

## **MARION TOWNSHIP SUPERVISORS MEETING March 9, 2010 at the Township Building**

**Present:** Jack Aberegg, Ray Gutshall, Kenneth L. Roan and Ellie Trulick

**Guests:** Herb Chapman, Tina McCauley, Brian McCauley, Orié Hanley, Dave Sandy, Scott Rhoat, George Bartley, Jr., Willard Truckenmiller, Donald Franson, John R. Dillon, A. G. Gettig, Jr., Henry Esh, Jakie P. Esh, Tim Weight

**Call to order at 7:00 p.m. followed by Pledge of Allegiance**

**Ken Roan made a motion to accept the minutes of February 9<sup>th</sup>, 2010 meeting. Gutshall 2<sup>nd</sup> Aberegg- Yes Gutshall – Yes Roan - Yes**

**Gutshall made a motion to send a Thank You to the County Commissioners for the \$10,000.00 grant received by Marion Township. Roan 2<sup>nd</sup> Aberegg- Yes Gutshall – Yes Roan- Yes**

### **Public Comments:**

**Herb Chapman** asked where the wood had been taken that was cut down along the roads referred to in the Newsletter. Any person can fill out the form and have the wood delivered. It will be taken to the closest resident to the cutting area.

**Archie Gettig, Jr.** stated that on December 16 he had received a letter from the State Ethics Commission stating no problems were found. Gettig asked Aberegg if he had received the letter. Aberegg stated he had not received such a letter. This was not a Township issue. Gettig will forward a copy to him for reference.

**Scott Rhoat**, Executive Director of the Bellefonte EMS spoke to the BOS and passed out some information concerning responses in Marion Township. He explained the difference between Quick Response (Howard Fire Company) and the Emergency Medical Services. EMS is full life support and transport. QRS cannot transport. Marion Township is covered from I-80 to the Hublersburg Ridge Road/Route 26 intersection. 91% of their budget comes from fees for services and they sell memberships. Fleming/ Goodwill Fire Company covers Nittany Ridge end of the Township. Secretary is to contact Norm Spackman @ 355-6800 to get a map of the EMS and QRS coverage for Marion Township. Scott left a suggested Resolution to be adopted if the Township so desires. He is willing to come and meet and discuss this again if needed.

### **Old Business:**

1. Don Gallagher—Due to the circumstances it was decided to not pursue this lawsuit any further. Secretary will notify Magistrate Hoffman's office of that decision.
2. Glossner Property - Stan Wallace and Brian McCauley are working on this issue with the County of Aging.
3. Bellefonte Fire Company. Information from Roan on the meeting held February 24<sup>th</sup> a facilitator is being discussed for the next meeting Marion Township is not in favor of that additional expense. Aberegg recommended we stay with the Shared Services (Benner and Spring) for now to see what may happen next. The 1% fee is still what we are to be charged by them. If cost gets out of line we will make a decision to use Milesburg or someone else at that time. Roan wants the residents taken care of and they are through 2010 as Marion Township has paid the billing received.
4. Bob Mann from Howard Fire Company was unable to attend. (Secretary had a voice mail from him the next morning stating he had a sick child and did not believe he could make it.) Howard/Walker and Marion Township have signed the MOU Addendum.
5. Parking Ordinance was tabled until a later date. The issue was in the Newsletter. Gettig stated that he used to put a note on the windshields and then the State Police could be called. Aberegg recommended that the 3 supervisors, Planning Commission, and Zoning Officer all write a proposed Ordinance between now and the next meeting.

### **New Business:**

1. Nittany Valley Joint Planning Commission (NVJPC) – No information.
2. Park & Rec – Updated Operating Procedures and Community Service Application ready for final approval. Attorney Bryant has approved these forms to be used. Roan presented the Bellefonte Area High School form to be completed. Waiver form will be completed by Gutshall and then presented to Attorney Bryant for approval before acceptance. Don Franson presented his map for grading of the 2 play tot areas and ADA pathway. It is less than 1 acre and no permit is needed. Don presented the latest cost which is approximately \$64,000 + engineering fees. He feels the township could do this work without putting anything out to bid. He recommends the current plan being submitted to DCNR for approval to being work. **Roan made a motion to accept Franson's plan and present to DCNR. Aberegg 2<sup>nd</sup> Aberegg- Yes Gutshall- Yes Roan – Yes**
3. Zoning Report for February 2010 – Metzler's LOC extension was received by Tim. Gutshall is to be inspecting the roads for any damage done by Metzler trucks. Planning Commission, McCauley, is still working on the additional fees for extension of permits to coincide with the County fee schedule. Aberegg recommended we look into the adoption of a Well Ordinance similar to Spring Township. Township should receive a fee for every well drilled, bore holes, geothermal, etc. All must have grouting to prevent ground water from getting in. Proof would

be from the driller to show items purchased. Marcellus Shale trucks may do damage to the Township roads but probably no drilling in the Township. Outdoor Furnaces were mentioned and will abide by state laws for now. Hold off on any Ordinance for now.

