

MARION TOWNSHIP SUPERVISORS MEETING August 10, 2010 at the Township Building

Present: Jack Aberegg, Ray Gutshall, Ken Roan and Ellie Trulick

Guests: Todd Dolan, Shirley Dolan, Joy Gutshall, Herb Chapman, Gary Warner, Orié Hanley, Brian McCauley, Henry Weight, Don Franson, David Sandy, Stan Wallace, Beth Dennis, Marion Dennis, Tim Weight, A. B. Gettig, Jr.

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

Gutshall questioned the wording of a motion made by Aberegg at the last meeting. Motions are recorded as stated. **Motion was made by Roan to accept the July 13, 2010 minutes as printed. Aberegg 2nd Aberegg- Yes Gutshall – Yes Roan- Yes** Aberegg stated he does not want the grader to leave the township building until it is repaired and runs correctly.

Public Comments:

Old Business:

1. Glossner property—SEO Wallace contacted Attorney Bryant and was told, “That will be solved at the sale.” Nothing further to be done on this property. Gallagher property will be pumped when the sale is completed. SEO Wallace stated the duplex on Jacksonville Road will not pass inspection and the septic needs repaired. DEP is involved in this issue.
2. Don Franson contacted the contractor John Claar on this project and he can stay away from the property of line of Steven Stagon. A performance bond will be sent to Franson along with the return of 2 copies of the signed agreement from Claar. It should take about 2 weeks before he can begin work but will have no problem meeting the October 1, 2010 deadline. **Roan made a motion all will sign the agreement when it is received from Franson. Gutshall 2nd Aberegg- Yes Gutshall- Yes Roan - Yes**
3. Secretary/Treasurer and Supervisor Roan have completed the NIMS 100 course and received their certificates. NIMS 700 courses still needs completed by them.
4. HOP discussion. It was determined to remove the line concerning mailbox placement and replace it with a sentence stating the resident should call the United States Post Office for placement. Gutshall wants added that the Head Roadmaster should be contacted 7 days prior to completion. Aberegg wants a change to the signature line to read Head Roadmaster/or delegate. **Aberegg made a motion we change the HOP as just discussed. Roan 2nd Aberegg- Yes Gutshall – yes Roan – Yes.** The Ordinance 1995-32 changes recommended by Roan are basically to change all places where zoning officer and Head Roadmaster are mentioned be changed to read Head Roadmaster/ or delegate. Zoning Officer will not be involved in the HOP. Last sentence of Section 2 B. Will state these fees will be reviewed at the January reorganization meeting each year. #C Zoning Officer be changed to “Head Roadmaster/or delegate” and delete the rest of that paragraph. Herb Chapman asked what qualifications Ray has to determine where the driveway should be placed. What is the liability to the Township if the work is not done correctly? Zoning Officer stated it would have been done in good faith and no liability should fall to the township. Stan Wallace asked if the Ordinance was for Township roads and not State roads. It is strictly for driveways/roads that may intersect with the state roads. Secretary should run the changes by Attorney Bryant before it is advertised for adoption. **Aberegg made a motion that the changes discussed to Ordinance 1995-32 be adopted and the Ordinance will be advertised and voted on as soon as possible after approval of the attorney. Roan 2nd Aberegg- yes Gutshall – Yes Roan - Yes**

New Business:

