

CHESTNUTHILL TOWNSHIP SUPERVISORS

ROUTE 715, BRODHEADSVILLE, PA 18322

MINUTES OF MEETING – JULY 3, 2001

A regular meeting of the Chestnuthill Township Board of Supervisors was called to order at 7:00 p.m., on Tuesday, July 3, 2001, at the Municipal Building, Route 715, Brodheadsville, PA. Those present were Chuck Gould, Chairman, Mike Possinger and Dave Johnson.

The Pledge of Allegiance to the Flag was led by Al Bourke.

Chuck thanked everyone for coming out tonight.

Public Comment.

Jim Spinola reported that there is a planning seminar regarding new land use legislation on the website. There is a form for people to fill out and send information. Jim also donated a new American flag to the Township for which the Supervisors thanked him.

Minutes. On motion made by Dave, seconded by Mike and passed, it was voted to approve the Minutes of the June 19, 2001, meeting as distributed. (3-0) On motion made by Mike, seconded by Dave and passed, it was voted to approve the Minutes of the June 26, 2001, meeting as distributed. (3-0)

Kathy Heller noted that she thought the minutes of the June 26th meeting were lax and that Cathy Baker should have gone into more detail.

June O'Neill. Later in the evening when she arrived she stated that she did not attend the meeting of June 19th, nor did she ask about the possibility of having teen dances at the park building as reported in the minutes. Chuck noted that he brought this subject up and mentioned her name and that this correction would be duly noted.

Correspondence.

Writing the Employee Handbook In Pennsylvania. There is a seminar on this subject scheduled for July 31st in Wilkes-Barre, PA. Dave said that he would like to attend. After a short discussion Mike made a motion, seconded by Chuck, and it was voted to send Dave and up to two additional people (if anyone else is interested) to the seminar. (3-0)

Growing Smarter seminars are scheduled on July 9th at the Holiday Inn, Valley Forge; July 11th at the Holiday Inn Harrisburg East; and July 12th at the Holiday Inn, Monroeville. Pat will give copies to the Planning Commission.

DEP has given final approval on reimbursement to the township in the amount of \$28,990.21 for enforcing the PA Sewage Facilities Act. The Supervisors thanked Rick and Cathy for working very hard on this application.

Old Business:

Equipment Bids were put out for a LayMor 8 hc sweeper with enclosed cab, light package and spare 8' broom or equivalent thereof. 1 bid was received from Medico Industries at a cost of \$25,444.00 (\$25,035.00 price) (\$409.00 filing fees). There was some discussion as to whether the township should rent or purchase the machine. It was suggested that the township shop local banks in order to purchase rather than rent. Dave asked if grant money would be available. Charlie DePue told him "no". June O'Neill said that grants are available. Charlie replied that "you are not giving anything back—just sweeping and recycling." Chuck said he had checked with Cathy and anything over \$50,000.00 we could swing with no problem at all. At this point Mike made a motion, seconded by Dave, and it was voted to purchase a new 2001 Lay-Mor 8HC diesel self-propelled rotary broom sweeper with tow package, cab with heater/defroster, mirrors, front and rear work lights and an extra set of poly/wire bristles at a cost of \$25,035.00. (3-0)

Road Bids for liquid fuel paving for various roads within the Township. The bids were as follows:

Hanson Aggregates

2720 T wearing	\$	39.50
250 T scratch		45.00
150 T ID2 binder		42.00
		\$124,990.00

The Pan Companies, Inc.

2720 T wearing	\$	44.45
250 T scratch		44.45
150 T ID2 binder		37.00
		\$137,566.50

Intercounty Paving Assoc., L.L.C.

2720 T wearing	\$	42.00
250 T scratch		42.00
150 T ID2 binder		42.00
		\$131,040.00

Bracalente Construction, Inc.

2720 T wearing	\$	42.70
250 T scratch		42.70
150 ID2 binder		45.00
		\$133,569.00

After a short discussion Dave made a motion, seconded by Mike, and it was voted to accept the bid of Hanson Aggregates. (3-0)

New Business

Meeting date. Mike made a motion, seconded by Dave, and it was voted to change the regular Supervisors' meeting date from Tuesday, July 17th to Tuesday, July 24th.

E.I.T. Chuck said he will go before the Planning Commission at their regularly scheduled meeting on July 18th to see if they approve of adding 0.5% to the earned income tax. If the Planning Commission approves, it can be brought up at the next Supervisors' meeting on July 24th. After a brief discussion Dave made a motion, seconded by Mike, and it was voted to hold a public hearing on Tuesday, July 24th, at 6:30 p.m. (3-0) Additionally, Dave made a motion, seconded by Mike and it was voted to bring in Panko & Johnson to take minutes so that any input is taken correctly and that will allow us to make a decision, and also to allow Atty. McDonald to prepare documentation and advertise for the hearing, with the regular township meeting to follow. (3-0) Kathy Heller asked if this ad could appear in other sections of the

newspaper. Someone else mentioned that it could cost an additional \$200.00 and would be a waste of money. If it is free the ad will appear in the community calendar of events; otherwise, it will appear in the legal column only.

