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MARION TOWNSHIP SUPERVISORS MEETING November 6, 2014 Township Building

Present: Ken Roan, Herbert Chapman, Archie Gettig, Jr. and Angel Emery

Guests: Gene Miller, Louise Manginell, Brian McCauley, Wayne Engle, and Tim Weight

Chairman Roan called the meeting to order at 7:00pm followed by the Pledge of Allegiance

On a first motion by Gettig and a second by Roan motion passed 3-0 to approve the minutes as presented.

On a first motion by Roan and second by Chapman motion passed 3-0 to approve the budget minutes as presented.

Public Comments: Engle presented map and explained the accesses for the Manginell subdivision. Engle stated that PennDOT has asked them to remove second access and they are in the process of going through the Conservation District for that. Roan mentioned the fee-in-lieu of and explained that the first two lots are \$250 a piece and the third would be \$1,250. There are two building lots and a third lot that is to be used as agricultural use only at this point. Roan said he spoke with Anson Burwell and the plan does say that that lot is for agricultural use only as of now but Roan said that doesn't mean that it won't at some point be turned into a building lot. Roan suggested to other Supervisors that the first two lots get fee in lieu of paid now and there's a footnote placed on the plan stating that if the agricultural lot is ever reclassified as a building lot that the fee in lieu of must be paid in the amount that it is at the date of the reclassification. Roan also said that the owner's need to purchase the sign and other materials needed for "Cozy Lane" but that Marion Township would be the ones to put it up, after PennDOT's approval, as a courtesy to make sure it is in the right place. Roan asked if they had all the other permitting done. Engle said they need the signatures of the Supervisors so they can send it to DEP. Gettig and Roan told them they need a permit from PennDOT for the "Cozy Lane" sign, which will tell them where it needs to be placed. Manginell said all she is trying to do is give each of her three kids a building lot. Roan explained that's understandable but there has been an issue in the past, that's why the fee in lieu of is what it is. McCauley asked about the two lots that already came off of that parcel on the south side a few years ago. Roan said he is not sure if the fee-in-lieu of was paid for that but he will look into it. Chapman asked McCauley what he remembers of it since he was on the planning commission. McCauley said he doesn't remember but it is probably written down, he said one went to Manginell's son and the other went to Pacella. Roan asked the other supervisor's what they want to do about the fee-in-lieu of amount and explained the previous subdivision that McCauley was referring to. Roan asked Manginell what she remembered from the previous subdivision, she said she believed the first two were after Ordinance 207. Engle said they'd have to go back and check dates of the ordinances and the dates of the subdivision. Gettig suggested approving everything except the fee-in-lieu of amount until after more research is done. Gettig asked Engle what they needed that the BOS could do now; Engle said they need signatures on the planning module and a letter from the Township to PennDOT. Roan said Weight already sent them a letter, and Burwell told him there should be no requirement from the Township because that is a state road. Engle explained that there are

certain townships that have requested to PennDOT to see any HOP to a state road and Marion Township is one of them. Engle said PennDOT is telling them they need a letter from the township saying that they're acknowledging it and that the location of the driveway is acceptable. Roan said if PennDOT says it's ok then he's alright with it. Engle explained the county has approved it as well and explained the trimming easement to help the sight distance. Chapman suggested approving the plan and having Roan do research on the fee-in-lieu of. Chapman made a motion to approve everything except fee in lieu of, Roan seconds but adds that we'll do the letter to PennDOT for the driveways and "Cozy Lane" approval and Roan will have fee in lieu of information for the next BOS meeting on December 9th. Also, a note will be added to the plan that the fee in lieu of must be paid if the agricultural lot is ever reclassified as a building lot. Manginell said she understands the provisions and Chapman agrees to add that to his motion, Roan seconds. Motion passed 3-0 Roan signed the module and it was left for Zoning Officer, Tim Weight, to sign and return.

Brian McCauley asked what is being done about sheds being put up without permits and ones that are too close to property lines. McCauley said there seems to be no consequences for people not following the permit regulations. Roan said there is, the BOS can have them torn down if they're not done correctly. Gettig said we'll have to start doing an on sight inspection. BOS decided to address this subject after Gene Miller's comments so Tim Weight can comment.

