

## NOVEMBER 20, 2017 SUPERVISORS REGULAR MEETING

The Polk Township Supervisors met for a Regular Meeting, Monday November 20, 2017 at 7:00pm at the Municipal Building, 165 Polk Twp. Rd., Kresgeville, PA. Supervisors Brian K. Ahner, Michael D. Hurley, Carl S. Heckman, Solicitor James V. Fareri, Engineer Russell R. Kresge, Jr., Zoning/Codes Officer Gerald Zurat & Treasurer Beverly A. Christman were present.

### PLEDGE OF ALLEGIANCE

**MINUTES:** Hurley moved to approve the 10/23/17 Regular Meeting Minutes; seconded by Heckman. Vote, 3-0. Motion carried.

**CORRESPONDENCE:** MCPC 11/14/17 agenda & 10/10/17 minutes.....CJERP 10/26/17agenda & 9/28/17 minutes.....PSATS Week in Review 11/3/17; 10/27/17; 10/11/17-casino resolution.....DEP 10/31/17 letter on Cramer's... COG 10/30/17agenda & 9/25/17 minutes... MCCD report #14 on "The Woods"....FEMA Resilience Report...Shiffer Bituminous-10/20/17 Report.....11/8/17 Twp. letter thanked Camp Harlam on drainage changes.....MCCD Report #10-Dollar General...DEP 11/6/17 letter-Aqua PA Plan.....11/7/17 DEP letter approves "The Woods" NPDES permit...11/9/17 DEP letter approves Kleintop/Costello Planning Module Waiver.

### REPORTS:

**Polk Twp. Vol. Fire Co. Chief Tippett:** Calls: Oct- 8; Nov.-13; YTD-174.....Alex Curcio has completed his firefighting training and is a new member.....50/50 raffle tickets are available and the drawing will take place at the Santa Breakfast on 12/17/17.....The firetruck, fire-police & Santa will be available for the Twp. tree lighting...The new truck hoses obtained with LSA funding have been received. Old hoses will be donated.

**West End Ambulance:** Calls in Oct-47. The ambulance crew will be teaching CPR, AED, and safety training to the Twp. employees on 11/21/17.

**Treasurer Christman:** **Income**-\$81,027.62. **Bills**-\$208,499.92. Heckman moved to pay the Bills; seconded by Hurley. Vote, 3-0. Motion carried. **10/23/17 Report:** Total General Fund-\$1,363,990.14, comprised of: [PLGIT-\$305,417.16; Checking-\$424,246.23; Payroll-\$32,906.32; ESSA account-\$601,420.43.] Highway Aid Fund-\$321,686.27. All Funds Total: \$1,685,676.41. Total Escrow Funds-\$48,279.01, comprised of: [Driveway-\$16,090.11; Camp Harlam Girls Septic-\$2,001.66 & Detention Basins-\$30,187.24.] Ahner moved to approve the 11/20/17 Treasurer's Report; seconded by Heckman. Vote, 3-0. Motion carried.

**Roadmaster Ahner:** The roadcrew crack-sealed Upper Greenhill Rd. and is patching potholes. A new type of cold patch holds up better. Five loads of salt were delivered & the trucks are ready for winter weather. Employee Glenn Green injured his knee and will be out for 8 weeks. Klingel's Tree Service removed dangerous trees along Smith & Lower Middle Creek roads, upon approval of the property owners.

**SolidWaste/Recycle:** Tire, metal & plastics were hauled. The state has agreed to fund recycling programs.

**Secretary Toner:** Information on the new PPL meters & routers and the Spotted Lantern Fly is available. The County Reassessment program has been extended to 2020. The 20<sup>th</sup> tree lighting at the Veteran's Memorial is 12/10/17 at 5:30pm. Baumgartner Tree Farm is donating 20 trees that will be decorated by the community.

**Solicitor Fareri:** Ahner discussed the stone structure over Middle Creek on Dorshimer Rd. Fareri's 10/24/17 letter provided an opinion. It does appear that the Township accepted the bridge although it is not specifically called out in the turnback agreement. PennDOT states they have no record of maintenance or work at the site; therefore, the Township has ownership. Fareri Ahner believes it is a County Bridge. Fareri will look into the matter, since there is no proof of ownership.

