

WAVERLY TOWNSHIP SUPERVISORS

Minutes of the September 12, 2022, Meeting

Attending Supervisors:

	Eric Parry, Chairman
	Drew Christian, Vice Chairman
	Bill Byron, Supervisor
Solicitor	Malcolm MacGregor
Twp. Manager/Secretary	Christine Capozzi
Dir. Of Public Works	Thomas James
Township Engineer	Ned Slocum
Police Chief	Kenneth James- Not in attendance
Planning Commission Solicitor	William Jones - Not in attendance

Guests: Leonard Hazelton, Tommy Curra, Bob Naegle, Atty Greg Pascal, Phil Pedros (via phone)

SUPERVISOR MEETING

The Waverly Township Supervisors held their meeting in-person at the Waverly Township Building on August 8, 2022, at 6:00PM. The regular monthly meeting of the Waverly Township Supervisors was called to order at 6:00PM by Chairman Eric Parry.

On a motion by Drew Christian, seconded by Eric Parry, the minutes of the July 11, 2022, meeting was approved as circulated, and the police report was reviewed, approved, and all items recorded in the township records, all voting yes.

On a motion by Drew Christian, seconded by Eric Parry, the treasurer report and all bills were reviewed, approved, and recorded in the township records, all voting yes.

OPENING BID SLUDGE REMOVAL

- On a motion by Eric Parry, seconded by Bill Byron, supervisors approved the bid from Koberlein for sludge removal of the wastewater treatment lagoon, pending review of the documents by Director of Public Works, Tom James, all voting yes.

NEW BUSINESS

CLARKS SUMMIT FIRE COMPANY

- Tom Curra, Clarks Summit Finance Chair and Leonard Hazelton, Clarks Summit Fire Assistant Chief came to the meeting to discuss the next agreement terms with supervisors. Tom Curra reviewed the challenges the fire department has encountered such as decrease in fund raising dollars, increasing costs, declining volunteerism, the need for new air packs, After a brief, discussion, Chairman Eric Parry explained that this new agreement will be discussed during the October budget meeting.

ITEMS OF CONCERN FROM THE PUBLIC

PINE GROVE FARMS

- Bob Naegle, the developer's engineer, attended the meeting to review a Tree Waiver and the Continuation of Cul-de-Sac waivers and to discuss street lights/sidewalks plans for the proposed Pine Grove Farms development.
- On a motion by Eric Parry, seconded by Bill Byron, supervisors approved a waiver the planning commission recommended to approve, to not continue the road or allow the continuation of the cul-de-sac to a through road, siting SALDO Sections 606.3A and 606.E, 606.6 B, D & E., in the development, all voting yes.
- The Developer is requesting a waiver to plant tree line trees every 80' instead of 40' per SALDO Section 615.2 Bob will supply a landscaping plan. He mentioned discussing with shade tree members to consider planting the same number of required trees but planting them throughout the development. Christine will arrange a meeting with the shade tree commission.
- Mr. Naegle asked supervisors for feedback regarding the sidewalks in the development. There was a discussion about where the school bus would stop and where the sidewalks should begin in the development (off of Rt. 632).
- On a motion by Eric Parry, seconded by Bill Byron, supervisors approved a sidewalk waiver for the Pine Grove Farms Development to have a sidewalk on one side of the street in the development to continue to Route 632, siting SALDO Sections 607.1 and Table 6-2, & 606.9, all voting yes.
- Supervisor Drew Christian asked Bob if there will be a Home Owners Association, Bob said yes especially due to the amount green space in the proposed community.
- A letter from DEP stated they prefer the Township to be responsible for the sewer lines due to problems in other counties. Mr. Naegle discussed that DEP will not consider their sewer planning module until the Township addresses the ownership issues.
- It was brought up that the Township can attach conditions before they were to accept the sewer lines in this development. Township Solicitor Attorney Malcolm MacGregor will research the Township options and report back to supervisors.
- Attorney Malcolm MacGregor said that DEP said it is a requirement but it is not a statutory obligation for the Township to own the sewer lines.

SOLICITOR'S REPORT

APPOINT NEW TREASURER

- On a motion by Eric Parry, seconded by Bill Byron, supervisors appointed Eric Parry as the new Township Treasurer, all voting yes. Chairman Eric Parry accepted the treasurer application to be completed.