4. Planning Commission Minutes for February meeting – A resolution on the Mitigation is needed at the May meeting information should be received in April from Randy Rockey on this matter. NIMS- who is taking charge of this in Marion Township Aberegg was the last person in the Township. **Aberegg made a motion to pay mileage and hotel room for EMA coordinator, Jerry McCloskey, for his EMA activities. Gutshall 2<sup>nd</sup> Aberegg- Yes Gutshall – Yes Roan - Yes** Secretary to contact Randy Rockey on who is responsible for the NIMS.
5. Head Roadmaster – Aberegg made a motion to accept Resolution #2010-4 in the original form. Gutshall 2<sup>nd</sup> Aberegg – Yes Gutshall – Yes Roan -No Work will not be balanced. Gutshall met with Kenep and he will determine who is responsible to replace the pipe at Weights Lane. Grader was discussed and the final cost was \$2570.06 per a justification presented by Gutshall. Roan asked about documentation for the three quotes included in Gutshall’s justification. No quotes were produced. Grader is now completed. Gettig asked what was wrong with the engine. Head gasket was broken, vapor locked, etc. Discussion of whether this was discussed at a meeting. It was talked about at a budget meeting but this was not in the minutes. Gettig stated that this is the second time that Gutshall has over spent his allowance of \$1,000.00. **Aberegg made a motion that the next time the Head Roadmaster spends more than the \$1000.00 he is to be removed as Head Roadmaster. Roan 2<sup>nd</sup> Aberegg- Yes Gutshall – Yes Roan – Yes** Gutshall then discussed the propane tanks and his meeting with K & W and they would give us a cost of \$1.74 per gallon. Dillon recommended looking up Bell-View pipeline on the Internet for a cost. Gettig stated we need to be sure and look at our liability for the tanks in proximately to the building. We have 3 tanks now. Secretary will call the insurance company to determine liability. Roan mentioned how much propane we have used in the past 3-4 months. Roan stated the front end on the backhoe has been damaged for couple months; he placed a note on Feb 11<sup>th</sup> and wanted to know when it would be repaired. Both trucks have been sitting out there full of salt and have just been emptied and cleaned up. Gettig never left a truck sit out there full of salt for weeks or months. The new truck must be taken care of. Gettig asked about how the old truck will be put up for bid. No decision has been made at this time. We may put with Asset Auction on line. There will be more than a notice on the door as is the proper bid procedure for anything over \$4,000.00.
6. Centre County Solid Waste January 2010 report – No action needed
7. Centre County Conservation District letter dated Feb. 3 to Gregory & Shawnie Butts – No action needed Letter from County Planning to Butts’s dated Feb 17. – No action needed
8. Centre County Planning and Community Development Office letter to U Design – 7<sup>th</sup> Extension of time. No action needed
9. Centre County Planning and Community Development Office letter to Nixdorf – 6<sup>th</sup> Extension of time. No action taken
10. Mathers & Stapp, P. C. letter with a proposed Deed Dedication - Proposed deed dedication for Two Mile Road extension. Will need a Resolution to accept and then contact Matt Kenep and make the final determination.
11. Letter from Bellefonte Borough dated March 2010. – Requesting Zoning Amendment on churches permitted use. No action needed.
12. Notice of early distribution of Liquid Fuels Funds- Received check into PLIGIT State Fund 3/1/10 \$26,170.85 No action needed.
13. Walker Township acceptance of the 2009-2010 Agreement - No action needed at this time.
14. Walker Township Fire Company – Reports showing deposit of funds and equipment loan payments. No action needed
15. Bellefonte Volunteer Firefighters Relief Association report - No action needed
16. Letter from PennDOT dated February 8<sup>th</sup> concerning a traffic study on Slaughterhouse Road - Secretary to contact PennDOT that Slaughterhouse Road will be shut down for repairs in July.
17. EMC Position – Jerry McCloskey has agreed to take over this position again.
18. Bellefonte Emergency Medical Services – Ken and I attended this awards dinner. It was very informative and well worth Marion Township attending. Executive Director, Scott Rhoat attended this meeting (see Public Comments). Ellie and Ken thanked Mr. Rhoat for extending the invitation to Marion Township.
19. Centre County Association of Township Officials - County Association dues are due and a donation if desired to the Scholarship fund. **Roan made a motion to send \$100.00 to the CCATO for the Scholarship Fund. Aberegg 2<sup>nd</sup> Aberegg- Yes Gutshall – Yes Roan - Yes**
20. Roan received a letter from Rep Hanna confirming his attendance at the reception and Roan meeting on his schedule at PSATS convention. Benninghoff will also see us down there per verbal from Harrisburg. Roan has not heard back from Corman’s office.
21. Meeting on Tuesday, March 16 sponsored by Allegheny Power to address Energy Savings – Roan will attend this meeting.
22. Quote for the following items delivered were received from Hanson Aggregates and Glenn O. Hawbaker, Inc.:  
Contracts need to be signed for the company whose bid is accepted.  
**#6 Anti Skid** -- Hanson \$9.25 Hawbaker \$10.60 **2A** – Hanson \$8.90 Hawbaker--\$8.70  
**2RC** – Hanson \$8.00 Hawbaker \$8.10 **4’s (AASHTO #1)** – Hanson \$12.25 Hawbaker \$11.30  
**Limestone Sand** – Hanson \$10.00 Hawbaker \$9.85 **Gutshall made a motion to accept the bid from Hanson. Roan 2<sup>nd</sup> Aberegg-Yes Gutshall- Yes Roan - Yes**
23. Clearwater Conservancy Letter February 22<sup>nd</sup> -- Secretary to contact and see if they need a truck or any help from the Township.
24. Further items discussed: McCauley stated that a letter should be sent to the CCMPO to request Marion Township having a representative on the committee to consider Marion Township as a member of the CCMPO. **Aberegg**