1. Nittany Valley Joint Planning Commission (NVJPC) – No meetings.
2. Park & Rec – Roan sent e-mail about the seeding by Tru Green and that Dave Ely will be coming to look at the Park area for the equipment. Tru green is due to come on Thursday to do the seeding at a cost of \$2480 less \$500.00 at a total cost of \$1980.00. **Aberegg made a motion that we have TruGreen do the seeding at the Park for a final cost of \$1980.00 if no problems. Roan 2nd Aberegg- Yes Gutshall – Yes Roan - Yes** Dave Ely will be present on Wednesday at the Park for any questions. Gutshall is not satisfied with the cost and the signs he believes are an advertisement for the company. Roan stated they are age appropriate signs, which are required for playground equipment. Franson will stake out the area appropriately. Roan believes that we should have it by September 15, 2010. Roan believed that we should be able to get some community service and put the signs up ourselves saving the \$300.00 cost. The total cost if \$59, 540.00 and that should leave us approximately \$15,000.00 form the grant money. **Aberegg made a motion we order the playground equipment and have it installed at above cost. Roan 2nd Aberegg- Yes Gutshall – Yes Roan- Yes** Excavating will be donated labor and all labor used will be documented for the grant. Gutshall questioned the water being installed outside the rest room. Aberegg stated we don’t need it there. Wallace stated that a stone base could be used for the drainage and it should be no problem if water is placed outside the toilet. McCauley asked about soda at the Park no report given since February. Roan stated he does give a report every month money is turned in. He turned in \$126.25 from a sale of 101 bottles. We have made over \$600.00 in the 13 months the machine has been at the Park. Orié Hanley asked several questions: the dirt removed from the site where did it go. Gutshall to residents. Hanley stated it should have been moved to the other end of the Park. What about the rocks when will they be removed.

Chapman stated that possibly the rocks could go to Hanson and be dumped at their site. Jackie Esh's son John may need them at his place.

