

Honey Brook Township Board of Supervisors
Regular Meeting Minutes – August 12, 2015

The Board of Supervisors regular meeting was called to order by the Chair Tracy Olsen at 7:01 pm with the pledge to the American flag. Supervisors John McHugh and Travis Stacey were also present, as was Township Engineer Mike Reinert. Interim Manager Steve Landes was absent.

In accordance with Resolution 2-2012, it was announced that Scott Stilson, Vincent Drive, was recording the meeting.

Consent Agenda

John McHugh made a motion to approve the Consent Agenda that included the Minutes of the Board of Supervisors regular meeting of July 8th and the Financial Report ending July 31st, seconded by Travis Stacey. All in favor; motion carried.

Departmental Reports

Roads: Travis Stacey stated that Roadmaster Don Johnson had no report this month.

Administration: Kristy Deischer-Eddy stated that the part-time administrative position had just been posted on the Township website and on Indeed.com.

Bob Witters, 246 Dogwood Drive, asked when the Township Manager position would be posted. Tracy Olsen stated when the position is opened it will be announced.

Bob Witters asked where it would be posted. John McHugh stated that one place would be on the website. The first thing the Board would do is announce the opening in a regular meeting, then it would be posted on the website & in local newspapers. There could be additional avenues used such as PSATS (Pennsylvania State Association of Township Supervisors).

Land Preservation: Chip Jones stated that July's meeting was canceled. The next meeting is Sept. 15th and three applications are in progress. If they are far enough along in the process, the Committee will take action.

Park and Recreation: Nobody from this committee was present. Kristy Deischer-Eddy stated that a successful summer of activities had just wrapped up. The baseball/softball clinic was very well attended by 37 children.

John McHugh asked what the cost of activities for the participants. Kristy Deischer-Eddy stated that the clinic was offered for free. The tennis lessons were \$10 for seven sessions. The three half-day camp was \$25 per week for five weeks and got rave reviews.

Tracy Olsen thanked Leslie Siebert, who was present, for her help with Lee Heller for the tennis lessons. Leslie Siebert stated that the tennis was great. There were 10-14 children in each of the two age groups, and the kids had a ball.

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Planning Commission: Mike Reinert reported that there are agenda items later in the meeting. There is one new submission for the next Planning Commission meeting scheduled on Thursday of August 27th.

Open Forum
Supervisors

Terry Schmidt, Mount Pleasant Road, asked if there was the possibility of adding two more people to the Board of Supervisors because he feels that three cannot cover it any more.

John McHugh stated that there is a process to follow that would include having the question placed on the ballot. It might be too late for this election cycle. The first thing would be to contact Steve Landes, who would advise what steps are involved.

Baron Hill Storage

A woman asked for a report on Barron Hill Storage.

Mike Reinert stated that a site visit was conducted on July 30 following his review of the documents going back 10 years. Following the visit, a letter documenting the site observations and discussions was issued August 7. Two items that were conditions of the zoning hearing order have not been met. One was paving the shared driveway and the other issue was that a couple of fence sections need to be repaired, which the owner has agreed to complete. No other violations exist. The woman asked whether a Supervisor attended the site visit and Tracy Olsen stated that she had.

Mike Reinert also reported that a house is being constructed further back on the property and that a deadline of July 2016 has been set to complete construction. He noted that while on site he observed no evidence of noise violations, but did advise the owner of the ordinance. The speeding issue was forwarded to the state police who indicated they will set up speed enforcement on Birdell Road.

The woman asked if a zoning officer would go out for a site visit. Mike Reinert stated that his company is the appointed zoning officer and that he went out because he is very familiar with the case.

The woman asked if the site's operations are in compliance with the variance. Mike Reinert stated yes; under the zoning hearing order [1995-x].

The woman stated that she had seen the variance but it says only boats, campers, and RVs may be stored. Mike Reinert explained that "outdoor storage" was the granted variance. The Zoning Hearing Board's decision was broad and when there is a question of interpretation, it favors the applicant.

The woman asked if the issued was considered closed by the Township. She stated that she disagrees that the property is operating within the variance.

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Mike Reinert stated that the question of closure was up to Supervisors. One can certainly disagree with the findings, but the issue was researched thoroughly. The hearing order was not specific, and the property has a variance for a commercial business.

