

WAYNE TOWNSHIP MEETING
JULY 19, 2021

The Wayne Township Board of Supervisors held a meeting on July 19, 2021 at 7:00 p.m. at the Wayne Township Municipal Building, with James Maguire, David Calhoun and Terry Condo present.

Those also in attendance: Carl Bathurst, Rod Shemory, Russell Johnson, Jane White, Tom Duran, Kurt Smith, Peggy Fanning, Zoning Officer Terry Crawford, John Segursky, P.E. of Uni-Tec, and Paul Ryan, Esquire

Public Participation

Jane White

Resident Jane White said a few months ago she commented about the church on Linnwood Drive, she said he had not seen any improvement as far as boarding it up and asked if Bob Maguire was notified.

Chairman Maguire stated that Bob Maguire was notified and as soon as they can get enough people to do the work the church building will be taken care of.

Kurt Smith

Resident Kurt Smith said that in reading the minutes from the June meeting he noticed that there was a sewer permit that had expired and he had previously been told by a Sewage Enforcement Officer from another county that soils do not change and the minutes imply that the soil has changed and that this person has to start the process over.

Chairman Maguire explained that the DEP laws have changed and if the sewer system is not completed within five years you have to start the process over.

Approval of Meeting Minutes

Chairman Maguire asked if there were any questions or comments on the monthly meeting minutes of June 14, 2021, there being none, Supervisor Condo made a motion to approve the minutes as submitted; seconded by Supervisor Calhoun, MCU.

Approval of Treasurer's Report

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

Zoning/Code Officer's Report

Zoning/Code Enforcement Officer Terry Crawford provided the following report:

Permits:

07/06/21 Permit issued to resident of 288 Linnippi Trail for pool and pad

Zoning:

06/29/21 Attended Clinton County Soil & Conservation Workshop on Erosion & Sediment Plans and Waterways

07/13/21 Performed an on-site setback inspection for property located at 671 Pine Mountain Road for a pole barn

- 07/13/21 Land Use Application requested by Crowder Industrial Construction, LLC for two buildings on property owned by the Clinton County Solid Waste Authority (Landfill) property. Due to the property being located in the L-I Zoning District, a Conditional Use Hearing is required. Crowder Industrial completed an Application for a Conditional Use Hearing with the required hearing fee
- 07/14/21 Delivered Crowder Industrial Application for Conditional Use to Solicitor Ryan's Office
- 07/15/21 Received request from property owner of 3950 Pine Mountain Road for a Land Use Application

Code Enforcement:

- 06/29/21 Visited property at 1735 Youngdale Road to investigate whether a shed was too close to the stream without proper permits; took pictures and sent them to DEP for their review and also measured from the stream bank to Building #2
- 07/02/21 Visited L&L Campground due to a complaint issues. Complainant claims that there are too many campers on the site. I met with the owner and explained to him the complaint and stated that more information was needed from the Township and while there I noticed violations of structures built in the floodway and to my knowledge there were no permits issued by the Township for the structures which are within the 50 foot jurisdiction of DEP; Clinton County Soil & Conservation has been notified
- 07/06/21 Received Text Message from DEP Manager Steven Putt stating that the shed located at 1735 Youngdale Road was approved by DEP in 2017 and reapproved in 2018 by Paul Dembowski. Mr. Putt stated that the only thing the Township or DEP can do is follow the Township Ordinance regarding the Floodplain

Returned to 1735 Youngdale Road and informed the resident of DEP's decision and also pointed out that the shed must be compliant with Township Codes pertaining to Floodway or Flood Zone which states that any new construction must be above the 100 year floodplain plus 18 inches and advised the property owner that he has until October 2021 to complete the project
- 07/08/21 Met with Clinton County Soil & Conservation to discuss the Fetters Subdivision and was advised there were no issues with the structures on site but the Conservation Office did note a violation was given to the property owner for clearing land that was in the floodway due to the area being too close to the a stream or river
- 07/09/21 Attended Magistrate Hearing for Bowmaster property located at 205 Linnwood Drive. Property owner plead guilty to three citations, six citations were withdrawn and the fines were at the Magistrates discretion. Property owner agreed to allow the Township to conduct a detailed inspection of the property by the Code Enforcement Officer which may be recorded. The Property owner also agreed to allow the Township to do on-site inspections periodically to check on the progress of cleaning up the property

Monthly Engineer's Report

Township Engineer John Segursky, P.E. reported that the Major Amendment to the NPDES Permit is ongoing for the ball field and basketball court with the latest request being that the permit needs to show the rain garden is large enough to accommodate the basketball court.