**Codes/Zoning Officer Zurat:** Report #11 (10/24/17-11/20/17) Permits-35/ YTD-414...Inspections-14/ YTD-223....Homes-YTD-6...Right-to-Know-1/ YTD-11...Complaints-6/YTD-71...Eighteen code issues included: 7 lack of permits; 2 animal problems; 4 illegal vehicles; 2 solid waste; 1 burning; and 1 renter. PPL's 11/1/17 letter requested building permits include a requirement that no work may take place in PPL rights-of-way.

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**Parks:** Evan Bond, from B.S. Troop 98 was recognized for the time he spent at the Nature Park on an Eagle Scout Project which included: sanding and painting the picnic tables; a new stone base path to the dock and stone under the tables at the pavilion; power washing the dock & ramp and safety strips on the ramp.....The trail-markers; property ID & boundary markers; handicap parking; and regulation signage paid for with a county open space grant have been posted.....Brian Rogers & Nanci White from Lehigh Valley Center for Independent Living visited the Twp. and provided development ideas and resources for grants. The LVCIL task force meets at the Polk School and is looking for volunteers.....The Board agreed with Heckman's suggestion to create a Township Park Committee.

### PLANS:

**Richard & Suzanne Vence & Polk Twp. Minor Subdivision & Lot Line Adjustment:** (PC had recommended granting waivers and approval with contingencies.) The Board was in receipt of MCPC's 11/8/17 Review; Kresge's 11/2/17 Review, and Surveyor Jonathan Shupp's 11/15/17 waiver requests. Ahner provided background on the purchase of a strip of land to be annexed onto the Community Walking Park next to the stream. Kresge's comments have been addressed. Fareri addressed the hatched area on a portion of the Vence property with unclear title. The area to be annexed is not affected, but a note must be included on the Plan. Heckman moved to grant waivers to SALDO Sec. 404.2.S on wetlands and Sec. 401.1.C & 404.3.H on surveyor certification requirements. Seconded by Ahner. Vote, 3-0. Motion carried.

Ahner moved to approve the Richard & Suzanne Vence & Polk Twp. Minor Subdivision & Lot Line Adjustment Plan contingent upon the addition of the note: " By approving this Plan, Polk Township does not certify ownership of the hatched area depicted on Lot 2 ". Seconded by Hurley. Vote, 3-0. Motion carried. The agreement of sale, previously approved by the Board, has been signed by the Vences and the Board. Fareri will handle the transaction and recording, after which the Plan may be recorded.

### OLD BUSINESS:

**Dotter's Creek Bridge over Hell Hollow Rd. Change Order No. 5 & Payment Request:** Kresge reviewed progress and recommended the Change Order. Ahner moved to approve Change Order No. 5 which deducted \$1,750 from the contracted amount due to items 29 & 30 not being necessary and a time extension to Dec. 18<sup>th</sup>, 2017. Seconded by Hurley. Vote, 3-0. Motion carried.

Kresge has reviewed & certified payment # 3 with a retainage fee of \$6,819.56 with a request for Grace Industries to move rip rap; compact the shoulder; and resolve a drainage issue on the road shoulder. Ahner moved to approve Grace Industries Payment Application No. 3 for \$46,937.11 for the construction work at the Dotter's Creek Culvert/Bridge over Hell Hollow Rd. Second by Hurley. Vote, 3-0. Motion carried. Signage has been added & the bridge is open.

**Proposed SALDO & Zoning Amendments:** The drafts were available for review. The PC reviewed the drafts and recommended another minor change to the SALDO on plan requirements. Ahner moved to forward the SALDO amendment draft upon the addition of the plan requirement change and the Zoning amendment draft to the Monroe County PC and CJERP for review comments. Seconded by Hurley. Vote, 3-0. Motion carried.

