

MARION TOWNSHIP SUPERVISORS MEETING September 8, 2009 at the Township Building

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

Guests: Shirley Dolan, Herb Chapman, Brian McCauley, Tina McCauley, Ken Roan, Sue Hannegan, and Tim Weight

Meeting was called to order at 7:00 p.m. followed by Pledge of Allegiance

Minutes of the August 11, 2009 meeting were approved with the addition of the following information being added to Old Business #3minutes paragraph: Gettig stated he had heard via the grapevine toady when he was talking to some people. "Two fire companies in Bellefonte because we are not giving them any money, they might come down and tell Marion Township they are not responsible for I-80 that goes thru Marion Township." He does not want that to happen. "***They** also said that if there is nothing there the closest fire company is to be called and Marion Township could be liable for any costs" The above paragraph will replace the sentence following the one ending with "areas needing clarification." **(This has been changed in the official minutes.)** Discussion was held again that Flemington and Nittany go to I-80 and we pay nothing to them. (Secretary is to send a letter to Bellefonte Borough to ask about the coverage of I-80 and their response to the contract we are signing with Walker and Howard Fire Company how this contract will affect their service to I-80.)

Aberegg made a motion to accept the minutes with the above correction reference to I-80. Gutshall 2nd Aberegg- Yes Gettig – Yes Gutshall – Yes

(I had a call from Archie stating that the reference above *(They) was not made by any Bellefonte people but by Tom Bowes. According to the tape the above quotes were directly from Archie. [after reviewing the tape and typing word for word what was said the August 11, 2009 tape was destroyed] I called Tom Bowes to determine if he remembered making the statement and he said he did not make that statement.)

Public Comments:

Herbert Chapman asked why our solicitor had not gotten in contact with him. Aberegg stated that we had just had an Executive Session and the solicitor stated that the issues had been submitted to the District Attorney and the State Police and the issue was closed and not to be discussed any further. Aberegg stated we are taking the advice of our solicitor.

Old Business:

1. DCNR grant has been approved. Final paperwork has **NOT** been received this date. No check will be received till the State signs the paperwork.
2. Awaiting the final Memo or Understanding with all signatures to be returned from Howard Fire Company

New Business:

1. Nittany Valley Joint Planning Commission (NVJPC) – Meeting will be Thursday September 17th at Benner Township. Gutshall stated he would like to hear from all members of the NVJPC as to their stand on the Rt 26 betterment project. This he wanted placed on the agenda for the meeting. Sue Hannegan stated she had heard today that some improvements are to be done to the road surface and signage beyond the current interchange. No clear scope of work is determined yet. Next 10 days all municipalities will receive a packet for any projects that we may need done for LRTP. i.e. Lick Run Bridge, Rt. 26, etc. These are to be submitted and given a priority such as #1 will get an extra point in ranking. This can also be given to other municipalities that have the same projects and they can submit also. These forms will be due by November 6th. Sue discussed the NVJPC Comprehensive Plan and new zoning and how this was advantageous to Marion Township and our not withdrawing from it. The members of the NVJPC help each other with zoning of land use each may have a different specific use i.e. quarries in Marion and mobile homes in Walker, etc. Six months notice must be given to the NVJPC to withdraw. Funding is much better in multi-municipal efforts vs. single municipally request. McCauley asked about the members not adhering to the Comprehensive Plan as agreed to with the initial set up of the Commission. He referenced that all were in favor of Rt 26 betterment and then not helping Marion Township in the I-80/I-99 disagreements. Gutshall was upset at no support at the CCMPO also. He wants all betterment to RT 26 to be recorded and whether the rest of the members with stand with us. No decision was made to withdraw from the Nittany Valley Joint Planning Commission. Only Spring and Benner are voting members of the CCMPO. Bellefonte Borough has a seat by no vote. Marion Township has neither. Sue stated after elections we may try to get a voting seat on this board but money would be due to achieve this. The dollar amount was not stated at this time. All members have to pay to have a vote.

Growth Forecasting meeting will be held October 13th at 6:00 p.m., Park & Rec, Planning Commission and Zoning Officer Tim Weight should all attend. Weight stated better to have a plan where growth should be even if, we do not want it and have been put into a position to have it done. Meeting will only take an hour.

The State Transportation committee hearing will be held on October 8th in State College. CCMPO Technical meeting will be held Wednesday (tomorrow) morning. Coordinating meeting will be Tuesday, September 22nd. McCauley asked about extensions to Subdivision projects: how many time extensions can be allowed that keeps the project under any old zoning rules or Ordinance. The Planning Commission will work on an Ordinance that would address this issue when developers keep requesting extension after extension. The county allows 3 times.