The woman asked if the property was rezoned. Mike Reinert stated that whenever there is a use variance, the property operates under a waiver. It's still zoned Resource Conservation.

Request for Financial Reports

Bob Witters, 245 Evergreen Drive, asked if he could have a copy of the July financial report. He stated that he always considered the financial report as part of the minutes.

Tracy Olsen stated that normally, the report is attached to the meeting agenda. She gave her copy to Kristy for copying and distribution.

Bob Witters stated that he hadn't seen the report out at meetings lately and asked if it could be included again. Tracy Olsen and John McHugh stated that that could be done.

New Business

Motion to approve / not approve the payment of all invoices prepared by the Treasurer.

John McHugh made a motion, seconded by Travis Stacey, to approve payment of all invoices prepared by the Treasurer. All in favor. Motion carried.

Motion to approve / not approve the release of Financial Security for Swampy Hollow Land Development (Tax Parcel Numbers 22-3-64 & 22-3-78) posted by L & I Properties, LLC, 231 Maple Street, Honey Brook in the amount of \$20,676.47 as recommended by the Township Engineer.

John McHugh asked Mike Reinert to explain to the audience the reason for this request for a release of money was being asked of the Board. Mike Reinert stated that the Township secures all improvements and that Technicon makes sure that the improvements are installed per the approved plan. The next several items are similar requests.

John McHugh made a motion, seconded by Travis Stacey, to approve payment of all invoices prepared by the Treasurer. All in favor. Motion carried.

Motion to approve / not approve the release of Financial Security for Hoover Building Specialists (TPN 22-6-8) in the amount of \$165,814.83 as recommended by the Township Engineer.

John McHugh made a motion, seconded by Travis Stacey, to approve the requested releases for both Swampy Hollow Land Development and Hoover Building Specialists. All in favor. Motion carried.

Motion to approve / not approve the release of Financial Security for Tel Hai Retirement Community Phase 3 (22-10-10.1D) in the amount of \$861,193.30 as recommended by the Township Engineer.

John McHugh made a motion, seconded by Travis Stacey, to approve the requested release amount for Tel Hai Retirement Community Phase 3. All in favor. Motion carried.

Motion to re-establish the Financial Security needed for Tel Hai Retirement Community Phase 3 in the amount of \$114,693.15.

John McHugh asked what the reestablishment was for.

Mike Reinert stated that Phase 3 is a very large project. From time to time, applicants ask to have a reevaluation of their escrow to have it reestablished with a 10% contingency based on what's left in the project. That is this figure shown here.

John McHugh made a motion, seconded by Travis Stacey, to approve the re-establishment of Tel Hai Retirement Community's Phase 3 Financial Security in the amount of \$114,693.15. All in favor. Motion carried.

Motion to adopt / not adopt a Resolution requesting a Planning Module revision to the Township's Act 537 Plan for Tel Hai phases 4 & 5 (22-10-10.1D, 22-10-10.1).

John McHugh made a motion, seconded by Travis Stacey, to adopt Resolution 6-2015, Act 537 Plan Revision for Tel Hai phases 4 & 5. All in favor. Motion carried.

Motion to approve / not approve the Amended Final Plan Sheet No. 2 for the Tel Hai Phase 3 and 4 Land Development Plan, revising General Plan Notes to allow issuance of building permits prior to Planning Module and Pump Station permit approvals.

Mike Reinert stated that this goes back to original plan recorded for Tel Hai. The project is into Phase 4 at this point and is being held up by the PA Department of Environmental Protection (DEP). There is building in Phase 4 without having received planning approval or their pump station at this time. The plan notes were revised to supersede the previous plan's notes on plan sheet 2 to reflect this. It was discussed with the Township Manager and Solicitor, and no problems were found.

Mike Reinert then read the changes allowed. It allows building permits to be issued but the pump station would have to be installed & approved before issuance of any Use & Occupancy (U&O) certificates.

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Tel Hai has already had a meeting with the DEP and Technicon to confirm this. The revised notes holds the Township harmless in the event the PADEP does not issue its permits and approvals.

