

WALLACE TOWNSHIP BOARD OF SUPERVISORS
May 6, 2010

A Regular Meeting of the Wallace Township Board of Supervisors was called to order on Thursday, May 6, 2010 at 7:30 PM in the Township Building by Chairman Bryan McDonough.

Supervisors present: Bryan McDonough
Robert Jones
Barbara D'Angelo

Engineer: Craig Kologie, Castle Valley Consultants

Consultant: Ann Hutchinson, AICP, Natural Lands Trust

Solicitor: Michael G. Crotty, Esquire

Pledge of Allegiance

The meeting was begun with a recitation of the Pledge of Allegiance.

Executive Sessions

None.

Correspondence

One hundred and twenty-six (126) pieces of correspondence were noted as received. A list of the correspondence as well as the individual pieces of correspondence is available for public inspection.

Minutes

The minutes for the April 1, 2010 and March 18, 2010, meetings were presented for review. The Supervisors tabled discussion on them as the Board had not yet had the opportunity to fully review them.

Treasurer's Report

Township Secretary/Treasurer Betty Randzin gave the Treasurer's report, which is available at the Township Building for review. Forty-one (41) invoices were presented for review. Chairman McDonough inquired as to the invoices for the vehicle repairs, which were for repairs associated with multiple trucks. Chairman McDonough further noted that the Township is in the process of converting its accounting and payroll to QuickBooks. After discussion, Supervisor Jones moved that forty-one (41) invoices, totaling \$45,680.34, be authorized for payment. Supervisor D'Angelo seconded the motion, which carried unanimously.

Pennsylvania State Police

A report for the month of April was presented and read by Supervisor Jones. The police report is available for review at the Township building. In total, the police received thirty-seven (37) calls for service in the month of April.

Glenmoore Fire Company

GMFC representative Robert Brown was unable to attend and the GMFC report was read by Supervisor Jones. The GMFC handled sixteen (16) calls last month, with seven (7) of them being in Wallace Township.

EMC

Township Secretary Betty Randzin noted that EMC Robert Klinger was unable to attend, but that he is attending EMC training and will report at the next meeting.

DARC

No report.

Park and Recreation Board

A report was provided by Nanette Hervey. Community Day is scheduled for June 26, 2010, which will include a parade, GMFC Chicken BBQ, a DJ, and other events. The Board is looking for volunteers. After discussion, it was noted that certain funds should be authorized for the Community Day planning efforts. Supervisor Jones moved that the Township Secretary/Treasurer be authorized to remit payment for any deposits not to exceed an aggregate of \$4,000 for Community Day vendors and supplies. Supervisor D'Angelo seconded the motion, which carried unanimously.

Historical Commission

Jane Davidson attended on behalf of the Historical Commission. A written report was provided, which is available at the Township building for review. Ms. Davidson noted that the 35th Anniversary of the Historical Commission will be on May 12, 2010. Ms. Davidson inquired about the status of the bridge plaques. The Supervisors noted that the bridge plaques are to be incorporated into the bridge design by PennDOT. A discussion was also held with respect to Section 1010 of the Zoning Ordinance. Ms. Davidson noted the position that the HARB provision could be kept in the Zoning Ordinance for the possibility that the residents would like to establish one. Resident John Miller noted that it would not be advisable to keep Section 1010 in the Zoning Ordinance given the confusion that it engenders and the potential that the owners of historic properties would not agree to their inclusion because of the potential of a HARB. It was noted also that the current version of Section 1010 incorrectly purports to appoint the Historical Commission as a HARB. Ms. Davidson also presented the Historical Commissions recommendations for revisions to Zoning Ordinance Article X. They had not been forwarded to

the Planning Commission for its review. After discussion, the Supervisors agreed that Section 1010 should be removed from the Zoning Ordinance as presently written and the matter can be later considered through the review of the draft Article X amendments. The HC's draft of Article X should otherwise be submitted to the Planning Commission for its review.

Municipal Authority

No report. It was noted that a resident has requested to connect to the sewer plant and to drill test bore holes. Township Secretary/Treasurer Betty Randzin noted that the resident had been sent the permit application form to submit for review. Supervisor D'Angelo noted that she would check into whether other nearby areas are outside the service area. Supervisor Jones noted his concern that increased density would result from the expansion of the sewer service area. The Board also discussed the incident on Creek Road where a resident pierced his neighbor's sewer lateral while installing a fence post. The resident apparently did not call PA-One Call; despite that the fence permit directed him to do so.

Planning Commission

PC Chairman Bill Moore provided the report for the Planning Commission. Seibert: Since the last BOS meeting, the PC has voted to recommend that the Board conditionally approve the Seibert preliminary plan application, while deferring any action on the requested waivers until the final plan review. The Township Solicitor noted that a proposed form of decision has been presented to the Board for its consideration. Supervisor Jones read the Decision and Conditions, after which he moved that Seibert's Application for Preliminary Subdivision and Land Development, dated May 25, 2007, with a last revised date of April 8, 2010, be conditionally granted, while Seibert's requests for waivers from Wallace Township Subdivision and Land Development Ordinance Sections 401.D.2, 602.D.2, and 626.E be denied. Supervisor D'Angelo seconded the motion, which carried unanimously. An executed copy of the decision was provided directly to the applicant, who was in attendance at the meeting.

