discussion was held and Chairman Maguire stated the Board of Supervisors would like more time to review the information provided by the Fire Company and the financials before making a decision on the matter.

The Board also discussed the roof quotes received during the August meeting and it was noted that the Fire Company is working on obtaining updated quotes for the roof project.

Approval of Meeting Minutes

Chairman Maguire asked if there were any questions or comments on the minutes of the August 20, 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

Officer Dennis Gill of the Pine Creek Township Police Department presented the police report for the month of August, noting there were 24 incidents and officers worked 16 hours during the month of August.

Speed Limit Sign Requirements

Chairman Maguire said that he had previously requested Chief Winkleman provide the Board with requirements for posting speed limit signs.

Chief Winkleman advised the Board as to the requirements for posting speed limit signs on Shoemaker Road, stating that the road must be posted at the beginning and end of the road and it must be posted every one-half mile, adding that due to the length of Reservoir Road, the road was posted every quarter mile. The speed limit signs must be at least 200 feet from an intersection.

Supervisor Rote stated that the signage of 30 mph on Shoemaker Road is correct and there is an advisory sign of 20 mph for a curve which is improper signage because it is white and the sign should be yellow as it is the recommended speed limit for a corner and a new yellow sign will be installed.

Grass Clippings

Chief Winkleman advised the Board that the Township does not need a local ordinance with regard to grass clippings being placed on roadways as there is state law that covers that issue and it would be a violation of the Vehicle Code.

Zoning Officer's Report

Zoning Officer Paula Kibler reported issuing one Land Use Permit for the month to Mrs. Smith at no cost for a handicapped ramp over her steps.

First Quality Truck Parking

Zoning Officer Kibler stated that First Quality was interested in parking long term tractor trailers on the property they purchased from the Maguire family along Fritz Road and she advised Ken Kremer of First Quality that a conditional use hearing would be required in order for this to happen. Mr. Kremer said First Quality will not be following through with the matter as there are too many "hoops" to jump through for 11 trailers.

A discussion was held regarding the property formerly owned by the Maguire family in that previously hearings were held for that property and parking trailers on the property was approved. Solicitor Welch indicated that an approved conditional use does not follow the land because it is related to the entity using the property and the Township must look at the particular use that is occurring at the time

the request is being made.

Code Enforcement Report

Zoning Officer Kibler also gave the Code Enforcement Officer's report, reporting that on August 20, 2018 Code Enforcement Officer Terry Crawford was contacted by the Township Zoning Officer advising him that the Supervisors wish to proceed legally with regard to the Bowmaster property zoning violation for not installing a fence around his salvage yard. Mr. Crawford believes there are issues with writing citations on the Bowmaster violation due to the fact that the same condition exists at the Hoover property and the Township should be consistent and apply code enforcement equally to all property owners that are in violation of the zoning ordinances and by not doing so could possibly open up the Township to legal action.

On August 21, 2018 Code Enforcement Officer contacted the Township Solicitor about issuing a citation to Mr. Bowmaster and by doing so it may open the Township up to legal action by Mr. Bowmaster for not applying the Township code that requires a fence around salvage/junk yards, because of other salvage operators in the Township not being in compliance. Attorney Welch agreed and suggested that Mr. Crawford speak to the Supervisors before issuing a citation to Mr. Bowmaster.

Terry then called Supervisor Calhoun and informed him of the conversation with Solicitor Welch and his recommendation and he also spoke to Supervisor Rote about the matter and he asked Terry not to proceed with the citation until he spoke with the other two Supervisors.

On August 24th Code Enforcement Officer Crawford also stopped at 948 Youngdale Road to inform the resident that the vehicles being stored on his property do not meet the Township code requirements regarding storage of junk or inoperative vehicles but the resident was not available.

It was the consensus of the Board to discuss how the Code Enforcement Officer should proceed in the Bowmaster matter during an Executive Session later in the meeting.

Flooding Issue

Supervisor Maguire reported that during recent flooding it was brought to his attention that an individual built a shed in the floodway in the floodplain and when the area flooded the shed floated and blocked a pipe at the railroad causing flooding on Youngdale Road.

