

MARION TOWNSHIP SUPERVISORS MEETING July 14, 2009 at the Township Building

Present: Jack Aberegg, Archie Gettig, Jr., Ray Gutshall and Ellie Trulick

Guests: Shirley Dolan, Todd Dolan, Herb Chapman, Tina McCauley, Brian McCauley, Willard Truckenmiller, George Bartley, Jr., John R Dillon, Ori D. Hanley, III, Ken Roan, Don Franson, Tom Bowes

Meeting was called to order at 7:00 pm followed by Pledge of Allegiance

Minutes of June 9, 2009 minutes were approved by motion of Gettig. Aberegg 2nd Aberegg- Yes Gettig – Yes Gutshall - Yes

Public Comments:

Willard Truckenmiller, 124 School House Drive, wanted to Thank the township for taking care of the problem he had with storm water. Several years ago he was told, that something would be done to correct the problem. Nothing was done and he came down and asked about it being corrected again. Someone came up, looked at it, opened the ditch across from his home, and took care of most of the problem.

Brian McCauley stated as a resident of Marion Township that the township should remove themselves from the Nittany Valley Joint Planning Commission. The NVJPC has not acknowledged our comprehensive plan when help was needed for the local access. They have not recognized our zoning. This group is to help us when it is needed. Gutshall stated that if we do not have a voice in the NVJPC we do not have a chance to know what will be handed to us. McCauley stated that when Wal-Mart and Cabela's wanted to put a road in this issue would have been handled long ago. Aberegg said we make no decision at this time.

Dillon said our Comprehensive Plan and zoning ordinances would go with them if we were to drop out. Brian McCauley will contact Bob Jacobs about the issue of a new Comprehensive Plan and Zoning if we were to drop out of the NVJPC.

Old Business:

1. DEP Permit has been received. Work has started on Walnut Ridge but is not completed at this time. Please see me when the work has been started and completed for completion of the form to US Army Corp of Engineers.
2. DCNR grant has been approved. All paperwork was returned on June 25th with appropriate signatures from Marion Township still awaiting final completed paperwork. Aberegg recommends that some one be in charge of this so that all monies are used appropriately. Gutshall suggested we have Don Franson apply for the permit needed to begin the work. Gutshall wants to see all drawings before we go to bids. Gettig had someone available previously but possibly not now. Franson discussed the plan he has currently drawn up for the Toddler and Youth Playground. We must follow the guidelines given to DCNR when requesting he grant. Roan and Franson discussed the plans with the BOS concerning drainage. **Gutshall made a motion we have Franson get a permit and all engineering and drawings started and present back to the Board of Supervisors at the next meeting. Aberegg 2nd Aberegg- yes Gettig – Yes Gutshall – Yes** Franson will have the plans ready with the permit application by next meeting and wants to meet with supervisors and Park & Rec to discuss everything before submission. Dolan asked if the Veterans Memorial was included in plans at this time. Aberegg stated not at this time. This grant is due to Gutshall and Roan meeting with Senator Corman and requesting a grant. Gettig stated we owe a letter of thanks to Senator Corman. Secretary will send a letter to Senator Corman when the completed papers are received.
3. Tom Bowes of Howard Fire Company passed out the QRS responses for June 2009. Stating there has been an increase in responses to accidents. Aberegg asked what we should do about notification of Bellefonte Fire Companies. Gettig what will happen with I-80? Bowes stated that with new access to I-80 it would be Bellefonte as first responder. Howard Fire Co. does not have the equipment for I-80 first responder. Discussion on the money currently and previously sent to Bellefonte. **Aberegg made a motion we approve the Memorandum of Understanding. Gutshall 2nd Aberegg- yes Gettig – NO Gutshall – Yes.** Gettig voted no due to his concerns about I-80 safety. When this Memorandum of Understanding Agreement is executed, a letter should be sent to Bellefonte Borough. The letter to Bellefonte Borough is to show the voting on this MOU. Bowes will bring in an original MOU to be completed and signed.
4. Ori Hanley spoke to Jake Esh concerning the pony cart. Jake Esh has spoken to the families and no further action needed.

