

**Organization Meeting Minutes  
January 4, 2016**

The annual organization meeting of Eldred Township was held on January 4, 2016 at 7 P.M. at the Eldred Township Municipal Building at 490 Kunkletown Rd. Kunkletown, Pa. The attendance for the meeting exceeded the building occupancy so the meeting was reconvened at 8 P.M. at the Kunkletown Fire Company, 597 Kunkletown Rd. Kunkletown, Pa.

In attendance were Supervisors Sharon Solt, Mary Anne Clausen and Joann Bush, Solicitor Michael Kaspszyk

The meeting was called to order at 8 P.M.

Pledge of Allegiance

Mary Anne Clausen read the rules for conduct of the meeting

**Temporary Chairman:** A motion was made by Sharon Solt to appoint Mary Anne Clausen Temporary Chairperson, seconded by Joann Bush; motion carried (3-0).

**Chairman:** A motion was made by JoAnn Bush to appoint Mary Anne Clausen as Chairman, seconded by Sharon Solt; motion carried (3-0).

**Vice Chairman:** A motion was made by Sharon Solt to appoint JoAnn Bush as Vice Chairman, seconded by Mary Anne Clausen; motion carried (3-0).

**Secretary / Treasurer:** A motion was made by Mary Anne Clausen to appoint Sharon Solt as Secretary/ Treasurer until her retirement on Jan. 15, 2016, seconded by JoAnn Bush; motion carried (3-0).

**Township Solicitor:** A motion was made by Mary Anne Clausen to appoint Michael Kaspszyk as interim Solicitor until Jan. 31, 2016, seconded by Sharon Solt; motion carried (3-0).

**Special Counsel:** A motion was made by JoAnn Bush to appoint Jordan B. Yeager and Curtin and Heefner LLP Attorney's at Law, Special Counsel for the purposes of advising the Township on the topic of the Nestle' water extraction, seconded by Sharon Solt; motion carried (3-0).

**Engineer:** A motion was made by Sharon Solt to appoint Hanover Engineering as Engineer, at the rates in their letter of Dec. 10,2015 seconded by Mary Anne Clausen; motion carried (3-0).

**Alternate Engineer:** A motion was made by Sharon Solt to appoint Russell Kresge Jr. with the rates in carried dictated in his letter of Dec. 18, 2015 as Alternate Engineer seconded by Mary Anne Clausen; motion (3-0)

**Road Master:** A motion was made by Sharon Solt to appoint Keith Kuehner Road Master, seconded by Mary Anne Clausen; motion carried (3-0).

**Sewage Enforcement Officer:** A motion was made by Sharon Solt to appoint Hanover Engineering with the officers and rate(s) in their letter of Dec. 10, 2015 as Sewer Enforcement Officer, seconded by Mary Anne Clausen; motion carried (3-0)

**Administrative Assistant:** A motion was made by Mary Anne Clausen to appoint E. Ann Velopolcek Administrative Assistant, seconded by Sharon Solt; motion carried (3-0)

**Zoning and Codes Officer:** A motion was made by Sharon Solt to appoint Ellerslie Helm as Zoning and Codes Officer, seconded by Mary Anne Clausen; motion carried (3-0)

**Building Code Official:** A motion was made by Sharon Solt to appoint Marilyn Ludwig or another Hanover engineering professional at the rates in their letter of Dec. 10, 2015, seconded by Mary Anne Clausen; motion carried (3-0).

**UCC Inspection:** A motion was made by Mary Anne Clausen to appoint any certified third party inspector, seconded by JoAnn Bush; motion carried (3-0).

**UCC Joint Board of Appeals Committee Member:** A motion was made by Mary Anne Clausen to appoint Bruce Gower as a Joint Board of Appeals Committee Member, seconded by Sharon Solt; motion carried (3-0).

**Earned Income Tax Collector:** A motion was made to appoint Berkheimer Tax Administrators, as the Earned Income Tax Collector, seconded by Sharon Solt, motion carried (3-0).

**Earned Income Tax Liaisons:** A motion was made by Sharon Solt to appoint JoAnn Bush as Earned Income Tax Liaison and Mary Anne Clausen as the alternate Earned Income Tax Liaison, seconded by Joann Bush; motion carried (3-0).

**Earned Income Tax Appeals Officer:** A motion was made by Sharon Solt to appoint Monroe County Tax Collection Committee as the Earned Income Tax Appeals Officer, seconded by Joann Bush; motion carried (3-0).

**Emergency Management Coordinator:** A motion was made by JoAnn Bush to appoint Gary Hoffman as the Emergency Management Coordinator, seconded by Mary Anne Clausen; motion carried (3-0).

**Vacancy Board Chairman:** A motion was made by Sharon Solt to appoint Ilene Eckhart as Vacancy Board Chairman, motion failed for lack of second.

A motion was made by JoAnn Bush to appoint Gary Hoffman as Vacancy Board Chairman, seconded by Mary Anne Clausen; motion carried (2-0) Sharon Solt abstained.

**Planning Commission Members:** A motion was made by Mary Anne Clausen to appoint Mike Kolba as a Planning Commission Member for a term of 4 years ( expires 12/31/2019), seconded by Sharon Solt; motion passed (3-0)

A motion was made by Mary Anne Clausen to appoint Archie Craig as a Planning Commission Member for a term of 4 years (expires 12/31/2019), seconded by Joann Bush; motion carried (3-0)

A motion was made by Sharon Solt to appoint David Mitchell as a Planning Commission Member for a

term of 3 years (expires 12/31/2018), motion failed for lack of a second.

A motion was made by Mary Anne Clausen to appoint Gary Hoffman as a Planning Commission Member for a term of 3 years (expires 12/31/2018), seconded by Joann Bush; motion carried (2-0). Sharon Solt abstained.

**Planning Commission Solicitor:** A motion was made by Mary Anne Clausen to appoint Daniel Lyons as Planning Commission Solicitor, seconded by Sharon Solt; motion carried (3-0).

**Treasurer's Bond:** A motion was made by Sharon Solt that the Treasurer's Bond be drawn through Travelers Insurance in the amount of \$700,000.00, seconded by JoAnn Bush; motion carried (3-0).

**Employee Bond:** A motion was made by Sharon Solt that the Treasurer's Assistant Bond be drawn through Traveler's Insurance in the amount of \$700,000.00, seconded by JoAnn Bush, motion carried (3-0).

**Zoning Hearing Board Members:** A motion was made by Sharon Solt to appoint Bruce George as a Zoning Hearing Board member for a term of 3 years (expiring 12/31/2018), motion failed for lack of a second.

A motion was made by JoAnn Bush to appoint Charles Ogle as a Zoning Hearing Board Member for a term of 3 years (expiring 12/31/2018), seconded by Mary Anne Clausen; motion carried (2-0). Sharon Solt abstained.

A motion was made by Sharon Solt to appoint Ilene Eckhart as the first Alternate to the Zoning Hearing Board for a term of 3 years (expiring 12/31/2018). Motion failed for lack of second.

A motion was made by Sharon Solt to appoint Bruce George as first Alternate to the Zoning Hearing Board for a term of 3 years (expiring 12/31/2018), seconded by Joanne Bush; motion carried (3-0).

A motion was made by JoAnn Bush to table the third appointment for Zoning Hearing Board Member Alternate as there were no other applications, seconded by Mary Anne Clausen; Motion carried (3-0).

**Zoning Hearing Board Attorney:** A motion was made by Mary Anne Clausen, seconded by JoAnne Bush; to table the appointment of a Zoning Hearing Board Attorney; motion carried (3-0).

**Voting Delegate to the State Convention:** A motion was made by Mary Anne Clausen to appoint JoAnn Bush to be the delegate to the State Convention, seconded by Sharon Solt; Motion carried (3-0).

**Employees- Full Time/Part time Wages/Benefits:** A motion was made by Mary Anne Clausen and seconded by Joann Bush to approve a 2% increase in the wages of the following employees: motion carried (3-0).

A. Wages	
Road master	\$19.67
Road Crew 2 full time	\$17.36
2 part time	\$15.29
Zoning Officer	\$15.29
Administrative Assistant	\$14.48
Maintenance	\$14.77

The Working Secretary/ Treasurer's salary will be determined by the Board of Auditors.

**Benefits:** A motion was made by Sharon Solt and seconded by Mary Anne Clausen to approve the benefits that are outlined in the Employee handbook. Motion Carried (3-0).

Health Care  
Holidays  
Sick Days  
Vacation Days  
Pension Plan

Bereavement

All Other Benefits

Dale Weidman stated that he thought the part time road crew positions should be filled as soon as possible as winter is here.

Vernon Barlieb asked how many hours the zoning officer worked. Mary Anne Clausen indicated that it varied by the workload but his office hours are 12-4, M-F. Vernon Barlieb asked if the Township Employees contribute to their benefits. Mary Anne Clausen said only the Full Time employees receive benefits, they do have co-pays and the pensions are partially reimbursed by the state. The employees pay for any additional benefits such as AFLAC.

**Mileage Rate:** A motion was made by Sharon Solt to adopt the Federal Mileage rate of .54/mile, seconded by JoAnn Bush; motion carried(3-0). Tom Byrne asked if there is a budgeted amount for that. Sharon Solt said there are line items in the budget for mileage for the Supervisors, Secretary/Treasurer and Zoning Officer.

**Volunteer Fire Company Covering Eldred Township:** A motion was made by Sharon Solt to appoint the Kunkletown Fire Company as the fire company to cover Eldred Township, seconded by JoAnn Bush; motion carried (3-0).

**Emergency Ambulance Covering Eldred Township:** A motion was made by JoAnn Bush to appoint the West End Ambulance (caveat by Michael Kaspszyk that it be left to the discretion of the 911 emergency services to dispatch the fastest available responder), seconded by Mary Anne Clausen; motion carried (3-0).

**Monthly Meeting Dates /Time/Location:** A motion was made by Mary Anne Clausen to continue the Supervisors meeting date as the first Wednesday at 7 P.M. in the Municipal Building, seconded by JoAnn Bush; Motion carried (3-0).

**Depositories for Township Funds:** A motion was made by Sharon Solt to continue to use PLIGIT and the First Niagara Bank as repositories of the Township's funds, seconded by JoAnn Bush; motion carried (3-0).

**Open Records Officers:** A motion was made by Sharon Solt to appoint Ann Velopolcek as Open Records Officer, seconded by Mary Anne Clausen; motion carried (3-0).

**Security Officers:** A motion was made by Sharon Solt to appoint the Township Constable and his Deputy or any other Constables as needed as our Security Officers, seconded by Mary Anne Clausen; motion carried (3-0).

**Pocono Mountains COG (Council of Governments) Representatives:** A motion was made by Mary Anne Clausen to appoint JoAnn Bush to the Pocono Mountain Council of Governments as our representative and seconded by Sharon Solt; motion carried (3-0).

**CJERP Regional Comprehensive Plan Committee Members:** A motion was made by Sharon Solt to appoint JoAnn Bush as our Supervisor member; JoAnn Bush declined the appointment.

A motion was made by JoAnn Bush to appoint Mary Anne Clausen as a Supervisor to the CJERP Committee, seconded by Sharon Solt; motion carried (3-0).

A motion was made by Mary Anne Clausen to appoint Robert Boileau as Planning Commission representative to the CJERP Committee, seconded by Sharon Solt; motion carried (3-0).

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**Walter Mock Park Committee Members:** A motion was made by Mary Anne Clausen to table the appointment to the Mock Park Committee until the Committee becomes active again and seconded by Sharon Solt; motion carried (3-0).

**Eldred Township Community Center:** A motion was made by Mary Anne Clausen to table the Community Center appointments due to changes not yet ready for adoption. Seconded by Sharon Solt; motion passed (3-0).

**Adjournment:** A motion was made by Sharon Solt to adjourn the organizational meeting Seconded by JoAnn Bush; motion carried (3-0).

Meeting adjourned at 8:50 P.M.

Respectfully Submitted,

E. Ann Velopolcek

Recording Secretary

Cc: Eldred Twp. Supervisors                      Eldred Twp. Planners                      Solicitor Michael Kaspszyk  
Solicitor Jordan B. Yeager   Solicitor Daniel Lyons   SEO Jacob Schray   Alt. Engineer Russell Kresge  
Monroe Co. Planning Commission                      Zoning Officer Ellerslie Helm

## Eldred Township Board of Supervisors

### Meeting Minutes

January 4, 2016

A meeting of the Eldred Township Board of Supervisors was held on January 4, 2016 at the Kunkletown Fire Company, 597 Kunkletown Rd., Kunkletown, Pa. 18058.

The meeting was called to order at 9 P.M.

**In Attendance:** In attendance were Sharon Solt, Supervisor; Mary Anne Clausen, Supervisor; JoAnn Bush, Supervisor; Michael Kaspszyk, Solicitor

**Public Comments Relating To the Agenda:** Michael Orth had a complaint about a neighbor burning noxious smelling trash. He said he filed a complaint but the problem continues. Dr. Ramon Baker said he has the same problem and also there is sewage seeping into the Chapel Creek. Zoning Officer Ellerslie Helm said he responded to the complaint but could not issue a violation that day because they were only burning wood.

Dawn Barankovich said she thinks a Recycling facility in the Township would be a good idea.

Doug Borger asked if the issue with the propane tanks at the Community Center was resolved. Carey Krum reported that the tanks were picked up that day and the billing was rescinded.

**Approval of the Minutes:** A motion was made by Mary Anne Clausen to table the approval of the minutes of the Dec. 2, 2015 and the Dec. 28, 2015 meetings, seconded by Sharon Solt. Motion carried (3-0).

**Treasurer's Report:** A motion was made by Sharon Solt to approve the Treasurer's Report and seconded by JoAnn Bush. Motion carried (3-0) to approve the January Treasurer's report as follows:

Treasurer's Report:

Balances at January 4, 2016

First Niagara Bank General Money Market	\$ 325,702.88
First Niagara Bank State Money Market	23,219.64
First Niagara Bank State Checking	916.75
First Niagara Bank Business Checking	4019.24

First Niagara Bank Fire Escrow Account		9,832.72
First Niagara Bank Capital Reserve Account		.22
First Niagara Bank DCNR (Parks) Account		21,362.15
First Niagra Bank Community Center Account		7,663.03
PLGIT General Fund	49,015.75	
PLGIT Payroll	3,737.30	
PLGIT Parks/Land		9,765.18
PLGIT Building Maintenance & Repairs		1,525.36
Petty Cash		<u>47.12</u>
	Total	<u>\$ 406,658.68</u>

**Bills for Approval:** A motion was made by JoAnn Bush and seconded by Sharon Solt to approve the General Fund Bills dated 1/4/16 for the amount of \$28,098.39. Motion Carried (3-0).

A motion was made by JoAnn Bush and seconded by Sharon Solt to approve the State Fund Bills dated 1/4/2016 in the amount of \$2,058.44. Motion Carried (3-0).

A motion was made by Sharon Solt and seconded by JoAnn Bush to approve the Community Center Bills dated 1/4/2016 in the amount of \$3,375.51. Motion Carried (3-0).

A motion was made by Sharon Solt and seconded by JoAnn Bush to approve the Form 941 Bill dated 12/24/2015 in the amount of \$1,844.12 and the Form 941 Bill dated 1/7/2016 in the amount of \$2,044.20. Motion Carried (3-0).

A motion was made by JoAnn Bush and seconded by Sharon Solt to approve the State withholding dated 12/1/15-12/15/15 in the amount of \$319.32 and 12/16/2015-12/31/2015 in the amount of \$233.20. Motion carried (3-0)

A motion was made by Sharon Solt and seconded by JoAnn Bush to approve the Payroll for the period ending 12/12/2015 in the amount of \$7,721.62 and the period ending 12/16/2015 in the amount of \$8,251.28. Motion carried (3-0).

**Water Extraction:** Due to the large number of people attending the meeting for the purpose of information and comments concerning the water extraction issue, Mary Anne Clausen moved the discussion forward. Mary Anne Clausen announced that there are two possible dates for the meeting with the DEP and the DRBC. Those dates are January 12, 2016 or January 20, 2016. We are waiting for DEP to schedule a hydrogeologist and someone from Air Quality. There will be an announcement when the date is confirmed.

Solicitor Kaspszyk spoke about an appeal of the Ordinance that was filed by some residents. This appeal is pending at the Court of Common Pleas. Solicitor Kaspszyk described the next steps that will occur regarding this.

Mary Anne Clausen announced that Nestle has filed their application. Solicitor Kaspszyk explained the hearing process, the rights of the public to attend and present evidence, have experts speak and the role of the Supervisors in the process. He then explained the appeals process. The application is available for public viewing at the Township Building during normal business hours.

An opportunity for public comment was announced at this point.

There was a great deal of discussion from various concerned residents about the proposed Nestle Water Extraction plan. All of the residents who spoke were vehemently opposed to the plan. The concerns expressed were related to water volume and quality, property values, traffic and related issues (noise, pollution) and the reputation of Nestle, both in the United States and Internationally. There was also discussion about the well monitoring done by Nestle and observed by Phil Getty.

A motion was made by Mary Anne Clausen and seconded by JoAnn Bush that the Board of Supervisors of Eldred Township advertise the following proposed amendment to its zoning ordinance and schedule a public hearing at 7 P.M. on Wednesday February 17, 2016, to consider the proposed amendment. The proposed amendment is to Section 303 definitions of our Zoning Ordinance:

Water extraction/Bottling: Any use which involves the pumping or removal of water from groundwater sources with or without bottling, for retail or wholesale sale. Considered manufacturing, light for the purposes of regulation by this Ordinance.

Shall be amended as follows:

Water Extraction/Bottling: any use which involves the pumping or removal of water from groundwater sources, with or without bottling, for retail or wholesale sale. Water extraction and bottling shall be considered *industry* for the purposes of this regulation by Ordinance. Motion carried (2-1).

A motion was made by Mary Anne Clausen and seconded by Sharon Solt to have Solicitor Kaspszyk advertise the Zoning Hearing Board Hearing and to send the notice to the Planning Commissions, post Legal Notices etc. Motion carried (3-0).

Mary Anne Clausen asked Solicitor Kaspszyk if the change affected the Shared Use Ordinance and did the change have to be sent to CJERP. Solicitor Kaspszyk indicated that unless Eldred was removing water extraction from its permitted use, (which is not the case, as it would continue to be permitted as Special Exception in the industrial zone) that it did not violate The Shared Use Ordinances and CJERP did not need to be advised of the change. It would need to be sent to the Monroe County Planning Commission and the Eldred Township Planning Commission.

**Road Master's Report:** Keith Kuehner reported that the road crew continues to clean shoulders, the new compressor has been purchased and the quotes are in for the new truck. He also submitted the three quotes:

Milham Ford and Lancaster Truck Bodies:	\$73,363.00
LeVan Truck and Machine:	\$69,774.80
Powell's:	\$73,829.00

Keith Kuehner recommended accepting the bid from Milham as we have worked with them in the past with a good result. All Bids are for a Ford F550 SD, 2016.

(Bids were negotiated by the Pa. Co-Stars program). A motion was made by JoAnn Bush and seconded by Sharon Solt to accept the bid from Milham Ford and Lancaster Truck Bodies to purchase the truck.

**Zoning Officers Report:** Ellerslie Helm reported that he issued one building permit, a total of 8 site surveys and complaints, one for a building, 3 dog complaints, 4 burning complaints (a notice was sent), and a property line dispute. There was discussion about a possible Burning Ordinance because of neighbor complaints about the burning of debris that is noxious and at times of the day when the Zoning Officer is not available. Solicitor Kaspszyk described the complaint process and zoning Officer Helm agreed to continue investigating.

**Eldred Township Planning Commission Report:** There was no report from the Eldred Township Planning Commission.

**CJERP Report:** CJERP did not meet in December.

**Community Center Report:** Linda Kile reported that the Community Center will be sponsoring a Valentine's Day dance on Feb. 13 at the Firehouse. Carey Krum reported that the lock was repaired. Linda Kile asked if the Committee can get estimates to repair the Exterior Kitchen door. The Supervisors answered "yes".

**Kunkletown Volunteer Fire Company Report:** The Fire Company reported that they had 6 calls in December. Solicitor Kaspszyk commented that he had reviewed the insurance policy with regard to the alcohol coverage and the policy was sufficient.

**West End Ambulance December Report:** The Ambulance Association reported that they had 2 ALS 1 calls, 10 BLS calls and 4 no data calls in Dec. for a total of 16 in Dec. and a year end total of 172.

**Open/ Revise Budget:** Sharon Solt reported that the cash carryover for this years' projected budget can be increased by \$100,000.00. In addition, the following changes are being made increase the Attorney for Services and Litigation from \$4000.00 to \$33,579.00 and the Maintenance to Highways (General Construction) from \$129,579.00 to \$200,000.00. Gary Hoffman asked if the Township could do something for the Food Pantry as a great need exists. Mary Anne Clausen answered that that will probably be addressed at the February meeting. A motion was made by Sharon Solt and seconded by Joann Bush to amend these changes to the 2016 budget. Motion Carried (3-0).

**Security Contract for the Community Center:** A motion was made by JoAnn Bush and seconded by Sharon Solt to accept a contract with Blue Ridge for security monitoring at a cost of \$15.41/month. Motion Carried (3-0).

**Joinder Deed for James and Darlene Smith:** No inverse subdivision is required. A motion was made by Mary Anne Clausen and seconded by JoAnn Bush for an approval of the joinder deed of the 2 parcels. Motion Carried (2-0) Sharon Solt abstained.

**Interim Administrators:** A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to increase the hours of the Administrative Assistant to 30 hours/week. Motion Carried (3-0)

**Creation of a Book of Policies:** A motion was made by Mary Anne Clausen and seconded by Sharon Solt to table the creation of a Book of Policies. Motion carried. (3-0)

**Purchase of Additional Microphones for the Supervisors:** Mary Anne Clausen asked Ann to get prices for 2 additional microphones for the meeting room at the Municipal Building.

**Search for Tech Support for Computers etc. Website Design:** Blue Ridge was suggested for Tech Support and PSATS for Web Design. Ann was asked to look into the PSATS Web solution.

**Date and Time for Special Meeting to Appoint Tax Collector, Solicitor and Other Matters:** A motion was made by Mary Anne Clausen and seconded by Sharon Solt to have a Special Meeting to make additional appointments on January 11 2016 @ 7 PM at the Municipal Building. Motion carried (3-0).

**Executive Sessions:** Mary Anne Clausen announced that there had been executive sessions on 12/28/2015, 12/31/2015, and immediately preceding this meeting to discuss personnel matters.

**Other:** Sharon Solt announced that the Auditors' meeting is scheduled for 7 PM at the Municipal Building on Jan. 5, 2016. Mary Anne Clausen talked about the Frantz Schoolhouse with regard to acknowledging their work to restore the schoolhouse. A resident asked for more information about the work done and billing by Phil Getty. Sharon Solt indicated the bill could be reviewed at the Municipal Building during normal hours of operation. Mary Anne Clausen outlined his duties.

**Public Comments:** There was a discussion about Phil Getty re: the billing. Marissa Strohline spoke to thank the attendees for coming to the meetings and protesting the application. Mary Anne Clausen gave a public thank you to Solicitor Michael Kaspszyk for his years of service as the Supervisors solicitor.

**Adjournment:** A motion was made by Sharon Solt and seconded by JoAnn Bush to adjourn. Motion carried (3-0).

Respectfully Submitted,

E. Ann Velopolcek

Secretary

Cc: Eldred Twp. Supervisors, Solicitor Daniel Lyons, Engineer Brien Kocher, Zoning Officer Eilerslie Helm , SEO Jacob Schray, Eldred Township Planners, Monroe County Planning Commission, Solicitor Michael Kaspszyk, Solicitor Ronold Karasek

## **Eldred Township Board of Supervisors**

### **Meeting Minutes**

### **Special Meeting**

**January 20, 2016**

A Special Meeting of the Eldred Township Board of Supervisors was held on Wednesday January 20, 2016 at the Kunkletown Volunteer Firehouse on Kunkletown Rd. Kunkletown Pa. 18058

**In Attendance:** Mary Anne Clausen (Chairmen); JoAnn Bush (Vice Chairman); Paul Cohen (Special Council), In absentia Sharon Solt

Also in Attendance: Brian Yagiello (Safe Water Program Manager, DEP), Chris Ostrowski (Supervisor Air Quality, DEP), Mark Wejkszner (Program Manager, DEP), Colleen Connolly (Community Relations Coordinator, DEP), Brian Busher (Safe Drinking Water Engineering Technical Services Section Chief, DEP), David Kovach (Geologist, Supervisor; DRBC Project Review Section)

**Meeting Called to Order:** The meeting was called to order at 7:05 P.M by chair Mary Ann Clausen followed by the Pledge of Allegiance.

Mary Ann Clausen announced that there had been two executive sessions; one immediately prior to this meeting to discuss pending litigation and one on Jan. 11, 2016 to discuss job interviews and personnel matters.

Mary Anne Clausen introduced the guests that would be speaking at the meeting from The Delaware River Basin Commission and the Department of Environmental Protection.

David Kovach was recognized and gave an overview of the Delaware River Basin Commission's (DRBC) review and permit process as it regards water extraction. The information he delivered can be found on the DRBC website <http://www.nj.gov/drbc/>. Included in his comments was information about the opportunity for public input and the appeal process.

Brian Busher, of the Department of Environmental Protection (DEP) presented a PowerPoint presentation explaining the DEP permit process. He indicated that any application for a permit to DEP is published at <http://www.pabulletin.com/index.asp>. The review and processing of applications was described. Applications can be seen at the DEP Wilkes Barre office.

Public questions were asked and answered.

No motions were forthcoming.

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Public Comments: A break was called prior to public comments. Meeting resumed at 9:05.

Dean Zacharias asked if there would be any public contribution from Nestle if they received approval for the project. Joann Bush answered that that was a question for the Zoning Hearing Board.

Michael Orth asked about possible Zoning change as regards a Burning Ordinance. Ellerslie helm answered that he had a general conversation with the Supervisors. No action has been taken.

Lori Zilmer asked about the hiring of help for snow removal. Mary Anne Clausen answered that 2 Part Time people had been hired to fill those vacancies.

