

**SCOTT TOWNSHIP
BOARD OF SUPERVISORS
MINUTES—OCTOBER 19, 2022**

The Scott Township Board of Supervisors met on the above date in the Municipal Building, 350 Tenny Street (Espy), Bloomsburg, PA. The meeting was called to order at 6:30 p.m., and opened with the Pledge of Allegiance to the Flag. In attendance were Supervisors William G. Hafner, Kathleen A. Lynn, Paul R. Eyerly IV, and Layne D. Kocher. Township Engineer Todd R. Pysher of Pysher & Associates, Inc., Solicitor Anthony J. McDonald from Marinos, McDonald & Knecht, LLP, Police Chief Raymond J. Klingler, Maintenance Supervisor William D. Doty, and Secretary/Treasurer Brittany M. Bacon were also in attendance.

QUESTIONS FROM THE AUDIENCE

None appearing.

APPROVAL OF MINUTES

Minutes of the September 21, 2022 meeting were presented for approval. Mr. Kocher made a motion to approve the minutes as presented. Mr. Eyerly seconded and the motion carried 4-0.

Minutes of the September 22, 2022 work session were presented for approval. Mr. Kocher made a motion to approve the minutes as presented. Mr. Eyerly seconded and the motion carried 3-0, with Ms. Lynn abstaining because she was not present at that meeting.

APPROVAL OF MONTHLY REPORTS

The September Budget, Police, Roads, Secretary, Treasurer, Zoning Reports and the Barry Isett & Associates Report were presented for approval. Ms. Lynn made a motion to approve the reports as presented and Mr. Kocher seconded. The motion carried 4-0.

APPROVAL OF BILLS TO BE PAID

The September 22 through October 19 General Fund bills to be paid were presented as one transfer of electronic funds and check numbers 17504–17542 for \$272,468.59. In addition, Liquid Fuels Fund bills to be paid were presented as check numbers 1891–1894 for \$206,805.88. Ms. Lynn made a motion to approve the bills to be paid. Mr. Kocher seconded and the motion carried 3-0, with Mr. Eyerly abstaining due to a conflict of interest regarding the Press Enterprise payment, check number 17533.

SUBDIVISION AND LAND DEVELOPMENT

Regarding the Letter of Credit release request for the Mariano Land Development, Mr. Pysher recommended releasing \$1,407,058.68, and retaining \$33,000.00 because the underground detention basin is not completed. Mr. Eyerly made a motion to release \$1,407,058.68, and to retain \$33,000.00 of the financial security. Ms. Lynn seconded and the motion carried 4-0.

Regarding the Michael K. & Allison B. Shepard Incorporation Subdivision Plan, Matthew Laidacker, PLS, of Orangeville Surveying Consultants, Inc., attended to represent the applicant. This subdivision will convey a small portion of land from 901 Cherry Hill Road to the adjoining property at 905 Cherry Hill Road to resolve a driveway encroachment. Mr. Pysher reviewed the plan in a letter dated September 21, 2022, and recommended approval with no conditions. The County Planning Commission reviewed the plan. The Township Planning Commission reviewed the plan and recommended approval with no conditions. Mr. Eyerly made a motion to approve the subdivision plan with the condition that the lot consolidation is reflected in the deed. Mr. Kocher seconded and the motion carried 4-0.

Regarding the C&D Waterproofing Corp. Land Development Plan located at 300 Papermill Road, Mr. Laidacker prepared the plan. The owner intends to construct a 60x100-foot accessory structure over an existing hard-packed gravel area currently used for storage. Mr. Pysher reviewed the plan in a letter dated September 21, 2022, and had four review comments. The first review comment can be disregarded because the property owner information is contained in the title block. Regarding the second review comment, Mr. Laidacker submitted a revised plan which included the cartway width of Papermill Road. Regarding comments three and four, Mr. Laidacker submitted a letter dated September 28, 2022, requesting the Board waive the requirements of an E&S Control Plan and a Stormwater Management Plan. The County Planning Commission reviewed the plan. The Township Planning Commission reviewed the plan and recommended approval with the conditions that Mr. Pysher's second review comment is addressed and waivers are requested as outlined in comments three and four. Mr. Eyerly made a motion to approve the land development plan and to grant the waiver requests for an E&S Control Plan and a Stormwater Management Plan. Mr. Kocher seconded the motion, which carried 4-0.

