

# **GLENBURN TWP BOARD OF SUPERVISORS'**

## **MEETING MINUTES October 19, 2009**

**Board Members in Attendance:** Bill Wicks, Frank Berardelli and Mike Savitsky

**Board Guests in Attendance:** Solicitor Malcolm MacGregor, Sewer Enforcement Officer Walter Redel and Secretary Treasurer Joanne Benson.

**Public in Attendance:** Attachment

-Supervisor Wicks called the meeting to order at 7:35pm with the pledge to the flag.

### **Minutes:**

**Bill Wicks motioned to waive the reading aloud of the minutes and to accept the minutes of the September 21, 2009 meeting. Mike Savitsky 2<sup>nd</sup>. All in favor.**

### **Financial Report/Presentation of Bills**

-Joanne reviewed the financial reports and account balances and presented the bills for payment.

**Mo. by Bill Wicks, 2<sup>nd</sup> by Frank Berardelli to pay the bills as presented. All in Favor. Mo. by Bill Wicks 2<sup>nd</sup> by Frank Berardelli to accept the financial reports as presented. All in Favor.**

### **Committee Reports**

**Police:** No Report.

**Roads:** Joanne read the road report left by Road Master Mennig. The road crew rebuilt the headwall in the catch basin at the Main Ave. and Rt. 6 Intersection. They have been busy with leaf cleanups and some brush cutting and pot hole patching. The trucks, plows and spreaders have been made ready for the winter weather.

**Sewage Enforcement:** Walter Redel reported that the Rennie project is almost ready to go. He has also been working on the Dequeiroz complaint. Malcolm told Mr. Dequeiroz that the issue was discussed in executive session and that he will follow up with Mr. Dequeiroz's lawyer, Terry McDonald, to pick up on the previous contempt order and have the Township join in on that.

**Code Enforcement:** No report

**Planning:** No report

**Recreation:** Bill Wicks reported that there will be a ribbon cutting ceremony at the new \$250,000 boundless playground on October 31. It is a wonderful place for children of all abilities.

### **Old Business**

**Precision National Plating (PNP) Update:** Malcolm discussed the letter received by Dave Jennings from EPA with regards to putting a well on David's property. The supervisors are still wondering what Precision's position will be about funding running a water line extension. The memo did not address that at all. David said that the EPA Council, Robin Eisman, wanted to discuss the administrative order with Malcolm. Mike Savitsky commented that he thought he letter from EPA was a disgrace as it did not address David's concerns and just pointed out that he might be liable if he puts a well on his property. Malcolm agreed, saying that the blame should not be thrust upon the people asking the questions when Precision was the polluter. Bill Wicks commented that 2 years ago at a stakeholders meeting EPA suggested that the Township curtail development of the lands near Precision. The Township asked for a specific reason why and EPA could not give a reason. The Township can not prohibit people from developing their land without a good reason. Now it seems they have modified that position. Malcolm stated that the Township is not satisfied with the current situation and that EPA should give David an alternative and fund the water line. Mike Savitsky stated that they should also be prepared to handle future requests in case another situation develops down the

road. Bill Wicks cautioned that the Township still doesn't have the final answer on the water line.

**Glenburn Pond:** Not on agenda this month

**Fords Pond Road Issues:** Malcolm stated that since the Powers property was purchased he has forwarded correspondence to Greg Pascale, attorney for the purchaser, to discuss the situation with his client. Point number one being that the property was previously inspected under the Township's Dangerous Structures and Conditions Ordinance. The Township needs to know if the new owner plans to take the structure down. If not, the property needs to be re-inspected. Point number 2, the Township needs to know what plans the new owner has for the sewer on the property. Walter Redel has discussed the sewer situation with the new owner and the system needs to be uncovered to determine what is there. Malcolm stated that we need to know the plans by the next meeting or another inspection needs to be done.

With respect to the Gardner property, Malcolm will get a lawyer to represent Mr. Gardner pro bono. Mr. Gardner wants the property in question taken down but the Township wants to make sure that there is no appearance of impropriety. Once legal representation has been provided things should go fairly quickly and the Township can proceed with the demolition.

**911 Addressing:** Malcolm explained that the 911 addressing project, spearheaded by supervisor Berardelli and utilizing the services of PoconoGIS, would enable emergency vehicles to find residents quickly in their time of need. The Ordinance was discussed at the previous meeting and has been duly advertised in the paper of record. **Bill Wicks motioned to Adopt Ordinance 02-2009, Regulating 911 Addressing in the Township, Frank Berardelli 2<sup>nd</sup>. All in favor.**

### **New Business:**

**ACT 32 Tax Collection:** The first meeting of the Tax Collection Committee is scheduled for October 29<sup>th</sup> at the Scranton Cultural Center. 39 of the 40 municipalities in Lackawanna County signed a resolution seeking to OPT OUT of the state mandated county wide collection along with a number of the 10 school districts. The ACT 32 legislation mandates that Earned Income Tax collection be consolidated and collected at the county level. Currently there are 600 tax collection districts in Pennsylvania. This act would reduce that number to 59. Scranton was the only Municipality that did not sign the resolution. At this meeting the member municipalities will elect a slate of officers and vote on how the committee will operate and the County will discontinue involvement.