Rick Zilmer asked if there is a prohibition on referendums in Pennsylvania. Mary Anne Clausen answered she does not know. She suggested he bring the question to the new Solicitor at the next Supervisors meeting.

Joyce Blaskow asked the status of the appeal. Mary Anne Clausen answered that we are waiting for the court to deliver a writ.

A question was asked if the Supervisors are considering requiring conditions for the Nestle application to the Zoning Hearing Board. Mary Anne Clausen answered that yes they were.

A question was asked if the Nestle application was being thoroughly reviewed by informed people. Mary Anne Clausen answered that the application is being reviewed by the Planning Commission and the Zoning Hearing Board Members, and that the public could be heard at the Zoning Hearing Board as well.

Donna Deihl asked who can speak at the Zoning Hearing Board. Mary Anne Clausen stated that the residents, the Township and the Planning Commission surely can be party to the hearing but that our new Solicitor should be able to answer more thoroughly at our next meeting.

Adjournment: A motion to adjourn was made by JoAnn Bush and seconded by Mary Anne Clausen. Motion carried (2-0) Meeting adjourned at 9:35 P.M.

Respectfully Submitted,

E. Ann Velopolcek

Cc: Eldred Twp. Supervisors

Eldred Twp. Planners

Solicitor Paul Cohen

Solicitor Daniel Lyons

Engineer Brien Kocher

Zoning Officer Ellerslie Helm

Monroe Co. Planning Commission

SEO Jacob Schray

Solicitor Ronold Karasek

## **Eldred Township Board of Supervisors**

### **Meeting Minutes**

**February 10, 2016**

On February 10, 2016 the Eldred Township Board of Supervisors held their regularly scheduled monthly meeting at the Kunkletown Volunteer Fire Company at 597 Kunkletown Rd., Kunkletown, Pa. 18058.

**In Attendance:** In attendance were Mary Anne Clausen, Chairman; JoAnn Bush, Vice- Chairman; Sharon Solt, Supervisor, and Solicitor Ronold Karasek

The meeting was called to order at 7:30 P.M. followed by the Pledge of Allegiance.

Mary Anne Clausen welcomed our new Solicitor Ronold Karasek.

It was announced that Curt Bush and Rocko Michaels were recording the meeting as well as the Township Secretary.

Mary Anne Clausen announced that executive sessions were held on January 11, 2016 to discuss personnel matters, on January 20, 2016 prior to the Special Meeting to discuss litigation, on January 26, 2016 to discuss personnel matters and litigation, on February 2, 2016 to meet with Integra One about IT matters and to discuss personnel, on February 8, 2016 to discuss personnel and on February 9, 2016 to meet with Royal Security to discuss security matters. In addition, immediately prior to this meeting there was an executive session with Solicitor Karasek to update him on some current issues.

**Public Comments Related to the Agenda:** Mr. Vernon Barlieb asked that future minutes more accurately reflect the meeting. He asked that anyone who asks their comments be included in the minutes, that those comments be included.

#### **Approval of the Minutes:**

- A motion was made to table the December 2, 2015 minutes by Mary Anne Clausen and seconded by JoAnn Bush. Motion Carried (3-0).
- A motion was made by Sharon Solt to approve the January 4, 2016 Organization Meeting and seconded by JoAnn Bush. Motion Carried (3-0).
- A motion was made by JoAnn Bush and seconded by Sharon Solt to approve the January 4, 2016 regular meeting. Motion Carried (3-0).

- A motion was made by JoAnn Bush to approve the January 11, 2016 minutes and seconded by Sharon Solt. Motion Carried (3-0).
- A motion was made by JoAnn Bush and seconded by Sharon Solt to approve the minutes of the January 20, 2016 meeting. Motion carried (3-0).

**Treasurer's Report:** A motion was made by Sharon Solt and seconded by JoAnn Bush to approve the Treasurer's Report as presented:

Balances at January 10, 2016

First Niagara Bank General Money Market	\$335,971.71
First Niagara Bank State Money Market	20,617.95
First Niagara Bank State Checking	916.75
First Niagara Bank Business Checking	6,619.24
First Niagara Bank Fire Escrow Account	9,833.22
First Niagara Bank Capital Reserve Account	.22
First Niagara Bank DCNR (Parks) Account	21,362.87
First Niagara Bank Community Center Account	6,644.46
PLGIT General Fund	6,975.95
PLGIT Payroll	3,738.02
PLGIT Parks/Land	9,765.18
PLGIT Building Maintenance & Repairs	1,525.83
Petty Cash	14.14
Total	<u>\$ 423,985.54</u>

Motion Carried :( 3-0).

**Bills for Approval:**

- A motion was made by Sharon Solt and seconded by JoAnn Bush to pay the General Fund bills in the amount of \$28,098.39. Motion Carried (3-0)
- A motion was made by Sharon Solt and seconded by JoAnn Bush to approve the State Fund Bills dated 2/10/2016 in the amount of \$2,058.44. Motion Carried (3-0).
- A motion was made by Sharon Solt and seconded by JoAnn Bush to approve the Community Center bills dated 2/10/2016 in the amount of \$3,375.51. Motion Carried (3-0).
- A motion was made by JoAnn Bush and seconded by Sharon Solt to approve the Form 941 Federal Tax Deposit for the periods ending 1/21/2016 and 2/7/2016 in the amounts of \$1,844.12 and \$2,044.20 respectively. Motion Carried (3-0).
- A motion was made by JoAnn Bush and seconded by Sharon Solt to approve the State Withholding dated 1/1/2016-1/15/2016 and 1/16/2016-1/31/2016 in the amounts of \$319.20 and \$233.20 respectively. Motion Carried (3-0).
- A motion was made by Sharon Solt and seconded by JoAnn Bush to approve the payroll for the period ending 1/9/2016 in the amount of \$12,520.97 and period ending 1/23/2016 in the amount of \$10,096.17. Motion Carried (3-0).

**Nestle Waters:** At this time, Mary Anne Clausen moved the Nestle Water Extraction up on the Agenda (Agenda Item #17).

Mary Anne Clausen read the following statement into the record.

“An Appeal was filed by several residents in the Monroe County Court of Common Pleas challenging the procedure followed when the Township adopted an amendment to the Zoning Ordinance in 2014. Specifically is an issue concerning the definition of Water Extraction. An original proposed ordinance stated that water extraction would be considered “*industry*”. Following a CEJRP in March 2014, the definition was changed to state that water extraction would be considered “*manufacturing/ light*”. The Appeal challenges the sufficiency of public notice concerning this change.

There have been two separate petitions to intervene filed. The first petition was filed by the Gower’s, owners of the property subject to the pending Special Exception application. They assert that the ordinance was properly adopted. A second petition was filed by a large group of residents who support the Appeal.

We respect the interest that all sides have in participating in this case and the Township will not oppose the various requests to intervene. The Township’s Special Counsel has entered an appearance on behalf of the Township in the action. We have serious concern regarding the adoption of this Ordinance and our concern that proper procedures were not followed.

As a result, the Township will not actively defend the Ordinance, instead allowing the parties to present their positions. Ultimately, the decision about the appropriateness of the procedure the Township used to enact the Ordinance will be up to the court.”

Mary Anne Clausen announced the Zoning Hearing Board will meet to hear the Nestle Water Extraction application review at 7 P.M. February 24, 2016 at the Kunkletown Volunteer Fire Company, 597 Kunkletown Rd., Kunkletown, Pa. 18058.

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to reschedule the public hearing to consider the amendment to the Definition of Water Extraction/Bottling Section 303 to be held March 16<sup>th</sup> 2016 at 7 P.M. at the Kunkletown Volunteer Fire Company, 597 Kunkletown Rd., Kunkletown, Pa. 18058. Motion Carried (3-0).

In response to a request from the floor, Solicitor Karasek explained the structure, function and purpose of the Zoning Hearing Board and the definition of a “Special Exception”.

- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to discharge Phil Getty and his firm and retain Matthew Mulhall as the Township’s hydrogeologist at a rate of \$150.00/hour. Sharon Solt concurred but stated concerns about the cost. Motion carried (3-0).
- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to remove the matter of the tabled appointment of a second alternate to the Zoning Hearing Board. Motion Carried (3-0)
- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to appoint Annette Heist as second alternate to the Zoning Hearing Board. Motion Carried. (3-0). □ .

Reiner Jaeckle asked if the Nestle Application was reviewed and accepted. Zoning Officer Ellerslie Helm responded that he, the Attorneys and the Engineers had reviewed the application and accepted it, as it mirrored the Ordinance completely. Mr. Jaeckle then asked when the Supervisors were first apprised of the Nestle project. Mr. Jaeckle then stated that in the application, Nestle started to file various applications with Federal Agencies in May of 2012, prior to any Zoning Ordinance change. Mary Anne Clausen replied that the first time she spoke to anyone from Nestle was in March of 2015. Mr. Wimmer had appeared at the Planning Commission meeting in March of 2014, however, Ms. Clausen was not at that meeting.

Don Moore asked if the Planners can get back the answers to any question they may have prior to appearing at a Zoning Hearing Board. He also suggested that Jason Smith of Hanover Engineering review the application regarding environmental concerns. Mr. Moore then informed the Supervisors that he asked the Nestle representatives at the January 21, 2016 Planning Commission Meeting if they had read the Zoning Ordinance prior to testing the site and was told that they were not aware that water extraction was not a permitted use.

The meeting resumed to the order of the agenda.

**Planning Commission Report:** Robert Boileau reported that an application was made for a Subdivision at the William Walters property. This application will be heard at the March 17, 2016 Planning Commission meeting. Mr. Boileau stated that Planning Commission Solicitor Chad Martinez has indicated that the Planning Commission must submit their recommendation to the Zoning Hearing Board prior to the Zoning Hearing Board vote. Solicitor Martinez believes the first and possibly second hearing will be taken up by Nestle presenting their project for review. In preparation the Planning Commission will be scheduling a workshop (tentative date 2/16/2016) and have asked Nestle to come back to present their project again to the planners on Feb. 18, 2016 at the regularly scheduled Planning

meeting. Mr. Boileau feels there can be some benefit in hearing Nestlé's presentation before finalizing the Planner's response.

Dr. Ramon Baker commented about the depth of the intended wells.

- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to discharge Dan Lyons and appoint the firm of Kings Spry at the rate of \$125.00/ hour, as Planning Commission Solicitor, upon the request of several of the Planners. Motion Carried (3-0).

**Road Master's Report:** Keith Kuehner reported that the road crew is removing snow, cleaning and maintaining equipment to be ready for emergencies. Mary Anne Clausen asked about the Gower Rd. Bridge, South. Keith Kuehner replied that an estimate for temporary repairs has been obtained from Harold Serfass, in the amount of \$6275.00. The repairs cannot start until spring. These repairs would be expected to last until estimates on replacement can be completed and grant funds can be obtained to rebuild the bridge.

Mary Anne Clausen stated that Mr. Serfass has worked for the Township before with satisfactory results and asked if the Board was ready to approve this contract.

- A motion was made by Sharon Solt and seconded by Mary Anne Clausen to approve the proposal.

During public comments it was suggested that more estimates be obtained. Keith Kuehner said that Hanover Engineering can recommend some other contractors. The motion was then tabled to allow time for more estimates.

Shirley Krum asked if any progress had been made on posting speed limit signs on some roads that did not have them. Mary Anne Clausen replied that the Township had been waiting for a change in the law that would allow that to happen without traffic and engineering studies, the PSATS is lobbying to have that law changed. In the meantime, Keith Kuehner has been to training so that our road crew can do some parts of the studies but that it would require some engineering studies. Mrs. Krum said that on Kuehner Drive there is a particular problem due to children crossing the road to board school busses.

**Zoning Officers' Report:** Ellerslie Helm reported that this month there was one building permit, there were 6 site surveys, one for a building, 3 driveway complaints, and 2 property line disputes. He announced the resolution of the burning issue complaint of Mr. Orth. The neighbors agreed to stop burning the offensive materials. Mr. Ellerslie discussed the possibility of a Burn Ordinance. He is researching Ordinances from other Townships to create recommendations.

**CJERP Report:** Robert Boileau reported that at the recent CJERP meeting there was a presentation for the Monroe County Hazard Mitigation. He explained the objectives of the project. Also, CJERP has asked if the Townships would share the cost of advertising in the West End Happenings. There were a few questions and some discussion. He was asked by the Supervisors to get more information.

**Community Center Report:** Linda Kile reported that the Community Center hosted 23 events in January. The income for January was \$1290.00 and expenses were \$1493.00. There were still dance tickets available for the Valentine's Day dance on February 13<sup>th</sup>. The expense for the dance was \$300.00 and to date the event has brought in \$380.00.

The West End Food Pantry fed 116 families, a total of 386 people received food at the last distribution. 200 families are signed up.

The Committee met with Karena Thek to discuss her needs. As a result of that meeting, the Committee recommends the Food Pantry be given a larger room for distribution at the cost of the small room they currently use as well as an additional room for storage, the use of the old teachers lounge and exclusive use of the walk-in refrigerator and freezer. In return, Karena will have installed in the kitchen a refrigerator/freezer for other use.

- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to allow the use of the space as recommended and to review the lease in April 2016. Motion Carried (3-0).
- A motion was made by Mary Anne Clausen and seconded by Sharon Solt to appoint Dora Tarter to the Community Center Board. Motion carried (3-0).
- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to appoint Sharon Solt to the Community Center Board. Motion Carried (3-0).

**Kunkletown Volunteer Fire Company Report:** Ray Miller reported that the fire company reported 3 calls in January all for "neutral aid". Mary Anne Clausen reported that the fire company is revising their constitution and bylaws and the documents have been reviewed. The Supervisors recommend one change, the addition of the word "alcohol" included in the restrictions of illegal use of substances.

**West End Community Ambulance Association Report:** C.J. Dickinson reported that the Ambulance Association had 13 calls in January in Eldred Township. He then presented the Community Center with a new AED. Mr. Dickinson also announced that the ambulance Association will provide and cover the cost of CPR and First Aid training for the volunteers at the Food Pantry and the Community Center as well as the Supervisors the Township staff and the Kunkletown Volunteer Fire Company.

He also announced that the Ambulance Association has purchased 2 mechanical CPR devices and they are beginning a new program called "Paramedicine in the Home" which will provide visits by staff for homebound patients.

**Continuity of Government Plan Report:** Gary Hoffman reported that there is a new plan to create continuity in Governmental Services in the event of a local or federal emergency or disaster. A motion was made by Sharon Solt and seconded by JoAnn Bush to have Gary Hoffman move forward with a "Continuity of Government" plan for Eldred Township. Motion Passed (3-0).

Gary Hoffman spoke about the snow emergency recently declared. He also asked for permission to create a program for a hazardous mitigation plan by applying for a PEMA and FEMA grant to clean up the waterways.

- A motion was made by Sharon Solt and seconded by JoAnn Bush to allow Gary Hoffman to apply for the grants mentioned to clean up the waterways. Motion Carried (3-0).

He then issued a reminder to all the residents to make sure their address signs were posted.

**Resolutions:**

- A motion was made by Mary Anne Clausen and seconded by Sharon Solt to authorize signatories to the First Niagara Bank account. Motion passed (3-0).
- A motion was made by JoAnn Bush and seconded by Sharon Solt to appoint Sylvia Gethen as the Township's representative to Berkheimer (our EIT collection company). Motion carried (3-0).
- A motion was made by Sharon Solt and seconded by JoAnn Bush to appoint E. Ann Velopolcek as Open Records Officer. Motion Carried (3-0).
- A motion was made by Sharon Solt and seconded by Joann Bush to ratify the Snow Emergency Declaration. Motion Carried (3-0).

**Joinder Letter:**

- A motion was made by Sharon Solt and seconded by JoAnn Bush to approve the Joinder letter for the properties of William and Mary Anne Clausen. Motion carried (2-0), Mary Anne Clausen abstaining.

**Approval for PSATS Conference:** A motion was made by Mary Anne Clausen and seconded by Sharon Solt to approve sending Ann Velopolcek to attend the PSATS conference. Motion Carried (3-0).

**Other:**

- Mary Anne Clausen read a letter thanking the Giordano's for their work in restoring the Frantz Schoolhouse.
- Sharon Solt asked Helen Mackes to come forward to present her with a Proclamation to honor her service to Eldred Township.
- Solicitor Karasek announced that his monthly report will be presented in writing.
- Don Moore made a statement regarding the Ordinance and the Nestle application. In Mr. Moore's opinion there were procedural errors in the adoption of the ordinance, which he articulated in his statement.
- Dr. Ramon Baker made an appeal to the community to contribute funds for the appeal of the ordinance.

**Adjournment:** a motion was made by Sharon Solt and seconded by JoAnn Bush to adjourn. Motion carried. (3-0). Meeting adjourned at 9:55 P.M.

Respectfully Submitted,

E. Ann Velopolcek  
Acting Secretary

Cc: Eldred Twp. Supervisors

Eldred Twp. Planners

Solicitor Paul Cohen

Solicitor Michael Gaul

Engineer Brien Kocher

Zoning Officer Ellerslie Helm

Monroe Co. Planning Commission

SEO Jacob Schray

Solicitor Ronold Karasek

Board of Supervisors

Meeting Minutes

March 9, 2016

On March 9, 2016 the Eldred Township Board of Supervisors held their regular meeting at the Eldred Township Municipal Building, 490 Kunkletown Rd., Kunkletown Pa. at 7:30 P.M.

It was announced that Curtis Bush was recording the meeting.

**Meeting Called to Order:** Chairman Mary Anne Clausen called the meeting to order at 7:45 P.M. followed by the Pledge of Allegiance.

Mary Anne Clausen announced that the Board met in executive session on Feb. 15, 2016 to discuss personnel and litigation matters and also addressed several administrative matters at that time. It met again on March 8, 2016 for administrative matters including reviewing the bills to be approved at this meeting and immediately prior to this meeting to discuss litigation, personnel and a real estate matter.

**Public Comments:** James Leiding asked about the amount of Liability Insurance the Township carries on the Supervisors.

Archie Craig asked if the Brochures from PSATS concerning Zoning and Planning could be printed for the Planners. Ms. Clausen answered yes.

**Approval of Minutes:** Attorney Karasek gave opinion about moving the December 2, 2015 Minutes into the record.

- A motion was made by Mary Anne Clausen to move the December 2, 2015 minutes into the record, absent any objection. There were no objections.
- A motion was made by Jo Ann Bush and seconded by Sharon Solt to approve the minutes of the February 10, 2016 meeting. Motion carried (3-0).

**Treasurer's Report:**

- A motion was made by Sharon Solt and seconded by JoAnn Bush to approve the Treasurers' Report as presented. Motion Passed (3-0).
- A motion was made by JoAnn Bush and seconded by Sharon Solt to approve the General Fund bills in the amount of \$24,802.11. Motion Carried (3-0).

Vernon Barleib requested more information about the Boucher and James invoice for the services of Phil Getty.

- A motion was made by Jo Ann Bush and seconded by Sharon Solt to approve the State Fund bills in the amount of \$3,421.87. Motion Carried (3-0).
- A motion was made by Sharon Solt and seconded by Jo Ann Bush to approve the Community Center Bills in the amount of \$10,425.49. Motion Carried (3-0).
- A motion was made by Jo Ann Bush and seconded by Sharon Solt to approve the Form 941 payment dated 2/18/2016 in the amount of \$1,687.24 and the Form 941 payment dated 3/3/2016 in the amount of \$1,765.12. Motion carried (3-0).
- A motion was made by Sharon Solt and seconded Jo Ann Bush by to approve the State withholding payments for the periods ending 2/15/2016 and 2/29/2016 in the amounts of \$309.34 and \$224.18 respectively. Motion carried. (3-0).
- A motion was made by JoAnn Bush and seconded by Sharon Solt to approve the PSATS bill in the amount of \$1,248.00. Motion carried (3-0).
- A motion was made by Sharon Solt and seconded by JoAnn Bush to approve the bills for Quickbooks in the amounts of \$519.00 and \$299.95 respectively. Motion carried (3-0).
- A motion was made by JoAnn Bush and seconded by Sharon Solt to approve the payroll for the period ending 2/6/2016 in the amount of \$7,369.25. Motion Carried (3-0).
- A motion was made by JoAnn Bush and seconded by Sharon Solt to approve the payroll for the period ending 2/20/2016 in the amount of \$7,713.90. Motion Carried (3-0).

**New Business:** Nancy Bittner of Meals on Wheels gave a brief presentation about her organization. Meals on Wheels would like to expand their operation in Eldred Township and asked for volunteers and contributions to the organization.

**Old Business:** Mary Anne Clausen read gave an update with regard to the various water extraction issues including the special exception hearing before the Zoning Hearing Board, the appeal by Deihl et al, and the hearing on the motion to amend the Township Zoning Ordinance. She announced that anyone who has not yet gained status as a party to the proceeding may still do so by contacting Solicitor Chad Martinez.

Gary Hoffman asked that the Township stand behind Frank O'Donnell as a member of the Zoning Hearing Board.

Patrice Giunta asked that it be placed on record that her the water level in her well has dropped 30 ' and she has no explanation.

There was additional lengthy public comment from many residents enumerating the reasons they are opposed to the Nestle Application.

**Solicitor's Report:** Solicitor Karasek reported that he has prepared a written report that is available to the public. Any other items would be discussed as they appear on the agenda.

**Road Master's Report:** Keith Kuehner reported that the Road Crew is continuing to clean pipes, cut shoulders etc.

An update on the Gower Bridge repairs is that several companies referred by Hanover Engineering were called for estimates only one estimate has come in from Tri State Construction for \$14,826.00 as opposed the estimate from Harold Serfass for \$6275.00.

- A motion was made by JoAnn Bush and seconded by Sharon Solt to contract with Harold Serfass to make temporary repairs to the Gower Rd. Bridge South based on his written estimate of the repairs. Motion passed (3-0).

Keith Kuehner asked the Supervisors for a workshop to discuss the upcoming materials bids and contract work. A special meeting was scheduled for March 16, 2016 at 9:30 a.m.

**Zoning Officers Report:** Ellerslie Helm reported that he issued 2 permits in February, one a driveway permit and one to demolish a barn on Gower Rd. He did eight site surveys one for the Church parking lot, one for an abandoned house, one for Mrs. Mock's porch, a burning complaint, a site inspection for a house on 1045 Kunkletown Rd. for a fire escrow, two for neighbors complaints and Ray Flytes' property for cleanup.

**CJER(P) Report:** There was no CJERP report however; Donald Moore reported that at the CJERP meeting there was a discussion about the amendment to change Zoning Ordinance (303).The CJERP Committee affirmed that the change was consistent with the Monroe County Comprehensive Plan. The Monroe County Planning Commission also affirmed that the change in the ordinance is consistent with the Monroe County Planning Commissions' guidelines.

**Community Center Report:**

- A motion was made by JoAnn Bush and seconded by Sharon Solt to appoint Dora Tarter as Community Center Secretary. Motion carried (3-0).
- A motion was made to ratify the leases of the Carbon United Soccer Club in the amount of \$20.00/ day (2 hour rental) and two private parties in the amounts of \$35.00 and \$50.00 respectively.

Linda Kile reported that the ETCC income to date is \$3,445.25 and the expenses \$3375.51(excluding the bill approved tonight for the oil).

Ann Velopolcek reported there were 35 events at the Community Center in February.

- A motion was made by JoAnn Bush and seconded by Sharon Solt to approve an Open House at the Community Center on May 14, 2016. Motion carried (3-0).
- A motion was made by JoAnn Bush and seconded by Sharon Solt to approve the Community Centers Long Term Lease and Private Outdoor Event Policies documents. Motion passed (3-0).

A recommendation from Hanover Engineering for various air conditioning systems was reviewed by the Committee and Board of Supervisors. The Supervisors were concerned with the cost estimates in this recommendation. Carey Krum suggested gathering additional estimates from Jeff Fisher (Ohl's) who had discussed the potential cost of air conditioning with the Board at the time that the Board was considering acquiring the Center. The Board agreed to get that additional information before deciding which system to pursue.

**Kunkletown Volunteer Fire Company Report:** Mary Anne Clausen read a letter from the Kunkletown Volunteer Fire Company to the residents asking for volunteers and /or contributions for the Carnival scheduled for June 22-25, 2016 and the West End Fair August 21-27, 2016. Ray Miller reported that the Fire Company responded to 6 calls in February.

**West End Ambulance Association Report:** There was no report from the West End Ambulance Association.

**Monroe County Historical Society:** The Historical Society sent a letter requesting a donation to their Annual History Challenge benefiting the scholarship fund.

- A motion was made by Sharon Solt and seconded by JoAnn Bush to donate \$100.00 to the Monroe County Historical Society for their History Challenge Scholarship Award. Motion Carried (3-0).

**I.T. Support:**

- A motion was made by Joann Bush and seconded by Mary Anne Clausen to contract with Sensible Technology Solution LLC for IT Services based on their proposal of March 1, 2016. Motion Carried (3-0).
- A motion was made by Mary Anne Clausen and seconded y JoAnn Bush to authorize Treasurer Sylvia Gethen to look into consolidation of the banking accounts. Motion Carried (3-0).

- A motion was made by Mary Anne Clausen and seconded by Sharon Solt to have the Treasurer look into a debit card in the name of the Treasurer for the use of the Township. Motion Carried (3-0).

**Mock Park:** There was a discussion about the grant monies awarded for the development of Mock Park and the time limit associated with the use of those monies (Dec. 31, 2016). The Supervisors have reservations about meeting the deadline to have all the work done that is required and whether it would be wise, with all the other issues going on in the Township, to commit our the necessary funds to complete the project.

- A motion was made by Sharon Solt and seconded by JoAnn bush to table the discussion pending more information. Motion carried. (3-0).

**Sandy Hill Lane:** Mary Anne Clausen asked Solicitor Karasek for an opinion about the naming of Sandy Hill Lane. Some residents have complained that it is a private road and the Township had no authority to name it. Gary Hoffman presented the Monroe County Control Center's view that as no driveways use the road, it need not be named for emergency response purposes. Solicitor Karasek gave his opinion that the road name could be rescinded.

- A motion was made by Mary Anne Clausen and seconded by JoAnne Bush that the issue be tabled to allow time for an Attorney review and opinion. Motion carried. 3-0.