New Business:

Eugene Miller, CPA

Mr. Miller introduced himself and stated that he has township experience; he presented his letter of referral. Miller asked why the township is looking for a new CPA so Gettig explained we are just checking into cutting costs. Roan asked for an estimate on a yearend audit and an estimate for an exit audit. Roan and Chapman asked Miller if he could provide the township with an estimate by December 1, 2014, Miller said he could probably have one by next week, he will send it with a contract to sign if the BOS agree to the estimate. Gettig asked Miller how long of a contract it would be, Miller said one year. Miller will provide estimates and they will be discussed at December 9th BOS meeting.

Nittany Valley Joint Planning Commission (NVJPC) meeting will be held November 20, 2014.

Planning Commission minutes were reviewed.

Park & Recreation there is no meeting until Dec 3rd.

Head Roadmaster – Roan went over report, said that there's a back hoe for sale but he doesn't feel this is a good time to make that kind of purchase, to which Gettig and Chapman agreed. Roan asked the other supervisors if they would like him to order the light and bracket for the red truck, Gettig replied yes, for safety, Chapman agrees. Roan said we need a new sign at Slaughterhouse Road and that he still has not heard anything from the resident who borrowed four cones that got stolen. Roan asked if the other supervisor's would like him to order the light, the bracket, the sign for slaughterhouse and ten new cones, they agreed and said that should be good for now. BOS decided to hold off on the sign for "Cozy Lane". Roan said he's going to order a new hose for the pressure washer as well so there is a spare. Gettig asked if they are going to put the Slaughterhouse Road sign on a new post, Roan said yes and also that he wants to check the difference between the galvanized posts and painted posts. Roan also mentioned that the

township received payment from the insurance company to fix the area at the park where there was an automobile accident.

The zoning report was reviewed. Weight reported that TMG has been cited, they plead guilty and paid the fine, but vehicles are still there. Weight said they're not going to be given the time that they have been before to get the cars cleaned up but he's waiting to see what their plan is. Chapman said he saw someone on the property doing something but he was not sure what they were doing. Roan told Weight not to issue a permit for Farmdale Lane until driveway permit is complete. Roan is waiting to meet with them for the driveway permit. Roan told Weight about sheds that do not have proper setbacks and some that do not have permits. Weight said he can't determine where property lines are to make sure set backs are correct but said all properties in question had sheds added to original permit. Gettig said a complaint has been brought up about two properties, Weight stated that he is not aware of any complaints. Weight said that he generally tries to put everything on one permit, but inquired who the complaint came from and what it is because nobody has contacted him to complain. Gettig suggested that we need to start making people sign their complaints so that there is no question where they came from. McCauley got up and signed the complaint he brought it. He told Weight that there's a property that has no shed on the permit that the county has. McCauley brought up setbacks and how some people are not following them. Weight explained unless the township wants to pay for a surveyor when a resident has a complaint about setbacks, he has no way to be sure where property lines are. Weight said residents have three years to use their permits. Roan asked if three years is the limit on the permits, Weight said yes three years with a one year extension on zoning permits but he does not know about building permits, Rick Hampton would have to be asked about that. Roan asked Weight if he physically goes out and looks at property and talks to the resident before issuing a permit to which he replied no, he takes what is on paper because that is what counts; he explained that he cannot determine property lines anyway without a surveyor. He said if two neighbors are having a dispute about property lines and setbacks for buildings, the township would need surveyed engineered proof to be sure the building is in the wrong location before any action can be taken. If it is found that the building is not where it is supposed to be, the township has the right to tell them it needs removed. Weight said he feels that the complaining neighbor would be the one to pay for the surveying and that the defending neighbor would also have the right to counter survey. McCauley said people have buildings that they're not paying taxes on because they're not on the county's permits, which in turn makes everyone's taxes go up. Chapman said Weight already said that is the county's job to figure out. Roan asked Weight if he ever spot checks any permits and he said no, he sees no reason for it except when a house is being built because a final zoning signature is required on Hampton's occupancy permit. Roan asked Weight if he changes the townships copy of the permit if something like a shed is added, he said no but he will start letting the township and the county know if something is added to an original permit.

Letter from Centre Tax Agency discussed. Letter states that effective January 1, 2015, Penn State University has elected to discontinue filing a state-wide combined Earned Income Tax Return for their Pennsylvania work sites. Centre Tax Agency will now receive a quarterly return for the withholdings due instead of a monthly return.