Mike Savitsky met with delegates from the other county municipalities at a pre-meeting to discuss a strategy that would prohibit Scranton from gaining the majority of the vote. Scranton was not invited to this pre meeting. Right now the voting is weighted by population and earned income collected. That would give the city of Scranton 44% of the vote. The fear is that if Scranton has the majority vote they will want the Scranton Single Tax Office to do the collections. The other 39 municipalities need to stick together. A tentative slate of officers to propose was selected at this pre meeting and it was decided that the voting should be 1 vote for each municipality regardless of population or collections. The slate of officers to propose will be Al Chelik for Chairman, Christine Griswold for Vice Chairman and Marnie O'Dea for Secretary. Mike stated that there was a concern among the 39 municipalities that Scranton would challenge their right to be there and want to discount their vote. They are all providing proof of their appointments.

### **Announcements:**

**Glenburn Township 5<sup>th</sup> Annual Art Show and Sale thru December 10th**

**Public Input:**

**Advertising on the Township Web Site:** Dave Jennings asked about selling advertising slots on the Township Website. Joanne told him that she discussed it with PSATS who said that there was nothing prohibiting it but the Township would have to develop a policy and resolution on how that would be handled if they wanted to do that.

**Grant Writing Services:** Ashlyn Gomez, an independent writing consultant and president of her own company, Inkwell, spoke to the supervisors about her expertise in writing and said that she could obtain grants for the Township. She has access to Penn Alliance, a data base of available funding, and would be able to write RFP's, etc. Bill Wicks said that we need to look at that in the budgeting process for next year. Mike Savitsky stated the Township roads are in need of repair. He keeps reading about all these other municipalities getting grant money and feels that Glenburn could be getting more grant money. Bill Wicks stated that the Township has gotten CDGB grant money in the past for Fords Pond Road but that many neighborhoods in Glenburn do not qualify. In order to get grants for Glenburn Pond the Township would need site control. Malcolm MacGregor asked if Ashlyn could provide a resume. Ashlyn admitted that she hadn't done an extensive amount of grant writing. It was decided that a meeting with the supervisors would be arranged. Frank said he would be available after the 2<sup>nd</sup> week in November after 3pm.

Mr. Dequeiroz said that he was familiar with law enforcement grants and that he would be happy to help with a grant for something like a camera at the Route 6&11 light to help catch speeding trucks etc.

**Border Realty Development:** Mark Young told the supervisors that he has now hired a full time engineer for his project and that he has been told by the engineer that DEP most likely will not allow a homeowners association to own a sewer system and they will insist that the Township own the system. Mark wondered if it might be possible for the Township to own the sewer plant and lease it back to the association. Malcolm asked if Mark had received anything in writing from DEP and Mark said that he hadn't. He would like someone from the Township to go to the review meeting with DEP when it is scheduled. Bill Wicks said that there are already 2 private systems in Glenburn and he was surprised that none would be allowed now. He suggested that Mark might want to contact one of those operators to see if they would do a lease back deal with him. Bill suggested that Malcolm attend the meeting with DEP. Malcolm asked Mark to have his engineer send something in writing from DEP stating that they would not allow the homeowners association to own the sewer system. Bill Wicks told Mark that the Township appreciates the cleanup of the trailers on the property.

Mark also asked about putting a billboard up on his property. He was referred to the Zoning Ordinance and Tom Wicks.

**More Precision:** David Jennings stated that the well testing results from the last 5 years are still not available in the library. He also stated that information that was previously available on the EPA website about the contamination under the foundation was taken off the site. He also suggested that the supervisors tour the area. Malcolm said that they should do that in conjunction with the next stakeholders meeting.

**911 Thanks:** Dave Jennings thanked supervisor Berardelli for his efforts and Frank acknowledged the other supervisors as well, saying it was a group effort.

**Correspondence:** Correspondence was reviewed prior to the meeting. Executive session was held prior to the meeting to discuss the Dequeiroz complaint. **Bill Wicks motioned to adjourn the meeting at 8:21 pm and Frank Berardelli 2<sup>nd</sup>. All in Favor.**

Respectfully Submitted,

Joanne Benson, Secretary / Treasurer