**LSA Grant Agreement Signing:**

- A motion was made by Sharon Solt and seconded by Mary Anne Clausen to sign the LSA grant Agreement.

**Other:** A dispute between neighbors has become an issue as regards open burning. Zoning Officer Ellerslie Helm has investigated the complaint but the issue is not resolved. As the Township has no specific burn Ordinance, the matter remains a private matter between the neighbors and it was suggested by Solicitor Karasek that the individuals resolve the issue through legal channels.

**Public Comment:** Several residents contributed public comments on the subjects of CJERP, Public advertising of public meetings and actions, the importance of using experts for opinions prior to changes in Ordinances. Vernon Barleib made a comment (for the record) that the Township has the worst record keeping he is aware of.

Donna Deihl announced that there had recently been some harassment of herself and others in the neighborhood.

In response to communication issues, Mary Anne Clausen announced that Eldred Township has a website where many meetings and activities are published as well as an e-mail updates list that sends out important information. She encouraged the residents to participate in these and to contact the Municipal Building, the Supervisors and the Planners etc. with any ideas to improve our ability to communicate with the residents.

**Adjournment:** Being no further business a motion was made by JoAnn Bush and seconded by Sharon Solt. Motion carried. (3-0). Meeting Adjourned at 10:50 P.M.

Respectfully Submitted,

E. Ann Velopolcek

Acting Secretary

Cc: Eldred Twp. Supervisors

Eldred Twp. Planners

Solicitor Paul Cohen

Solicitor Michael Gaul

Engineer Brien Kocher

Zoning Officer Ellerslie Helm

Monroe Co. Planning Commission

SEO Jacob Schray

Solicitor Ronold Karasek

## Supervisors Meeting

Special Meeting  
March 16, 2016

On March 16, 2016 a Special Meeting of the Eldred Township Board of Supervisors was held at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, Pennsylvania at 10:00 A.M.

In Attendance: In attendance were Mary Anne Clausen (Chairman), Sharon Solt, JoAnn Bush

Public Comments for Items Not on the Agenda: Archie Craig asked whether the office computers be scanned for any information that should be “public information” that may not have come to light yet. Mary Anne Clausen replied that she would get back to him on that request.

New Business: The Township has received information from Hanover Engineering regarding types of air conditioning systems that might be installed in the Community Center. Hanover’s estimates of costs were much higher than an estimate previously received from Jeff Fisher (Ohl’s). A lengthy discussion followed about how to proceed. The Supervisors asked Carey Krum to meet again with Jeff Fisher to provide input on any differences between his proposal and those of Hanover.

- A motion was made by MaryAnne Clausen and seconded by JoAnn Bush to ask Hanover Engineering to develop specifications for bidding consistent with Carey Krum’s recommendation after he consults with Jeff Fisher and Hanover and that the specifications be sent to the Supervisors by April 8, 2016 so the Supervisors can authorization to advertise the bidding at the April 13, 2016 Supervisors Meeting. Motion Carried (3-0).
- A motion was made by Mary Anne Clausen and seconded by Sharon Solt to have the specifications done in two ways, first to air condition the whole building, second to air condition the rooms currently occupied which include:
  - Kitchen
  - Constables room
  - Community room

- Thrift Store
- Office
- Music room
- Food Pantry
- Gym
- In addition, the costs for each individual room of approximately 850 square feet in a room by room breakdown. Motion Carried (3-0).

- A motion was made to authorize Darcy Gannon to operate a community thrift store with the proceeds going to the Community Center. Motion Carried. (3-0).

The Supervisors requested a written proposal for the operation of the Thrift Store that can be ratified at a later date.

The Supervisors requested that a copy of the letter from the Redevelopment Authority regarding housing be shared with Karena Thek to post at the Food Pantry.

Sharon Solt announced that she and William Solt donated 50 cases of dog food to the Food Pantry.

Shirley Krum announced that the Kids for Quilts program is starting at the Community Center.

- A motion was made by Joann Bush A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to approve authorize a Needlecraft program to operate at the Community Center at times and dates to be set by the Committee and the volunteers. Motion passed (3-0).
- A motion was made by JoAnn Bush and seconded by Sharon Solt to authorize up to 16 additional hours per month for the Administrative Assistant. Motion carried. (30).

Mary Anne Clausen requested the Administrative Assistant prepare a draft of the new lease for the Food Pantry, so that it can be considered at the April Township Meeting.

Keith Kuehner (Roadmaster) presented his recommendations for the materials bidding to the Supervisors as follows:

18,000 gallons of oil @ \$3.00/ gallon  
300 T 2A Stone modified  
100 T #3 Stone  
100 T #4 Stone  
1000 T #8 Stone

100 T # 57 Stone  
100 T # 67 Stone  
100 T Gambien Stone  
50 T Cold Patch

The Blue Mountain Road is slated for seal coat. (4 miles). Gower Rd. is awaiting the outcome of the bridge repair.

- A motion was made by Sharon Solt and seconded by Mary Anne Clausen to authorize the advertising for bids for the materials, to be opened at the April 10 Board of Supervisors meeting, in the amounts stated above. Motion Carried (3-0).

Keith Kuehner announced that the bidding for line painting and seal coating comes from COG as well as salt (salt has already been bid for this year). Mary Anne asked about the process and Sharon Solt explained that each year COG sends a form asking which bids we wish to be included in. Mary Anne asked that referrals for materials to be bid by COG be noted in the Township minutes.

JoAnn Bush asked Keith if he could attend the COG meeting on March 28<sup>th</sup> at 10 am at the Monroe County Safety Center. He agreed.

There was a discussion regarding access to the fields being farmed at Mock Park. Sharon Solt offered to look into it.

There was a discussion about the procedure used in contacting professionals to use their services (notably Solicitors and engineering services). The Supervisors agreed to continue their policy of consensus prior to and notification after any communication.

There was a discussion about the Tax Collector Agreement. It was decided to include use of the kitchen.

- A motion was made by and seconded by to approve the Tax Collector Agreement as amended. Motion passed (3-0).
- A motion was made by Sharon Solt and seconded by JoAnn Bush to approve to authorize the "Treasurer" as the contact person with Berkheimer. Motion carried (3-0).
- A motion was made to adjourn by Sharon Solt and seconded by JoAnn Bush, Motion Carried (3-0) Meeting adjourned at 11:58 a.m.

Board of Supervisors Special Meeting Minutes, March 16, 2016 pg. 4 of 4

Respectfully Submitted,

E. Ann Velopolcek  
Acting Secretary

Cc: Eldred Twp. Supervisors  
Solicitor Michael Gaul  
Monroe Co. Planning Commission

Eldred Twp. Planners  
Engineer Brien Kocher  
SEO Jacob Schray

Solicitor Paul Cohen  
Zoning Officer Ellerslie Helm  
Solicitor Ronold Karasek

Supervisors' Meeting Minutes  
April 13, 2016

On April 13, 2016 the Eldred Township Board of Supervisors held its regular monthly meeting at 7:30 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Road, Kunkletown, PA.

**In Attendance:** In attendance were Mary Anne Clausen; Chairman, JoAnn Bush; Vice Chairman, Ronold Karasek; Solicitor. Not in attendance was Sharon Solt, Supervisor.

**Pledge of Allegiance:** Mary Anne Clausen called the meeting to order at 7:33 followed by the Pledge of Allegiance.

It was announced that only the Township was recording the meeting.

Mary Anne Clausen announced that the Supervisors held an executive session yesterday for the purpose of discussing personnel and litigation issues and a second one immediately prior to this meeting, also to discuss personnel and litigation issues.

**Public Comments relating to Non -Agenda Items:** Dan Engler asked about this property being in the restricted area of the Well Protection zone.

Michael Orth spoke about his neighbor complaint related to burning. He stated that the Waste Authority has a burning Ordinance and believes the Township is not fully informed about the restrictions the Ordinance imposes. JoAnn Bush read a letter from the Monroe County Waste Authority indicating the results of their investigation of the complaint.

Paul Shook noted what he feels is a violation of the burning Ordinance related to his neighbor who has been burning construction materials since 2009.

Donna Deihl indicated she thought she was misquoted in the December 2, 2015 minutes. It was agreed that she might listen to the tape recording of that meeting with our acting Secretary and that a correction to the minutes would be made if required for accuracy.

Connie Smale asked about the Old Mill Property being in a state of decay. She is concerned about the safety of the building. Mary Anne Clausen explained that the ownership of the building is now known and the Township will be contacting the owners about the problem.

**Approval of the Minutes:**

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush that the minutes of February 10, 2016 be corrected as to the date in the Treasurers Report. Motion Carried. (2-0).

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to approve the minutes of March 9, 2016. Motion Carried (2-0).
- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to approve the minutes of the minutes of March 16, 2016, A.M. Motion Carried (2-0).
- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to approve the Treasurer's Report. Motion Carried (2-0).
- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to approve the General Fund Bills. Motion Carried (2-0).
- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to table ratification of the PPL Bill paid between meetings. Motion Carried (2-0).
- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to approve the Payroll for the period ending March 5, 2016 in the amount of \$7,302.42. Motion Carried (2-0).
- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to approve the Payroll for the period ending March 19, 2016 in the amount of \$8,155.37. Motion Carried (2-0).
- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to approve the Payroll for the period ending April 2, 2016 in the amount of \$9,258.78. Motion Carried (2-0).

Mr. Barlieb asked about the Boucher and James bill dated 3/16/2016. Mary Anne Clausen told Mr. Barlieb he could review the bill if he wished.

**Water Extraction Update:** Mary Anne Clausen announced that at the second hearing of the Nestle Special Exception Hearing on March 30, 2016, some administrative matters were considered including some additional applications for party status and the request to recuse Mr. O'Donnell which was denied. Mr. O'Donnell will continue as the Chairman of the Zoning Hearing Board.

Nestle continued their examination of Mr. Davis and submitted several more documents into evidence. Township Attorney Mr. Freed objected to the submission of additional documents submitted long after the initial application. The issue was briefed and will be decided at the next meeting on April 20, 2016 at 7:00 Pm at the Kunkletown Volunteer Fire Company.

As regards the appeal by Deihl, et al, challenging the way the Ordinance was changed, a hearing was held on March 31, 2016 before Judge Zulick. The issue before the court that day was the petition of Mr. Gower, et al, to intervene in the proceeding. Attorney Preston representing the appellants agreed not to oppose Mr. Gower's Petition in return for Mr. Gower's agreement that any vested rights he might have regarding water extraction would not be decided in that proceeding.

**Road Master's Report:** Keith Kuehner reported that the Road crew has been cleaning and cutting shoulders. He had a meeting with the State's Municipal reps regarding the Gower Bridge to determine which type of bridge is appropriate for the site. A GRS bridge will not be suitable for that location so he suggested contacting Hanover Engineering to make that determination. Mr. Kuehner will be contacting Hanover himself to begin that process. Mr. Kuehner also indicated that the temporary repairs on the bridge will take place as soon as the weather permits.

The COG order for Non Skid material has taken place. Ms. Clausen explained the purpose of COG. Mr. Kuehner also said he looked at a used bucket truck which would be suitable to replace the Township's current one. There was some public discussion. Mr. Kuehner agreed to look into the matter some more.

**Zoning Officer's Report:** There was no Zoning Officer's Report.

**Community Center Report:**

- A motion was made by MaryAnne Clausen and seconded by JoAnn Bush to approve the following ETCC documents:
  - Rules and Regulations
  - Long Term Lease Guidelines and Fees
  - Daily Room Rental Agreement
  - Long Term Lease
  - Intent to Lease
  - Room Rental Pricing
  - Alcohol Hold Harmless Waiver (subject to inserting "only for parties having alcohol at the events)
  - Daily Room Rental Motion Carried (2-0).

The Short Term and Recurring Lease Policy and the Short Term Lease form will be considered at the next Township meeting.

Leases: Food Pantry lease is delivered to Karena Thek and is in attorney review.

Little League lease will be prepared this week.

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to ratify the Daily Lease of the Concerned Citizens for April 6 and April 9, 2016. Motion Carried (2-0).

There was a discussion about contracting with a company for pest control. Estimates were obtained from Ehrlich and Terminix.

- A motion was made by Mary Anne Clausen and seconded by Joann Bush to table any action on this for further discussion. Motion passed (2-0).
- A motion was made by Joann Bush and seconded by Mary Anne Clausen to end our agreement with Chrin and accept the offer of County Waste to provide trash collection to the Community Center at no cost. Motion Carried (2-0).

**Kunkletown Volunteer Fire Company Report:** The Fire Company has made a request for volunteers for their fundraisers at the West End Fair and the Kunkletown Carnival. Also the Fire Company has made a request to have any township employees who are members of the Fire Company to be able to respond to calls during work hours with pay.

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush that at the discretion of the Roadmaster, a Township employee who is a Kunkletown Fire Company Volunteer may be permitted to respond to calls during working hours with no loss of pay (for time missed during his or her normal hours of work). Motion passed (2-0).

**CJERP:**

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to have our CJERP representative, Mr. Boileau, notify CJERP, at the next meeting that Eldred Township has no interest in defending the Ordinance, and we are not in agreement with the CJERP Solicitor's (Mr. Fareri) decision to defend the Ordinance. Motion passed (2-0).

**Planning Commission:** Robert Boileau reported that the Planning Commission met on March 17, 2016 and by unanimous vote submitted their revised recommendation to the Zoning Hearing Board regarding the Nestle Application for Special Exception that they deny the application. A copy of that submission is available on the Township's website. The Planning Commission will continue to review Nestle's submissions provided they are submitted properly. He also stated that the application for the Walters subdivision has been withdrawn.

**Healthcare Insurance:**

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush that the Township contract with Blue Cross /Blue Shield of Northeast Pennsylvania, Bluecare Custom PPO Gold 12. Subject to the confirmation that it provides for lower out of pocket payments by the employees that Gold 15. Motion Carried (2-0).

**IT Recommendations:**

- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to purchase a new computer to replace the Administrative Assistant's computer, and to purchase our [www.eldredtwp.org](http://www.eldredtwp.org) domain name. Motion carried (2-0).

**Mock Park:** After a discussion about the possibility of using the LSA Grant money to upgrade the playground at the Community Center due to the time and money constraints associated with developing a playground area at Mock Park:

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to restore the Parks Committee to research this possibility. Motion carried (2-0).
- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to appoint the following to the Parks Committee:

Robert Boileau  
Annette Heist  
Shirley Krum

Michael Orth Motion carried (2-0).

**Street Naming:** Gary Hoffman explained that there was a conflict with two streets having similar names and it is suggested that one name be changed. He spoke to the people on the road (Scenic Lane) and they agreed to rename the street Winterberry Lane.

A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to change the name of Scenic Lane (Eldred Township) to Winterberry Lane and to purchase and install a new street sign. Motion carried (2-0).

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to remove the street sign at Sandy Hill Lane as this is a private road with no driveways accessing it and the property owner does not want the lane to be a named road. Motion carried (2-0).

**Resolution No. 04-2016:** Price adjustment for the purchase of Bituminous Material of small quantities

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to adopt Resolution 042016, a resolution to allow for an escalation in the pricing of bituminous materials. Motion carried (2-0).

**Other:** Mary Anne Clausen spoke to the assembled group about having a public meeting in the future, to discuss the properties the Township owns and how best to use the properties for the benefit of the Community.

**Chem. Free Party:**

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to donate \$200.00 to the Pleasant Valley School District's Chem. Free Party for their graduating seniors. Motion Carried (2-0).

Mary Anne Clausen announced that the Supervisors sent a Letter of Support for the Chestnuthill Dog Park.

Solicitor Karasek made a recommendation to update the Ordinance for the manner of paying the Supervisors' Compensation.

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to advertise a new ordinance updating the Supervisors' Compensation to be paid quarterly installments. Motion carried (2-0).

**Employees Lunch Break:** Pennsylvania Labor laws mandate lunch and other breaks for employees. JoAnn Bush announced that the office would be closed on days when only one person is working in the office from 12-12:30 to allow for compliance with the law.

- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen the policy that when only one full time employee is in the office, the office will close for lunch from 12:00 to 12:30. If another part time employee is present in the office the office shall remain open. A sign will be posted on the door indicating that the office is closed for that time. Motion Carried (2-0).

**Nestle Lease:** Mary Anne Clausen announced that our Solicitor presented an opinion that it would be an unsupportable decision to prevent Nestle from renting a room at the Community Center.

There was discussion about this decision. Donna Deihl read a statement and indicated she had a petition signed by many residents asking the Supervisors to deny the lease. Vernon Barlieb expressed his negative opinion about the Supervisors requesting Solicitors opinions. He also disagreed with the decision to renew the lease. Reiner Jaeckle added his opinion that this decision was not supported by the residents.

Linda Kile announced that Nestle could use the Community room for free to have public meetings to disperse information to the Community. Eric Andreus said he does know that he could use the center in that way but he believes a more permanent presence continues to be useful and Nestle wishes to continue with their lease.

Solicitor Karasek spoke on the issue and explained the laws and decisions he studied to give his opinion.

The issue of the property taxes at the Community Center was brought up and solicitor Karaesk gave his opinion that renting rooms at the Community Center could impact the tax exempt status of the Center.

Mary Anne Clausen explained that this has always been a possibility so we inserted a clause in the lease that covers that possibility.

Mr. Barlieb reiterated his objection.

- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to renew the Nestle lease for one year. Motion Carried (2-0).
- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to approve the Eldred Township Community Center Community Day event for June 11, 2016 Motion carried (2-0).

Linda Kile announced that she is scheduling First Aid, AED and CPR training for the ETCC Committee, Supervisors and some of the Food Pantry members offered by the West End Ambulance Association.

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to approve the Community Center Bills. Motion carried (2-0).

Doug Borger asked about the second fuel bill and the income. Carey Krum answered that the fuel bill was for the tanks to be topped off. Linda Kile answered that she needed more time to review all the books for last month so no report was completed.

Mary Anne Clausen asked the Administrative Assistant to add to the Website and an email update to go out announcing the restart of the recycling program and the request for additional members of the Parks Committee.

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to Adjourn. Motion carried (2-0) Meeting adjourned at 10:30 P.M.

Respectfully Submitted,

E. Ann Velopolcek  
Acting Secretary

Cc: Eldred Twp. Supervisors  
Solicitor Michael Gaul  
Monroe Co. Planning Commission

Eldred Twp. Planners  
Engineer Brien Kocher  
SEO Jacob Schray

Solicitor Paul Cohen  
Zoning Officer Ellerslie Helm  
Solicitor Ronold Karasek

Board of Supervisors  
Special Meeting  
May 9, 2016

On May 9, 2016 at 10 AM there was a Special Meeting of the Eldred Township Board of Supervisors. The meeting was held at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, PA.

**In Attendance:** In Attendance were Mary Anne Clausen; Chairman, JoAnn Bush; Vice Chairman

**Call to Order:** The meeting was called to order at 10:00 AM., followed by the Pledge of Allegiance. It was announced that there was an executive session prior to this meeting to discuss personnel.

Mary Anne Clausen announced that the primary purpose of this meeting was to discuss a Burning Ordinance for the Township.

**Public Comments:** Gary Hoffman submitted some documents to the Supervisors regarding potential Zoning Violations. Mary Anne Clausen asked if these had been submitted to the Zoning Officer or if he wished the Supervisors to do so. He said he had not yet done that and if the Supervisors would, that would be fine.

Mary Anne Clausen drew the attention of the assembly to a newly posted map on the bulletin board, which shows the real estate owned by the Township and announced her interest in having public discussion about how best to use the real estate for the future of the community.

Vernon Barlieb objected to morning meetings based on the inability of many residents to attend. He also stated that he believes a burn Ordinance should not be given priority at this time.

Mary Anne Clausen stated that today's meeting is a preliminary discussion and more meetings will be forthcoming.

Mr. Barlieb announced that he has found many portions of the Zoning Ordinance that should be revised.

Mary Anne Clausen announced that over the past weekend, Sharon Solt had tendered her resignation from the Board of Supervisors.

- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to accept the resignation of Sharon Solt as Township Supervisor. Motion carried (2-0).

Mary Anne Clausen announced that Ilene Eckhart and Jaqueline Mock are interested in serving on the Parks and Recreation Committee.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush that Ilene Eckhart be appointed to the Parks and recreation Committee and that Jacqueline Mock be appointed as a non-voting member of the Parks and Recreation Committee. Motion passed (2-0).

The Burn Ordinance was discussed. Mary Anne Clausen explained that the items to be addressed are  
What may be burned  
How things may be burned  
Where things may be burned  
When burning may occur

Items on the sample Burn Ordinance were discussed.

**What may/ may not be burned:** (6ABCD) Prohibited items  
DEP guidelines

The Monroe County Ordinance prohibits burning of recyclables like paper and cardboard. Vernon Barlieb thinks those things should be allowed.

Gary Hoffman said he spoke the Waste Authority and they will provide recycling containers to the Township for free, if the Township requests. Brief discussion followed. It was suggested that if this takes place, the containers should be inside the fenced area in the rear of the Municipal Building.

(7F) Brush may be burned on the property from which it was generated.

(10B) Campfires are permitted

**How items should be burned:**

(7A) Apart from brush, burning should be done in a noncombustible container with a screened top to prevent the possibility of fires getting out of control. Adequate extinguishing equipment should be available. Hose, buckets of water etc.

(7E) Burning only permitted during safe weather conditions and shall create no adverse effects on roadways, neighboring properties, etc.

**Where Open Fires may occur:**

Minimum Lot size for burning?  
(8B) Distance to adjoining lots/building  
50' from neighbors, 25' from onsite buildings  
Outdoor cooking shall be permitted  
Pre-manufactured burning devices used in compliance with manufacturing instructions.

**When Open Fires may occur:**

(7A) Delete  
(7B) Safe weather conditions, Burn Bans, drought conditions etc.  
Declaring a Burn Ban (include Fire Company consult)

**Exempt Fires:**

(11C,D,E) "air basin" not applicable to Eldred, approval of Fire Company to clear large areas

Code Enforcement

*BOS Special Meeting May 9, 2016 pg. 3 of 3*

- Include definition of "grubbing"
- (11G) Definition of "Bonfire"
- (11H) omit H

There are questions for the Solicitor regarding the relationship of this Ordinance to other Ordinances (SALDO) and liability.

**Enforcement:**

- (9) include cost reimbursement
- (13) permit official to enter property; add "or has occurred"
- (14) Strike "pollution" clauses (unenforceable) Include provisions for outdoor wood furnaces (EPA approved only)

**Penalties:**

- (17) Issue Warning prior to any Summary procedure

Once these changes have been made another meeting will be announced for further public input.

**IT:** Computer access of all computers by all staff is desirable. Mike Kolba suggests each person should have an access account on each computer to have access to all the office information.

Quickbooks can be restricted access for the Treasurer only.

Mr. Kolba also suggests moving the mail host to Office 365.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve the contract for Microsoft Office 365 for the seven office mail accounts for a price of \$1680.00. Motion carried. (2-0).

Reiner Jaeckle reported that the email addresses for the Supervisors are their private not Eldred Twp. emails. Mary Anne Clausen said for a long time the Township e-mails were not working. That can be corrected.

Archie Craig had a question about whether there was a possibility of recovering any of the Attorney's fees related to the Nestle Special Exception Application. Mary Anne Clausen said it would depend on the outcome of the court cases.

**Adjournment:** There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to adjourn. Motion carried. (2-0). Meeting adjourned at 11:55 AM.

Respectfully Submitted,

E. Ann Velopolcek  
Acting Secretary

Board of Supervisors  
Regular Meeting  
May 11, 2016

On May 11, 2016 the Eldred Township Board of Supervisors met at 7:30 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, Pa.

**In Attendance:** In attendance were Mary Anne Clausen; Chairman, JoAnn Bush; ViceChairman, Ronold Karasek; Solicitor

**Call to Order:** The meeting was called to order by Mary Anne Clausen at 7:45 P.M., followed by the Pledge of Allegiance.

**Announcements:** Mary Anne Clausen announced that the Supervisors met in executive session on May 9 at 10:00 AM after the special meeting, for a litigation matter and a personnel matter. Also, at noon on May 11 to open the bids for road materials and prior to this meeting to discuss a personnel matter, a litigation matter and a real estate matter.

**Public Comments for Non-Agenda Items:** Reiner Jaeckle made a statement about the acceptance of the Nestle Application for Special Exception. He believes the procedure followed was incorrect and asked the Supervisors to revise the policy. Attorney Karasek provided some guidance about what needs to happen to create a new policy.

Jim Leiding asked about the progress of the Burn Ordinance. Mary Anne Clausen announced that the meeting on Monday, May 9 was a preliminary meeting and that much more public input is being requested. The Supervisors will be scheduling another meeting in the evening to have further discussion before the Ordinance is finalized, published and voted on.

**Eagle Scout Presentation:** Eric C. Miller, a local young man was recognized and honored for his accomplishment of attaining the rank of Eagle Scout from the Boy Scouts of America, and given a certificate of achievement.

**Approval of Minutes:**

- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to approve the minutes of April 13, 2016. Motion carried. (2-0).
  
- A motion was made by JoAnn Bush and seconded by Mary Ann Clausen to approve the minutes of the evening meeting of March 16, 2016. Motion Carried (2-0).

- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to approve the payroll for the week ending 4/16/2016 in the amount of \$8,972.85. Motion carried. (2-0).
- A motion was made by JoAnn Bush and seconded by Mary Anne Clausen to approve the payroll for the period ending 4/29/2016 in the amount of \$11,745.05. Motion carried (2-0).
- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to approve the following bills:

General Fund Bill	\$31,591.87
Community Center bills	\$ 2,818.43
Form 941 dated 4/28/2016	\$ 2,100.74
Form 941 dated 5/12/2016	\$ 2,886.86
State Withholding dated 4/16/2016 to 4/30/3016	\$ 274.83
State Withholding dated 5/1/2016 to 5/15/2016	\$ 346.68
Berkheimer 1 <sup>st</sup> quarter EIT	\$ 632.63
PMRS (1 <sup>st</sup> Q. retirement contribution)	\$ 3,857.59
PAUC Fund (3 <sup>rd</sup> Q. unemployment)	\$ 51.08
PAUC Fund (1 <sup>st</sup> Q. unemployment)	\$ 65.66
PSATS Unemp Group Trust (1 <sup>st</sup> Q.)	\$ 578.05

Motion carried. (2-0).

