

MARION TOWNSHIP SUPERVISORS MEETING August 11, 2009 at the Township Building

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

Guests: Trooper Scott Thomas from Rockview, Herb Chapman, Joy Gutshall, Shirley Dolan, Todd Dolan, John Dillon, Ken Roan, Tom Bowes, George Bartley, Jr., Donald Franson, Lisa Hovies, Stan Wallace, Tim Weight

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

Minutes of July 14, 2009 meeting were approved by motion of Gutshall with the addition of a line in Item #4 stating-- Gettig said he would provide a copy of the PennDOT fill request form with the liability information. Aberegg 2nd Aberegg- Yes Gettig – Yes Gutshall – Yes (correction was also made to the previous minutes as requested)

Public Comments:

Herb Chapman asked about the letter from Attorney Bryant stating that Chapman's complaints were turned over to the District Attorney's office. Why would your solicitor the township solicitor send me a letter stating that when it is a lie? What are you trying to cover up? Aberegg asked what he was accusing our solicitor of. Secretary was requested to have the solicitor handle the matter by contacting Mr. Chapman.

Old Business:

1. DEP Permit has been received. Form to be completed when the project is completed is in the office for filing with the U. S. Army Corps of Engineers this form is not to be finalized until all the work is completed at Walnut and Slaughterhouse per e-mail from Don Franson. Slaughterhouse will not be completed until 2010.
2. DCNR grant has been approved. Final paperwork has **NOT** been received this date.
Gutshall discussed the previous grants that were received and sent back may be why Marion Township is having trouble getting grants. Approximately \$150,000.00 was lost for the Park at that time. Aberegg stated that this time we would go by what the Engineer tells us to not lose any money this time. Gutshall wanted to know what happened to the previous money. Aberegg stated ELA never gave the bid package to the Township. He and Henry Kohnlein were there when the judge ruled in ELA's favor as the township owed ELA \$20,000.00 that was not paid to them. Aberegg stated we are not going to rehash this issue. Gutshall stated he would have someone else look into it.
3. Tom Bowes handed out the latest report from Howard Fire Company. More vehicle accidents have happened recently. The MOU has not been signed by Walker Township at this time. The fire Chiefs are working out the matters with 911 dispatches so the appropriate company is called. Sand Ridge, Forest Avenue and the Quarry are the areas needing clarification. Gettig stated he had heard thru the grapevine 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 to see that 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." Gettig also stated that someone from the Bellefonte Fire Company had called down here and asked for a letter on this and it has never been received. **As secretary I do not know of any call that was received from either of the two Bellefonte Fire companies or the Bellefonte Borough concerning this matter that I did not respond to.** Motion was made last meeting to sign this MOU and Gettig voted NO on it. He will not sign it for the reasons above. Aberegg stated that we do not pay Clinton County anything and they are responsible for ½ of I-80 in Marion Township. Aberegg and Gutshall both signed the MOU with Howard Fire Company and Howard will be taking it to Walker Township for their signatures.

New Business:

State Trooper Scott Thomas the Community Service Trooper and referee for this evening. He goes to all school districts in the areas and does programs for the children. Rockview number is 355-7545. Since January 1st they have responded to 83 incidents in Marion Township. Zero burglaries, 3 thefts, 3 assaults and 2 criminal mischiefs. Did not have specifics on the incidents. He explained the difference between criminal mischief and theft vs. burglary. Difference is whether it is taken from outside the property or inside a building. Others were traffic incidents. Gutshall asked about the HB 1500. Trooper does not know what the state will really do on this. It is derived from some high incident areas in the South of PA that refuse to have their own police force. Roan asked about three things: 1. Signs being paint balled and heavy objects being thrown at our signs. 2. Speeding on Sand Ridge and Hubler's road ridge and Jacksonville Road is terrible. 3. I-80 is very big problem. Stop signs should be Yield because traffic does not stop at the signs. Trooper explained how he stops and gives citation where people go through the stop signs and he flags them

in and can write citations all day long. He handled the most recent accident where it is alleged a person ran through the stop sign. Any one using that area must have eyes everywhere to look out for the other person. State Police are very aware of this issue and it is a problem that PennDOT must deal with. He will take the issue back to his Supervisor. He has asked them to have the signs painted on the roadway and flashing signs about stop ahead. Stan Wallace commented on the directional lane signs being taken down and people not knowing where they are to go. Trooper stated that many people do not know where to go and are making turns at the incorrect roads.