2. Park & Rec August 12, 2009 Minutes – **Aberegg made a motion that all dirt, rocks, stones, etc generated by township crews during road and storm water runoff work will be disposed of at the discretion of the Head Roadmaster while delivering to the township residents who have requested it when feasible. This includes trees, limbs, etc. Gutshall 2nd Aberegg – Yes Gettig – Yes Gutshall – Yes** Roan spoke to Evelyn at Fort Bellefonte and 5 trees will be planted at the Park in early November. The Secretary contacted TruGreen and they are to spray trees for infestations and complete the contract with the vegetation control and final spray for the ball field. Ken Roan is to be contacted before any spraying is done. Roan turned in \$90.00 from the Coke machine at the Park. 72 bottles of soda were sold last month.
3. Zoning Report for August 2009 – Slow in August. September is picking up already with calls.
4. Head Roadmaster Report August 2009 – Gutshall presented 3 costs on the generator/welder needed by the Township. Hobart 10 kw from Welding Supply, \$3187.00-- Hobart 10 kw from Sears \$2474.00 and a Genec 10 kw from Northern Tool for \$2474.00. Same spec on all three items. **Gutshall made a motion we purchase the Sears Hobart for \$2474.00. Aberegg 2nd Aberegg- Yes Gettig – Yes Gutshall - Yes** This generator could be used to help residents if needed. Weight stated if we can light and heat the building with the generator, we could designate Marion Township building as a shelter if needed for a disaster. Gutshall had bids from Glen O Hawbaker for the black topping \$17,365 and from Eby who did not give a completed estimate of \$10,720.00. Slaughterhouse Road and Walnut Ridge are the roads to be black topped. Gutshall stated our crew is capable and qualified to do it ourselves and save about half the cost. One soft spot is 8' by 50' on Slaughterhouse Road and the pipe is 4'x 21' another soft spot is 6' by 28' and another of 4' x 20'. **Aberegg made a motion we do the work. Gutshall 2nd Aberegg – Yes Gettig – Yes Gutshall – Yes** Gutshall apologized for overspending by \$50 on the tar buggy but it certainly does a good job, a little slow. We have a lot of cracks to be filled. Gutshall asked Gettig why the previous buggy was sold and not used. Gettig stated they did a lot of tar and chipping and did not need it previously. Letters were sent out for use of our tractor with an operator. Cost will be set at \$55/hour. Gettig asked about the fuel costs. Fuel was not addressed initially and will need to be considered in the agreement. A fuel charge should be added to any contract issued. Walker Township is bringing in their roller tomorrow morning to begin the black top project at no cost to us. Fill request (short) form was approved. **Aberegg made a motion we approve the short request for fill form. Gutshall 2nd Aberegg- Yes Gettig _ Yes Gutshall – Yes** Aberegg requested Secretary to prepare another form to be used for trees and limbs for firewood to be presented next time.
5. Planning Commission Minutes for August meeting – Aberegg has trouble reading the minutes from Planning Commission. He suggests using larger print so the words do not run together or double spacing lines.
6. Centre County Solid Waste July 2009 report – FYI No action Needed.
7. CCMPO information on State Transportation Commission - Forms for 5 different projects to be presented to the State Transportation Commission. Ray Gutshall will be contact and testifier. #1-- I-80/Route 20 Section A-18 Local Access Interchange. **Aberegg made a motion we oppose this project as typed on the form. Gutshall 2nd Aberegg – Yes Gettig – Yes Gutshall – Yes** #2 --Rt 26 Betterment Phase 2 (Jacksonville Road/Walnut Street) **Aberegg made a motion we support this project as typed on the form. Gutshall 2nd Aberegg- Yes Gettig – Yes Gutshall – Yes** #3 -- Route 26 Lick Run Bridge **Aberegg made a motion we support this project as typed on the form. Gutshall 2nd Aberegg – Yes Gettig – Yes Gutshall – Yes** #4 -- Rt 26 Section 147 Betterment (Jacksonville Road) **Aberegg made a motion we support this project as typed on the form. Gutshall 2nd Aberegg- Yes Gettig – Yes Gutshall – Yes** #5 – I-99/I-80 Section B18 (Exit 161) High Speed Interchange **Aberegg made a motion we support the project for B18 only high speed interchange no local access period and no improvements to Rt 26 with the understanding that Tom Zilla will confirm our interpretation. Gutshall 2nd Aberegg – Yes Gettig – No Gutshall – Yes** Sue Hannegan will get a clarification as the interpretations of this information from Tom Zilla and let the Secretary know the outcome. Secretary will present the interpretation to all Supervisors in case the vote may be changed when the clarification is determined. Gettig is opposed to anything that does not have a local access at #163.
8. Centre County Planning Office letter of August 10, 2009 - Memo of understanding for Nittany Farms and change of date for final plan meeting. **No action needed**
9. ACT 32 Earned Income – Letter from Jon Eich setting up September 30 as the organizational meeting for the Tax Collection District. McCauley recommended that Ellie Trulick be appointed as alternate delegate for this committee. **Aberegg made a motion to appoint Ellie Trulick as alternate delegate to attend the Act 32 meeting. Gutshall 2nd Aberegg- Yes Gettig – Yes Gutshall - Yes**
10. House Bill 1500 letters sent – Various letters received from other municipalities No action needed
11. Second round of Septic Pumping – Stan is checking with DEP on Glossner hold off till he receives more information. Send Gallagher to magistrate. Patsy Aley owns Browne property. She needs to be contacted to have the property pumped before further action taken. Brian will contact Aley before I send the letter. Stoltzfus has not sent a confirmation of his pumping yet. Surovec is up for sheriff sale and secretary is to contact Caldwell Banker about the septic pumping. **Aberegg made a motion we now charge residents for total SEO charges. A resolution needs looked at for next meeting to change the costs.**