Zoning Officer Kibler said she pulled the file in zoning office and found a copy of a letter dated December 12, 2017 from Paul Dembrowski of DEP to Jake Wenrich of the Clinton County Conservation District stating that he determined the shed was not located in a DEP regulated floodway.

Zoning Officer Kibler asked the Supervisors for permission to bring Jeri Goodbrod in to work with her to assist with sending out business license applications noting this would be the first time she has sent out the applications and wants to be sure it is done properly.

It was the consensus of the Board to allow Jeri to work with Zoning Officer Kibler.

Monthly Engineer's Report

John Segursky, P.E. was not present for the meeting.

Chairman Maguire reported that John Segursky, P.E. went to Linnippi Village to look at the drainage problem and prepared calculations of proposed alterations to the stormwater collection and conveyance system in Linnippi Village near the Triponey property and determined that the cost for the corrective measures would be approximately \$59,000.

Resident Linda Calhoun questioned why the stormwater issue is a Township problem.

Solicitor Welch explained that the Township took over stormwater easements when they took over the roads in Linnippi Village.

Chairman Maguire indicated that the Township could not take over the roads without taking over the stormwater easements.

Attorney Welch said it is his understanding that the storm water easement is owned by the township is not working correctly and as a result there was potential damage being done to someone's property.

A discussion was held regarding PennDot requirements adhered to prior to the Township taking over ownership of roads.

Chairman Maguire also reported there is a problem with one of the lower roads washing out in Linnippi Village.

Recreation Committee Report

Recreation Committee Member Don White asked the status of the parking lot for the ball field and rail/trail.

Supervisor Calhoun reported that Karl Matz is working on the design in order to place the project out for bid and hopes to have the drawing completed by October 1, 2018.

Recreation Committee Member Doris Fritz reported that the rain garden near the ball field is finished and half of the bleachers have been installed by volunteers.

Donation – Trunk or Treat

Supervisor Maguire made a motion to approve the \$250 donation request from the Recreation Committee to purchase candy for the Halloween Walk/Trunk & Treat scheduled for Sunday, October 28th; seconded by Supervisor Rote, MCU.

Old Business:

Shoemaker Road Project

Chairman Maguire reported that the "tie in" to Pine Mountain Road is finished and the top coat should be placed on the road within the next two weeks.

Bowmaster Zoning Violation

The Supervisors agreed to discuss the matter during an executive session later in the meeting.

Public Records Requests

Supervisor Calhoun asked Open Records Officer Darlene Macklem if she responded to a Right to Know Request submitted by Mary Myers and Russ Johnson earlier this year.

Officer Macklem explained that a response was provided to both Mrs. Myers and Mr. Johnson and noted that Mr. Johnson's request was made in 2017.

Supervisor Calhoun requested copies of the requests and the responses to both requests.

New Business:

Bald Eagle Truck Stop Conditional Use

The Board considered the Conditional Use request of Bald Eagle Truck Stop, Inc. Upon consideration of the information presented at the Public Hearing, the Board, upon motion duly made and seconded, determined that the subject real estate was located in the Highway Interchange Zone and that the use requested, sale of alcoholic beverages, was a Conditional Use allowable in that particular zone.

The Board unanimously determined, after motion and second, that:

- A. The proposed Use was compatible with existing and potential land uses on adjacent tracts;
- B. The specific site was an appropriate location for the use;
- C. The use would not adversely affect the neighbourhood;
- D. The use would not create undue nuisance or serious hazard to vehicles or pedestrians; and
- E. There were adequate and appropriate facilities for the use.

The Board also determined that there would not be any noise, glare or odor effects from the use and that ingress/egress through the property, off-street parking, waste collection, available of utilities, screening/buffering, signs and required yard/open spaces were not applicable. Said determination came via unanimous vote after motion and second.

The Board determined to place one (1) condition upon the use, namely, that Bald Eagle Truck Stop obeys all Federal, State, and Local statutes, ordinances, regulations and rules applicable to the use. Said condition was approved via motion, second and unanimous vote.

Finally, the Board determined, via unanimous vote, upon motion duly made and seconded, that the Solicitor issue a written opinion consistent with the Board's determination.

2019 Insurance Renewal

The Board of Supervisors discussed the proposal for insurance coverage from Selective Insurance for 2019, and noted that the overall premium would be increasing by approximately \$1,000.