1. Nittany Valley Joint Planning Commission (NVJPC) – Gutshall stated we need to discuss with the NVJPC what is to be done with the betterment of entire Route 26 thru to Route 150 and see how this stands. Dillon was going to speak to the NVJPC about this. Dillon stated he had spoken to Sue Hannagan and Bob Jacobs and they needed to know what was going on from Marion Township on the Comprehensive Plan. Aberegg stated it would be a mistake to drop out of this organization. Aberegg said we should attend the next meeting. A date has not been set up for the next meeting at this time.
2. Park & Rec July 1, 2009 Minutes – Aberegg asked why 5 trees were taken down. Roan stated they were dead. Dennis Burd took them down and he will replace them. **Aberegg made a motion to pay the \$90.00 to TruGreen to spray to relieve any insect damage on the trees at the Park. Gutshall 2nd Aberegg- yes Gettig – Yes Gutshall - Yes** Roan will contact Burd to see when the trees will be replaced and we will have all done at the same time. Franson discussed the grading, play tot structures, etc. He passed out the information on the grant asking for \$105,500 and we are to receive only \$79,650. Approx. an 80% grant. He anticipated the completed cost being \$148,000. We will be required to have at least 2 handicap parking spaces not really addressed on the original grant. Discussion on that at the Park & Rec meeting where this can be placed. Possibly Hanson can give us some of the stone needed. For the grant application we must do the play tot structures and grading. We should hold off till we get the money for sure before moving ahead. Engineering is at a stand still till the money is received. Roan turned in \$162.50 from the Coke machine at the Park. Secretary will put the money into the Park funds for their use. A second order of product was delivered today.
3. Zoning Report for July 2009 – Discussion on changing the Private Burial/Cemeteries ordinance. Private burial should be allowed on A-1, A-2, C-1, and R-2 only. Aberegg read how the Ordinance should be changed to read. **Aberegg made a motion to amend the ordinance to the above districts. Gutshall 2nd Aberegg – Yes Gettig – Yes Gutshall – Yes.** Secretary is to call Sue Hannagan about this Ordinance change to be sure how this will affect the NVJPC we belong to. Determine the best way to make the changes. Aberegg gave some census material he received to Tim.
4. Head Roadmaster Report July 2009 – Letter to CCMPO and PennDOT requesting that Lick Run Bridge be improved was discussed. **Gutshall made a motion to send the letter as presented. Aberegg 2nd Aberegg – Yes Gettig – Yes Gutshall – Yes** I have not received anything on the “Fill Request Form” as to wording changes incorporating liabilities. Gettig will see that this is brought/sent to the office by next week we cannot duplicate this form. Archie will cut it so the secretary or any one cannot duplicate it. Secretary mentioned the call from Mike Baglia relating to the traffic study completed. Baglia stated that Kevin Kline of PennDOT had requested this study. Usually a Legislator requests these studies. Call Baglia and determine why it was requested and exactly where it was done, etc. Gutshall stated it was our responsibility to purchase speed limit signs. Franson stated that it should not be the responsibility of the Township if we did not request the study for speed limit changes. Operating Procedure was read by Gutshall to be approved at this meeting. **Gutshall made a motion we accept this operating procedure. No second.** Gettig would like the wording be changed to the PennDOT form and should go to the attorney first.

Note on road salt: We are signed up with Co-Stars to purchase road salt 200 tons. (Must take at least 60% and can get up to 140% of the total requested) According to the contract from Co-Stars we will be purchasing from American Rock Salt and the cost will be \$64.48 a ton. Also I have a price from Cargill for 75 tons at a cost of \$76.95 per ton. We do not need to purchase anything from Cargill only from Co-Stars.

I have not had any further response from Bellefonte PennDOT office on the bucket truck to place the overhead signs on the bridge? It was asked of Bellefonte PennDOT many months ago to have the sign placed. Gettig stated to call Mike Fay of Bellefonte PennDOT 933-1617 to determine who is to replace this sign.

Lori Shope complaint was address and the letter sent to her distributed to BOS.

Tar Buggy was sold in the past. We now need to repair roads with tar. Gutshall purchased a MA10 Melder applicator to do this at a cost of \$1,050.00. Gettig noted that Head Roadmaster is limited to a purchase of \$1,000.00 only. **Gutshall made a motion to purchase the tar buggy. Aberegg 2nd with the stipulation being added that the Head Roadmaster is limited in the future to purchases of \$1,000. only. Aberegg – Yes Gettig – No Gutshall Yes**

Gutshall stated he had quotes on the generator/welder that was discussed at the last meeting. All quotes for the same 10,000-watt generator/welder. Sears is \$2,749. Triangle \$3,585. Tractor Supply \$2,999. Sam’s has nothing to qualify. Aberegg asked if we do not have a welder in the shop. Gutshall stated we do not have one. Gettig asked for pictures and quotes in writing. Gutshall will have the quotes and pictures for the next meeting. Welder was not discussed at the last meeting and the BOS want to see the pictures of the equipment.

Sign replacement will be completed for the township by January 1st, 2010.

Slaughterhouse Road cost was \$2,039 to complete. Estimate was \$6,020. Saving \$ 3,981.00 and Walnut Ridge Road cost was \$5, 267.00 and estimated cost was \$11, 803.00 saved \$6,536. This does not include blacktop replacement at this time. Gutshall will see about bids for this. Gettig stated that our township rep Kenepf could give us estimates at no cost and write the bids also.