SOLICITOR'S REPORT

DEP CORRESPONDENCE RESPONSE

- Township Solicitor Attorney Malcom MacGregor, Township Manager Christine Capozzi and Tom James discussed the DEP /Waverly Township meeting held on July 14, 2022.
- DEP explained how they determine the Township's NPDES permit limit numbers and provided options for the Township to consider inputting our own numbers into their modeling formula.
- During the meeting, and I&I program was discussed, additional slip lining, and flow metering for the Township to consider implementing.
- Township Solicitor Attorney Malcolm MacGregor, Ned Slocum, Phil Pedros and Township personnel met to review their recommendations to supervisors to prepare a response to DEP due in 90 days from July meeting date.
- After a discussion from Attorney MacGregor's meeting notes, Consultant Phil Pedros, Engineer recommended to accept the NPDES draft permit "as-is" and to not pursue the rigid consent agreement. Township Engineer Ned Slocum said DEP is not yielding on the permit #'s and the Township is better off to inform DEP to issue the permit. Ned also mentioned we are agreeing to the ideas DEP presented, but is it is best to complete these activities on the Township's timeline.
- Attorney Malcolm MacGregor will call Attorney Sean Robbins to discuss their enforcement history with the Township and what enforcement action the Township may experience under the new permit period.
- We discussed briefly how the Township will enforce the new Ordinance regarding illegal connections to our sewer.
- Tom James is working on the quote for an I&I program. When the I&I is implemented, it will help lower the permit limit numbers but this activity will not decrease the numbers to meet DEP's proposed new limits. Currently, the Township cannot meet the permit limits only 20-25% of the time depending on adverse events with increased infiltration.
- On a motion by Eric Parry, seconded by Bill Byron, supervisors approved slip lining by Mr. Rehab for \$48,000, all voting yes.

EASEMENT ISSUE & RESIDENT

- Attorney MacGregor presented a draft indemnification agreement to address the encroachment issue with a resident for supervisors to review. After a review by supervisors, Attorney MacGregor will create a separate agreement to address the Mickere sewer connection issue.
- After a brief discussion about trying to recoup monies from Mr. Marzolino the Township incurred to research this issue, Attorney Malcolm MacGregor suggested that the supervisors meet to discuss in an executive session since this is a legal issue.

MANAGERS REPORT

DEP DEVELOPMENT SEWER OWNERSHIP

- The Township has received correspondence from DEP concerning ownership of sewer lines in the proposed new developments in the Township. Township Solicitor Attorney Malcolm MacGregor has discussed this ownership issue with a representative from DEP's Clean water division. Attorney Malcolm MacGregor will research this issue with Planning Commission Solicitor Attorney Bill Jones. Christine will add this item to the next supervisors meeting agenda.

ARPA FUNDS

- Township Manager Christine Capozzi reported that the Township will receive a total of \$176,158 in ARPA funds. After a brief discussion, supervisors will discuss how to use these funds during the budget meeting in October.
- Christine will add this item to a future supervisors meeting agenda.

HARB PROPERTY & RESIDENT

- Township Manager Christine Capozzi reported that resident said they are currently completing work on their property. There has been some progress on the landscaping/brush removal.
- Supervisors asked Christine to keep this item on the agenda for future meetings.

CONTRACTOR & PERMIT ISSUES

- A contractor completed excavation work in the Township without a building permit, Supervisors authorized Township Manager/Zoning Officer Christine Capozzi to send a letter to a contractor to not begin work in the Township until a permit has been issued.
- Christine will report back at a future supervisors meeting.

DEARBORN & RESIDENTIAL DRIVEWAY ISSUE

- After a brief discussion about a resident paving a new driveway on the Township's easement, Supervisors asked Township Solicitor Attorney Malcolm MacGregor to contact the resident to discuss this issue.
- Attorney Malcolm MacGregor will provide an update at the next supervisors meeting.

POLICE PATROL CAR SUV REPAIR

- On a motion by Eric Parry, seconded by Bill Byron, supervisors authorized \$3420 for the Police SUV transmission work, all voting yes.

MAINTENANCE SUPERINTENDENT'S REPORT

SCHOOL STREET STORMDRAIN REPAIR/RETENTION BASIN

- Director of Public Works Tom James reported that the storm drains work by the Waverly Elementary School is repaired, and the retention basin work is also completed.

TWP TRUCK AND LSA GRANT

- Director of Public Works Tom James reported that the CoStars vendor is unable to provide a quote for a new truck. Tom will let Christine know if he gets the quote before the LSA application submission period is closed.

PAWC BUILDING SEWER CONNECTION

- Director of Public Works Tom James reported that the PAWC building is discharging water via a floor drain to our sewer. DEP said the chlorinated water is treated and does not pose any threat to our sewage treatment facilities. Tom James will follow-up with the a representative from PAWC about paying an annual sewer rental fee.

There being no other business to come before the Supervisors, the meeting was adjourned. The next meeting will be held on September 26, 2022, at 6:00 P.M. in the Waverly Township Municipal Building, Lake Henry Drive, Waverly, PA. Christine Capozzi, Township Manager/Secretary, transcribed the minutes of this meeting.