New Business:

1. Nittany Valley Joint Planning Commission (NVJPC) – Letter from Howard Borough Council concerning Local Access issue. Gettig stated that the State is putting pull-offs in before the bridge. Gettig stated that Norm Lathbury should be contacted on the Ag Security District. Gettig will help Secretary on this matter.
2. Park & Rec June 3, 2009 Minutes – We will need a new member for the Park & Rec Committee. That makes two members needed to complete the 5-member board.
3. Zoning Report for June 2009 – No action needed. Aberegg stated that changes might be needed to our zoning ordinances concerning allowing cemeteries on A-1, A-2, C-1, RRD, and R-2 properties. Currently we have Amish and Indian burial grounds and they may be in appropriate according to the zoning ordinances that were set up by the County for us. **Gutshall made a motion we allow cemeteries on A-1, A-2, C-1, RRD, and R-2. Aberegg 2nd Aberegg- Yes Gettig- Yes Gutshall – Yes** Secretary will contact Jim Bryant and PSATS concerning how to proceed with a zoning ordinance change of this nature.
4. Road Roadmaster Report June 2009 – Gutshall discussed bids he received on purchasing a new generator. Prices are from \$1300.00 to \$1,800.00. Gettig asked if Sam's had been contacted on prices, they should be and the information be brought to the next meeting. Aberegg stated the minimum would be 8,000 watts. Gutshall mentioned the fill to be delivered to residents requesting it. He asked if Gettig had access to the form and was it here in the township building. Gettig has access but it is not in the township. Gutshall read the fill request form proposed. Gettig stated fill should be taken to the Park as was discussed at previous meetings. Aberegg stated he does not want the fill taken to the Park as it is looking very good. Gettig stated a clause should be inserted that the Township is not liable for any damages caused. Gettig said he would provide a copy of the form used by PennDOT at the next meeting. Three people have stated they would be interested in using the fill. **Nothing will be presented to the BOS at the meetings; all items for discussion will be included in the packets. If the item is not received before the packets are sent, it will not be included for discussion.** Gutshall had a complaint about grass at the Bob Weaver property and the secretary will contact Tim Weight to investigate the matter. Letter to CCMPO was discussed. The last sentence in the first paragraph is to be deleted. **Gutshall made a motion to send the letter after the correction mentioned above. Aberegg 2nd Aberegg- yes Gettig – Yes Gutshall – Yes** Gettig read information he received from John Decibel concerning the work to be done on SR 26 for safety. Gettig suggested we address a letter about Lick Run to the CCMPO also. We want to have this moved up on the list for improvements due to the safety. There are blind curves and extremely small width of the bridge. Letter should be sent to Senator Corman, Representatives Benninghoff, and Hannah, and to US Representative Thompson. Gettig will get the size of the bridge to be incorporated into the letter. Dillon gave the secretary a letter for use as a draft. Gutshall stated this should be in two different letters.
5. Planning Commission Minutes for June meeting – No action needed
6. Centre County Solid Waste May 2009 report – FYI No action needed
7. DEP letter dated June 22, 2009 Notice of Violation - FYI No action needed
8. Thank you from Erin Day and Bellefonte Are High School – FYI No action needed
9. PSATS Youth Award Contest – Information for deserving youth in the Township. No action needed
10. AmeriCorps Program for Centre County – FYI No action needed
11. Governor's Center for Local Government Services letter of June 19th with brochure - Two CDL seminars coming up see the bulletin board for information. According to PSATS someone should attend these seminars. One is CDL Drug & Alcohol testing the other is CDL records management. Aberegg suggested that Gutshall should look into attending these seminars or sending someone else.
12. PENNDOT letter of April 17 concerning Highway Occupancy Permits and brochure for Technical Training Calendar information – FYI No action needed
13. Centre County Planning Office letter of June 18, 2009 - FYI No action needed
14. Centre County Planning Office Letter of June 15 – FYI No action needed
15. DEP letter of June 5 on Louise Manginell Subdivision – FYI No action needed
16. Resolution and packet of information on ACT 32 Earned Income Tax Collection changes. – **Aberegg made a motion to appoint Brian McCauley as primary voting delegate for the ACT 32 Tax for Marion Township. Gutshall 2nd Aberegg – Yes Gettig – Yes Gutshall – Yes** No alternate was designated at this time.
17. Discussions on Fee-In-Lieu being increased after the first two dwellings are approved. From \$1250.00 per lot to \$2500.00 per lot. **Aberegg made a motion we increase the fee-in-lieu to \$2500.00 per lot after the first two dwellings. Gutshall 2nd Aberegg- Yes Gettig – Yes Gutshall – Yes** The first two lots will remain at \$250.00 each.
18. Review of all Ordinances with attention on any new Ordinances needed to prohibit the sale of alcohol in Marion Township and prohibiting any future commercial sites being planned in Marion Township. Aberegg stated all should read the current zoning ordinances and discussion should be held at a later meeting. The concern was the local access might bring in more commercial entities that are not permitted in the Township.
19. Secretary read a letter from Herbert Chapman to the attendees. Aberegg addressed each item individually. Aberegg asked Gettig if he had any comments. Gettig stated maybe later when he researched the minutes. Aberegg then asked Gutshall if he had any comments. Gutshall stated that this facetious bloviating continues to cost people time and money. If they want to make accusations let's deal with the facts. That's all I have to say.
20. Secretary needs clarification on whether to give out copies of minutes (via e-mail/ in person or mail) without the Right to Know Form being completed and the \$.25 per copy being paid. No minutes are to be distributed without the Right To Know Law being followed. Aberegg stated we could get the minutes placed on the web site for