Excellent township road crew and will have 2 more CDL drivers in the next few months.

Gutshall asked about renting out the boom mower to other township. Gettig said he believed all along we should have been renting it out and receive some money on it. Wants our operator to go with it also. Gutshall will determine the costs for usage.

George Bartley, Jr. discussed the bus turn around/stop on Sunset Drive. Bus will go in the afternoons only for 7 elementary children. In the wintertime it is too dangerous because of the turn being made onto the Ridge. Some brush is to be removed for better visibility.

5. Planning Commission Minutes for July meeting – No action to be taken
6. Centre County Solid Waste June 2009 report – FYI No action needed
7. CCMPO information on State Transportation Commission dated July 24, 2009 - Gettig suggested secretary send something on this to Nolan Ritchie for the twelve-year program. The 2 letters we have submitted to CCMPO should be sent to Mr. Ritchie. Contact Sue Hannegan to be sure how to handle this. **Aberegg made a motion that the Secretary send the letters we have sent to the CCMPO concerning work needing to be completed on Jacksonville Road and also the letter addressing Lick Run approved earlier for the twelve year plan. Gettig 2nd Aberegg – Yes Gettig – Yes Gutshall - Yes**
8. Centre County Planning Office letter of July 17, 2009 - Nittany Farms Subdivision Final Plan approval. Also the DEP storm water plans. Planning Commission looked at this at the last meeting and Brian requested the lieu in fee is addressed on the final plan before it is signed by the BOS.
9. ACT 32 Earned Income – Letter sent to County Commissioners appointing Brian McCauley as Marion Township voting delegate. No action needed
10. Ordinance # 2009-64 to increase Fee-In-Lieu. Ordinance was signed at this meeting and is in effect.
11. Letter from Mike Hanna –Attorney Bryant response to the letter. See guest’s comments above. Secretary will contact Attorney Bryant and ask him to call Chapman.
12. Gypsy Moth News- No action taken.
13. Letter from Rep Kerry Benninghoff to Centre Hall Borough concerning HB 1500. Centre Hall Borough letter sent in response. Aberegg made a motion the secretary should send a letter identical to the Centre Hall Borough to the same people she did. Gettig 2nd Aberegg- yes Gettig – Yes Gutshall - Yes
14. Phone calls received by Secretary and passed on to the Head Roadmaster from May thru July 2009. –No action needed
15. PSATS Information on State Budget Cuts – **Aberegg made a motion the secretary send e-mail in support of Congressman Kanjorski legislation. Gettig 2nd Aberegg- yes Gettig – Yes Gutshall - Yes**
16. PA Clean Ways – FYI No action needed
17. Second round of Septic Pumping – Stan Wallace was asked to review the John Glossner problem by Gutshall. See if there is anything that can be done to help him out. Possibly some adjoining land to put a septic system on. Stan will look into Glossner’s situation. Secretary has sent the certified letters giving them the 15 days. Last time SEO handled it before I sent to the magistrate. He is willing to do this. Stan will contact the 5 non—complaint residents. **Aberegg made a motion that the SEO contact the 5 people and see what he can do to get compliance. Gutshall 2nd Aberegg – yes Gettig – Yes Gutshall – Yes** Stan addressed the issue of reimbursement. The state has not reimbursed for 2008 and will probably not for 2009. Some of his other townships are not using the reimbursement program and the total cost would be billed to the resident. Secretary was asked to get the past three-year cost expended and the reimbursements received to present to the BOS. Gettig suggested changing the ordinance to every 5 years. Tom Bowes stated that every 3 years would be required from here on by the state if regulations were passed. What we have now would keep us under the radar.
18. Letter to Ilene Barner for donation of map cabinet – FYI No action needed

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 July 9th through August 6th, 2009. Check numbers and the amounts are on the listings and it will be included with the official minutes for filing.

Aberegg stated that income is down by \$3,000 according to the budget. Gettig asked about the cost of the pipe and stated that we should request bids from others besides Bradco. He was not sure of the name of the other company possibly Conoco he had used in the past but they were much cheaper than Bradco.

Aberegg made a motion we accept the treasurer’s report and pay the bills. Gutshall 2nd Aberegg- yes Gettig – Yes (with above comment that we should have had bids on the pipe.) Gutshall - yes (Secretary was under the impression that only items over \$4, 000 must be bid per township code. Although quotes are gotten for the gas and diesel fuel each time a delivery is needed.)

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

General Payroll ---\$116,977.59 (does not include Park \$)	Park \$ in General Fund --- \$347.07
PLGIT General ---- \$63,445.73	State Equipment \$ = \$5,450.09 SPLGIT State --- \$53,384.21

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

Meeting held August 11, 2009 adjourned at 9:28 p.m.

Respectfully Submitted,

Ellie Trulick, Secretary/Treasurer

Jack Aberegg, Chairman

Archie Gettig, Jr., Vice Chairman

Ray Gutshall