**made a motion to write the letter. Gutshall 2<sup>nd</sup> Aberegg- Yes Gutshall – Yes Roan - Yes** McCauley also wants to have an outside faucet at the rest room this summer. Roan will look into having that done. McCauley stated the zoning officer needs to respond to the residents in a quicker fashion. Zoning officer requested that the secretary contact the phone company to request all calls made to and from the zoning phone. 383-4021. Personal phone number is not his official number and he does not answer zoning calls on that phone. Aberegg stated that the fault is of the resident not calling the correct phone number. Roan asked the zoning officer what the responsibilities are for him issuing a permit. Zoning Officer has 30 days to review that permit and issue it. He has no obligation to issue a final permit until a permit is received by him, reviewed and the fees are paid. The Zoning Officer handled the permit in discussion within 2 days after receipt.

**Treasurer’s Report: (MAR 57-60) 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 February 9th through March 4th, 2010. Check numbers and the amounts are on the listings and it will be included with the official minutes for filing. An additional listing was handed out with checks to be signed dated March 9, 2010.**

Roan asked to see the Bryant & Cantorna, P.C. billing before the bills were approved. Questioned 12/21 billing from Bryant for Supervisor Gutshall meeting with him on ethics. Roan stated that was not ethics it was on the Nittany Farms subdivision issue. Charge of \$27.00. Also the time charged by Gutshall for Nittany Farm Sub-Division and miles charged that day. Roan will not approve to pay this bill as is. This is embezzlement of funds from Township. Other items were noted on time sheets that were for personal gain. Roan stated he wanted to discuss this privately and Gutshall would not allow it to be discussed at the previous Executive Session. **Aberegg made a motion to hold an Executive Session with our Attorney as soon as possible to discuss allegations for legal actions by Supervisor Roan against Supervisor Gutshall. Roan 2<sup>nd</sup> Aberegg- yes Gutshall – Yes Roan - Yes** Secretary will contact Attorney Bryant to set up this Session. Check # 1022 to Montour was for No Lead gasoline not propane as noted on the check detail sheet. Change has been made. Check # 1015 was not mailed for payment due to the above discrepancy.

**Roan made a motion to pay all bills and accept the Treasurer’s Report except the Bryant & Cantorna, P.C. check until it is taken care of. Aberegg 2<sup>nd</sup> Aberegg- yes Gutshall – Yes Roan - yes**

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

General Payroll ---	\$ 619.32	Jersey Shore Park Account ---	\$83,348.98
PLGIT General -----	\$7.24	Jersey Shore/State Equipment --	\$10,686.06
Jersey Shore General ---	\$94,073.57	Jersey Shore State Fund ---	\$54,239.82
		PLGIT State Fund ---	\$945.51

**Aberegg made a motion to adjournment. Meeting held March 9, 2010 was adjourned at 9:10 p.m.**

**Respectfully Submitted,**

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**Jack Aberegg, Chairman**

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**Ellie Trulick  
Secretary/Treasurer**

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**Ray Gutshall, Vice Chairman**

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**Kenneth L. Roan**