SEO Waiver Requests:

Lot No. 10, High View Court, Country Terrace Acres. Angelika U. Cook wrote a letter on behalf of her customer, Carissa Valinski, owner of the property. She is requesting a waiver due to an oversight on the part of the surveyor and septic design person, Joe Sincavage, and also the former township SEO who issued a septic permit for the above property in 1989 which was tested in the Township's right-of-way. Approval has been granted for a new location which is being scheduled for a perk test. In view of these circumstances, Dave made a motion, seconded by Mike, and it was voted to table this request until the next supervisors' meeting. (3-0) Since the mistake was not the fault of the property owner, Dave made a motion, seconded by Mike, and it was voted to waive the fee. (3-0)

Lot No. 26, Chestnut Estates, Duke Properties. John Dunn, V.P. of Duke Properties, represented himself. He said that he had the property perked and a septic system designed in accordance with Pennsylvania State law; however, it does not meet Chestnuthill Township requirements. Due to the slope of the lot, if he is required to add the extra 200 feet required by the Township, he said that he has a lot he cannot build on. Dave asked Mr. Dunn if he was expanding the lot from one acre to two acres to build a home. Mr. Dunn answered yes. Our SEO, Rick Fisher, described in detail the problems with this property. Rick also stated that he had invited George Collura, Mr. Duke's surveyor, to be present tonight and was disappointed that he did not attend so that the matter could be discussed in more detail. After a brief discussion Dave made a motion, seconded by Mike, and it was voted to table this request until the next supervisors' meeting. (3-0)

201 Recreation Drive, Birches West. Bruce E. Fox, of Allstate Septic Systems, wrote a letter on behalf of Philip & Joanne Brunnquell, new owners. They are requesting a waiver from the additional 200 square feet required on absorption areas in Chestnuthill Township. Because of a 12 to 15% slope, available area does not allow over 600 square feet; additional area would encroach on the existing malfunction and the reason for this design is an existing malfunction. Mr. & Mrs. Brunnquell noted that the previous owner is Christine Kirby who stipulated that money would be put in escrow for repair. Chuck said that the Board will never approve something less than State requirements. Dave asked Mr. & Mrs. Brunnquell if another system was better, would they be willing to pay more? Mike responded that money is already in escrow according to Mr. & Mrs. Brunnquell—why would we ask them to pay more? Chuck suggested that they explore back areas of the property for another system. After some discussion, Chuck made a motion, seconded by Mike, and it was voted to table this request until Allstate gives verification that there is no alternative site that will meet the specs. (3-0)

Zion Lutheran Church. Dave Hindman, of Liberty Engineering and Deb Schaeffer, a member representing Zion Lutheran were present to discuss the conditions recommended by the Planning Commission. Comments of the Planning Commission were addressed; and, after a short discussion, Chuck made a motion, seconded by Mike, and it was voted to grant final approval

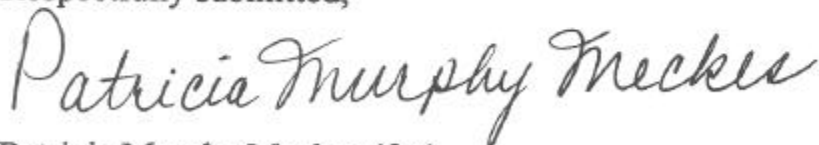
conditioned upon compliance with all of the comments in the minutes of the June 27, 2001, meeting of the Chestnuthill Township Planning Commission. (3-0) Under Item #5 in Engineer Miller's letter: The plans require signatures. Zion's representatives advised that they will have all signatures once everything is finalized. Under Item #1 in Engineer Miller's fax to Liberty Engineering: Stormwater management plans do not meet the requirements of Act 167 in that this site is located within Subarea #23 of the McMichaels Creek watershed which requires a 50% release rate. Zion's representatives advised that the design was changed to meet this requirement. And under Item #1 of additional comments: Lots #1 and #1A need to be merged: Zion's representatives advised that they are getting this language from an attorney and it will be put on the plan.

Maintenance Agreement for Community Sewage. This is in reference to the building formerly known as Roselli's Shop 'N Go. It now houses a Subway, a cigar store and Bill Livesey is requesting to have a daycare located in the rear of the building. Atty. Prevoznik, representing Mr. Livesey, gave a short explanation of the meeting held at Atty. McDonald's Office on June 13th at 11:00 a.m., and attended by Bill Livesey, Atty. Prevoznik, Consultant Lalli, SEOs Rick Fisher and Helen Beers, Zoning Officer Cresse Witte, Alternate Zoning Officer Walter Hanson and Supervisor Johnson. He said they did not have an opportunity to discuss the Maintenance Agreement with Atty. McDonald as it was prepared after the meeting, but they are looking for conditional approval subject to Atty. McDonald's recommendations. Cresse Witte's letter concerning meeting current zoning regulations and parking requirements was addressed. A number of suggestions included limiting the registration to 40 students initially, meeting with SEO Fisher quarterly and giving information on flows, etc. Rick said that he could not find a record of the permit for Roselli's Shop 'N Go which had been issued before he was hired. Chuck said if we go ahead with this and something goes wrong within a year, what must they do. Rick answered that they must put in holding tanks—perhaps a bond should be given to the Township. Al Bourke thinks we should study central sewers along Rt. 209. Chuck answered that there are other avenues to solve the situation effectively. Rick said an evaluation needs to be done to determine future sewage needs. Chuck commended the approach. Mr. Livesey was advised that he could take the next step conditioned upon the bond process and the Maintenance Agreement being approved by Atty. McDonald. He will also need to give a headcount of number of students to be enrolled.

Bills. On motion made by Dave, seconded by Mike, it was voted to pay the bills. (3-0)

Adjournment. There being no further business, Mike made a motion, seconded by Dave and it was voted to adjourn at 9:30 p.m. (3-0)

Respectfully submitted,



Patricia Murphy Meckes (for)
Cathy A. Baker
Recording Secretary