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to ratify the PPL bill for the Community Center dated 3/28/2016 in the amount of \$900.32. Motion carried (2-0).
- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to approve the Solicitors bill for April in the amount of \$3,024.00. Motion carried (2-0).

**Water Extraction Update:** Mary Anne Clausen gave the following update on the water extraction issue:

The Diehl Appeal is presently in discovery, the period in which parties to the matter, presently the appellants, Rick Gower and Gower Estates and the Township may ask each other for information relevant to the case. The court has set the date of June 29, 2016 as the date the discovery must be completed. A petition to intervene, has been filed by numerous Township residents and some residents from other Townships, and a hearing for that petition is scheduled for 1:30 PM on May 23, 2016 in Courtroom 5 at the Monroe County Courthouse.

The hearing for the merits of the appeal is scheduled for July 22, 2016 also at Courtroom 5 of the Monroe County Courthouse.

At the last session of the Zoning Hearing Board Hearings, Nestle finished their examination of their engineer Ed Davis. Cross examination of Mr. Davis will begin at the next session. The Attorneys representing the Township, the appellants and other parties represented by counsel will cross examine first, then other objectors with standing may cross examine Mr. Davis. The next hearing is May 18, 2016 at 7:00 PM at the Kunkletown Volunteer Fire Company. Other scheduled dates are June 15 and July 20, 2016, all at the Firehouse at 7 pm.

**Zoning Officer Report:** Ellerslie Helm, Zoning Officer, reported that he issued 2 permits in April one for the demolition of a house that burned down and one for a pole barn, 4 site surveys, and he relocated cameras related to a dumping complaint. Michael Orth reported that he had 2 noise complaints and other things. Mr. Helm responded to Mr. Orth's statements. Paul Shook also brought a complaint about his neighbor burning with the smoke coming onto his property. Mr. Helm also responded that this issue had been resolved some time ago. Mary Anne Clausen said anyone with a problem can contact Mr. Helm or any of the Supervisors with their concerns.

**Roadmaster's Report:** Keith Kuehner reported that the road crew continues to clean out drains and shoulders, next week begins mowing. He had a meeting with Hanover Engineering about the Gower Rd. Bridge and they are preparing specs for the bridge replacement.

**West End Ambulance Report:** There was a written report available for public viewing. No representative appeared.

**Kunkletown Volunteer Fire Company Report:** The Fire Company reported 6 calls last month.

**CJERP Report:** Robert Boileau reported that Eldred had made a formal statement that contrary to the CJERP solicitor's statement on behalf of CJERP, Eldred Township had concerns that proper procedures were not followed in amending our zoning ordinance in 2014 and believed the matter should be decided by a court.

**Planning Commission Report:** Robert Boileau reported that the Planning Commission, at their last meeting, passed a motion to retain the recordings of their meetings for at least 3 years.

The Planning Commission passed a motion to have the Supervisors to facilitate the Monroe County Planning Commission to do a Traffic Study on Kunkletown Road with the purpose of determining the number and type of trucks traveling on Kunkletown Rd.

Regarding submittals, the Planners have requested a more detailed submittal policy to permit time for the Planners to review and comment on any submittals prior to the Zoning Hearing Board hearings in order to fulfill their role as an advisory board. The Planners reviewed the Hanover review of April 15<sup>th</sup> and they notified the Zoning Hearing Board that they are in agreement with the Hanover comments and again recommend denial of the Nestle Application.

Mary Anne Clausen commented that as far as the record retention, she believes that once a record is kept for a period of time, it becomes an administrative record and may have to be kept indefinitely. Solicitor Karasek added that there are 2 aspects to this. First, if recordings are kept after the written minutes are approved, they become a public record and must be kept. Secondly, he is not sure the BOS can dictate how the Planning Commission keeps its records.

Mr. Hoffman said he feels the keeping of these recordings is most important especially in light of the recent problems the Township is embroiled in and that it is possible that if a recording of certain minutes were available it could resolve some questions.

Vernon Barlieb agreed that the recordings should be kept. He feels that the minutes in the past did not accurately reflect the facts and comments expressed at the meetings.

Solicitor Karasek brought up the issue of what would be considered the “official” minutes if there is a conflict between the written and recorded minutes.

Desiree Jaeckle said that this would be an issue for the courts if it came to that. She also believes the recordings should be kept. Mr. Leiding also agreed.

There was more discussion on this subject. Mary Anne Clausen asked Mr. Boileau to go back to the Planning Commission Attorney (Mr. Gaul) to find out if three years is the correct retention time. She suggests returning to this issue next month.

Gary Hoffman spoke about the proposed Traffic study. His objective is to find out the number of trucks using Kunkletown Road.

Regarding the issue of the submittals to the Planning Commission during a hearing procedure and Mary Anne Clausen noted that this, among other things, needed to be reviewed with the purpose of updating our Zoning Ordinance.

**Parks and Recreation Committee Report:** Mary Anne Clausen reported that Ilene Eckhart and Mrs. Jaqueline Mock were appointed to Committee (Mrs. Mock as a non-voting member) at the May 9 special meeting. The Committee will be meeting on Friday May 13, 2016 to begin their work.

**Community Center Report:** Ann Velopolcek reported that the Community Center continues to meet on Wednesday afternoons and the public is welcome to come with ideas. JoAnn Bush had a question about a purchase requisition for supplies.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to authorize Mr. Krum to make the purchases as identified on the purchase requisition up to the amount of \$200.00. Motion carried. (2-0).
- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve the Short Term and Recurring Events Guidelines. Motion carried (2-0)

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to amend the Community Center Rules and Regulations to allow smoking in a designated area outdoors with a proper disposal container. Motion carried (2-0)

Vernon Barlieb recommended the Township adopt a “no smoking” policy on all Township property.

- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to ratify the West End Little League Lease. Motion carried. (2-0).
- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to approve the daily room rental for Carpenito. Motion carried. (2-0).

There was discussion about contracting with a pest control company. It was decided to get more information prior to entering into a contract.

Mary Anne Clausen brought up the Thrift Store and asked if any action needed to be taken. After a brief discussion it was decided that no action needed to be taken at this time.

Richard Salter (Constable) asked the Supervisors to advertise and post hours of operation at the Community Center, especially on the distribution days to prevent people from lining up in the very early hours of the morning. There is no staff present at that time and the Constable feels there could be problems. There was discussion about this and it was decided to make the hours of operation from 8 A.M. to 12 P.M.

Attorney Karasek suggested that a resolution was in order to make this enforceable.

- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to have the secretary create a resolution setting the hours of operation as stated above and to block access to the parking lot during the hours the Center is closed. Motion carried (2-0).

**Ordinance for Supervisors Compensation:** An updated ordinance stating the payment of the Supervisors was presented by Solicitor Karasek. This Ordinance allows for the Supervisors to be paid quarterly in accordance with state laws.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to adopt Ordinance 2016-02. Motion carried (2-0).

**Credit Card Policy:** Mary Anne Clausen explained the need for the Municipality to have a credit card to purchase some things that are ordered via internet or phone (such as conference registrations and IT services). The Credit Card company requires a Policy.

There was some discussion about the Credit Card and portions of the policy were read aloud.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to adopt the Credit Card Policy as amended to include a credit limit of \$2000.00. Motion carried (2-0).

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to apply a \$2000.00 limit to the Township Credit Card. Motion Carried (2-0).
- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to Authorize the Township Treasurer, currently Sylvia Gethen, to be the only authorized user of the Credit Card. Motion carried (2-0).

**Approval of Website Hosting:**

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve Go Daddy at the rate of 107.88/year as our website host. Motion carried (2-0).

**Awarding of Bids for Roadwork and Materials:**

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush, based upon the bids submitted which were opened this day at 12:00 PM, and subject to attorney review, to award a contract to:

Hanson Aggregates Pennsylvania LLC:

300 T # 2A	@ \$ 7.15 fob	\$2,145.00 or
	\$11.65 del	\$3,495.00
100 T # 3	@ \$11.50 fob	\$1,150.00 or
	\$16.00 del	\$1,600.00
100 T # 4	@ \$12.50 fob	\$1,250.00 or
	\$17.00 del	\$1,700.00
100T Gabion	@ \$15.50 fob	\$1,550.00 or
	\$20.00 del	\$2,000.00

Motion carried (2-0)

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush, subject to attorney review, to award a contract to:

Shiffer Bituminous Service Co.

18,000 Gal e-3M oil @ \$3.00/G	\$ 54,000.00
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- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush, subject to attorney review, to award a contract to:

Midland Asphalt Materials, Inc.  
46,702 Gal. Seal Coating

\$112,084.80

Motion carried (2-0).

**Resolution 05-2016-** Acceptance of Municipal Records Retention and Disposition Schedule.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to accept the Municipal Records and Disposition Resolution 05-2016. Motion carried. (2-0).

There was some discussion regarding which records should be destroyed and which should be kept.

**Resolution 06-2016-** Acceptance of Municipal Deposit Resolution, describing who is authorized to sign checks.

- There was a motion by Mary Anne Clausen and seconded by Joann Bush to adopt Resolution 06-2016. Motion carried (2-0).

**Other:** Basket donation: we have been asked to donate a basket to the West End Parks and Open Space Committee.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to donate a basket to the West End Parks and Open Space Committee with a limit of \$50.00. Motion carried (2-0)

JoAnne Bush will prepare the basket.

Mock Park- The access currently being used by the tenant farmer to the Mock Park fields may no longer be available. The fields have been plowed this year, so there appears to be no immediate problem but in the future a second access may be required.

IT Help- Mary Anne Clausen explained that the Supervisors have been sensitive to the costs of consulting our professionals by requiring the approval of two Supervisors before making any requests to them, but she would like to waive that requirement in the case of IT.

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to allow the office staff to contact our IT consultant (Mike Kolba) in the event of a problem with the computers to avoid delays in necessary work. Motion carried (2-0).

Mary Anne Clausen pointed out a map prepared by Gary Hoffman, that shows the real estate owned by the Township. She would like to begin the discussion about how best to utilize all these properties in a comprehensive way for the benefit of the community and residents. A date for a meeting to have that discussion will be announced.

**Royal Security:** The idea of installing security cameras at the Municipal Building was discussed. Two proposals have been received. There was discussion about the systems. There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to approve the proposal from AID subject to confirmation of sufficient capacity.

There was discussion and questions which could not be answered. It was decided to withdraw the motion and table the decision until Mike Kolba had an opportunity to review the information in the bids.

Gary Hoffman brought up the issue of the anticipated problem of Gypsy Moth infestation. He indicated that DCNR has a spraying program that we might want to look into. Mary Anne Clausen asked Mr. Hoffman to get more information about the Program and report back.

**Appointment of New Supervisor:** Due to the resignation of Sharon Solt on May 2, 2016, a new Supervisor must be appointed the fill the remainder of her term.

- A motion was made by Mary Anne Clausen and seconded by JoAnn Bush to appoint Gary Hoffman as Supervisor, effective May 20, 2016, subject to his resigning his appointment to the Planning Commission in accordance with Eldred Township Ordinance 93-1. Motion Carried (2-0).

**Public Comment:** Donna Deihl said she spoke to Karena Thek and confirmed that quarterly pest control was acceptable to the inspectors for the Food Pantry.

Keith Kuehner announced that residents should check with The Waste Authority to make sure things they drop off are acceptable items.

Reiner Jaeckle asked about the link on the website to the Nestle documents. He said the link opens to the Nestle website and he objects.

Donna Deihl asked if we would be getting a new website as she finds our present website to be cumbersome. Mary Anne Clausen replied that our new IT person was putting that together and it is being done.

Jim Leiding asked about the cost of the Legal Notices, Since the Times News is less expensive he suggested we post the Notices there. Judy Delagos Kramer from the Times News announced that from their website the "Legal News" link, links to many papers' legal notices, including the Pococo Record.

Doug Borger asked if we are considering Security Cameras at the Community Center. JoAnn Bush said it could be incorporated into a grant but that the current grant will be used for air conditioning the building. Mr. Borger asked if the current grant required a contribution form the Township. Mrs. Clausen answered that it did not.

Dale Weidman commented about the road sealing and the number of people required to safely flag the roads while the work is being done. He believes more staff is necessary for safety reasons. He also asked how many hours worked is the definition of "part-time". According to the Employee Handbook, up to 35 hours/week is considered part-time.

**Adjournment:** There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to adjourn. Motion carried. Meeting adjourned at 9:55 P.M.

Respectfully Submitted,

E. Ann Velopolcek  
Acting Secretary

Cc: Eldred Twp. Supervisors

Monroe Co. Planning Commission

Solicitor Ronold Karasek

## Supervisors' Meeting Minutes

June 8, 2016

On June 8, 2016 the Eldred Township Board of Supervisors met for a regularly scheduled meeting at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, Pa, 18058 at 7:30 P.M.

**In Attendance:** In attendance were Mary Anne Clausen; Chairman, JoAnn Bush; Vice Chairman, Gary Hoffman; Supervisor

**Call to Order:** The meeting was called to order by Mary Anne Clausen at 7:00 P.M. Ms. Clausen welcomed Gary Hoffman to the Board.

Mary Anne Clausen announced that there had been several executive sessions:

5/23 - Interviews, Litigation, Personnel, Real Estate, Administration  
6/1 – Interviews  
6/2 - Interviews, Personnel  
6/7 - Litigation, Personnel, Grant Administration meeting, Administration  
6/8 - Prior to this meeting Personnel, Real Estate

### **Appoint Counsel:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to terminate the services of Ronold Karasek; Esq. and to appoint the law firm of King Spry, Herman, Freund and Faul LLC, Michael A. Gaul Esq., chief representative as the new Township Solicitor. The Board expressed appreciation to Solicitor Karasek for his service but believed that, given the overlap between certain Planning Commission and Board matters, it would be more efficient to have one law firm represent both bodies. Motion carried (3-0).

There was an announcement that JoAnn Bush was recording the meeting.

**Public Comments for Non-Agenda Items:** There were no public comments.

### **Approval of Minutes:**

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve the minutes of May 11, 2016. Motion carried. (2-0) Gary Hoffman abstaining.

- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to approve the minutes of the special meeting of May 9, 2016. Motion carried. (2-0) Gary Hoffman abstaining.
- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve to corrected minutes of March 16, 2016, morning meeting. Motion carried. (2-0) Gary Hoffman abstaining.
- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to approve the corrected minutes of April 13, 2016. Motion Carried (2-0) Gary Hoffman abstaining.

**Treasurer's Report:** There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to approve the Treasurer's Report dated June 8, 2016. Motion carried (3-0).

**Bills for Approval:**

There was a motion to approve the bills as follows:

General Fund Bills (6/8/2016)	\$41,334.11
Community Center (6/8/2016)	\$ 2,681.33
Form 941 (5/26/2016)	\$ 2,651.90
Form 941 (6/9/2016)	\$ 2,021.00
State Withholding (5/16/2016-5-31-2016)	\$ 332.26
State Withholding (6/1/2016-6/15/2016) \$ 266.04	General Fund Amerihealth Casualty
5/26/2016 \$ 2,331.65	
General Fund Petty Cash	\$ 82.62
General Fund Sensible Tech. Sol. 5/18/2016	\$ 114.36
General Fund Sensible Tech. Sol. 4/16/2016	\$ 23.44
State Fund American Rock Salt 5/26/2016	\$ 1,669.11

- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen that the bills be approved in the amount of \$43,960.44 and to except the bill for the Pennsylvania Municipal League for \$65.00. Motion carried (3-0). Gary Hoffman abstained on the payment of the Monroe County Control Center bill in the amount of \$35.00.
- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to approve the payroll for the weeks ending 5/15/2015 in the amount of \$10,843.43. Motion carried (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the payroll for the weeks ending 5/28/2016 in the amount of \$8,668.92. Motion carried. (3-0).

**Water Extraction Update:** Mary Anne Clausen announced the results of the hearing regarding the intervenor actions, that Nestle had, at the last hearing completed their examination of Ed Davis, Site Engineer. Mark Freed began his cross examination of Mr. Davis, but did not complete it and would continue at the next hearing on June 15, 2016. The only additional date for hearings that is set is July 20, 2016.

Mr. Eric Andreus of Nestle read a statement and submitted a letter officially withdrawing Nestlé's application for Special Exception.

Bill Zeigler asked the minutes reflect this action by Nestle.

Gary Hoffman commented that the withdrawal of the application is as a result of the hard work of the Supervisors, Planners, Zoning Hearing Board and the members of the public that contested the application. He also stated that Eldred Township must be vigilant so that no situation like this occurs in the future.

Reiner Jaeckle restated that provisions must be put in place that will prevent an application of this magnitude from being accepted in the future without thorough engineering and legal reviews.

Doug Borger stated that he still does not trust that Nestle will not try to come back at some point. Mary Anne Clausen said that Eldred's attorney will be reviewing the documents presented today to make sure they are binding.

Donna Deihl asked if the appeal would now move forward. Mary Anne Clausen suggested that she speak to her attorney.

Desiree Jaeckle asked if the Ordinance would stand if the appeal was discontinued.

Solicitor Gaul stated that besides other issues around the appeal, the current Ordinance does not allow water extraction at that site.

Dr. Leiding asked if Nestle or Mr. Gower would have to inform the court of their decision. Solicitor Gaul answered that the attorney for the plaintiffs would make a decision whether to withdraw the action based on the fact that the controversy is now moot. There are currently no applications pending based on that Ordinance. He suggested that everyone take some time to analyze the new situation as there is now no rush to do so, and make decisions after that analysis.

Dr. Baker asked if Nestle could resubmit their application in the future. Mr. Gaul answered that they could make an application but not for that site.

Vernon Barlieb stated that he feels there was wrongdoing and that before all actions are dropped, that should be looked at. Solicitor Gaul answered that Eldred Township has no authority as far as any criminal action, there would have to be a report to the DA's office or perhaps the Ethics Committee. Mr. Barlieb asked if this is the decision of the appellant's attorney. Solicitor Gaul replied that the appellants should speak to their attorney. Mr. Barlieb made a statement about transparency and keeping the public informed about the Board's actions.

Archie Craig announced that the public needs to attend the meetings in order to keep informed.

Michael Orth said he believes the Township should invest in improved technology to record meetings.

**Road Master's Report:** Keith Kuehner announced that the road crew is mowing, cleaning shoulders, and patching potholes. Mary Anne Clausen asked him about the temporary repairs on the Gower Bridge. Mr. Kuehner said the work has not started yet mainly because of weather related issues.

**Kunkletown Volunteer Fire Company Report:** Ray Miller reported that the Fire Company had 6 calls last month and that volunteers are needed for the carnival that begins in June 22.

**CJERP Report:** There was no CJERP Report.

**Planning Commission Report:** There was no Planning Commission report.

**Parks and Recreation Report:** Mary Anne Clausen reported that Ilene Eckhart has been appointed Chairman of the Committee. It has been determined that the grant money cannot be used at the Community Center. The Committee is reconsidering using the money for improvements at Mock Park.

They are meeting on the second and fourth Mondays of each month. The meetings are public and input is welcomed. Ms. Clausen has been the contact person for DCNR as related to the grant but feels that a person on the Committee would be a better choice.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to appoint Ilene Eckhart to be the DCNR Contact person. Motion carried (3-0).

**Community Center Report:** Shirley Krum reported that the Community Center is hosting an Open House on June 11 from 10-3. Ann Velopolcek reported that there will be a Seminar on Fraud at the Community Center. More information will be posted on the Website when it is available.

- There was a motion was made by Mary Anne Clausen and seconded by JoAnn Bush to have a special meeting with the Community Center Board for Wed. June 15, 2016 at 1 P.M. at the Community Center. (If there is no Zoning Hearing Board Hearing the meeting will be at 7 P.M.) Motion carried (3-0).
- There was a motion was made by Gary Hoffman and seconded by JoAnn Bush to change our advertising venue from the Pocono Record to the Times News as a more cost effective choice. Motion carried. (3-0).

**Bid Advertisement:**

- There was a motion by Mary Anne Clausen and seconded by Gary Hoffman to table the bid advertisement for the air conditioning at the Community Center, as the bid specs are not ready yet. Motion carried (3-0).

**Appointments:** Mary Anne Clausen announced that there were some appointments to make. Due to Gary Hoffman's resignation from the Planning Commission and the Vacancy Board there is are vacancies to be filled.

- There was a motion by Mary Anne Clausen and seconded by Gary Hoffman to appoint Michael Kaspszyk as the Chairman of the Vacancy Board. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to appoint James Leiding to the Planning commission. Motion carried (3-0).

**Resolutions:**

- There was a motion by JoAnn Bush to adopt Resolution 07-2016, A resolution approving the Supervisors and the Treasurer (Sylvia Gethen) as signatories for the First Niagara accounts. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve Resolution 082016, a resolution to allow the destruction of certain records described in the document in accordance with the Municipal Records Manual of 2008. (The records to be destroyed are the 1986-2008 EIT records and misc. letters, newsletters and announcements from COG and PSATS 1994-2000. Motion carried (3-0).

**Security System:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the proposal of A.I.D. Security Systems to procure and set up Security Cameras at the Municipal Building in the amount of \$1650.00. Motion carried (3-0).

**Other:**

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to schedule and advertise a special meeting on June 27, 2016 at 7:30 pm for the purpose of a townhall discussion on developing a comprehensive plan for the use of Township owned Real Estate. Motion carried (3-0).
- There was a motion by Mary Anne Clausen and seconded by Gary Hoffman to eliminate the inhouse position of Zoning and Codes Enforcement Officer, terminating the services of Ellerslie Helm, currently in that position, effective June 10, 2016 and to hire SFM Consulting LLC to the position of Zoning and Codes Enforcement Services, with the exception of building code enforcement, at the rate of \$65.00/ hr., with Shawn McGlynn as chief representative. Motion carried (3-0).

Dale Weidman asked about the availability of the new Zoning Officer. Mary Anne Clausen answered that Mr. McGlynn will be in the office two days a week and will also be available by email or cell phone. Mr. Weidman then asked about the cost of this change. Ms. Clausen said it is going to be monitored but is expected to be about the same as the previous costs of a Zoning Officer.

Mary Anne Clausen spoke about the Gower Road Bridge replacement. Temporary repairs are scheduled and we now have more information from Hanover Engineering about the different types of bridge options. Further discussion will take place at the Special meeting on Wed. June 15, 2016.

Mary Anne Clausen gave a brief report about the status of the Burn Ordinance. The draft copy will be available to the public soon and when a final draft is ready it will go to our solicitor for legal review.

Shirley Krum asked if any progress had been made about posting the hours of operation for the Community Center. Ann Velopolcek replied that she looked this topic up in the Municipal code and we will need an ordinance. Mary Anne Clausen said that this could be discussed at the meeting on Wed. June 15.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve payment of 900.00 toward the repair of the freezer, which is half the cost. Motion carried (3-0). The Food Pantry will pay the other half.

Bill Zeigler said he believes Nestle will not give up and we will hear from them again in the future. Mary Anne Clausen responded that Water Extraction is no longer allowed in our Commercial Zone, but is permitted in our Industrial Zone. It was suggested that that be removed. Jack Rader stated that he feels another Township would accept Water Extraction, allowing it to be removed from Eldred.

Doug Borger made some statements about Christine Meinhart chairing a committee (CJERP) regulating an area she does not live in. Mary Anne Clausen explained that Ms. Meinhart is the head of the Monroe County Planning Commission and this is why she is involved in CJERP.

Mr. Borger also commented that he feels the Township needs to closely monitor the costs of having the Food Pantry as a tenant.

Dr. Baker made a statement about creating a legal entity of the Environment so that it could be protected and have rights under the law.

Doug Borger asked about the wells left behind by Nestle on the Gower property. Mary Anne Clausen and Solicitor Gaul replied that more research needs to be done before that question can be answered.

Mike Kaspszyk stated that he feels the reason Nestle withdrew is because of the involvement of the Community and the new Board of Supervisors.

**Adjournment:** There was a motion by JoAnn Bush and seconded by Gary Hoffman to adjourn. Motion Carried (3-0) Meeting adjourned at 8:50 P.M.

Respectfully submitted,

E. Ann Velopolcek  
Acting Secretary

Cc: Solicitor Michael Gaul

Solicitor Ronold Karasek

Eldred Planners

Board of Supervisors  
Special Meeting  
June 27, 2016

On June 27, 2016 the Eldred Township Board of Supervisors met for a Special meeting at 7:30 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Road, Kunkletown, Pa, 18058.

In Attendance: In attendance were Mary Anne Clausen, Chairman; JoAnn Bush, ViceChairman; Gary Hoffman, Supervisor

Call to Order: The meeting was called to order at 7:35 P.M., followed by the Pledge of Allegiance.

Mary Anne Clausen announced that the purpose of this meeting was to discuss the various property owned by the Township and how best to utilize those properties for the benefit of the Community. The goal is to create a comprehensive plan to develop each of the properties over time that will complement and enhance the uses of each.

Mary Anne Clausen began the discussion with a history of the Old Stone Bridge and the Old Post Office across the street. Ms. Clausen listed some of the improvements the Historical Society has completed at the building.

Gary Hoffman spoke about the Old Railroad Trails that run along the Buckwha that the Township owns several pieces of. However, some of the trail runs across private property and it is not currently clear about any easements that may be in place. He gave a brief overview of the Stipulation of Resolution between Eldred Township and the Rod and Gun Club. More research will need to be done to clarify how this property can be used.

JoAnn Bush spoke about the Community Center. There was a brief discussion about the current status of the Center.

Ilene Eckhart (Parks and Recreation Committee Chair) gave a power point presentation about the Mock Park Property. She announced that the P&R Committee, after long deliberation, recommends to the supervisors that the Grant money previously acquired from DCNR be returned as there is insufficient time to fulfill all DCNR's requirements and the estimates of costs done in 2011 are no longer viable. Ms. Eckhart also brought up the future acquisition of the additional Mock Park Property including the structures that are existing and wants the

Township to come up with a plan for that property including future uses and stewardship of the buildings and the contents. The Parks Committee believes the park, being such a large property, needs to be developed in phases, the first being an access and a walking path.