The Board requested that John Segursky, P.E. prepare projects to be placed out for bid for the road work and stormwater work on various roads in Linnippi Village.

Recreation Committee Report

Recreation Committee Member Jane White reported that antique cars traveled through Wayne Township and the Recreation Committee served over 55 people with watermelon at the Nature Park.

She also reported that some items missing from the Nature Park including a Marine military flag and flag pole at the Nature Park.

Supervisor Calhoun said he spoke with Arnold Coleman about the security system at the Nature Park which is not working and asked him to get prices on a new system for the park.

Old Business:

Wayne Bowmaster, Jr. Property

Solicitor Ryan reported that nine citations were filed and prior to the hearing there were some negotiations and Mr. Bowmaster pled guilty to the three most serious citations and was fined for those particular violations. More importantly, Mr. Bowmaster is allowing Zoning Officer Terry Crawford to go on the property to do a detailed video of the property and he made some representations that he is trying to clean things up and it was agreed that the Township would monitor his progress and if there is not any progress we would be back to court. Solicitor Ryan stated he thought it was a good resolution.

Rod Shemory asked if there was a time limit placed on cleaning up the property and Solicitor Ryan said there was not a time limit placed on cleaning up the property.

Carl Bathurst asked Terry Condo as a neighbor to the Bowmaster property whether he was satisfied with the outcome of the hearing.

Terry Condo said he thought it was the best outcome we could get.

New Business:

Conditional Use Hearing – Crowder Industrial Construction, LLC/MAS Energy

Solicitor Ryan explained that the Application for Conditional Use must be forwarded to the Wayne Township Planning Commission and allow for a 30 day review period by the Planning Commission. The Conditional Use Application was received by Zoning Officer Crawford on July 13th and explained that the hearing must be scheduled within 60 days from receipt of the application which would be September 13, 2021.

Solicitor Ryan stated he is the Solicitor for the Clinton County Solid Waste Authority and prepared the lease for the property which is the subject of the Conditional Use Application and it would be a conflict of interest for him to represent the Township at the Conditional Use Hearing suggesting that the Township hire Frank Miceli, Esquire, who also represents the Wayne Township Zoning Hearing Board, for the Conditional Use Hearing.

Supervisor Condo made a motion to hire Attorney Frank Miceli to represent the Township at the Conditional Use Hearing; seconded by Supervisor Calhoun, MCU.

A discussion was held as to scheduling the Conditional Use Hearing with Supervisor Calhoun making a motion to tentatively schedule the Conditional Use Hearing for 6:00 pm on August 16, 2021 based on the availability of Attorney Miceli; seconded by Supervisor Condo, MCU.

Ordinance regulating consumption of alcoholic beverages/open containers on public property

Chairman Maguire stated that in reviewing the proposed ordinance he questioned Section 2 and 3 regarding private parking lots open to public use as he believes this would be an issue for the Oregon Hill Winery and the parking lot at the Restless Oaks which are open to public use.

Solicitor Ryan agreed to revise the ordinance and resubmit it to the Supervisors for review.

Supervisor Condo questioned how the Township will enforce the ordinance.

Supervisor Calhoun said if the Township has an ordinance the individual could be arrested and fined for having alcoholic beverages on public property.

2021 Household Hazardous Waste Collection Event Sponsorship

A discussion was held and Supervisor Condo suggested a \$500 sponsorship for the event and Supervisor Maguire said considering the amount of money the Township has received from the Landfill to date he would suggest a \$1,000 sponsorship.

Supervisor Calhoun made a motion that the Township be a Gold Sponsor and donate \$1,000 for the event; seconded by Supervisor Condo.

Carl Bathurst questioned how the sponsorship money would be used by the Landfill and Chairman Maguire explained that some of the materials that the Landfill takes during the event for free, the Landfill would then have to pay for those materials to be taken to an appropriate facility to be disposed of.

North Central Sight Services Donation

The donation request from North Central Sight Services was tabled to August meeting until more information is obtained.