**Ordinance 2017-06-Restriction of Trucks on Twp. Roads:** The Ord. was available for review & had been advertised 11/9/17. Signage has been erected. Ahner moved to adopt Ordinance 2017-06 which will restrict truck traffic on the following roads: Carney, Haney, Burger Hollow, Lower Middle Creek, Floyd, Dorshimer, & Long Mountain. Seconded by Heckman. Vote, 3-0. Motion carried. Noted earlier in the meeting was DEP's 11/15/17 letter that denied DTA Alliance's application permit to reclaim a sand quarry which would produce extensive truck traffic. The Twp. had previously sent a letter to DEP in regards to the proposed project.

**Middle Creek Bridge Repair:** Grace Industries had provided the estimate, but will not begin the work, unless the Township provides a contract. Kresge has a template which will help the Township formulate a contract.

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**Codification of Township Ordinances:** Previously the Board had approved General Code, a Costars supplier, for codification of the Township Ordinances. The final contract agreement had been received, but the amount was \$1,000 higher than the preliminary quote due to the number of ordinances that had been forwarded. Hurley moved to enter into an agreement with General Code to codify the Township Ordinances at a cost of \$15,500.00. Seconded by Ahner. Vote, 3-0. Motion carried.

**NEW BUSINESS:**

**Letter of Resignation:** Codes & Zoning Officer Gerald Zurat's 11/14/17 letter stated his last day of employment will be 1/31/18. Ahner moved to accept the resignation of Gerald J. Zurat to be effective 1/31/18; seconded by Heckman. Vote, 3-0. Motion carried.

**Hiring of Codes & Zoning Officer:** The position had been advertised in local papers and on a job search website. Numerous applications had been received and the Supervisors had conducted interviews. Heckman moved to hire Justin Burker as the Polk Township Codes & Zoning Officer effective November 10, 2017 for a 90-day trial period at a salary of \$20.00 per hr. for a 35 hr. work week, without benefits at the present time. Seconded by Ahner. Vote, 3-0. Motion carried.

**Proposed Ordinance Amendment to Sec. 6, Schedule A of Ord. 2011-01:** Toner relayed that the ordinance on recycling has a section which lists the type of items that are recycled at Polk Recycle Center; however, there are constant changes to the list. Fareri agreed that Sec. 6, Schedule A would be better handled as a resolution to allow for changes. Heckman moved to authorize Fareri to prepare an amendment to Ord. 2011-01 to provide for item lists to be changed through resolution and to advertise the amendment. Seconded by Ahner. Vote, 3-0. Motion carried.

**HB 1620 and Proposed Resolution 2017-03:** PSATS, Smithfield Twp. & COG had provided information on the House Bill which would allow wireless devices in the rights-of-way, which would take authority away from local entities. Heckman moved to adopt Resolution 2017-03 opposing PA House Bill 1620 currently in committee. Seconded by Ahner. Vote, 3-0. Motion carried. The Resolution will be sent to committee members.


**Residents & Taxpayers:** Resident Robert Andre asked for an update on Union negotiations. Ahner replied that the Board had provided a final proposal. The proposal from the teamsters was not acceptable to the Board and there has been no communication since that time. Touni stated that the Teamsters are willing to talk over the issues & additional meetings with a mediator would be helpful. Attorney Heimbach will be contacted.

Bruce Feller questioned progress on the 9/26/17 letter sent to Colin Berger at 232 Dorshimer Rd. requesting compliance in regards to illegal vehicles. Zurat informed Feller that a Notice of Violation was sent 11/17/17. Terri Mahala continued to discuss the Berger property and mistreatment of cows that live in filth with no shelter or bedding and little food and provided a picture to the Board. She has contacted an animal agency, with no result. Feller reiterated the problems of smell, flies, and growing debris. The Twp. will follow-up with the Humane Society Police Officer (570-476-1464).

Neal Murphy suggested the Board consider adopting a weed ordinance. Fields should be mowed at least 2 times a yr. to stop the spread of weeds & for general tidiness. The Board & Fareri agreed to look into ordinance samples. Murphy also stated that the amount previously approved by the Supervisors for his services to cut the Township's 4-acre field, was much less than quoted, since he only charged \$360.

As there was no further business, Ahner adjourned the Regular Meeting at 8:19pm.

Respectfully Submitted,

  
Ruthanne Toner, Secretary