Centre County Recycling and Refuse Authority October report was presented and briefly discussed. Roan pointed out that Marion Township is less than 1% contaminated.

Proposed Changes to the Conditionally Approved Final Plan of the Twelve-Two, LLC Land Development was discussed last month. Roan mentioned the 10 foot extension to the building.

Subdivision and Replot of Lands of Elam R. Stoltzfus and Jonas S. Esch were discussed. Roan presented the plan and said fee in lieu of will need determined. Roan said Zach Gay has not brought sewer modules in front of planning commission yet, but asked if the decision still stands to sign the modules out of a

meeting, Gettig and Chapman agreed that the decision still stands and the module can be signed when presented. Roan said he will tell Anson Burwell that the sewer module has already been discussed and the BOS agreed that it could be signed. Roan is going to double check on the driveway sight distance.

Roan asked if there are any comments that need to be placed on the Manginell subdivision. Gettig said yes he thinks what was discussed with Wayne Engle needs to be put on the Municipal Response Request. Roan said it would be taken care of next week.

Roan talked to Walker Township about the agreement with the Little League, he said he hasn't had a chance to read it but thinks we should draw up an agreement for the spring. He said he still has not received the keys back yet but he will contact Skip about the keys. Chapman said he thinks the agreement with the Little League should be turned over to Park and Rec Board. Roan told Chapman he needs to provide a letter to be reappointed for the Park and Rec Board.

Roan went over the phone bills and discussed the amount being paid at this point for phones. Roan said since Weight is an employee of the township he needs to keep his fax/phone line, also the township wants to use Comcast for phones and fax which is not available at Weight's home. Roan stated that as elected officials all three supervisors pay for their own cell phones. Chapman asked how much money would be saved to get rid of Verizon and Century Link. Emery explained the current costs for the fax line and phone line and compared the quoted Comcast amount, to which Roan added we would be saving roughly \$432 a year if we switch everything to Comcast. Gettig made a motion to get three hard lines; a phone line for the office, a fax line in the office and a phone line in the garage, as well as cable in the garage, Chapman seconds motion and the motion passed 3-0

Chapman made a motion to cancel Verizon, which would terminate Brian McCauley's cell phone as well as the office phone in the interest of saving Township money. Roan asked BOS if they authorize Emery to send Brian McCauley an email informing him of the decision to cancel Verizon. Gettig asked when we would be turning Verizon off and Chapman said we need to give McCauley time to make other arrangements. It was decided that December 31st will be the shut off date. Gettig seconds motion, motion passed 3-0 Roan stated that any questions about the matter need to be directed to the Board of Supervisors.

Letter to Twelve-Two LLC from Conservation District was looked over by the BOS. Roan read the part of the letter that said building construction is to cease until they get everything completed in the letter.

On a first motion by Roan and a second by Gettig motion passed to approve proposed 2015 budget 3-0.

Other Discussions:

Roan handed out packets prepared by First National Bank and asked the other supervisors to look over them for the next meeting.

On a first motion by Chapman and second by Roan motion passed to accept treasurer's report and pay presented bills 3-0

Treasurers Report: including the list of checks written to date for approval with Treasurer's report. (Some checks were mailed and the balance is being presented for signatures at this meeting). Checks listed above are from October 15, 2014 through November 6, 2014. Check numbers and the amounts are on the listings and it will be included with the official minutes for filing. Additional checks written after the above dates may be presented for approval at the monthly meetings. The above additional checks will be included again on the monthly listing for approval at the following months meeting. Checks #2843 through #2849 dated October 21, 2014 were paid previous to meeting due to needing paid before due dates. Checks # 2850-2878 with check #2857 being voided, dated November 6, 2014 currently need to be signed for payment. Checks 1107 and 1108 from the Park Fund currently need signed for payment.

PLEASE NOTE ALL BALANCES BELOW ARE AFTER ALL CHECKS LISTED IN ABOVE REPORT HAVE BEEN WRITTEN.

General--	\$114,714.32	State liquid fuels fund--	\$9,059.91
Park Fee-In-Lieu account	\$4,471.09	State Equipment Fund--	\$23,841.43

On a first motion by Roan, second by Chapman meeting adjourned at 9:14.

Kenneth L. Roan, Chairman

Archie Gettig Jr, Vice Chairman

Angel Emery, Secretary/Treasurer

Herbert Chapman, Supervisor