\$20.00 per month. We can have the complete year to date done. Then anyone wanting to see minutes can access them. **Aberegg made a motion we have Computer Technology put Marion Township minutes on the web site at a cost of \$20.00 per month starting with January 2009. Gutshall 2nd Aberegg – Yes Gettig – Yes Gutshall - Yes**

Treasurer's Report: Including the list of checks written to date for approval with Treasurer's Report. (Some checks were mailed and the balance is being presented for signatures at this meeting.) Checks listed above are from June 4th through July 8th, 2009. Check numbers and the amounts are on the listings and it will be included with the official minutes for filing.

Aberegg stated we are still under budget for the second quarter of 2009. After the 2nd quarter of this year we have available funds to spend of \$247,877.12. In 2003 we had available capital of \$56,000.00 and today we have five times that much. Dillon asked if Profit and Loss statements are available to the public. Aberegg stated they are. (Herb Chapman left meeting @ 8:37 p.m.)

McCauley asked if the Nittany Valley Planning Committee had paid the food bill for the meeting held at the Marion Township building. The check was received today.

Gettig asked if the diesel fuel had been bid and if it was written where he could look at it. Yes it was and is. He asked how the time sheet for Ray was paid. Secretary got the mileage sheet for Gettig. Soda machine was discussed about money from Park fund and they will take care of the money and report each month in the minutes. Gettig asked for a list of complaints. These should always be in the packets for all Supervisors to see. Secretary will handle and not forget to include the ones that she receives. Some complaints go directly to Head Roadmaster or Zoning Officer and do not run thru the office.

Gutshall made a motion to pay the bills as listed and accept the Treasurer's report. Aberegg 2nd Aberegg- Yes Gettig – Yes Gutshall - Yes

PLEASE NOTE ALL BALANCES BELOW ARE AFTER ALL CHECKS HAVE BEEN WRITTEN.

General Payroll ---\$118,523.81 (does not include Park \$)	Park \$ in General Fund --- \$347.07
PLGIT General ---- \$66,897.29	State Equipment \$ = \$5,450.09 \$PLGIT State --- \$56,658.86

Aberegg made a motion to adjourn. All were in favor.

Meeting held July 14, 2009 was adjourned at 8:42 p.m.

Respectfully submitted,

Ellie Trulick
Secretary/Treasurer

Jack Aberegg, Chairman

Archie Gettig, Vice Chairman

Ray Gutshall