Public Comment:      Mock Park:

Robert Boileau remarked about the concept of “passive recreation” allowing walking trails but continuing to allow farming etc. He brought up the idea of creating a parking area on the Church Rd. property just off the road behind the trees. He thinks some local groups might use the facility as an environmental study area. Mr. Leiding added that ESU or NCACC might also make use of Mock Park as an environmental study area.

Donna Deihl presented the idea of having a “garden of giving” garden area to benefit the Food Pantry.

Mike Kolba said he thinks the park should try to provide something to differentiate it from other local parks.

Desiree Jaeckle said she is quite sure that parking cannot happen on the Church Rd. area, it would need to be in the meadow area, according to the settlement reached with the Zilmer’s.

Helen Mackes gave some of the history of the Mock house. The property was originally homesteaded by her Great Grandfather Michael Christman, then to her Great Aunt and much later to the Mock’s. She also reported that the property is intact as it was when it was a homestead.

Community Center

There was some discussion about the cost of running the Community Center. Mary Anne Clausen answered that it cost about \$4000.00/ month but that that was offset, in part by the monies the Community Center brought in. Ms. Clausen also announced that there has been more information available recently about renting the rooms and how the taxes may be impacted. JoAnn Bush read a letter from resident Susan Pekala in support of the Center.

Dr. Leiding asked who the members of the board are and what the terms are. Mary Anne Clausen answered that the terms are from Jan. to Jan and the members are appointed at the annual organization meeting. The members are Carey Krum, Shirley Krum, Linda Kile, John Kile, Darcy Gannon, Sharon Solt, Dora Tarter and Ann Velopolcek.

Ann Velopolcek made another plea for volunteers, explaining that the committee has many ideas for programs but are limited by time and the amount of volunteers that have stepped forward.

Linda Kile gave an update on the Food Pantry.

Desiree Jaeckle made a statement that the Community Center should be run as a business. Ms. Jaeckle also asked if there was a business plan going into this project. Ms. Clausen answered that there was a study done but not an actual business plan.

The actual costs of running the Center was not at hand but is available from the Treasurer.

#### The Railroad Bed Trail

Dave Tanzosh asked to be a part of the research into the ownership and easements of the Railroad Bed Trail. The Supervisors agreed that this was a good idea.

#### The Historic Post Office and Stone Arch Bridge

Helen Mackes gave a brief history of the Stone Arch Bridge:

The bridge was built in 1893

The length of the bridge is 115 ft. long

In 2013 new coping was installed after a repair was made due to a traffic accident.

Harold Serfass (a local Mason) did the repair and installed the new coping.

The bridge was inspected in 1942 by PennDot.

The boards on the bridge are there to support the bridge due to damage from heavy usage by the sand quarry trucks.

According to Ms. Mackes the bridge is in need of repair because there has been some undermining of the foundation over time

Ms. Mackes also gave a brief history of the Historic Post office;

The building was erected in 1902

The Township purchased the Post Office for \$25,000.00 in 1999

An addition for a Mercantile was added in 1977

In addition to a post office the Blue Ridge Telephone Company also operated out of the building.

Since the Historical Society leased the building, there has been asbestos removal, new windows installed and the doors refinished by Richard Pierce (a local craftsman).

All the work done on the Post Office was accomplished with donations and grants.

Ms. Clausen announced that the Post Office is leased to the Historical Society and they plan to use the building as a headquarters and a small museum.

Desiree Jaeckle asked if Ms. Mackes had an estimate to finish the restoration of the Post Office. Ms. Mackes answered probably at least \$200,000.00.

Ms. Clausen indicated that parking for the building can eventually be behind the building or across the street in the lot adjacent to Rachel's Store.

Ms. Mackes said she approached the Palmerton Telephone Company about recovering any old equipment they may have acquired when they purchased the telephone company. They denied having any such equipment.

Other Business: Mary Anne Clausen announced the next workshop meeting to discuss the burn ordinance will take place on Tuesday, July 26 at 7:00 P.M. at the Municipal Building.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to accept the recommendation of the Parks committee and return the grant money for the Mock Park Project and thank the Committee for their work. Motion carried (3-0).

Mary Anne Clausen asked Ilene Eckhart, as contact person with the Grant Committee to reach out and advise them of the decision. Ms. Eckhart agreed to do so.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to accept the Ehrlich proposal for quarterly pest control at the Community center. Motion carried (3-0).

Gary Hoffman asked that the Supervisors follow up on the final sealing of the wells on the Gower property after Nestle pulled out of the project. Mr. Hoffman also asked that the Supervisors determine what needs to be done to restore Sandy Hill Path to its previous condition which allowed the passage of vehicles on the private road.

Public Comment: Donna Deihl asked what Mr. Hoffman meant by the wells being sealed. Mr. Hoffman answered that the wells need to be grouted in accordance with the DEP's regulation to prevent contamination of ground water at the site.

There was a question about the West End Regional Park. Mary Anne Clausen answered that Eldred Township donated to the acquisition of the park but is not a member of the organization, is not a voting member, but that our residents are permitted to use the park.

Dawn Barankovich asked about the income from the Thrift Store at the Community Center. Ann Velopolcek answered that all the revenue generated by the Thrift Store is deposited in the Community Center account. There is a split with the Consignment items but the Thrift Store's portion is deposited.

There was a comment about the Community Center being the main focus of the current Board. Mary Anne Clausen answered that the Community Center is an active enterprise. However, the Parks and Recreation Committee is actively pursuing ideas and action to create development plans for the parks.

Dale Weidman asked about the metal plate on the old septic system for the Post office. He believes it may need replacement or to be filled in.

Adjournment:

- There was a motion to adjourn by JoAnn Bush and seconded by Gary Hoffman. Motion carried (3-0). Meeting Adjourned at 9:25 P.M.

Respectfully Submitted,

E. Ann Velopolcek  
Recording Secretary

CC: Michael Gaul, Solicitor

Eldred Township Planning Commission

Board of Supervisors  
July 13, 2016

On July 13, 2016 the Eldred Township Board of Supervisors met for their regular monthly meeting at 7:30 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, Pa.

**In Attendance:** In attendance were JoAnn Bush; Vice Chairman, Gary Hoffman; Supervisor and Michael Gaul Solicitor. (Mary Ann Clausen; Chairman was absent.)

**Call to Order:** The meeting was called to order at 7:30 P.M., followed by the Pledge of Allegiance.

**Announcements:** JoAnn Bush announced that the Board of Supervisors had held executive sessions prior to this meeting to discuss litigation and personnel issues, and before and after the meeting on June 27, 2016, to discuss real estate and personnel matters.

Ms. Bush also announced that the Acting Township Secretary was recording the meeting.

**Swearing in of Fire Police:** Ms. Bush swore in the following members of the Kunkletown Volunteer Fire Company as special fire police: Leon Frable, Cheryl Frable, John Kile, Michelle Silliman, Kevin Silliman, Ray Miller, Richard Salter and Virginia Salter.

**Approval of Minutes:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the minutes of June 8, 2016, June 15 2016 and June 27, 2016. Motion carried (2-0).

**Approval of Treasurer's Report:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the Treasurer's Report of July 13, 2016. Motion Carried (2-0). (See attached.)

**Approval of Payroll:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the payroll of the week ending 6/11/2016 in the amount of \$10,646.21. Motion carried (2-0).

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the payroll for the week ending 6/25/2016 in the amount of \$12,405.23. Motion carried (2-0).

JoAnn Bush made an announcement that the Treasurer, Sylvia Gethen, had reconciled the books for the years 2010-2015 and found an additional \$3911.73 to be added to the treasury.

**Approval of Bills:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the bills (see unpaid bills detail). Motion carried (2-0).

**Nestle Update:** JoAnn Bush announced that our Solicitor Michael Gaul sent a letter to Nestle NA, and the attorneys for Nestle NA and Gower Estates, LLC, requesting verification of the proper closure of the monitoring and test wells on the Gower property in accordance with Pennsylvania regulations.

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to have Solicitor Gaul draft an amendment to the Zoning Ordinance, prohibiting water extraction and water withdrawal facilities in Eldred Township. Motion carried (2-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to authorize the Township's Counsel to sign a stipulation ending the Zoning Amendment Appeal, without prejudice. Motion carried (2-0).

Vernon Barlieb asked if the prohibition on water extraction would affect private property owners or if the restriction would be on commercial water extraction. There was some discussion on this topic. Solicitor Gaul said prior to any new ordinance there would be a public hearing and the wording of the Amendment would reflect the interests and concerns of the residents, that residents would have an opportunity to speak at the hearing and bring forward their ideas and concerns. He stated that the idea was not to burden homeowners or local services but to prevent a commercial use such as Nestle.

There was discussion about the Fire Company pumping water from creeks to fill pools in the community. Solicitor Gaul said that he did not understand the Supervisors' motion to preclude such uses necessarily, and that the ultimate ordinance after discussion may accommodate such use.

**Zoning Officer Report:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the contract with SFM to hire SFM to be our Zoning and Code Enforcement Officer (other than building code). SFM's compensation under the contract would remain at the previously approved rate. Motion Carried (2-0).

JoAnn Bush announced that Shawn McGlynn is expected to be appointed as BCO, as he has the required certifications and licenses, but the appointment is waiting for a final review of the fee schedules.

Solicitor Gaul announced that, due to Pennsylvania statutory law, the Township's conditional approval of the Chang/ Chen Subdivision preliminary plan has been automatically extended until 2020. However, Chang/Chen's ability to proceed with the development also depends upon compliance with other permits (state and federal) that have not been extended and they will have to acquire those permits prior to any final approval.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush authorizing the Solicitor to send Chang/Chen a letter verifying the extension of the Conditional Approval of the preliminary plan for the Chang/Chen Subdivision. Motion carried (2-0).

**Road Master's Report:** Keith Kuehner stated that the road crew is working on filling potholes and patching. The temporary repairs to the Gower Rd. South Bridge will begin on Friday July 15, 2016. Sealing was completed on Buskirk Rd., Point Phillips Road and Schaffer Lane.

**Kunkletown Volunteer Fire Company Report:** Ray Miller reported that the Fire Company had 8 calls since his last report, that the carnival went well and the weather was nice that week.

**West End Ambulance Report:** The West End Ambulance Association sent in a written report which was available for public viewing.

**CJERP:** Robert Boileau had no report from CJERP. JoAnn Bush said Matt Neeb has requested a networking of the 5 Zoning Officers and that they participate in the CJERP meetings. Ms. Bush indicated that Ross and Eldred can split the cost because we have the same Zoning Officer.

**Planning Commission Report:** Robert Boileau reported that the Planning Commission believes the maps presented by Nestle in their Special Exception Application were flawed and the Planning Commission recommends that the Township should take any necessary steps to clarify the boundaries of the Township owned properties and the easements that exist which pertain to those properties, especially the Old Stone Arch Bridge property.

Mr. Boileau said in 2014 the Planning Commission submitted a list to the Board of Supervisors of forty land uses they considered not in our best interest. The Planning Commission will be reviewing and prioritizing that list in order to make further recommendations to the Board of Supervisors. One thing he pointed out is that Eldred made a request to (then) CJER that slaughterhouses be removed from the category of Agricultural Products Processing, permitted in the Industrial zone. That did not happen but the category of Agricultural Processing was removed from the permitted uses in Eldred Township. This prohibited such activities as sawmills, food canning and other uses that might benefit our community. He stated that at the next CJERP meeting on July 21<sup>st</sup> he plans to have a discussion about changing the definition of Ag Processing to allow this to return to Eldred.

The Planning Commission also has made a recommendation that Race Tracks be amended as a regional use with a designation of not permitted in Eldred Township.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the Planning Commission's recommendation up to and including the cost of ordering a survey to confirm the property lines of Old Stone Arch Bridge Road. Motion Carried (2-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to authorize the Township Solicitor to prepare an amendment to make race tracks and water extraction regional uses with a designation of prohibited in Eldred Township. Motion carried (2-0).

There was much discussion about the issue of the race tracks. Dale Weidman, Doug Borger and others think a race track could benefit the community by providing jobs, amusement taxes and other income to the area. Mr. Borger suggested the Supervisors look into this more before making any change.

Dave Tanzosh stated that he feels the Township is creating too many restrictions on land use and feels the rights of large landowners are being unfairly curtailed. He cited the denial of the permit for the Shooting Range and now the potential loss of use as a Race facility. He asked for written notice of any change of Zoning that might affect his property. Solicitor Gaul responded that the Township is making great efforts to be transparent and his comments would be recorded in the minutes. As with any Ordinance, there will be a hearing where public comments will be heard prior to any decisions being made or changes occurring. Since the possible change would involve regional uses, the change will also be considered by CJERP and is likely to be a lengthy process, meetings advertised and public notice will be given.

Vernon Barlieb thanked the Supervisors for this early discussion of a potential Ordinance change, giving the Community an opportunity to respond to the proposed changes.

Mr. Tanzosh stated that the idea they are researching is to develop a Sports complex. Solicitor Gaul added that, if there would be buildings included in the plan, a land development plan would be necessary.

**Parks and Recreation Committee Report:** Annette Heist reported that the return of the Grant money frees the Committee to develop a new plan for Mock Park. The Committee believes that a passive recreation plan is possible, more cost effective and will provide a benefit to the community. She asked about the availability of funds for the development of parks. JoAnn Bush answered that there is a Parks account with about \$9000.00 available. Ms. Heist announced that the immediate plan is to open a narrow path at the Church Rd. entrance and to mow the clearing to maintain the area. Ms. Heist announced that the next meeting of the Parks Committee is July 25<sup>th</sup> and welcomed public attendance and input.

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to have Ilene Eckhart notify DCNR that the grant will not be used. Motion carried (2-0).

Mr. Zilmer reminded the Board that there is a binding agreement between himself and Eldred Township regarding the use and development of Mock Park and that any future plans should be in accord with that agreement.

**Community Center Report:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the West End Food Pantry Lease dated April 1, 2016, subject to solicitor review. Motion carried (2-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the Recurring Daily Lease of Susan Pekala dated June 21, 2016. Motion carried (2-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the Recurring Daily Lease Policy, the Recurring Daily Lease Agreement and the Recurring Daily Lease (fee waiver) Agreement. Motion carried (2-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the Community Center Volunteer Hold Harmless Waiver. Motion carried (2-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the development of a program of sponsorship proposed by Robert Boileau to generate funds to operate the Community Center. Motion carried (2-0).

There was some discussion about creating a status for the Community Center that would allow contributions to be tax deductible. Solicitor Gaul is looking into the matter to see if voluntary contribution to the Township for a public purpose would be tax deductible to the Donor or if a foundation of some kind would need to be set up to provide that status.

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve a rechargeable debit card for use of the Community Center with a limit of \$100.00 for use in lieu of petty cash.
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve a purchase order for supplies for the Community Center in the amount of 106.00. Motion carried (2-0).

Linda Kile referenced the ETCC profit/ loss statement and stated she is working with the Treasurer to further itemize the statement for clarity. Ms. Kile announced that the Community Center would like to start to have bingo, beginning in September. Solicitor Gaul asked that a bonded employee be responsible for the handling of the money.

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the Community Center to host bingo at the Community Center beginning in September. Motion carried. (2-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the ETCC Committee to have a Community Yard Sale at the Community Center on Sept. 24, 2016. Motion carried (2-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the funds for the repair of the roof of the shed at the Community Center in the amount of \$250.00. Tim Tanzosh has volunteered to do the repairs. Motion carried (2-0).

There was a motion by Gary Hoffman and seconded by JoAnn Bush to permit the removal of several trees that are either dead or causing a problem at the Community Center, (Mr.

Hoffman asked Keith Kuehner to look at the trees in question prior to the

- removal and ascertain the need to do so. Mr. Kuehner agreed.) Tim Tanzosh has volunteered to do the removal. Mr. Hoffman asked Mr. Tanzosh if he had the proper insurance. Mr. Tanzosh submitted an insurance certificate. Motion carried (2-0).

The Board gave the Committee permission to have some keys made to the shed to allow volunteers to access the lawn equipment to be able to mow the lawn. Solicitor Gaul asked that a list be kept of who has the keys and to provide a copy of the list to the Township.

Ms. Kile announced that there had been a donation of over 50 Bradford collectible plates to the Thrift Store that will be auctioned on e-bay. She asked for permission to put a sign outside to announce the Thrift store when it is open. Solicitor Gaul suggested speaking to the Zoning Officer about the sign regulations.

Ms. Kile asked about the status of the LSA grant. Ms. Bush reported that there a meeting scheduled for July 26<sup>th</sup> with Jeff Lazar to finalize the specs.

Solicitor Gaul spoke about the focus of the Community Center being the “benefit to the Community” and not to look to operate the Center as a profit generator for the payment of other unrelated Twp costs. He did suggest a reserve fund to be used for capital improvements and maintenance. He stated that there is not a problem with people using the facility to pay for their use, but that it should be run as a non-profit with the Community Benefit being the focus.

Linda Kile asked if the Board of Supervisors would approve and support another LSA grant for the Community Center. Ms. Kile agreed to write the grant. She believes the money should be used to renovate the kitchen. Ms. Bush and Mr. Hoffman agreed to Ms. Kile pursuing the grant.

**Other:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to change the budgeted donation to the Jaycees in the amount \$2000.00 (2016 Budget) to \$500.00 and to send that donation. Motion carried (2-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to send a \$250.00 donation to the Monroe County Historical Society. Motion carried (2-0).

In response to a donation request by the Monroe County Youth Field Day, the donation was deferred at this time.

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to appoint Keith Kuehner as a second alternate to the Monroe County Council of Governments (COG). Motion carried (2-0).

Gary Hoffman announced that the steel plate over an unused septic tank at the Historic Post Office property was inspected by Jeff Lazar of Hanover Engineering, who concluded that

the plate is in good condition and does not require replacement. He recommended that a load of stone be placed over the plate and that has been done.

JoAnn Bush announced that the 2015 Draft Audit report is back, has been reviewed by our Solicitor and there were no issues with the audit.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to have the Township Solicitor prepare an RFP (request for proposals) to advertise for hourly rates of trade vendors for emergency repairs, providing the Township with a list of preapproved vendors that would be readily available in an emergency. Motion carried (2-0).

Ms. Bush asked Solicitor Gaul to speak about the Township receiving donations in lieu of being a 501(3) c corporations. Solicitor Gaul said he will research this question, but he expects that the Township **can** receive donations to be used for public purpose, and such donations would be tax deductible to the donor, and if not, an organization can be set up to receive such donations. He suggested the Township may wish to set up such an organization to have those funds handled apart from other Township funds.

Solicitor Gaul announced that the letter of credit for the Kuehner Estate has been extended and problem of the incomplete matters in the development still need to be worked out.

Dave Mitchell commented on the proposed burning Ordinance. He requested that an exception be created in the Ordinance for the purpose of habitat management. He described the benefits of using fire for this purpose. Mr. Mitchell will provide a letter detailing his request and providing language for the ordinance.

Helen Mackes made an announcement about the recent work done at the Veterans' Memorial and gave the Board a brief history of the memorial.

Donna Deihl announced a fundraiser to pay the cost of the legal fees for the appeal of the amendment. Ms. Deihl then made a request for the Supervisors to contact the Attorney General to have an investigation into any wrongdoing that occurred during the CJERP hearings to change the definition of water extraction and the matters that came about afterwards as a result.

There was lengthy discussion about this matter. Solicitor Gaul advised Ms. Deihl that if there is any evidence of a law being broken or any ethics violation that may have occurred, that evidence and documents supporting that claim along with a written complaint should be submitted to the Supervisors in connection with her request. That way the Board would not have to speculate as to what she was referring to. He explained that the Board of Supervisors is not an investigative body nor are they a prosecuting body like a District Attorney's office. Solicitor Gaul made clear that ambiguous statements about misdeeds are not useful. Vern Barlieb criticized the Board for not taking, in his opinion, more initiative to investigate wrongdoing and requiring residents to provide the Board with specific information and evidence. Attorney Gaul stated that the requested procedure was his idea and not the Board's, and the purpose was not to impose any hardship or to discourage complaints, but instead simply to get at the details of what the issue was, instead of making assumptions. Attorney

Gaul also stated that the Township had engaged several different attorneys in regards to the amendment/Nestle matters, and that residents had engaged private counsel as well. Residents should not assume that all the attorneys had the same information, as they had been involved in different matters. The Supervisors agreed to speak to the Township attorneys that handled the amendment appeal and the Nestle special exception application to determine if the attorneys believed there is cause for further action and if so to take such action. Gary Hoffman offered to call Attorney Cohen and ask his opinion, but Attorney Gaul said that was not necessary and that he would contact Attorney Cohen.

**Adjournment:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to adjourn the meeting. Motion carried (2-0). Meeting adjourned at 9:31 P.M.

Respectfully Submitted,

E. Ann Velopolcek

Acting Secretary

CC: Michael Gaul; Solicitor                      Brien Kocher; Engineer                      Eldred Township Planners

Board of Supervisors  
Special Meeting  
July 26, 2016

On July 26, 2016 the Eldred Township Board of Supervisors met for a Special workshop meeting at 7:00 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, Pa.

**In Attendance:** In attendance were MaryAnne Clausen; Chairman, JoAnn Bush; Vice Chairman and Gary Hoffman; Supervisor.

Call to Order: The meeting was called to order by the Chairman at 7:00 followed by the Pledge of Allegiance.

New Business: Mary Anne Clausen read a brief document contributed by Dave Mitchell with proposed language for an addition to the Burn Ordinance to allow prescribed burns for the purpose of habitat and forestry management. Gary Hoffman explained the reasons such fires are necessary in the operations of good forestry practices. There were no objections to adding this exemption.

Section 2 Albert Aumack suggested removing §2.2 as it was not necessary.

Charles Ogle suggested adding the definition of “Nuisance” since it is referenced in the document.

There was some discussion about the definitions and making sure the references in the document are the same as the verbiage in the definitions.

Section 3 (§3.7) Kevin Silliman asked about the term “Enforcement Officer”, who that would be. Mary Anne Clausen answered that our Zoning and Codes Officer, Shawn McGlynn is currently the Township’s enforcement officer. Mr. Silliman said the Fire Department would be willing to respond to burning complaints if they are dispatched, and extinguish unsafe fires when necessary, but are not enforcement officials. They will fill out a report and submit that report to the Zoning and Codes Officer for further investigation. There was discussion about the procedure during hours when the Zoning Officer is not available and it was agreed that there should be a written procedure in place. It was suggested that photos might be taken to include in the report when the Fire Company accesses the property for this purpose.

Section 4: There were no changes to Section 4.

Mr. Silliman explained that if 911 is called and the Fire Company is dispatched, they (or any mutual aid Company) then have the authority to access the property and make a determination about any fire and extinguish any fire deemed “unsafe”.

It was determined that any fire suspected of being unsafe should be reported to 911. A fire that is a violation of the ordinance but not unsafe should be reported to the Zoning Officer.

(§6.4) Frank O’Donnell recommended that the mesh size required on burn barrels be reduced from ½ inch to ¼ inch and that the mesh be doubled. Mr. Niemoczynski felt that this requirement was too restrictive and might create resistance to compliance with the Ordinance. After some discussion it was decided to add “½ inch or smaller as circumstances require” to this section.

Section 5: Ms. Clausen gave her opinion about the wording of § 5 (unlawful substances), recommending that this provision contain only a list of unlawful substances that the Eldred Township Zoning Officer will enforce, and referencing later in the document that residents are still subject to State or County Laws that may exist, but the Township will not be the enforcement agency for those laws. There were no objections.

The following changes were agreed upon:

The definition of Construction and Demolition Waste (§3.4) is changed to Construction and or Demolition Debris to conform with the language in §5.1 (a).

The definition of Municipal waste (§3.10) can be removed if it does not appear in the document elsewhere.

The definition of Domestic Refuse is changed to Domestic Waste (§3.6).

There was discussion about the burning of paper, cardboard and household trash. Many residents have requested that these items be permitted to be burned. Ms. Clausen noted that the Monroe County Ordinance lists paper and cardboard as recyclables and are not permitted to be burned.

Melanie Long commented if domestic waste cannot be burned, there is not much left that can be burned. The issue of trash being left along roads because trash collection is expensive for certain families was discussed.

Michael Orth brought up the idea of municipal trash collection. Ms. Clausen answered that past Boards had discussed the idea but the cost was prohibitive at that time.

Doug Borger explained Polk Townships system.

It was decided to remove “domestic waste” from §5.1(c).

Section 6: §6.1 Mr. Silliman asked about burning on lots of less than ½ acre or when the shape of a lot does not have 50' clearance to adjacent property lines. Mary Anne Clausen stated that woody materials that can be chipped, can be brought to the Township Building to be recycled. The Township does not take leaves. Ms. Clausen said her hauler, Waste Management, doesn't collect leaves for recycling, but will pick up bags of leaves as trash.

Section 7: There were no comments on Section 7.

Section 8: There was a discussion about preparing a fee structure for allow consistency in applying cost reimbursements to persons responsible for creating the unsafe fire.

Section 9: Remove §9.2. Add the language from Mr. Mitchell, "prescribed fires".

Donald Moore asked if the "Right-to-Farm Act exemptions or reference to it should be included. Ms. Clausen said she would ask our Solicitor if it needed to be included.

Change §9.3 to... when approved by the KVFC or other authorized agency

Change §9.4 to... approved by the KVFC or other authorized agency.

Move §9 to §2

Remove §9.8

Section 10: Change heading to "Burn Ban"

There was discussion of how to make residents aware of a burn ban. The Township has signs to post. Mr Hoffman spoke about a product the County has available called Alert Pa. Monroe that will send alerts to individuals, and that we will put that information on our website and send out as an Update.

Add to §10 ...in consultation with The KVFC Chief and the Monroe County Emergency Management Coordinator.

The Supervisor's agreed to have Sections 11, 12, 13 and 15 and eventually the entire Ordinance reviewed by the Township Solicitor for his recommendation.

Section 16: Gary Hoffman spoke about the fees for the reimbursement of the cost of firefighters should they be called out to extinguish or investigate a fire. The Ordinance states

that such a fee schedule will be set by the Supervisors by resolution. Mary Anne Clausen said this would happen in consultation with the KVFC Fire Chief.