Supervisor Calhoun made a motion to accept the proposal from Selective Insurance; seconded by Supervisor Rote, MCU.

The Board discussed selling the 1987 truck and the Cub Cadet tractor mower.

Muncy Bank General Fund Money Market Account

At the suggestion of Treasurer Darlene Macklem, the Board discussed opening a Money Market Account at Muncy Bank in Avis. The interest rate on the account is 2.75% for 12 months and then the rate will be based on the Treasury Bill and will fluxuate. The money will be taken from the Jersey Shore State Bank Money Market Account which is currently earning 1.35% interest.

Supervisor Rote made a motion to open a Money Market Account at Muncy Bank; seconded by Supervisor Calhoun, MCU.

Tree Removal – Campground Road

Chairman Maguire reported that he obtained written permission from the property owner to enter onto his property to remove dead trees along Camp Ground Road and asked the Board if they would like to accept the quote from Saar's Tree Service to remove dead trees in the amount of \$7,500.

Supervisor Calhoun made a motion to accept the quote for tree removal from Saar's Tree Service in the amount of \$7,500; seconded by Supervisor Rote, MCU.

Signage on Shoemaker Road

Supervisor Rote reported that the speed limit signs have been ordered for Shoemaker road and said there was some confusion as to the 20 mph speed limit sign on the corner and explained that the sign is an advisory speed limit for the corner and the white sign will be replaced with a yellow sign which is the correct color for the sign.

Pressure Wash Gary Myers Home

The Board of Supervisors received a request from Resident Gary Myers that the Township pay to have his home pressure washed because it is located next to the property used as a staging area for the Shoemaker Road Project and as such the dust created from loading and unloading road materials used for the project, caused dirt on the outside of his home.

It was the consensus of the Board that Mr. Myers get price quotes to have his home pressure washed and give the quotes to the Board to act on.

Executive Session

Supervisor Calhoun made a motion to hold an Executive Session to discuss legal matters; seconded by Supervisor Rote, MCU, and the Executive Session was called at 8:20 pm.

The regular meeting was called back to order at 8:40 pm.

Chairman Maguire reported that the Board discussed how the Code Enforcement Officer should proceed with regard to the Bowmaster matter with the Solicitor during the Executive Session.

Invoices

Chairman Maguire asked if there were any questions on the invoices.

Resident Carl Bathurst questioned whether the invoices for the ball field project were being paid with out of the donation from First Quality or out of the Township's General Fund.

Supervisor Calhoun explained that some of the invoices were being paid with DCNR grant funds and some were being paid from the donation made by First Quality.

Mr. Bathurst asked how the windshield of the Kubota got broken.

Supervisor Maguire explained that while mowing the guide wire from a PPL pole along McElhattan Drive became caught up in the mower and swung around and hit the cab breaking the windshield. An insurance claim was submitted and the Township received \$500 from its insurance carrier toward the purchase of a new windshield.

Supervisor Calhoun reported that the invoice from Wolford's locksmith was to rekey the locks on the Concession Stand and Restroom facility at the ball field so that one key can be used for all locks.

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

Adjournment

There being no further business, Supervisor Maguire made a motion to adjourn the meeting; seconded by Supervisor Rote, MCU, and the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Darlene S. Macklem
Secretary/Treasurer

James B. Maguire, Chairman

David W. Calhoun

Brad L. Rote

Supervisors

Financial Business – September 24, 2018:

General Fund Accounts:

First National Bank Checking	\$26,376.31	.65%
First National Bank – MM Acct.	\$36,474.88	1.30%
FNB – Linnwood Drive Project	\$ 9,380.59	.00%
Jersey Shore State Bank MM	\$ 422,973.79	1.05%
Jersey Shore State Bank CD	\$60,000.00	1.35%
PLGIT – Checking	\$57,344.56	1.75%
PLGIT PLUS	\$ 6,599.41	1.89%
PLGIT – Sewer Fund	\$ 5,628.94	1.75%
Woodlands Checking Account	\$178,642.16	1.24%
Woodlands Certificate of Deposit	\$147,940.83	2.0%
Woodlands Bank – Act 13 Funds	\$ 1,506.31	.95%

State Fund Account:

PLGIT Checking	\$212,918.93	1.75%
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