12. Centre County Planning letters – Time extension for U Design **No action needed** Time Extension for Nixdorf **No action needed**
13. DEP letter to Kevin Kline for storm water discharge from construction activity on Jacksonville Exchange – **No action needed**
14. Centre County Affordable Housing Workshop – **FYI No action needed**
15. Bellefonte Borough Trick or Treat night– October 31, 2009 from 6:00 p.m. to 8:00 p.m. will be Trick or Treat Night. **Gettig made a motion to set the above dates and times. Gutshall 2nd Aberegg- Yes Gettig – Yes Gutshall – Yes** This to be put into the Newsletter.
16. Proposed Ordinance for Outdoor Wood-Fried Boilers – Tim Weight stated we can't be too restrictive on this as we are a rural area and wood burning goes right along with that. An Ordinance could be very beneficial in the more dense areas. The Ordinance could be worded similar to our grass cutting/weed Ordinance with a 3-acre lot requirement. Gutshall agrees with Weight. Gettig does not believe it is needed at this point. Aberegg stated we do not want what is presented here. It is way too constrictive. His burner is 30 feet away from his window and rarely does he smell the smoke. Aberegg thinks we should be thinking about this and decide what we may want to do about outdoor wood burners. Current burning Ordinance is on the Marion Township is on the web site. McCauley suggested it be written right in the covenant when the homeowner is building with the developer and they would have the enforcement of any such burner covenant.
17. Fall Centre County Association of Township Officials dinner meeting - **Secretary will inform Wanda that Archie has 25 years of service to Marion Township.** Information on the Annual Fall Dinner convention No action needed
18. Budget meeting will be October 20, 2009– All to think about any projects for the budget.
19. September Newsletter– A final page about Swine Flu will be added. **Gutshall made a motion we approve the Newsletter with the addition of the final page and the Halloween Trick or Treat night information.** **Aberegg 2nd Aberegg – Yes Gettig – Yes Gutshall - Yes**
20. Complaint received– No action needed

Treasurer's Report: (SEP 61-63) 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 August 11th through September 3rd, 2009. Check numbers and the amounts are on the listings and it will be included with the official minutes for filing. Check # 2024 for \$844.30 was voided. The total for General is that much higher than reported below.

Gettig asked for a copy of the mileage for the Head Roadmaster and all time cards. He questioned why the mileage was so great.

Gutshall made a motion we pay all bills and accept the Treasurer's report. Aberegg 2nd Aberegg – Yes Gettig – yes Gutshall – yes

Gettig wants copies of all time cards and mileage for Roadmaster every month.

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

General Payroll ---\$122,810.81 (does not include Park \$)	Park \$ in General Fund --- \$379.30
PLGIT General ---- \$60,616.37	State Equipment \$ = \$5,450.09 SPLGIT State --- \$52,398.49

Aberegg made a motion to adjourn. All were in favor

Meeting held September 8, 2009 was adjourned at 9:40 p.m.

Respectfully Submitted,

Jack Aberegg, Chairman

Ellie Trulick, Secretary/Treasurer

Archie Gettig, Jr., Vice Chairman

Ray Gutshall