3. Zoning Report for July 2010 – Mr. Lingle was in and paid his permit. McCauley questioned why the permit was not issued originally as he was told it had been. Tim stated he had thought it was taken care of as Mr. Lingle was only doing remodeling. Keystone had not notified Tim that more work was being done.
4. Planning Commission Minutes for June & July meeting – Roan mentioned at the Planning Commission meeting McCauley had discussed the Farmer's Market at Esh's and all the requirements needed. In particular McCauley questioned the Article 19- B4 stating 600' square foot is the allowable footage for this purpose. He questioned if this property does comply with our new zoning codes adopted June 2008. Tim will send him a letter to comply with the Ordinance.
5. Head Roadmaster Report – Head Roadmaster Report was read by Gutshall with questions being asked as he read the items. Aberegg asked question on Two Mile Road water drainage. Roan had pictures of culverts on Two Mile Road that could be very dangerous. Full of leaves and do not drain. Franson said they should be able to be pulled out but he recommends we contact Jim Coslo to be sure we may do that. Roan questioned between Two Mile Road and Beech Bottom a new home construction and the HOP is for only one driveway but there are two driveways from the site. Gutshall stated that one driveway is a construction driveway and when the home is completed it will be removed. The one with the pipe across will be removed. Roan questioned if the agreement is a handshake or written with Walker Township for the boom mower being used in their Township. Gutshall stated it was approved a couple years ago. Aberegg asked what we are getting for the machine. Gutshall stated it is totally a shared service piece of equipment and we only charge for labor at \$15.00. Chapman asked why we would want to take over of SR 1010. This is only a snow plowing only agreement. Gutshall stated this was discussed probably before Ken came on board. Gutshall stated we could make a lot of money from Penn DOT. Gary Warner stated the Township would take a beating if they were to do this even though PennDOT does pay well. It would not be a good idea for the Township. Discussion on cutting trees along the roadways. Roan questioned why we didn't clean the road up at Mr. Warner's property when we cut the tree. Aberegg questioned the grader as half the time it is sitting with a charger on it. Gutshall stated the system was upgraded to a 12V system and the alternator was not upgraded. Doesn't keep enough power charged on the batteries. Gutshall read a letter thanking Todd Dolan and George Bartley for their work. Secretary read letter from Beth Ann and Marion Dennis commending the township employees on the good work on the roads. Gutshall stated what he and Todd Dolan had done to reestablish where township employees had knocked out a pin. Gutshall stated that the right of way can be nothing less than 33ft. per a conversation with Matt Kenepp of PennDOT. Secretary read a letter from Don Colburn on the surveyors pin issue stating he was not completely satisfied as how it was handled. Aberegg asked Franson if he would go up to the property and satisfy the property owner. Franson stated he would do this. Head Roadmaster requested a list of expenditures he wanted to have approved. Questions were asked as he read his list. Roan stated no work should be done on the grader until it is repaired and running before we spend more money on it. **Aberegg made a motion we purchase the following items: Floor mats (\$20.00), undercoating for new truck (\$101.88), cases of oil should be bulk oil not individual cans (\$72.00) alternator for grader (no cost), hydraulic oil (no cost), 20 blocks of tar for tar buggy, spare wheel and tire for new 550 truck (no cost). No to the replacement of grader tires and replacement of the gas tank for the grader.** Gutshall 2nd Aberegg- Yes Gutshall – Yes Roan – yes. Roan questioned any warranty work needed at this time. Gutshall read his estimate for repairs to Weights Lane is \$3,792.00. He only got one quote from Eby for this if approved will get others. Aberegg asked the cost estimate for the labor on this project. Gutshall said approximately 3 days labor for three people. Approximately another \$1,000.00 for labor. Aberegg asked Franson if we should put the whole pipe in instead of patching it. This would require a DEP permit. Head walls were questioned. Aberegg said we should patch it this year and look at it again next year. Franson suggested concrete cap and plastic be used to patch for now. **Aberegg made a motion that we have the engineer do an H & H analysis on Weights Lane to determine size needed to replace.** Roan 2nd Aberegg- Yes Gutshall – Yes Roan – Yes. Trailer title was received from Senator Corman office. Aberegg stated the purchase order system should be shelved till later. Discussion was held on how the gas and diesel fuel usage was determined at the Park as the meter readings are not consistent. The records are not being kept to show how much fuel is used in each vehicle. Roan asked about what happened to the back garage door. Gutshall stated it was an accident by someone in the crew and it was not any of his business. Argument ensued. Aberegg read from the 3/9/2010 minutes the motion he had made that if the Head Roadmaster overspent his \$1,000.00 limit again he would be removed. **Aberegg made a motion that Ray Gutshall be removed as Head Roadmaster by noon tomorrow (August 11, 2010).** Roan 2nd Aberegg- Yes Gutshall- No Roan - Yes The Head Roadmaster's telephone will be disconnected tomorrow. Aberegg stated the Noerr's bill was not an emergency as Gutshall stated. We have three trucks and only 1 was down.
6. Centre County Solid Waste June 2010 report – No action needed
7. Letter from CCMPO July 23, 2010 No action needed
8. News Release from Jake Corman – No action needed
9. Letter from Mike Hanna on Resolution # 2010-10 - No action needed
10. PSATS PennDOT Mandated Flagger Training - **Aberegg made a motion to send Ken Roan to the Flagger Training seminar.** Roan 2nd Aberegg- yes Gutshall – No Roan- Yes Roan will be paid mileage only for this seminar. Aberegg stated Roan will be here for another 5 years and he has many years in law enforcement he has done a lot of instructing and training.
11. E-Mail from Ken Bean Bellefonte School District -State College Boro will no doubt be collecting the EIT tax instead of the Bellefonte School District. May be a decrease in % we pay. McCauley gave a brief explanation of what the TCC is doing. **Aberegg made a motion that EIT taxes for Marion Township be collected by State College Borough** Roan 2nd Aberegg- Yes Gutshall – yes Roan - yes