Other:

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to appoint SFM consulting with Shawn McGlynn as the Eldred Township Building Codes Officer. Motion carried (2-0). Mary Anne Clausen abstaining.
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to remove Hanover Engineering as the Eldred Township Building Codes Officer, Hanover Engineering will remain as the Eldred Township Engineer and alternate BCO. Motion carried (2-0). Mary Anne Clausen abstaining.
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to adopt Resolution 2016-09, the Building Code (other than residential) Fee Schedule. Motion passed (2-0). Mary Anne Clausen abstaining.
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to adopt Resolution 2016-10, the Building Code (residential) Fee Schedule. Motion carried (2-0). Mary Anne Clausen abstaining.
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the Consultation Agreement setting compensation for the UCC Building Code Enforcement Officer, SFM Consulting (Shawn McGlynn). Motion carried (2-0). Mary Anne Clausen abstaining.
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to amend the account codes in the General Fund Budget for the Eldred Township Community Center. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the list of planned events for the Kunkletown Volunteer Fire Company for the year 2016. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the Resolutions to transfer the Townships bank accounts from First Niagara to First Northern Bank. Motion carried (3-0).

Public Comment: Linda Kile announced that in order to proceed with the LSA grant for the renovation of the Community Center's kitchen there will be two fees that have to be paid in advance. There is a \$500.00 application fee and a \$100.00 documentary fee. Ms. Kile asked if she should continue the application. Mary Anne Clausen asked if this grant would interfere with the Township's application for LSA money for the bridge



Supervisors Meeting  
August 10, 2016

On August 10, 2016 a regular meeting of the Eldred Township Board of Supervisors was held at 7:30 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Road, Kunkletown, Pa.

**In Attendance:** In attendance were Mary Anne Clausen- Chairman, JoAnn Bush- Vice Chairman, Gary Hoffman- Supervisor, and Michael Gaul- Solicitor.

**Call to Order:** The meeting was called to order at 7:35 P.M. followed by the pledge of Allegiance.

**Executive Sessions:** Mary Anne Clausen announced that there had been executive sessions on Tuesday, August 9<sup>th</sup> to discuss personnel issues, some administrative matters and to meet with Jeff Lazar of Hanover Engineering to discuss the final bid specs for the air conditioning at the Community Center. There was also an executive session just prior to this meeting to discuss pending legal matters.

**Public Comment of Non-Agenda items:** There were no Public Comments relating to non-agenda items.

**Approval of Minutes:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the minutes of July 13, 2016. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the minutes of July 26, 2016. Motion carried (3-0).

**Approval of Treasurers Report:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the Treasurers Report. Motion carried (3-0).

**Approval of the Bills:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the General Fund bills in the amount of \$85,776.53. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the State Fund bill in the amount of \$106,192.80. Motion carried (3-0).

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- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the Community Center bills in the amount of \$16,635.18. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the Form 941 bills of 7/21/2016 and 8/4/2016 in the amounts of \$2,22.70 and \$2,277.82 respectively. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the State withholding tax for the weeks 7/16-7/31/2016 and 8/1-8/15/2016 in the amounts of \$267.81 and \$288.30 respectively. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to ratify the DCED Permit Report bill in the amount of \$12.00. Motion carried (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to ratify the transfer of funds to the new accounts at First Northern Bank in the amount of \$700.00. Motion carried (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to ratify the Highmark Blue Cross bill in the amount of \$2,22.03. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to ratify the payment for the return of an insurance escrow to Rich and Megan Scimeca in the amount of \$35,088.73. Motion carried (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to ratify the payment to PLIGIT for the purchase of new checks in the amount of \$84.75. Motion carried (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to ratify the payment of the 2<sup>rd</sup> quarter employee EIT taxes to Berkheimer in the amount of \$606.58. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to ratify the payment of the 2<sup>rd</sup> quarter PA. UC fund in the amount of \$35.65 Motion carried (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to ratify the payment of 2<sup>nd</sup> quarter UC tax to PSATS in the amount of \$302.25. Motion carried (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to ratify the payroll for the weeks ending 7/9/2016 and 7/23/2016 in the amounts of \$8,743.93 and \$9,411.34 respectively. Motion carried (3-0).

**Kirk Summa (financial statements):**

- There was a motion by Joann Bush and seconded by Gary Hoffman to ratify the management letter from Kirk Summa (Auditors). Motion carried (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the report of the Financial Statements provided by Kirk Summa. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to approve the entries to the Adjusting Journals provided by Kirk Summa. Motion carried (3-0).

**Nestle Update:** Solicitor Gaul quoted from a letter received from Tim Weston of K&L Gates (Nestles Attorney) stating that the abandoned wells on the Gower property will be closed in accordance with the DEP's regulation excepting two (2) wells (mw-4 and mw-8), to be retained open, at the request of the property owner, for his own use. He reported that the Supervisors will be requesting more information about the intended use of the remaining wells.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to have Solicitor Gaul send a letter requesting more information about the intended use of MW-8 by Mr. Gower.

Several residents objected to the wells remaining open. After some discussion Mr. Hoffman amended his motion to add that the Township also request that all the wells be sealed as stated above.

- The motion now read: That Solicitor Gaul on behalf of the Eldred Township Board of Supervisors and its residents send a letter to Nestle and Mr. Rick Gower requesting more information about the proposed use of the two wells (above) and expressing our insistence that they proceed immediately to seal, in the DEP/EPA acceptable manner, all of the wellheads that they drilled as pertains to the proposed water extraction and water testing on the property of Mr. Ricky Gower. Motion carried (2-0) Mary Anne Clausen abstaining. The previous motion was rescinded.

Solicitor Gaul advised that the Township may not have the authority to force the closure of all the wells but that he would look into the matter further.

**Road Masters Report:** Keith Kuehner reported that the Road crew has been sealing and patching roads. A pipe was replaced under Correll Road.

**Kunkletown Fire Company Report:** Ray Miller reported that the Fire Company had 7 calls in the last month.

**CJERP Report:** There was no CJERP Report.

**Planning Commission Report:** Robert Boileau reported that the Planning Commission has initiated a discussion with Shawn McGlynn requesting an unofficial policy and procedure document that will make it easier to understand the Saldo document. The Planners are requesting that a “flow chart” be prepared by the Zoning Officer to clarify the process when

applications are received by the Township. The chart will provide a description of the route an application takes from arrival at the Township until final approval or denial, with procedures and time frames. This will help both the Planning Commission and the applicant to know and follow the proper procedure for the processing of an application.

**Parks and Recreation Report:** Michael Orth reported that the Church Road Lot has been mowed.

**Community Center Report:** Linda Kile reported that there are 2 new signs to be used for events and the Thrift Store. There was a CPR/AED class at the ETCC and 4 Board Members are now certified. Ms. Kile asked for guidelines on purchasing. There was some discussion.

Gary Hoffman asked if there was a budget for the Community Center. Ms. Kile read from the ETCC 2016 budget the amount projected for janitorial supplies. Solicitor Gaul suggested that if there is a budget amount then each individual small purchase need not come before the board at a public meeting. Mr. Hoffman added his concern about the safety issue of the Kitchen door that needs replacement. He asked the Committee to get 3 quotes for the replacement.

- There was a motion by Gary Hoffman and seconded by Mary Anne Clausen have Keith Kuehner solicit 3 quotes, to be reviewed by the Supervisors, to replace the door, based upon the results of the quotes, to replace the door up to a maximum cost of \$1500.00. Motion passed (3-0).
- There was a motion by Joann Bush and seconded by Mary Anne Clausen to have the Treasurer open accounts with Lowe’s and/or Home Depot with a limit of \$1000.00 to be used for supplies for the Township and the ETCC. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the use of purchase orders, with the review and approval of the Supervisors, for purchases necessary in the normal course of business, within the budget and with a limit of \$300.00. Motion carried (3-0).

Written guidelines will be forthcoming.

Carey Krum has received 2 written quotes for the maintenance contract on the Boiler at the ETCC, Dual Temp, \$1405.00, H.T Lyons \$3214.00.

- There was a motion to approve the proposal from Dual Temp as a maintenance contract for the boiler at the Community Center in the amount of \$1405.00 contingent upon attorney review. Motion carried (3-0).

- There was a motion to approve the use of the Community Center by Premiere Jewelry on August 30<sup>th</sup> with the Community Center receiving 50% of the profits of the event. Motion Carried (3-0).

Ms. Kile asked if the Supervisors had any interest in purchasing a gas stove for the Community Center. After some discussion it was decided that this is not the time to purchase

any appliances for the Community Center. There was a discussion about the electrical supply and how it would be affected by the proposed air conditioning upgrade. Gary Hoffman suggested this issue should be confirmed with Hanover before any decisions about renovating the kitchen in the Center.

- There was a motion by Mary Anne Claussen and seconded by JoAnn Bush that the Community Center host a Flagging class for our personnel and others on Sept. 22, 2016. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to approve the advertising of “Rooms for Rent” at the Community Center. Motion carried (3-0).
- There was a motion by Mary Anne Clausen and seconded by Gary Hoffman to consolidate the ETCC checking account with the General Fund account. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to ratify the payments of \$25,000.00 to the Kunkletown Volunteer Fire Company and \$500.00 to the Senior Citizens, it was noted that these were budgeted items. Motion carried. (3-0)

Mary Anne Clausen announced that there has been progress on the Burn Ordinance. The revised Ordinance will be put on the website for public review and public comment, then it will be sent to the Solicitor for review. Once this is completed it will be advertised, a hearing scheduled and a vote taken for adoption and enactment.

The Township has received a request for a letter of Support from Polk Township to permit a property owned by Edna Schoenburger to be placed into the Agricultural Security area.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve the letter subject to the Solicitor’s review. Motion carried (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush that the Eldred Township Supervisors consult independently with Attorney James Preston of Brougham and DeVito LLP, of Bethlehem to discuss if any avenues of recourse exist that the Supervisors may have on behalf of the Eldred Township residents and in response to the history surrounding the litigation and alleged improprieties relating to the Zoning Ordinance change of 2014 as it pertains to water extraction. Motion carried (2-0). MaryAnne Clausen abstaining.

There was discussion about this topic. The purpose of the consultation is informational. Attorney Preston, as the attorney for the appellants, has the most complete record of the events and the community and the Supervisors wish to learn if there is any further recourse that should be taken with regards to this event. Solicitor Gaul stated that the meeting will be private as a privileged communication, but the results will be discussed at a public meeting.

Vernon Barlieb commended the Supervisors for taking this action.

Mrs. Leiding expressed her belief that the Gower wells should be closed.

A representative from Footprint Zero appeared to present their proposal for high efficiency outdoor lighting for the Township Building and for the Community Center. The Supervisors were not ready to act on the proposal and will contact the representatives once they have an opportunity to thoroughly review the proposal.

The Supervisors decided to postpone the approval of the new Monroe County All Hazards response plan submitted this month until a further review could be completed.

**Adjournment:** Being no further business,

- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to adjourn. Motion carried (3-0). Meeting adjourned at 9:30 P.M.

Respectfully Submitted,

E. Ann Velopolcek  
Acting Secretary  
*Cc: Shawn McGlynn*

*Planning Commission*

*Solicitor Michael Gaul*

Board of Supervisors Meeting Minutes  
September 14, 2016

On September 14, 2016 a regular meeting of the Eldred Township Board of Supervisors was held at 7:30 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Road, Kunkletown, Pa.

**In Attendance:** In attendance were Mary Anne Clausen- Chairman, JoAnn Bush- Vice Chairman, Gary Hoffman- Supervisor, and Michael Gaul- Solicitor.

**Call to Order:** The meeting was called to order at 7:30 P.M. followed by the Pledge of Allegiance.

**Executive Sessions:** Mary Anne Clausen announced executive sessions on Monday, September 12, 2016 to discuss administrative matters, on Tuesday, September 13, 2016 to discuss administrative matters and immediately prior to this meeting to discuss administrative and pending Township legal matters with the Township Solicitor.

**Monroe County Emergency Management:** Mary Ellen Keegan spoke about the Monroe County Hazard Mitigation Plan. The Plan is updated every five years. The Plan deals with the operational imperatives of dealing with local hazards and disasters both man-made and natural. Ms. Keegan spoke about a grant currently available due to last January's snowstorm being declared a disaster.

**Resolution 2016-11:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to adopt Resolution 2016-11, the 2016 Monroe County Hazard Mitigation Plan. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to approve the County's Hazard Mitigation Grant Program. Motion carried (3-0).

Donna Deihl asked about the property acquisition. Gary Hoffman replied that the Township is considering taking ownership of the Old Mill which is in great disrepair, has been damaged in perpetual flooding and is creating a hazard to the adjacent property, with the goal of demolishing the building.

Mary Anne Clausen explained the recent history of the building and how it came to be in its current condition.

Mary Anne Clausen noted that originally, the Township was looking at this grant to remediate some flooding issues in our local streams but the condition of the Old Mill and the hazard it presents is a more urgent issue.

**Public Comments Not Related to the Agenda:** Dale Weidman brought a newspaper article to the Supervisors regarding a composting facility that opened in 2015 in a group of Townships in Pennsylvania in response to a DEP mandate that townships collect leaf and yard waste for recycling. Solicitor Gaul replied that some of the mandates are based on population size and we will research whether Eldred Township is required to provide leaf recycling.

Mary Anne Clausen announced that the latest draft of the proposed burn ordinance is posted on the website, has been sent out as an update and is available in the office.

**Water Extraction Update:** JoAnn Bush and Gary Hoffman delivered, separately, their thoughts and conclusions as to whether the Township should attempt to pursue a civil lawsuit or criminal penalties against individuals who were involved in the modification of the definition of Water Extraction the 2014 Zoning Ordinance. Subsequent to the last Board of Supervisor's meeting the Supervisors met Attorney Preston as requested by some of the residents. Ms. Bush and Mr. Hoffman recognized the impact the issues have had on the residents and Community, commended the residents on their vigilance and actions to prevent Nestlé's proposed water extraction project in the Township and acknowledged that some questions remain about the possible motives and prior knowledge or intent of past Township officials. However, based upon the information currently available, and after input from Attorney Preston, Attorney's Curtin and Heefner and Attorney Gaul, and considering the cost of pursuing legal remedies, Mrs. Bush and Mr. Hoffman's conclusion is that attempting to investigate the matter further, or pursuing civil lawsuits or criminal penalties against individuals, was not in the Townships best interest. Thus they would not vote in favor of such action.

Mary Anne Clausen read a letter from Attorney Wolfe (Attorney for Ricky Gower) stating that as a result of the letter from the Township, Mr. Gower has agreed to have the 2 remaining wells closed. All of the wells drilled by Nestle are now closed, and documentary proof should be forthcoming.

A resident stated that she believes past elected officials committed criminal acts and should be reported to the District Attorney of Monroe County. Solicitor Gaul said anyone can report a criminal act to the District Attorney. Thus the Township's decision would not affect the residents' rights. Ms. Clausen announced that this area was close to attorney/client privilege and she would like to confer with Solicitor Gaul before addressing this issue.

Donald Moore suggested that another option would be to take the case to the Pennsylvania Attorney General.

Donna Deihl stated that the 3 questions she would like the Attorney General to respond to are: Is there a case?

Is there no case?

Is there a case but it must be adjudicated at the County level.

- There was a motion by Mary Anne Clausen and seconded by Gary Hoffman to break for an executive session. Motion carried. (3-0). Meeting adjourned at 8:10 P.M.
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to reconvene the meeting Motion carried. (3-0) Meeting reconvened at 8:15 P.M.

Dr. Ramon Baker said he feels a larger problem the Township faces in the future is the energy industry, noting fracking has taken a great toll on the environment of western Pennsylvania.

Traci Smith asked if the residents are entitled to justice and asked that the Supervisors take further action.

Donna Deihl stated she believes the previous Board members acted in ways that were in violation of civil or criminal laws. She also stated that she and other residents are disappointed that some of the people involved are still appointed to Township committees.

Linda Kile said she is upset that some residents are refusing to support the Community Center because there are people serving on the advisory Board that were employees of the Township and involved during the water extraction issue.

Desiree Jaeckle said in lieu of further action, she would be happy to have the participants in the issue called to answer questions at a public meeting, especially she would like to hear from Carson Helfrich, Sharon Solt, Gretchen Gannon Pettit, and Darcy Gannon as well as any of the CJERP members willing to have the discussion, as to their motives and justification of their actions.

Dawn Barankovich asked if the Township could remove the ETCC Board members who were accused of ethical violations. Solicitor Gaul cautioned against any action the Board might take, based on accusations alone. He recommended that the Township act in a responsible and fair manner to avoid putting put the Township at risk for future lawsuits.

Vernon Barlieb would like to see letters sent to the people involved, indicating the residents' disapproval at the way things were done and the role each played in what became a very difficult and emotional problem for the Township and the residents. He feels individuals such as Mr. Helfrich, Mr. Wimmer and others owe the Township an apology and that the Township is remiss in not advising them of the fact that they caused a very distressing issue.

Donald Moore brought up several issues related to the dispute, based on his research. Who modified the ad for the Ordinance that ran in the Pocono Record? Was the Intergovernmental agreement violated? Did Carson Helfrich give best professional advice re: the land use change, was the Ordinance change reviewed by the CJERP board? Did Attorney Wimmer violate any ethical code?

Solicitor Gaul responded again that the Township has no authority or power to investigate any perceived criminal wrong doing. There are agencies set up to do so. Further, in order to

bring criminal charges, specific violations of law or ethics must be alleged and there must be evidence to back up those charges.

Mary Anne Clausen added that if an investigation did proceed, the residents would have to be willing to speak to the investigators and that there is no guarantee of an outcome.

Vernon Barlieb stated his opinion that it would be better at this point to do nothing than to institute an investigation that might lead to the exoneration of the people involved. He is not in favor of sending a letter to the District Attorney.

Several residents asked if the Supervisors would cooperate with the authorities, and Mr. Hoffman answered that of course the Supervisors would provide any information/evidence investigators would ask for.

Marissa Strohl spoke and said she thinks the Supervisors need to take further action.

Dawn Barankovich said that it would cost the Township nothing to send a letter to the District Attorney or Attorney General requesting an investigation and the Supervisors' desire not to expend further Township funds was unjustified.

There was a motion by Mary Anne Clausen and seconded by Gary Hoffman to break from executive session Motion carried (3-0). Meeting adjourned at 8:55 P.M.

There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to reconvene the meeting Motion carried. (3-0) Meeting reconvened at 9:05 P.M.

Solicitor Gaul stated that the Supervisors had consulted with Attorney Preston, as requested by the residents, as well as Curtin and Heefner attorneys and himself. None of these attorneys had advised the Supervisors that criminal acts, supported by specific evidence, had occurred, or recommended that the Township should pursue a civil lawsuit, based on the information they had. Thus the Board of Supervisors would not pursue the matter further. He reiterated that the Township has done what they are able to do and does not have investigate authority or powers. There are specific law enforcement agencies that have been given those powers. He stated that if the residents are not satisfied with the actions taken so far the next step is to contact those agencies that do have those powers (the District Attorney and/or the Attorney General). If the Township were to request a law enforcement agency to review the matter, the reason for the request would be for the agency to investigate the residents' complaints. If the Township were to request an investigation on that basis, the Township would provide the names of the complaining residents to the law enforcement agency.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush that the Township send a letter to the Monroe County District Attorney, the Pennsylvania Attorney General and the State Disciplinary Board (as regards Attorney Wimmer) requesting an investigation of the residents' complaints.

After some further discussion the motion was modified to state;

- *Motion by Gary Hoffman and seconded by JoAnn Bush that the Township send a letter to the Monroe County District Attorney and the Pennsylvania Attorney General requesting an investigation of the*

residents' complaints, and that the Planning Commission consider whether a letter (or complaint) should be sent to the State Disciplinary Board (as regards Attorney Wimmer). Motion carried (2-0). Mary Anne Clausen abstaining, as she was seated on the Board in question.

Vernon Barlieb asked if the Supervisors believed that the Monroe County District Attorney would enthusiastically pursue this matter. Solicitor Gaul replied that he believed that the District Attorney would treat this as he would any other case.

Charles Phillips asked if as public officials the people involved could be sued individually in a civil proceeding. Solicitor Gaul stated that he would have to know what the basis of the lawsuit would be before he could answer the question.

**Approval of the Minutes:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the minutes of August 10, 2016. Motion carried (3-0).

**Treasurer's Report:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the Treasurers Report. Motion carried )3-0.
- There was a motion by Joann Bush and seconded by Mary Anne Clausen to approve the payment of the unpaid bills in the amount of \$31,749.91. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to ratify the payment of bills totaling \$13,273.84. Motion carried (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn bush to approve the payrolls for the weeks ending 8/6/2016 in the amount of \$ 8,061.74 and 8/20/2016 in the amount of \$ 8,356.04. Motion carried (3-0).

**Roadmasters' Report:** Roadmaster Keith Kuehner reported that the road crew has been cleaning and patching roads. The electronic recycling will end at the end of the month. The Township has taken delivery of the new truck.

**Kunkletown Volunteer Fire Company Report:** Ray Miller reported that the Fire Company had 2 calls last month.

**Planning Commission Report:** No Report

**CJERP Report:** Robert Boileau reported that the CJERP Committee has received a new Procedure for amending CJERP and Participating Township Ordinances.

**Parks and Recreation Report:** The next meeting of the Parks Committee is Sept. 26, 2016 at 6:30 P.M. and letters were sent to the property owners around Mock Park asking for public comment.

**Community Center Report:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve 3 daily leases Laura Hoffman, Michelle Tilley, Susan Frantz and ratify a fourth, Sharon Solt, all at the standard rate except one which is a fee waived lease. Motion carried (3-0).

Dana Lange has submitted a proposal to use the Community Center once a month on Saturdays from 10-12 to have a Girl Scouts Troop meeting and to have a Children's Art program for challenged youth. Ms. Clausen asked that Ms. Lange sign a Recurring daily lease with fee waiver and the Supervisors will ratify the lease at the next meeting.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve a Halloween dance fundraiser to be held on October 29<sup>th</sup> 2016 at the Polk Volunteer Fire Company and to approve \$75.00 for expenses for the dance and a fee of \$300.00 for the DJ. Motion carried (3-0).

The new Volunteer policy and application were reviewed. The Supervisors will review and approve these documents at the next meeting.

The Committee wishes to seek estimates regarding the security system at the ETCC. Our current contract expires in October. The Board agreed.

The Committee asked the Supervisors to review and revise the donation letter created by Mr. Boileau in order to begin to solicit donations. Solicitor Gaul stated a few conditions and that those donations should be kept separate from other Township funds to be used for the ETCC.

Michael Orth asked that the Community Center have a trash can outside. JoAnn Bush didn't think this was a good idea.

A brochure was submitted for approval, promoting the ETCC.

**Purchase Procedure Policy:**

- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to approve the Purchase Procedure Policy. Motion carried (3-0).

**Credit Card:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve a general credit card with a limit of \$2000.00. to be used for both the Township and the Community Center (with approval). Motion carried (3-0).

**Appointment of SEO:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the appointment of Gregory Grey of Hanover Engineering as an alternate SEO Motion carried (3-0).

**Approval of BCO Consulting Agreement:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the Consulting Services Agreement for Building Codes Officer Shawn McGlynn, effective from the date of SFM's appointment. Motion carried (3-0).

**Approval of Lehigh Valley Engineering Services Agreement:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the Professional Services Agreement of Lehigh Valley Engineering, amended August 23, 2016 for the additional amount of \$1500.00. Motion carried (3-0).

**Approval of Mobile Phone Purchase for Roadmaster:** The Supervisors suggested providing a cell phone for the Roadmaster Keith Kuehner, however, stated he has to replace his phone before January and would prefer to use a single device than have multiple devices and does not wish the Township to provide a device. The Supervisors agreed to this arrangement.

**Approval of the Replacement of Doors:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the purchase of replacement doors as follows:
  - For the Community Center – Lehigh Gap LLC (1 door) in the amount of \$ 2,182.00
  - For the Municipal Building -TCW (3 doors) in the amount of \$ 3190.00 (total)Motion carried (3-0).

**Other:** Gary Hoffman reported that the Traffic Study Reports are completed and are at the Township building for public review.

Gary Hoffman also reported that a calendar of events will soon be added to our website.

The Food Pantry provided a report of their activities this year. That report is available at the Municipal building.

- There was a motion by Gary Hoffman and seconded by MaryAnne Clausen to send a letter of support to the Polk Volunteer Fire Company supporting their grant application to the Local Share Account Grant Program for the purchase of rescue equipment to be carried on their rescue vehicles. Motion carried (3-0).

The Supervisors announced two general Budget workshops:

October 4, 2016 at 10 :00 A.M. and  
October 25, 2016 at 4:00 P.M.

The workshops are open to the public and will be advertised, sent out as updates and posted on the Township website.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to refer the following to the Planning Commission for consideration:

Windmills  
Mini Cell towers  
Buckhwa Creek EV designation evaluation  
Legalized Marijuana  
CJERP shared uses, Agricultural Products Processing, zoning re: slaughterhouses  
Motion carried (3-0).

Donald Moore contributed information he heard at the hearings in Towamensing Township regarding windmills. Mr. Moore spoke a bit more about the advertisement that was sent to the Pocono Record for the May 1, 2014 CJERP meeting. He suggested Eldred Township find out more information. Solicitor Gaul stated that in his office the Attorney prepares the advertisement for publication. He said he would look into it. Mr. Moore offered to provide the documentation he has collected for Solicitor Gaul to review.

It was suggested that an email update could go out asking for residents to leave their names if they wish to speak to the District Attorney on the Ordinance matter.

**Adjournment:**

There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to adjourn. Motion carried. (3-0). Meeting adjourned at 10:20 P.M.

Respectfully Submitted,

E. Ann Velopolcek  
Acting Secretary

Board of Supervisors  
Meeting Minutes  
October 4, 2016

On October 4, 2016 the Eldred Township Board of Supervisors met for a special meeting, a budget workshop, at 10:00 A.M at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, PA. 18058

**In Attendance:** In attendance were Mary Anne Clausen; Chairman, JoAnn Bush; Vice-Chairman, Gary Hoffman; Supervisor. Also in attendance were Roadmaster Keith Kuehner, Linda Kile, Carey Krum and Dale Weidman.