John McHugh made a motion, seconded by Travis Stacey, to approve the amended final plan sheet No. 2 for Tel Hai phases 3 & 4 land development plan, revision general plan notes to allow issuance of Building Permits prior to Planning Module and Pump Station approvals. All in favor. Motion carried.

Motion to approve / not approve the request from Pleasant View Welding (22-3-11.1A) to allow Honey Brook Township an extension of time for review of their plan to May 31, 2016.

John McHugh stated that this extension was for a considerable amount of time.

Mike Reinert stated that the extended time is being requested because of the applicant's involvement with both the DEP and the Army Corps of Engineers due to the proposed building in the vicinity of the wetlands on the site. The current project is encroaching on those wetlands, so there is considerable mitigation required by DEP, which falls out of our jurisdiction.

John McHugh made a motion, seconded by Travis Stacey, to approve the request for Pleasant View Welding's extension of time for review of their plan to May 31, 2016. All in favor. Motion carried.

Motion to approve / not approve the request from Benuel & Daniel Stoltzfus (22-4-33 & 22-4-46) to allow Honey Brook Township an extension of time for review of their lot add-on plan to November 30, 2015.

Mike Reinert stated that the applicant needs zoning relief to move forward with this project. They had 90 days to request that and are running up against the deadline.

John McHugh made a motion, seconded by Travis Stacey, to approve the request for Benuel & Daniel Stoltzfus' extension of time for review of their plan to November 30, 2015. All in favor. Motion carried.

Motion to approve / not approve the request from Riehl Land LP (22-3-79) to allow Honey Brook Township an extension of time for review of their plan to February 11, 2016.

John McHugh made a motion, seconded by Travis Stacey, to approve the request for Riehl Land LP's extension of time for review of their plan to February 11, 2016. All in favor. Motion carried.

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Old Business

Motion to appoint/not appoint Melissa Needles to the Planning Commission to fill an unexpired term ending December 31, 2015.

Tracy Olsen stated that the Planning Commission met her at their last regular meeting and recommends her appointment.

John McHugh made a motion, seconded by Travis Stacey, to appoint Melissa Needles to the Planning Commission to fill an unexpired term ending December 31, 2015. All in favor. Motion carried.

John McHugh questioned if all of the positions on the Commission are now filled. Kristy Deischer-Eddy replied that the all positions have been filled.

Open Forum.

Legal Advertising Requirements

Kristy Deischer-Eddy stated that in following up on discussions from last month, the Second Class Township Code lays out what is required of legal advertising. Legal ads must appear in a daily newspaper of general circulation that is subscribed to. Free papers do not count, and weekly papers do not count. The Tri-County does not fall under this definition. If the Board wanted to place ads in the Tri-County, it would have to be above and beyond the Daily Local News.

Bob Witters stated his thanks for the follow-up. He wondered how many Honey Brook residents actually subscribe to the Daily Local News.

Upcoming Meetings

Tracy Olsen reminded everyone about upcoming Meetings (all dates are subject to change):

August 19 th	Planning Commission Workshop is cancelled
August 20 th	Park and Recreation Regular meeting (7:30 pm)
August 27 th	Planning Commission Regular Meeting (7:00 pm)
September 3 rd	Board of Supervisors Workshop (7:00 pm)
September 9 th	Board of Supervisor Regular Meeting (7:00 pm)

Labor Day Holiday

Kristy Deischer-Eddy stated that the Township offices will be closed on Monday, September 7 in observance of Labor Day.

Supervisor Workshop Meetings

John McHugh stated that in the past, board packs were dropped off at members' houses. Now, the workshop meeting is being held the Thursday prior to the meeting to discuss what items would be on the regular meeting agenda and other items.

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Mike Reinert stated that the workshop is a public meeting. At times, the board may adjourn for an executive session. Tracy Olsen stated that anyone is welcome to attend that workshop.

Terry Schmidt asked if it was legal to go into a private executive session due to the Sunshine Law. Mike Reinert stated that the law permits some matters such as real estate, lawsuits, and personnel issues be conducted in executive session.

Adjournment

Tracy Olsen made a motion, seconded by John McHugh, to adjourn the meeting. All in favor. Meeting adjourned at 7:36 pm.

Respectfully submitted,

Kristy J. Deischer-Eddy, Recording Secretary