Old Business

- a. Spring Bulk Trash Day: Chairman McDonough expressed thanks on the part of the Board to Duane and the Road Department for another successful Spring Bulk Trash day.
- b. Community Day: Chairman McDonough announced that Township Community Day has been scheduled for Saturday, June 26, 2010, beginning at noon at Wagenseller Park. The Community Day parade will begin at 11:45 a.m. The GMFC will also host its annual Chicken BBQ on the same date. Supervisor Jones noted that he would update the Township's website.

New Business

- a. Highspire Road Paving: The successful bidder has notified the Township of certain cost increases. As noted by the Township Engineer and Township Solicitor, the bid documents do not contain an escalator clause available to the contractor. While the increases appear to be de minimis, the Township Engineer felt that they may result in the contractor losing

money on the job. The Township Solicitor was directed to look into whether payment of the increased amount would create any issues with respect to the bidding process. In the meantime, the Township Engineer was directed to notify the successful bidder.

b. Designation of Agent Resolution: Township Secretary/Treasurer Betty Randzin noted that she would attend a meeting with FEMA to discuss reimbursement to the Township for the winter storms. In order to do so, the Board must adopt a Designation of Agent Resolution to authorize her to appear on behalf of the Township. Supervisor Jones read the Resolution aloud, after which he moved that the Township enact the Designation of Agent Resolution in the form as presented. Supervisor D'Angelo seconded the motion, which carried unanimously.

c. Steepleview Subdivision Certificate of Completion: The Township Engineer noted that the applicant has requested release of the remaining escrow funds and dedication of the roadways associated with this development. The Township Solicitor noted that the Letter of Credit must be amended to correctly reflect the 18 month maintenance period. A number of the residents from the Steepleview subdivision were in attendance. One resident stated his opinion that the Township should not release the escrow funds because the developer owes the Homeowners' Association money related to mowing and other open space maintenance. It was noted that the escrow funds had not been held for such purpose and that the issue is a matter of private concern between the HOA and the developer. Additionally, reference was made to a letter submitted by the president of the HOA (which noted one stormwater issue). The Township Engineer noted that he inspected the property and the stormwater management facilities, finding that they are all functioning correctly and pursuant to the approved plans. The HOA was directed to put any of its concerns in writing to the Township within the next few days.

Public Comment

The Board accepted public comment prior to discussing the proposed Ordinance revisions:

- a. Resident Tish Malloy inquired on behalf of the EAC as to the requested donation to the Pennsylvania Blue Bird Society. The Township Secretary/Treasurer noted that the Board approved the donation as part of the bills list.
- b. Resident Roger Irely noted that there was recently an incident with a dog in the Village that bit his grandson. He believes that the dog may have bitten another child the night before. The State Police were called and took a report. The SPCA was also notified. The resident was advised that he should review the Pennsylvania Dangerous Dog Law to ascertain his rights with respect to the matter. Additionally, the Supervisors requested that the Solicitor inquire with the State Police as to the issue. Supervisor D'Angelo noted that she would also inquire with her contact at the SPCA.

After accepting public comment, the Supervisors took a ten (10) minute break.

Old Business (continued)

c. Ordinance Amendments: After returning from its recess, the Board and consultants discussed the proposed Zoning Ordinance and Subdivision and Land Development Ordinance revisions. Scheduling was discussed and the Township Solicitor was requested to inquire with the County as to whether another extension could be granted pursuant to the VPP Grant. With respect to the proposed revision to Article X, Section 1010, the Supervisors were in agreement and no amendments thereto were discussed. The Board next discussed revisions to Article XIII, Section 1302. Revised and alternative language was discussed pertaining to the front, side and rear yard setback requirements. Chairman McDonough requested that the front yard setback provision pertaining to residential accessory buildings and structures be increased to thirty (30) feet, and that the side and rear yard setback requirements associated with structures with a footprint of 350 square feet or less be established at five (5) feet (deleting the potential that such structures could be placed on a lot line). The Board next discussed the proposed revisions to Article XIII, Section 1310, noting the need for any amendments thereto. After further discussion, the Board noted that it would continue to review the remaining draft ordinance amendments, to possibly consider at a special meeting later this month.

d. Cancellation of May 20, 2010 morning meeting: After discussion, Supervisor Jones moved that the Board's May 20, 2010 meeting be cancelled. Supervisor D'Angelo seconded the motion, which carried unanimously.

e. QuickBooks Training: Chairman McDonough noted the availability of QuickBooks training for the Township staff. After discussion, Supervisor Jones moved to authorize \$400 to provide QuickBooks training to the Township Secretary/Treasurer and Chairman. Supervisor D'Angelo seconded the motion, which carried unanimously.

Adjournment

Supervisor Jones moved that the meeting be adjourned. The motion was seconded by Supervisor D'Angelo, which carried unanimously. Meeting adjourned at 11:03 PM.

Respectfully submitted,

Betty Randzin
Township Secretary/Treasurer