**Call to Order:** The meeting was called to order at 10:10 by Mary Anne Clausen followed by the Pledge of Allegiance.

**Public Comment for Non-Agenda Items:** There was no Public comment for non-agenda items.

**Hazardous Mitigation Grant:** There was a motion by JoAnn Bush and seconded by Gary Hoffman to send the Letter of Intent required to apply for the PEMA/FEMA Hazardous Mitigation Grant. Motion carried (3-0).

**Budget:** Ms. Clausen announced that there would be no official action taken at this meeting regarding adopting the budget, it was a workshop only.

Ms. Clausen explained that the process begins with comparing the budget from 2016 to the actual expenses, then projecting what may be required for next year.

	2016	Actual	Projected 2017
Liquid Fuels-Income	\$156,154.10	\$133,569.00	\$160,000.00
Expenses:			
Anti-skid	\$29,000.00	\$13,881.00	\$35,000.00
Equipt. rental	\$5,200.00	\$5,162.50	\$5,200.00
Roads	\$120,000.00	\$109,000.00	\$115,000.00
Cold Patch	\$15,000.00	\$45,490.35	\$35,000.00

There was discussion about paying for the recently purchased truck. It was agreed to pay for the new truck from the General Fund and carryover any Liquid Fuels money (approx. \$35,000.00) in the account to cover the next year's anticipated costs.

Keith Kuehner said he anticipates needing a truck body. He received 3 estimates:

Tamaqua Truck and Trailer- \$5,783.00

Powell's- \$8,599.00

Lancaster Truck Bodies- \$14,796.00 (minus \$3000.00 for hoist we don't need.)

He recommends the quote from Powell's. the Township has done business with them before and was satisfied with the quality of the work and materials.

- There was a motion by Gary Hoffman and seconded by Joann Bush to approve the purchase of the truck body from Powell's at \$8,599.00.

There was discussion about the gauge of the steel to be used. Keith was asked to see if they would increase the thickness of the steel at the same price.

Motion carried (3-0).

JoAnn Bush asked Mr. Kuehner to look at the modular at the ETCC to see if he could jack up the corner that has dropped. Mr. Kuehner agreed to do so.

There was discussion about getting new ANSI approved shirts for the road crew. After a brief discussion it was decided to table the discussion until the October 12 meeting.

Outcome of the income and expenses transpired as follows:

Income:	2016 Budget	Actual	2017 Proposed
301.10 Real Estate Taxes	\$235,000.00	\$239,704.41	\$240,000.00
301.20 Real Estate Levy	\$5,000.00	\$7,691.79	\$6,000.00
	\$10,000.00	\$10,045.89	\$10,000.00
301.60 Real Estate Taxes Interim	\$600.00	\$62.00	\$100.00
301.10 Real Estate Transfer	\$20,000.00	\$32,000.00	\$20,000.00
310.21 Earned Income Tax	\$250,000.00	\$290,000.00	\$150,000.00
321.80 Public Utility Grants	\$16,000.00	\$16,700.00	\$16,500.00
322.10 Moving Permits	\$150.00	\$150.00	
322.30 Driveway Permits	\$600.00	\$120.00	\$150.00
331.10 Court fines etc.	\$500.00	\$322.00	\$425.00
331.13 Fines State Police	\$2,000.00	\$1,000.00	\$1,000.00
341.00 Interest Income	\$200.00	\$258.00	\$200.00
341.001 Interest Parks and Land	\$5.00	\$0	\$0
314.002 Interest Bldg. Repair and Maintenance	\$1.00	\$0	\$0
342.00 Rents and Royalties	\$34,338.00	\$36,101.00	\$36,000.00
342.20 ETCC Rents	\$12,000.00		\$6500.00
355.01 Public Utility Realty Tax	\$700.00	\$655.52	\$650.00
355.04 Alcohol Beverage Licenses	\$200.00	\$0	\$200.00
355.05 Gen. Muni. Pension System Aid	\$4500.00	\$4745.10	\$4750.00
355.07 Foreign Fire Ins. Premium			

Tax				
	\$18,500.00		\$18,109.84	\$18,000.00
356.00 Game Commission Land	\$2,000.00		\$0	\$2,000.00
361.31 SALDO/Zoning Fees	\$1,000.00		\$500.00	\$500.00
361.32 Engineering Rev and Insp	\$5,000.00		\$0	\$0
361.33 Zoning Permits	\$2,000.00		\$1,550.00	\$2,000.00
361.34 Hearing Permits	\$700.00		\$300.00	\$300.00
361.50 Sales of Maps and Pub.	\$100.00		\$106.00	\$100.00
362.41 Building Permits	\$3,000.00		\$13,886.86	
362.43 Sludge Permits	\$1,500.00		\$1500.00	\$50.00
362.44 Sewage Permits	\$1,500.00		\$4,530.00	\$2,500.00
363.00 Private Street Sign Purch.	\$100.00	\$0		\$100.00
367.20 Recreation Fees	\$1,000.00		\$0	\$500.00
387.00 ETCC Donations (priv)	\$2,000.00		\$4,050.00	\$7500.00
389.00 Misc. Revenue	\$3,100.00		\$318.62	\$500.00
391.10 Gen. Sales, Fixed Assets	\$10,000.00		\$0	\$5000.00
395.00 Refund Prior Year Exp	\$100.00	\$0		\$100.00
396.00 Refund Current Yr. Exp	\$2,000.00		\$0	\$1000.00

There was some discussion about the income and expenses of the Community Center. It was agreed that some new line items will be included in the 2017 budget for clarity. These are showing on the profit/loss statement but were not itemized in last year's budget.

Those include: Rents \$6500.00  
Thrift Shop \$3500.00  
Fundraising \$2000.00  
Short Term Room Rentals \$600.00 (includes class revenues)  
Donations \$7500.00

For a total of \$20,100.00

Expenditures:	2016 Budget	Actual	2017 Proposed
400.05 Salary of Elected Officials	\$5,625.00		\$5,6250.00
400.33 Automobile Allowance	\$500.00		
400.42 Dues, Subscriptions & Memberships	\$,2000.00	\$2,148.00	\$2,000.00
402.46 Meetings and Conf.	\$3,000.00	\$1405.00	\$2500.00
402.11 Salaries- Auditors	\$200.00		\$200.00
402.20 Auditors Supplies	\$50.00		\$50.00
402.31 Auditing Services	\$5,100.00	\$6,247.00	\$6,000.00
403.05 Salary-Tax Collector	\$12,200.00	\$12,561.00	\$13,000.00
403.20 Tax Collector Supplies	\$100.00	\$350.00	\$400.00
403.21 EIT Tax Collection Committee	\$200.00		\$200.00
404.141 Attorney (Solicitor)	\$10,000.00		
404.143 Attorney (ETCC)	\$1000.00		
404.300 Attorney (Planning)	\$6000.00	\$18,000.00	
404.31 Attorney (Litigation)	\$33,579.00	\$65,669.00	

404.314 Attorney (Zoning Hearing)	\$2,000.00		\$7,455.00	
405.10 Salary Secretary		\$39,000.00		\$13,301.56
405.114 Salary (Treasurer/Admin))	\$39,000.00		\$5,396.25	
405.115 Salary Sec. ETCC	\$1,000.00			
405.140 Salary Planning Sec.		\$0		
405.20 Secretary Supplies	\$2,500.00		\$907.99	\$1,500.00
405.23 Postage		\$500.00		\$500.00
405.30 Secretary-Other		\$1,000.00		\$3,169.10
405.33 Secretary-Mileage	\$500.00	\$63.25		
405.34 Advertising	\$2,000.00		\$2,935.00	\$2,500.00
405.35 Secretary/Treas. Employee Bonding	\$1,350.00		\$745.00	
405.460 Secretary/Treas. Training	\$250.00	\$165.00		
405.39 Bank Fees	\$200.00	\$169.58	\$200.00	
405.46 Secretary/Training	\$250.00			\$250.00
405.74 Secretary Capitol Purchases	\$100.00			
406.15 Salary/ Admin Assist.	\$6,250.00		\$16,508.77	
406.18 "O/T		\$0		\$108.60
407.20 Data Processing Supplies`	\$750.00	\$3,406.00		
407.385 Copier Maintenance	\$500.00	\$967.06		
407.48 Web Design	\$0		\$431.32	
407.74 Capitol Purchase/ Software	\$1,000.00		\$3,406.00	\$1,000.00
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408.10 Engineer Serv. Twp.RLTD	\$20,000.00		\$34,742.46	
408.310 Engineer Serv. Reviews		\$7,500.00		\$23,912.57
408.313 Engineer SVS ETCC	\$2,000.00		\$886.25	
409.15 Salary Bldg. Maintenance	\$6,200.00		\$4,478.51	
409.151 Salary/ Maint. ETCC				
409.200 Heating Fuel Bldgs	\$10,000.00		\$3,121.23	
409.226 Janitorial Supplies	\$500.00	\$169.03		
409.233 Heating fuel Kerosene		\$0		\$0
409.236 Small Tools Building	\$500.00	\$0		

There was discussion about the Chart of Accounts reference numbers for the IT services, software and supplies and it was decided to consult with the Treasurer to update the current list.

Carey Krum told the Supervisors that the serviceperson Dual Temp is sending will be able to review the pneumatic system on the heating system. He requested approval for a repair up to \$1000.00.

- Mary Anne Clausen made a motion to authorize Dual Temp to diagnose and repair the pneumatic system up to \$1000.00. Motion carried (3-0).

Gary Hoffman asked about the status of the shed roof replacement. Mr. Krum said he will get the supplies this week and he and John Kile can repair the roof next week.

Carey asked if the Supervisors want the ETCC to continue to enlist volunteers from the School District and the courts. The Supervisors answered yes but volunteers need to sign a hold harmless and if they are under 18 the parents also need to sign the hold harmless.

Dale Weidman brought in samples of #8 and #10-gauge sheet metal to show the Supervisors the difference in thickness for the truck body.

Questions came up about the lines 400.33 and 405.33 and what was included in those numbers. It was decided to look into that after the meeting.

Ms. Clausen wants to have a separate line item for the ETCC grant engineering

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to adjourn. Motion carried. (3-0). Meeting adjourned at 1:50 P.M.

Respectfully submitted,

E. Ann Velopolcek  
Acting Secretary

Board of Supervisors  
Meeting Minutes  
October 12, 2016

On October 12, 2016 the Eldred Township Board of Supervisors met for a regular meeting at 7:30 P.M. at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, Pa.

**In Attendance:** In attendance were Mary Anne Clausen; Chairman, JoAnn Bush; Vice-Chairman, Gary Hoffman; Supervisor and Michael Gaul; Solicitor

**Call to Order:** The meeting was called to order at 7:35 by Chairman Clausen followed by the Pledge of Allegiance.

**Announcement of Executive Sessions:** Ms. Clausen announced that the Supervisors met in executive sessions for a conference call in late September to discuss administrative matters, on October 4 to discuss personnel issues and immediately prior to this meeting with their Solicitor to discuss legal and administrative matters.

**Special Presentations:** Wes Graham of Tyler Technologies appeared, to speak to the Community about the ongoing County-wide reassessment. He explained the process and stated that the assessors would probably be in Eldred Township in late winter or early spring. Pamphlets explaining the reassessment have been delivered to the Township building for the public.

Mary Anne Clausen read a brief statement about the contributions to the Township and County by Helen Mackes. One of these contributions included the Township's acquisition of the Old Stone Arch Bridge in 1991. The Bridge is a historic landmark in Eldred Township and Ms. Mackes was instrumental in preserving it for the future. At some point wooden supports were attached to the bridge. Frank Lovewell, a local artist, painted a picture of the Old Stone Arch Bridge and it hangs in the Township's meeting room. Ms. Mackes has always been distressed that the painting depicted the bridge with the supports and expressed her wish that the bridge had been painted in its original condition. In honor of Ms. Mackes' recent birthday, the Township Supervisors contacted Mr. Lovewell and he agreed to touch up the painting to remove the supports and show the bridge as it was originally constructed, and did this work at no cost in honor of Robert Silfies, a previous Supervisor and his Father-in-Law.

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to accept the donation and repainting of the bridge painting. Motion Carried (3-0).

**Public Comment Pertaining to Non-Agenda Items:** Solicitor Gaul responded to the comments last month by Dale Weidman regarding recycling of leaves. Solicitor Gaul stated that he contacted the Monroe County Waste Authority and was told that the Township, because of its size, is not required to provide collection or composting of leaf waste and that the Monroe County Ordinance does not permit the burning of leaves.

Mr. Weidman asked if the Township would allow leaves to be brought to the Township building and dumped over the bank behind the building. Solicitor Gaul replied that the Township could allow this if they wished on a voluntary basis.

Mr. Hoffman asked about the Monroe County Ordinance against burning of leaves. Mary Anne Clausen answered that there had been a lengthy discussion with the residents about this and that any Ordinance we adopt would not include this prohibition. She indicated that the issue could be addressed again when the Burning Ordinance hearing was held.

**Letter to Attorney General- Reconsideration:** Gary Hoffman made a statement about the letter to the Attorney General that had been discussed at the September 14 meeting.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to rescind the action of the Eldred Township Board of Supervisors as set forth in minutes of September 14<sup>th</sup>, 2016 and to not send letters requesting further investigation by local and state law enforcement agencies, but keeping the incident open for future action by this Board, future Boards or the residents of Eldred Township. Motion carried (2-0). Mary Anne Clausen abstaining because she was a member of the seated Board involved in the matter.

**Approval of Minutes:** Mary Anne Clausen asked that two changes be made in the minutes as presented, that a missing word be added and that her reason for abstaining from a vote be included.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve the minutes of September 14, 2016 with those changes. Motion carried (3-0).

Ms. Clausen asked Robert Boileau (Planning Commission Chair) to tell the assembly about a communication he had regarding Nestle. Mr Boileau told the group that sometime about May of 2016, he received about 70 handwritten letters from a group of schoolchildren from the Catherine Cook Elementary School in Chicago. They were studying recycling and on the topic of plastic bottles they came upon a news article about the Eldred Township fight to keep Nestle from opening an extraction facility here. The letter writing campaign was spearheaded by a young man (3<sup>rd</sup> grade) named Evan and the letters urged Eldred Township to continue the fight to stop Nestle. In September, at the start of the school year Mr. Boileau was able to write back that Nestle had withdrawn, and to thank them for their support. He sent a picture of the Planning Commission and Supervisors, signed by all, and a STOP NESTLE poster. That Communication made the local paper in Chicago. He reported that the school children were thrilled to hear back and to receive the photo and poster and that this exchange touched both him and the children in a very positive way.

**Treasurer's Report:** Ms. Clausen asked for public comment about the Treasurers Report and unpaid bills.

Vernon Barlieb commented that he feels the attorney's fees of the last few months are not sustainable and criticized the Supervisors for asking for the attorney's input on many issues

Ms. Clausen answered that there have been many legal issues in the last year that required the attorney's input or review and that the itemized bills were available for public review. She explained that the Supervisors are aware of the issue and have agreed not to contact the attorney without going through the Supervisors and they seek consensus of at least two Supervisors before any consult, and to ask the Planners to pose any question through the chairperson so he can confirm that the attorney input is necessary and that the same question is not being asked by multiple Planners.

Robert Boileau added that the Planning Commission is reviewing information about several upcoming planning/ zoning issues that will require attorney input, but that these are necessary actions for the protection of the Township to be in compliance with laws and avoid problems in the future.

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the Treasurer's Report as presented. Motion carried (3-0).

**Approval/ Ratification of Bills:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the unpaid bills in the amount of \$60,501.87. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the payments for ratification in the amount of \$82,404.45. Motion carried (3-0).

Ms. Clausen explained that there were two payments, one from the general fund in the amount of \$43,646.00 and one from the State Fund in the amount of \$30,000.00, a total of \$73,646.00, to pay for the new truck.

- There was a motion by Mary Anne Clausen and seconded by Gary Hoffman to approve the payroll for the two-week period ending 9/15/2016 in the amount of \$9,037.29 and for the two-week period ending 9/29/2016 in the amount of \$8919.91. Motion carried (3-0).

**Zoning Officers Report:** Zoning Officer Shawn McGlynn submitted a written report which is available at the Township Building.

**Roadmaster's Report:** Roadmaster Keith Kuehner reported that the road crew is continuing to patch roads while the weather holds and to repair vehicles.

**Kunkletown Volunteer Fire Company Report:** There was no report.

**CJERP Report:** Robert Boileau reported that CJERP has issued a new procedure for amending the Regional Comprehensive Plan Update of 2015 and Participating Township Ordinances.

Mary Anne Clausen said the Board has reviewed the changes and there were a few things in the document that she did not understand.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to ask our solicitor draft a proposed to amendment to that language and to share that change with Matt Neeb (at CJERP) and ask them if they will accept that amendment. Motion carried (3-0).

Mr. Hoffman stated that he believes that any change that will affect Eldred Township should come to the Township at a public meeting to be reviewed, discussed and voted on before any change takes place at CJERP.

Representative Jack Rader said as a member of CJER when it originated, it was the intention of CJER to have exactly that take place. He said the other members of CJERP operate on the assumption that all the Townships review and discuss the changes prior to any vote taken at CJERP and that they do not interfere with or keep a record of the various Townships activities in that regard. Rep. Rader added that the group works well together to make the shared use concept work for all the Townships involved.

Mr. Hoffman repeated that he feels it is important that any changes that involve our Township need to be brought to the Township not discussed at an offsite location.

Michael Orth questioned the value of belonging to CJERP. Rep. Rader answered that being a member of a shared use organization allows uses that would not be desirable in a Township to be assigned to a different Township rather than requiring all Townships to permit all uses.

Mary Anne Clausen added that the Township can add a use not assigned to us should we choose to do so, however, if we later wanted to remove that use, the change would have to go to CJERP.

**Planning Commission Report:** Robert Boileau reported that the Commission is researching the topics requested by the Supervisors: Windmills  
Medical Marijuana  
Mini Cell towers  
Buckhwa Creek Re-designation  
Shared Uses/ Ag. Products Processing

**Community Center Report:**

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve the daily rentals for Solt on Nov. 20, 2016 and for Handelong on December 10, 2016 at the normal rate. Motion Carried (3-0).
- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve a sewing class on November 18, 2016 Motion carried (3-0).

- There was a motion by Mary Anne Clausen and seconded by Gary Hoffman to approve the amended Recurring Daily Lease and the amended Recurring Daily Lease (fee waived) forms. Motion carried. (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the amended Purchase Policy. Motion carried (3-0)
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to appoint Donna Deihl to the ETCC Committee Motion carried. (3-0)

JoAnn Bush stated that the Community Center needs volunteers to do things like make posters, help with events, make phone calls etc. We also need new applicants for the Committee to provide a variety of skills and ideas to the Committee. Ms. Bush feels that Donna Deihl will be a great asset to the Committee and to the Community Center.

Linda Kile announced upcoming events scheduled at the Center.

**Ordinance 2016-3:** Solicitor Gaul presented a new Ordinance that reinforces the relationship between the Kunkletown Volunteer Fire Company and the Township.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to advertise the proposed Ordinance for possible enactment at the Supervisors' November monthly meeting. The Solicitor inquired whether the Supervisors desired for a stenographer to attend the meeting. The consensus of the Supervisors was that the public would be able to make comment on the proposed Ordinance prior to its consideration for enactment by the Board, but that a stenographer would not be needed. Motion carried (3-0).

**Acknowledgement of Receipts and Approval of Disbursements:**

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve the receipt from the Commonwealth of Pennsylvania, Department of the Auditor General: General Municipal Pension System State Aid in the amount of \$4,745.10, and disbursement to The Pennsylvania Municipal Pension Plan. Motion carried (3-0).
- There was a motion by Mary Anne Clausen and seconded by Gary Hoffman to acknowledge the receipt from the Commonwealth of Pennsylvania, Department of the Auditor General: 2016 Commonwealth State Aid allocation supporting the Volunteer Fire Relief Association of Eldred Township in the amount of \$18,019.24 and the disbursement of these funds to the Kunkletown Volunteer Fire Company Relief Association. Motion carried (3-0).

**Approval of Advertisement of Notice to Appoint Auditors:**

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to authorize to advertise notice of the Board of Supervisors' intent to appoint a firm of Certified Public Accountants to replace the elected auditors for the purposes of the Township's fiscal year 2016 audit.

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**Other:** Dave Tanzosh asked the Supervisors about a cease and desist order he received from the Zoning Officer regarding an access road in to his property. Solicitor Gaul advised him to work with the Zoning Officer to resolve any issues as the Board of Supervisors do not issue permits. Secretary Ann Velopolcek was asked to follow up with a status report on the issue.

Keith Kuehner reported that the Township has a large steel pipe that might be sold a surplus. The value of the pipe is unknown.

- There was a motion by Mary Anne Clausen and seconded by Gary Hoffman to authorize the sale of the surplus pipe in the least costly manner permitted by the Second Class Township Code. Motion passed (3-0).

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**Public Comment:** Vernon Barlieb asked about the status of the well closures on the Gower property. Solicitor Gaul said he would ask for a status report.

- There was a motion by Mary Anne Clausen and seconded by Joann Bush to authorize the Right-to-Know Officer, Ann Velopolcek, to attend a conference in Harrisburg on October 26, 2016.

Archie Craig suggested that the money realized from the sale of the pipe could be used for a new spreader for the Road Department.

Rich Salter asked if the Township had been advised about any underground water flow testing that was being done near his house. Someone who did not identify themselves fastened a blue box at the end of his driveway. A neighbor made a phone call to the number on the box and it is a private company but no other information was given. Gary Hoffman said he would take photos and send them to the Dep to see if it was their project. The Supervisors asked Secretary Ann Velopolcek to look into the matter.

Helen Mackes said Kingswood Lake has been siphoning water from the Princess Creek (Chapple Creek). She has been in touch with the Delaware River Basin Commission but has not received a reply.

**Adjournment:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to adjourn. Motion carried (3-0). Meeting adjourned at 9:50 P.M.

Respectfully Submitted,

E. Ann Velopolcek  
Acting Secretary

Board of Supervisors Minutes  
October 25, 2016

Budget Workshop

In Attendance: In attendance was Mary Anne Clausen; Chairman, JoAnn Bush; Vice Chairman, Gary Hoffman; Supervisor

**Call to Order:** The meeting was called to order by Chairman Clausen at 4:00 P.M.

**Fire Company Ordinance:** Ms. Clausen announced that Ordinance has been revised to state that the Supervisors will approve the Fire Company's appointment of the Fire Chief and President. The hearing date for the proposed Fire Company Ordinance will be Wednesday, November 9, 2016 at the regular meeting of the Board of Supervisors at 7:30 P.M. It was noted that no Court Reporter was required to be present for this hearing and that Attorney Gaul would advertise the revised Ordinance and the hearing and the Secretary would post the appropriate notices.

**Road Crew Safety Shirts:** JoAnn Bush researched the three companies that made proposals to provide safety shirts for the Road Crew. The Company chosen was Pyramex RT Safety Shirts at a cost of \$14.59 each (36) for a total of \$525.24.

- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to purchase 36 Safety Shirts at a cost of \$14.59 ea. for a total of up to \$450.00. Motion Carried (3-0)
- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to schedule another budget workshop for November 1, 2016 at 1 P.M. Motion Carried (3-0).

**Foot Print Zero:** Gary Hoffman and Robert Bush met with representative of Footprint Zero to discuss upgrading the exterior Lighting at the Municipal Building and the Community Center and applying a rebate offered by PPL to defray some of the cost. The cost to the Township to upgrade all the Exterior lighting at the Municipal Building is \$5377.00 minus a rebate from PPL of \$831 for a total of \$4546.00.

The total cost of replacing the exterior Lighting and lighting in the Community Room is \$8980 with a \$1367.00 rebate from PPL for a total cost of \$7613.00.

**2017 Budget:** MaryAnne Clausen announced that the Carryover from the State fund will now be reduced from \$35000.00 to \$5000.00 because it was decided to use \$30,000.00 of that money to pay for the new truck.

Mary Anne Clausen announced that it has been proposed that New Jersey will no longer be reciprocal with Pennsylvania which could create a lower Earned Income Tax revenue for the Township. Sylvia will contact Berkheimer to try to determine what amount of reduction we might expect.