Federal Covid 19 American Rescue Plan Grant Fund Allocation

Secretary/Treasurer Darlene Macklem explained that the Township will receive a total of \$176,995.64 in American Rescue Plan Grant Funds and received one half of the allocation on July 7, 2021 in the amount of \$88,407.82 and will receive the other half of the money next year and stated that a separate bank account is being opened for the ARP Funds at First National Bank in order to keep the money segregated from other township funds.

Secretary/Treasurer Macklem said she also contacted Cory Johnson, CPA, of Zelenkofske Axelrod, LLC who is partnering with PSATS to assist with training municipal secretaries as to allowable expenditures and assisting with compliance reports, filing and guidelines for information as to the cost for their services. According to Mr. Johnson, the firm's fee is based on the amount of the ARP funds received by the Township and would be \$7,500 which would be paid out of the ARP money.

She said the latest Federal Guidelines came out July 14, 2021 regarding use of the funds which include being used to repair township roads in conjunction with a stormwater project.

Also, the Board of Supervisors discussed how to use the funds during the July work session and agreed to have additional discussions about the possibility of providing ARPA funds to the Sewer Authority to move the pump station and, if possible, some of the funds could be used on the storm water project in Linnippi Village.

Secretary Macklem thought it would be a good idea to hire the Zelenkofske Axelrod CPA firm to assist with administration of the ARPA grant funds.

Supervisor Condo made a motion to hire the firm of Zelenkofske Axelrod, LLC; seconded by Supervisor Calhoun, MCU.

Act 65 – Agenda Posting Requirements

Supervisor Calhoun presented information on Act 65 which was adopted on June 30, 2021, revising the Sunshine Law to require meeting agendas be posted prior to meetings.

Solicitor Ryan explained that if the Township has a website that the agenda must be placed on the website, otherwise, the agenda must be posted outside the building at least 24 hours prior to the meeting, adding that the Supervisors will be limited to acting on items on the agenda unless it constitutes an emergency or it is a minor issue.

Rod Shemory asked if that would also apply to the Planning Commission and Solicitor Ryan indicated that it would apply to the Planning Commission.

A discussion was held regarding items that could be addressed at the meeting that are not on the agenda if it is an emergency situation or involves the safety, health and welfare could be addressed such as a sewage planning module.

It was the consensus of the Board that the meeting agendas are posted on the township website and in the outdoor bulletin board at the municipal building.

City Water Wells

Chairman Maguire announced that equipment was being moved into place today to begin drilling water wells on properties along the River Road.

Certified Zoning Officer Test

Chairman Maguire reported that he received a call from an individual about taking a Certified Zoning Officer Test offered by the Pennsylvania Zoning Officials Association claiming that Zoning Officers are required to take the test. He said this individual asked if the Township would pay for him to take the test and was told that since he does not hold a township position, the Township could not pay for his testing.

A discussion was held and Solicitor Ryan indicated that he believes the Certified Zoning Officer Test is a suggestion rather than a requirement.

Zoning Ordinance Update

Secretary Macklem reported that the Board received a response from Nanci Sarcinello on the comments submitted by Solicitor Welch on the draft of the zoning ordinance.

Supervisor Condo said he would like copies of the response to be given to the Planning Commission and Supervisors to review first and then to Solicitor Ryan to review.

Invoices

Chairman Maguire asked if there were any questions on the invoices to be paid, there being none, Supervisor Condo made a motion to approve the invoices as presented; seconded by Supervisor Calhoun, MCU.

Solicitor Ryan announced he would not be able to attend the August 16th township meeting and would have someone come to the meeting on his behalf at the Board's request.

Adjournment

Chairman Maguire adjourned the meeting at 7:35 p.m.

Respectfully submitted,

Darlene S. Macklem, Secretary

James B. Maguire, Chairman

David W. Calhoun

Terry J. Condo

Supervisors

Financial Business – July 19, 2021:

General Fund Accounts:

First National Bank Checking	\$ 56,894.85	.20%
First National Bank – MM Acct.	\$ 27,961.15	.45%
FNB – Linnwood Drive Project	\$ 15,106.98	.45%
Muncy Bank Money Market	\$ 52,971.02	1.5%
PLGIT – Checking	\$ 70,159.84	.01%
PLGIT PLUS	\$ 15,005.48	.05%
Woodlands Checking Account	\$ 45,380.66	.40%
Jersey Shore State Bank CD	\$152,424.69	2.15%
Woodlands Bank – Act 13 Funds	\$ 43,174.30	.40%

State Fund Account:

PLGIT Checking	\$149,449.58	.01%
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