12. Walker Lumber Co, Inc. – FYI only No action needed
13. Franson Letter on U Design – Planning Commission discussed this item also. McCauley stated the set backs are not correct. Zoning Officer will need to look at these set back numbers.
14. Orie Hanley e-mail – Gutshall stated that YBC should get the bid, as they are the lowest one. Denney Electric and YBC were compared. Friedman is \$1422.00. Hanley took the bids and looked them over for accuracy and the items he had requested. Hanley said the lowest bid was YBC for \$1248.00. He also needs about \$20.00 more items not listed. **Aberegg made a motion that we award the bid to YBC with the additional \$20.00 included. Gutshall 2nd Aberegg- yes Gutshall – Yes Roan - Yes**
15. Hanson letter to Anson Burwell with Surety bond information – FYI only no action needed
16. NVPC members Spring Creek Overlay Adoption by Benner Township - This will be held till next meeting.
17. Letter from Daniel Hoffman concerning Ordinance – Zoning officer will help with what Ordinances need to be sent to him. Tim is not the code enforcement officer but he can enforce Ordinances.
18. July time sheets, time card for the beginning of the month. Approval for payment of time for July. Discussion about the work being charged to the Park and all the over time being charged. Aberegg stated the Head Roadmaster told him, that this was needed due to rental equipment needing to be returned that week. Equipment was held for another week anyway. Roan asked about the time spent on equipment repairs why was it not charged appropriately? Gutshall stated that 10 hours of time should be charged to equipment repairs on George Bartley's time sheet. (4 hours on the GMC truck and 6 hours on the grader) **Aberegg made a motion to pay the payroll for July. Gutshall 2nd Aberegg- Yes Gutshall – Yes Roan - Yes** Gutshall asked how the hours were paid for, for the hours worked by everybody that turned time in. Secretary asked what he was referring to. He stated the checks amount on the sheet did not agree with what Todd should be paid. Roan pointed out that these checks have not even been paid and the checks Gutshall is referring to were last months pay checks. The payroll for July has not been paid yet as it was decided that no checks would be paid until the approval of all time sheets at the next board meeting. Roan asked that there would be not more overtime from this date on except for an emergency situation like snow. Question was asked why the grass was mowed at the building on a Sunday using over time. **Aberegg made a motion the front deck be pressure washed and treated and the building be pressure washed where needed. Roan 2nd Aberegg- yes Gutshall – Yes Roan - Yes** Orie asked about his previous e-mail to clean the light fixtures of bugs, etc. Aberegg stated he should do that.
19. Gutshall made a motion that George Bartley, Jr. be Head Roadmaster. No 2nd. **Roan made a motion that Jack Aberegg be the Head Roadmaster.** Aberegg spoke and stated he would accept under certain caveats. He would not operate any machinery, he would plan and direct the work force, maintain adequate computerized maintenance and inventory records, manage the finances. Short term he believes that may be best and down the road we may ask previous Head Roadmaster if they want to come back. **Aberegg 2nd Aberegg – yes Gutshall – No Roan – Yes** Aberegg further stated that all Roadmasters are currently school bus drivers now and that takes at least 4 hours a day. 80 hours a month in the winter, that scares him if we have bad weather to contend with. Aberegg made a motion Ken Roan be appointed as a Roadmaster. No 2nd. Aberegg asked Ray if he wanted to be a Roadmaster. Gutshall stated it depends on the situation who is the Head Roadmaster. Aberegg stated you already know who the Head Roadmaster is. Aberegg stated this is what I am getting at you people that depend on this guy you need to get along and work together. Aberegg asked again Ray do you or do you not want to be a Roadmaster? Gutshall did not respond and Aberegg said I take that as a NO.

Aberegg made a motion to approve the Treasurer's report and approve the checks as written. Roan 2nd Aberegg- yes Gutshall – Yes Roan - Yes

Treasurer's Report: (AUG 45-48) 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 July 8th through August 5th 2010. Check numbers and the amounts are on the listings and it will be included with the official minutes for filing.

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

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|---|--------------|---------------------------------|-------------|
| Jersey Shore General --- | \$121,404.25 | Jersey Shore State Fund --- | \$50,402.92 |
| Jersey Shore Park Fee-In-Lieu Account --- | \$ 1,447.10 | Jersey Shore/State Equipment -- | -0- |
| Jersey Shore Park Account-- | \$75,011.57 | | |

Aberegg made a motion to adjourn the August 13, 2010 meeting at 9:40 p.m.

Respectfully Submitted,

Ellie Trulick, Secretary/Treasurer

Jack Aberegg, Chairman

Ray Gutshall, Vice Chairman

Ken Roan