Line	2016(actual)	2017
310.210 Earned Income Taxes (revenue)	\$231,754.97	\$250,000.00 (revised)

Ms. Clausen suggested some new line items to cover the IT portion of the Budget

407.74 Capital expenditures -new hardware

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407.310 Mike's Maintenance (IT support)  
400.270 New Software  
407.20 Office supplies

Following from the meeting of October 4, 2016

	Jan-Oct 2016	2017 Proposed
408.10 Engineer Services –	\$45,337.93	\$30,000.00*
408.310 Eng Serv, Reviews	\$23,962.32	\$15,000.00
<b>408.313 Eng Serv ETCC new number 451.313</b>		
409.15 Salary Bldg. Maintenance	\$5,215.24	\$6,200.00
<b>409.151 Salary/ Maint. ETCC- new number 451.15</b>		
409.200 Heating Fuel Munip Bldg.	\$3,536.31	\$10,000.00
409.226 Janitorial Supplies	\$169.03	\$500.00
409.233 Heating Fuel Kerosene	\$0	\$0
409.236 Small Tools Building	\$500.00	\$500.00
<b>409.24 Propane Fuel changed to 438.61</b>		
409.30 Telephone (Municipal)	\$2,078.55	\$3,000.00
<b>409.329 Telephone (ETCC) New Number 351.321</b>		
<b>409.360 Internet (ETCC) New Number 351.360</b>		
409.361 Electric (Municipal)	\$3,700.00	\$4,500.00
409.370 Building Repairs/Maint.	\$5,318.74	\$9,000.00
409.46 Road Crew Training Seminar	\$	\$200.00
409.60 Genera Gov't Cap. Const.		\$21,000.00
409.74 Capitol Purchase/furniture	\$1,650.00	\$500.00
409.75 Road Equip./Debt Service		\$100.00
410.14 Peacekeeping at meeting	\$330.00	\$100.00
411.31 Fire Ins/ KVFC	\$18,019.24	\$18,000.00
411.500 Contribution/ KVFC	\$12,500.00	\$25,000.00
413.140 Salary/SEO	\$5,497.75	\$6,500.00
413.142 Salary Sewage Testing	\$1,310.81	\$2,000.00
413.20 Code and Permit Supplies	\$36.00	\$1
413.310 BCO/ Permit Share	\$	\$14,000.00
413.46 SEO Enforc. Training	\$	\$200.00
414.00 Regional/CJERP	\$430.30	\$1,000.00
414.10 Salary/Planning Comm.	\$1,025.00	\$2,000.00
414.11 Salary/Zoning Hearing Board	\$675.00	\$400.00
414.20 Planning Commission Supplies	\$849.35	\$600.00
414.24 Zoning Supplies	\$69.39	\$100.00
414.310 Zoning Officer/Prof Serv.	\$1,348.60	\$14,000.00
414.46 Planning/Zoning Seminar	\$375.00	\$500.00
415.50 Monroe Control Center	\$2,604.45	\$8,000.00
430.22 Small Supplies/Road Crew	\$528.00	\$1,000.00
430.231 Vehicle Fuel/Gasoline	\$1,940.60	\$5,000.00
430.232 Vehicle Fuel/Diesel	\$9,203.40	\$18,000.00
430.26 Small Tools		\$1,000.00
430.30 Road Crew, Other Services	\$1,669.70	\$2,500.00
430.31 Tools Repair Highway/Vehicles and equip.	\$1,047.08 \$2,500.00	430.70 Cap. Purchase \$43,646.00 \$50,000.00

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431.00	Salary/Street Cleaning	\$1462.72	\$2,000.00
431.	Eqipt. Rental	\$3162.50	\$2,000.00
432.00	Salary/Ice/Snow Removal	\$8,383.59	\$29,000.00
433.00	Street Signs	\$293.93	\$1,000.00
433.01	Street Signs Private	\$80.75	\$100.00
437.00	Salary-Repair/Tools/Mach.	\$23,544.67	\$26,000.00
437.240	Repair Tools/Machinery	\$13,092	\$15,000.00
438.00	Salary/Repair/Roads/Bridges	\$88,130.87	\$95,000.00
438.61	Propane	\$700.00	\$700.00
438.47	CDL Program	\$215.00	\$400.00
	438.61 Maint/Rep. Hwy Gen. Const. combine with 438.610		
438.610	Highway/Gen Const.		\$40,000.00
438.74	Capitol Fund		
	non-vehicle		\$80,000.00

450.50	Contributions	\$750.00	\$2000.00
	450.51,458.50,459.50- combine into 450.50		

451 (ETCC)

451.114	Salary Admin Assist		\$100.00
451.143	Attorney ETCC	\$2,796.16	\$2,400.00
451.15	Salary/Maintenance	\$548.99	\$1,000.00
451.21	Office Expense	\$101.98	\$500.00
451.237	Janitor Supply	\$222.17	\$600.00
451.239	Heating Fuel	\$11,206.42	\$18,000.00
451.313	Engineer Services	\$20,528.95	\$2,000.00
	Grant Expense		
451.321	Telephone	\$1,057.71	\$1,500.00
451.340	Advertising	\$51.96	\$1,000.00
451.351	Property/liability Ins.	-----	\$5,400.00
451.361	Electric	\$7,701.91	\$10,000.00
451.362	Propane	\$	\$200.00
451.379	Building Repairs/Maint.	\$8,216.26	\$7,500.00
451.39	Bank charges	\$84.59	\$10.00
451.500	Fundraising Costs	\$487.60	\$700.00
451.670	LSA Capitol Expenses	-----	\$100,000.00
451.745	Misc. Purchase	\$67.89	\$600.00

453.44	R/E Taxes Municip. Prop	\$1,361.10	\$1,500.00
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454.25	Parks, Supplies/Maint.		\$1500.00
454.37	Parks, Salary/Maint.	\$504.58	\$600.00
454.710	Cap Purchase Land		\$2,000.00

**Adjournment:** There was a motion by JoAnn Bush and seconded by Gary Hoffman to adjourn. Motion carried (30).  
Meeting adjourned at 6:37 P.M.

Respectfully Submitted,

E. Ann Velopolcek  
Acting Secretary

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Board of Supervisors  
Meeting Minutes  
November 9, 2016

On November 9, 2016 the Eldred Township Board of Supervisors met for a regular meeting at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown Pa. at 7:30 P.M.

**In Attendance:** In attendance were Mary Anne Clausen; Chairman, JoAnn Bush; Vice-Chairman, Gary Hoffman; Supervisor and Solicitor Michael Gaul

**Call to Order:** \_\_\_\_\_ The meeting was called to order at 7:35 by Chairman Mary Anne Clausen, followed by the Pledge of Allegiance.

**Announcement of Executive Sessions:** Ms. Clausen announced that the Board had met in executive session on September 19, on November 4 during and after the budget workshop concerning personnel and prior to tonight's meeting for pending legal matters.

**Ordinance 2016-3:** Following the opportunity for Public Comment:

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to adopt Ordinance 2016-3, an ordinance regulating Fire Protection and Prevention in the Township of Eldred, requiring Township approval of the selection of the Kunkletown Volunteer Fire Company's election of Fire Chief and President and for other miscellaneous matters. Motion Carried (3-0).

**Public Comment Pertaining to Non-Agenda Items:** There was no Public Comment pertaining to non-agenda items.

**Approval of Minutes:**

- There was a motion by Gary Hoffman and seconded by Mary Anne Clausen to approve the minutes of October 12, 2016. Motion Carried (3-0).

**Treasurer's Report:**

- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to approve the Treasurer's Report. Motion Carried (3-0).

**Approval/Ratification of Bills:**

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve the payment of the General Fund bills with the exception of the Full Source bill which was for shirts for the Road Crew that need to be returned and replaced bringing the total to \$33,654.29. Motion carried (3-0). Gary Hoffman abstaining on the bill for

Monroe County Control Center, a conflict of interest for Mr. Hoffman.

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the State Fund Bills in the amount of \$1,171.45. Motion carried (3-0).
- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to ratify the payment of the Form 941 Tax Deposits in the amounts of \$2,058.18 and \$2,004.44, the State withholding tax in the amounts of \$275.39 and \$270.93, the 3rd Quarter PAUC fund in the amount of \$41.95, the 3<sup>rd</sup> Quarter Earned Income tax withholding in the amount of, the \$649.40, the 3<sup>rd</sup> quarter Employee Pension Withholding in the amount of \$2,256.99, the PSATS EU tax in the amount of \$128.97 and the Quickbooks Payroll fee in the amount of \$22.00. Motion carried (3-0).
- There was a motion by MaryAnne Clausen and seconded by Gary Hoffman to approve the Payroll for the week ending October 1, 2016 in the amount of \$8,990.17 and for the week ending October 15, 2015 in the amount of \$8,845.54. Motion carried (3-0)

**Kuehner Fields Update:** Greg Sanders of S&D Land Company appeared on behalf of Kuehner Fields subdivision requesting approval of a waiver for the modification of the approved road design specifications to use existing shale in place of the approved 12" aggregate sub base, as per a letter sent to Township Engineer Chad Peters dated Feb. 14,2014.

There has been recent review and discussion about this matter with the Township Engineer Brien Kocher, and it was recommended that the change be approved subject to the engineer's inspection and approval. Mr. Saunders also agreed to pay the cost of the engineering and inspections for this project.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the waiver subject to a letter of approval from the Township Engineers, Hanover Engineering. Motion carried (3-0).

**Zoning Officer's Report:** There was no Zoning Officer's Report.

**Road Master's Report:** Roadmaster Keith Kuehner reported that the road crew is continuing to clean out drainage pipes and shoulders while the weather holds. Mr. Hoffman asked about the installation of the doors. Mr. Kuehner reported that the doors in the Municipal Building will be installed the following week and the door at the Community Center will be installed on the week of Thanksgiving.

**Kunkletown Volunteer Fire Company:** Ray Smith reported that there were no calls in October. Donna Deihl brought up a dispute she was having with the Fire Company about a fee for using the facility. There was no action by the Board on this matter.

**CJERP Report:** Robert Boileau reported that CJERP continues to review and revise their procedures for the changing of Ordinances. He also asked if the Supervisors had made a decision about sharing the Board of Supervisors Minutes November 9, 2016 pg. 3 of 6

expense of an ad to be placed in the West End Happenings related to the placement of mailboxes for the upcoming winter months.

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the shared cost of placing the ad referred to above. Motion carried (3-0).

**Planning Commission Report:** Robert Boileau reported that the Planning Commission was continuing to hear and review reports on the subjects of Agricultural Products Processing, Medical Marijuana, Windmills, and Mini Cell Towers to see if we need to revise our Ordinances.

Solicitor Gaul announced that Eldred has received a letter from the Attorneys for Nestle stating that the wells had been closed, with some details. Mr Boileau has requested the actual reports that were submitted to the DEP and those have been requested.

Ms. Clausen brought up the request of the Letter of Support for the redesignation of the Aquashicola to an Exceptional Value Stream that the Eldred Township Planning Commissioners sent to the Supervisors in October. She suggested a letter go out to the affected landowners and a special discussion of the topic be scheduled at a meeting to further discuss the implications of the change. Mr. O'Donnell indicated that there is no pressing time constraint so a discussion at the January meeting was possible.

Gary Hoffman disagreed, he feels the redesignation is a good idea and that the Board should act to send the Letter of Support. JoAnn Bush agreed.

After a lengthy discussion, during which Ms. Clausen expressed her concern that acting too quickly in matters of **Land Use** changes has created problems in the (recent) past, she would like more time to review the possible detrimental outcome to the affected landowners. She was not ready to make this decision.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to send a letter of support to the Pohopoco/Aquashicola Watershed Conservancy for their application to have the designation of the Aquashicola Creek, from the headwaters to the confluence with the Buckhwa Creek, changed from High Value to Exceptional Value. Motion carried (2-1), Mary Anne Clausen opposing due to the reasons stated above.
- There was a motion by Gary Hoffman and seconded by Joann Bush to approve Resolution 201613, a resolution supporting the Aquashicola/Pohopoco Watershed Conservancy's petition for the redesignation of the Aquashicola Creek from a High Value to an Exceptional Value Stream. Motion Carried (2-1), Mary Anne Clausen opposing due to the reasons stated above.

**Parks and Recreation Report:** There was no report form the Parks and Recreation Committee.

### **Community Center Report:**

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to approve the daily leases of Donna Deihl, Sue Pekala and Jessica Vogel at the normal rate. Motion carried (3-0).
- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to ratify the recurring weekly leases of Dana Lange for the Girl Scouts and a Children's Art Program. Motion carried (30)

Linda Kile reported that the dance raised \$580.00 and the Craft Fair raised \$635.00. there was an additional \$100.00 donation for tables. The costs for the food and supplies for these events were \$122.76 for a total profit of \$1,192.24.

Donna Deihl announced that as a new Board member she is interested in fundraising. She feels the Community Center is in need of a small games of chance license in order to be effective. Mary Anne Clausen asked Donna and Ann Velopolcek to look into the requirements for licensing.

Carey Krum announced that the boiler needs repair. He presented some estimates from Dual Temp. The Supervisors asked him to get a few additional estimates before making a decision.

Linda Kile asked if the expense could be covered by the grant. Gary Hoffman answered that we could forgo the air conditioning but that might invalidate our ability to be reimbursed for some of the engineering work we spent for the air conditioning specifications. There was a discussion about the engineering costs for the air conditioning specs and the cost of operating the Community Center. The renting of rooms to defray the costs was discussed. Donna Deihl asked about the Community Center becoming a 501(c)3 organization. Solicitor Gaul answered that there are a few ways that could happen. The Center could become a 501(c)3 or a "friends of" the ETCC could be formed to work on their behalf, or the ETCC building could be rented to a 501(c)3 and could operate independent of the Township.

Carey Krum asked if there was an objection to using a Go Fund Me site to try to raise funds. The Solicitor had no objection, but suggests that someone outside of the Township do the fundraising and then turn the proceeds over to the Township. Mr. Orth added that there is a cost of raising money through a Go Fund Me site. JoAnn Bush suggested an existing organization (Eldred Future) might be solicited to do that.

Ms. Clausen asked Linda Kile about the banner that was proposed last month. It was agreed to have a banner made to advertise the spaces for rent at the Community Center. The Supervisors also requested notices be placed, where possible, on public bulletin boards.

Mr. Boileau's plan to solicit annual contributions from local businesses was discussed. There is a need for volunteers to visit businesses and explain the Community Center and ask for commitments of annual donations. Mr. Boileau feels that a personal connection to the business owners is an important part of this process. He also suggested having donation levels to encourage increasing interest in giving.

Vernon Barlieb asked if the Supervisors had considered using the services of a Realtor to rent the rooms. Ann Velopolcek gave information about what a contract with a Realtor would entail. The Supervisors agreed to take the matter under advisement.

**Proposed Budget:** Mary Anne Clausen announced that the proposed budget is done and available for public viewing.

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the proposed budget. Motion carried (3-0).
- There was a motion by and seconded by Gary Hoffman to authorize the Secretary to advertise the proposed Budget. Motion carried (3-0).

**Footprint Zero:** Gary Hoffman gave the details of the proposal from Footprint Zero to replace the exterior lighting with LED lights at the Township Building for a cost of \$5,377.00 with a PPL Rebate of \$831.00, for a total cost of \$4,546.00. The annual operating savings is anticipated to be \$1,812.00 with a payback in approximately 2.5 years.

**Resolution 2016-13:**

- There was a motion by Gary Hoffman and seconded Mary Anne Clausen to adopt Resolution 2016-1 appointing Kirk Summa & Company LLC as our auditors for the year 2016.

**Approval of the Minimum Municipal Obligation for 2017:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the Minimum Municipal Obligation for the year 2017 in the amount of \$3,353.00 to be forwarded to the Pennsylvania Municipal Retirement System. Motion carried (3-0).

**Rebidding of the ETCC Air Conditioning Specifications:** Ms. Clausen announced the outcome of the bids for the air conditioning for the Community Center. All of the bids came in over the expected amount and above the grant amount. (See Bid Chart below for the bid information.)

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to table the bid award decision until the December meeting. Motion carried (3-0).

**Other:** Helen Mackes announced that the Veteran's Commission will be having a ceremony on November 11, 2016 at 11A.M. to honor the Veterans on Veterans Day.

Gary Hoffman announced that the Supervisors will be meeting with the Polk Township Supervisors and the respective Roadmasters on Thursday November, 17, 2016 at 7 P.M. to discuss Carney Rd. A small portion of Carney Road is in Eldred Township and is slated to be repaved and have a weight restriction placed on it year round.

Solicitor Gaul announced that Brien Kocher emailed a response regarding the Kuehner Farms Estates roll test for the sub base and it passed, so the project can continue.

Doug Borger asked about the Blue Box that was dropped on Church Road. The Supervisors reported that the box had been picked up and is no longer at the site.

**Adjournment:**

- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to adjourn. Motion carried. (3-0). Meeting adjourned at 9:40 P.M.

KC Mechanical Service Inc	Base	Phase 1	Phase2	Phase 3	Phase4
	A\$139,000	A-232,000	A-316,000	A-462,000	A-558,000
	B-\$129,000	B218,000	B299,000	B441,000	B533,000
Leibold Inc	A-	A-	A-	A-	A-
	135,600	228,000	305,000	421,000	487,500
	B131,500	B221,400	B298,000	B414,000	B474,500
ASL Mechanical (refrigeration)	A-	A-	A-	A-	A-

Results of the Sealed Bids for Air Conditioning of the Community Center opened at a public meeting on October 24, 2016 at 12:00 P.M.

Respectfully Submitted,

E. Ann Velopolcek  
Acting Secretary

Board of Supervisors  
Minutes  
December 14, 2016

On December 14, 2016 the Eldred Township Board of Supervisors met in a regular meeting at the Eldred Township Municipal Building, 490 Kunkletown Rd. Kunkletown, Pa. 18058 at 7:30 P.M.

**In Attendance:** In attendance were Mary Anne Clausen, Chairman; JoAnn Bush, Vice-Chairman; Gary Hoffman, Supervisor and Michael Gaul Solicitor.

**Announcement of Executive Sessions:** Ms. Clausen announced that the Supervisors had met on Thursday December 8, 2016 to discuss personnel and administrative matters and immediately prior to tonight's meeting to discuss administrative matters.

**Call to Order:** The meeting was called to order by Chairman Clausen at 7:30 P.M. followed by the Pledge of Allegiance.

**Public Comment Pertaining to Non-Agenda Items:** Archie Craig read a letter a resident wrote to that was published in the Times News, thanking the residents of Eldred Township for battling Nestles' application for water extraction in our community. The letter cited the low levels of water currently in the creeks and river due to the semi drought conditions we have had this summer and fall.

Paul Shook brought a complaint about an illegal use of property by a construction company in a residential neighborhood. The Supervisors advised him to come into the Township building during normal business hours and file a complaint with the Zoning Officer.

**Approval of Minutes:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the minutes of October 4, 2016. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the minutes of October 25, 2016. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the minutes of November 11, 2016. Motion carried (3-0).

Robert Boileau asked about a billing for the Pocono Record and the Times News. Ms. Clausen explained that while we typically advertise notices in the Times News, there is a provision regarding bidding projects that they must be advertised in the County where the project will take place. The Pocono Record ad was the bidding notice for the Air Conditioning at the ETCC.

**Treasurer's Report:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the Treasurer's Report. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Mary Anne Clausen to approve the unpaid bills in the amount of \$40,169.86. Motion carried (3-0).
- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the payments for ratification listed on the Treasurers Report in the amount of \$12,786.13. Motion carried (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve the following payrolls: period ending:

October 29, 2016 in the amount of	\$6,858.29	
November 11, 2016 in the amount of		\$8,423.56
November 26, 2016 in the amount of		\$6,165.80

Motion carried (3-0).

**Zoning Officer's Report:** There was no Zoning Officer's Report.

**Roadmaster's Report:** Roadmaster Keith Kuehner reported that the road crew is cleaning the shop, repairing equipment, and normal tasks. Mr. Hoffman asked about the new truck body, Mr. Kuehner replied that he was satisfied with the new body.

**Kunkletown Volunteer Fire Company:** There was no Kunkletown Volunteer Fire Company Report.  
Michael Orth asked about the status of the Burn Ordinance. Ms. Clausen answered that it had been put on hold until the Supervisors could compare it with the Monroe County Ordinance.

**Planning Commission Report:** Robert Boileau reported that the Planning Commission sent a letter to the Supervisors on the subject of Agricultural Products Processing and the issue of slaughterhouses, suggesting that slaughterhouses rather than Ag. Products Processing be prohibited in the Township. Ms. Clausen responded that Dr. Leiding was preparing a report with additional information and any decision was being deferred until such information was available.

**Parks and Recreation:** The Committee is not meeting in December and January.

**Eldred Township Community Center:** Dana Lange has revised her lease from a weekly lease to every other week.

- There was a motion by Gary Hoffman and seconded by Mary Anne Clausen to ratify the revised lease for Dana Lange. Motion carried (3-0).

Mr. Hoffman reported that an HVAC company, Superheat, was called in to inspect the boilers and was able to make repairs to the malfunctioning boiler at a much lower cost than we had been quoted. The boiler is now running.

Keith Kuehner reported that Lehigh Doors has scheduled a date to install the doors in the kitchen.

Doug Borger asked if there was any interest in rentals since the sign went up. Ann Velopolcek answered that we have had one interested party and a business plan for that party is being prepared.

Ms. Clausen reminded the assembly that volunteers need not serve on the Committee, that we also need help for events and other smaller commitments.

Ms. Bush asked Solicitor Gaul if an established 501(3)(c) could obtain a small games of chance license and hold events to benefit the ETCC. Solicitor Gaul answered that he would have to look at the licensing rules to answer the question. He suggested review of the Department of Revenue's small games of chance rules before any decision was made.

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to recess for an executive session. Motion carried (3-0). Meeting recessed at 7:55 P.M.
- There was a motion by Gary Hoffman and seconded Mary Anne Clausen to reconvene the meeting. Meeting reconvened at 8:42 P.M. Motion carried (3-0).

Ms. Clausen announced the reason for the executive session was to discuss pending legal matters with the Township Solicitor.

- There was a motion by Mary Anne Clausen and seconded by Gary Hoffman to refer to the Parks and Recreation Committee a review of the railroad bed trail owned by the Township and what the future uses might be. Motion carried (3-0).
- There was a motion by Gary Hoffman and seconded by JoAnn Bush to approve **Resolution 2016-16**, a Resolution to Adopt the 2017 Budget and Fixing the Tax Rate for the year 2017. Motion Carried (3-0).
- There was a motion by Mary Anne Clausen and seconded by Gary Hoffman to schedule a special meeting for general business purposes on February 8, 2017 at 7:30 P.M. Motion Carried (3-0).
- There was a motion by Gary Hoffman and seconded by Mary Anne Clausen to authorize the Secretary to submit the proposed Ordinance to the Planning Commission, the Monroe County Planning Commission and the CJERP and to advertise the hearing for a proposed Ordinance at the Special meeting on February 8, 2017. Motion carried (3-0).

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to schedule the **Organizational Meeting on Tuesday, January 3, 2017 at 7:30** at the Eldred Township Municipal Building. Motion carried (3-0).

Ms. Clausen announced that our Perc Test Technician has retired and the Township needs to replace the technician. A proposal has been received by our SEO, Jacob Schray to train a new perc technician.

- There was a motion by Mary Anne Clausen to approve the proposal from Mr. Schray and to train one or more of our current employees as perc tech. technicians.

There was discussion about this issue. Ms. Bush replied that she has reservations about using our staff for this purpose. Ann Velopolcek reported that according to our SEO, any Technician must be an employee of the Township, and be trained and supervised by the SEO. Ms. Clausen said she would like to try to keep the costs to the applicants as low as possible. Our current fee is \$200.00, Hanover Engineering, who is doing the tests now charges \$430.00 costing the Township \$230.00 in excess of the fee. The fees could be increased and may be increased if our costs increase. Gary Hoffman feels there are problems with using the Road Crew for many reasons. Doug Borger asked about the use of Township equipment and what the costs would be of training and purchasing the necessary equipment. Ms. Clausen responded with the costs of training and the payback time, based on Mr. Schray's proposal, but did not have a cost of equipment. Several residents felt the increase in the cost is not enough to be relevant and should not be a consideration. A decision was made to defer the decision.

The motion failed for lack of a second.

**Letter of Support for Polk Township:**

- There was a motion by Mary Anne Clausen and seconded by JoAnn Bush to send a letter of support to Polk Township to adopt a year round weight limit on Carney Road. Motion carried (3-0).

Ms. Bush brought up the increased truck traffic on Silver Spring and Kunkletown Roads due to the dumping of Hurricane Irene debris in Palmerton and asked what the Township could do to protect our roads from damage due to the traffic.

Mr. Hoffman reiterated the results of the traffic study done this year and expressed his concern about the traffic when the Kresgeville bridge is replaced scheduled for 2018. He also asked that a thank you letter be sent to the MCPC for the traffic study.

**Letter to Elected Auditors:** Ms. Clausen explained the duties of the elected auditors. A letter has been drafted to any future elected auditors outlining these duties so there is no confusion or oversights.

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve the Letter to the Elected Auditors. Motion carried (3-0).

**Resolution 2016-14:** Ms. Clausen announced that the Township is applying for a Multi-Modal Grant from Penndot to replace the **Gower Rd. South Bridge**. The grant application requires a Resolution, which has been prepared.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to adopt **Resolution 2016-14**, a resolution to approve the Township's application for the PennDot Multi Modal grant. Motion carried (3-0).

**ETCC Air Conditioning Bids:**

- There was a motion by Gary Hoffman and seconded by JoAnn Bush to reject all the bids we received for air conditioning at the ETCC. All the bids exceeded the estimated cost. Motion carried (3-0).

Mr. Hoffman announced that the grant monies can be used for other repairs at the ETCC and we can look at the idea of air condition at another time.

**Kirk Summa LLC:** Ms. Clausen announced that Kirk Summa advised we use a shorter audit report which would cost less. Solicitor Gaul asked if this might influence our ability to acquire a grant. Ms. Clausen said Sylvia Gethen (Treasurer) asked Kirk Summa and they indicated that it would not.

- There was a motion by Gary Hoffman and seconded by JoAnn Bush that we have our accountants, Kirk Summa LLC prepare the short version of our accounts audit. Motion carried (3-0).

**Resolution 2016-15:** Ms. Clausen announced that our contract for electricity is expiring and we need to enter into a new contract. We researched many different companies rates and the best rate is ThinkEnergy at 7.4 kWh for a term of 1 year.

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to approve **Resolution 2016-15** a resolution to enter into a contract with ThinkEnergy for the purchase of electricity at the Township owned buildings at a rate of 7.4 cents/ kWh for a term of 12 months. Motion carried (3-0).

**Other:**

- There was a motion by Gary Hoffman and seconded by Mary Anne Clausen to advertise the notice as required, of the enactment of **Ordinance 2017-01** an amendment of the Eldred Township Zoning Ordinance related to Animal Husbandry and Agricultural Products processing, at the Special Meeting on February 8, 2017, if appropriate. Motion carried (3-0).

Vector Control: we have received a request for a donation to the County vector control to remediate mosquitos in the County. A decision on this was deferred to a later meeting.

Ms. Clausen asked if any progress had been made in the sampling of the waters of the Buckwha Creek for the purpose of having the Creek redesignated to a higher value. Ms. O'Donnell answered that the process has already started.

Mike Kolba asked if any of the Supervisors would be interested in attending a conference with him regarding the expansion of the Townships Broadband capacity. Mr. Hoffman was chosen as a delegate for that conference.

Doug Borger thanked Keith Kuehner and the Supervisors for their attention to removing sneakers from the power lines.

Ms. Bush announced that there were some sheets of plywood stolen from their construction site recently.

Solicitor Gaul announced that we have received final documentation from Nestle regarding the well closures.

Michael Orth asked about the cost of the failed attempt to have air conditioning at the ETCC.

Ms. Clausen replied that while she did not have the exact figure at hand, that the engineering and attorney reviews totaled about \$25,000.00.

**Adjournment:**

- There was a motion by JoAnn Bush and seconded by Gary Hoffman to adjourn. Motion carried (3-0).

Respectfully Submitted,

E. Ann Velopolcek  
Acting Secretary







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