Regarding the Valley of Bloomsburg American Legion Post 273 Lot Incorporation Subdivision Plan, Mr. Laidacker attended to represent the applicant. The original plan proposed to incorporate six existing parcels and sections of two unopened streets into a single parcel. However, due to difficulties in acquiring ownership of unopened alleys, the plan was revised. The revised plan proposes to incorporate three existing parcels (Lots 1, 2, and 3) into one 0.55-acre parcel, and to incorporate another three existing parcels (Lots 4, 5, and 6) into one 0.51-acre parcel. Mr. Eyerly expressed concern that the owner was not listed on the individual parcels. Mr. Laidacker felt the title block properly conveyed the ownership information. Mr. Pysher recommended adding a note to the plan regarding record of owner. Mr. McDonald noted the consolidation deed lists a parcel that is not owned by the Legion. Mr. Laidacker stated he would contact the attorney who prepared the draft. In a letter dated August 12, 2022, the County Planning Commission reviewed the original plan that incorporated eight lots, not the revised plan that excluded the unopened streets. The Township Planning Commission reviewed the plan and recommended approval with the condition that the lot consolidation deed is prepared and recorded. Mr. Eyerly made a motion to table the plan until the inconsistencies are addressed. Ms. Lynn seconded and the motion carried 4-0.

OLD BUSINESS

Regarding adopting a newer version of the International Property Maintenance Code, Ms. Bacon stated Tim Dow, BCO, of Barry Isett & Associates, Inc., provided contact information for two municipalities that have updated their code. One township did not respond to her request and the other township updated to the 2018 code, not the 2021 version. Regarding the appeals process, Ms. Bacon recommended continuing with what is already in place under the current code. Mr. McDonald and Ms. Bacon will finalize a draft. Mr. Kocher made a motion to authorize Ms. Bacon to advertise the possible approval of the Ordinance for Adoption of the International Property Maintenance Code at the November 16 meeting, contingent upon the Board reviewing and resolving any issues with the final draft. Mr. Eyerly seconded and the motion carried 4-0.

Regarding the American Rescue Plan funds, both Ms. Bacon and Mr. Doty were informed by representatives of Bend-Fab, a division of T-Ross Brothers Construction, Inc., that the municipal building roof replacement would be started in November.

Regarding the traffic signal maintenance, Mr. Doty stated he still has not met with Matthew Swartz, a PennDOT District 3-0 traffic control specialist, to verify whether the Township must engage a contractor to perform ongoing maintenance. Mr. Pysher stated he would contact Mr. Swartz.

Regarding the park improvement project change order, there is an issue with the pavement at the Espy Park basketball court. Mr. Kocher explained the contractor, John Claar Excavating, Inc., bid the project based on believing there was a normal asphalt deck. However, once milling began, they found there was no sub-base. The addition to the contract would authorize the contractor to remediate the existing condition by excavating and installing stone base and full depth asphalt. Mr. Hafner made a motion to approve Change Order No. 2 for \$7,056.00, which will bring the contract total to \$207,019.05. Mr. Kocher seconded and the motion carried 4-0.

Regarding the cell tower change of ownership contract, Mr. Kocher made a motion to approve the Agreement Regarding Lease and to authorize the Chairman and Secretary to sign it on behalf of the Township. Mr. Eyerly seconded the motion, which carried 4-0.

NEW BUSINESS

Regarding the Route 11/Cinema Center traffic signal, Mr. Pysher stated all the paperwork has been submitted to PennDOT for the replacement of the signal, so he recommended that the Board authorize the traffic engineer to compile the documents to advertise for bid. Mr. Pysher explained that while there was always a long lead-time to get poles and mast arms, currently due to supply issues it might take as long as twelve months. The Green Light-Go Grant does have a deadline. Discussion ensued regarding the Cinema Center owners lack of response and what recourse the Township has. [This is an 80/20 grant. The State awarded \$222,000.00, requiring a municipal match of \$55,500.00.] Mr. Pysher stated the Route 11 corridor serves as the detour route for I-80, and because it would be to the State's advantage to be able to control the traffic signals, grants for replacement of additional signals that do not require a local match might be available in the future. PennDOT's Automated Red Light Enforcement Transportation Enhancements (ARLE) Grant Program does not require municipalities to match funds. Mr. Kocher made a motion to authorize the traffic engineer to prepare the bid documents and to advertise for bids for this project. Ms. Lynn seconded and the motion carried 3-1, with Mr. Hafner dissenting.

Regarding the 2023 Preliminary Budget, Ms. Bacon and Mr. Kocher explained the adjustments made after the Work Session. The Real Estate Tax millage was increased by 1.2 mills, from 4.5 to 5.7 mills. The Board paused this item to address the next item, since that might require budget adjustments.

Regarding the Emergency Management Coordinator, the Township has been unable to find someone to volunteer for this position. Ms. Bacon explained that the person the Board appointed at the June 22, 2022 meeting is no longer interested in the position, and she is unable to continue serving as the temporary EMC. After discussion, Mr. Eyerly made a motion to authorize payment of up to \$2,500.00 to an EMC for 2023, and to adjust the Preliminary Budget accordingly. Mr. Kocher seconded and the motion 4-0.

Resuming the Budget agenda item, adding \$2,500.00 to compensate an Emergency Management Coordinator and increasing the Local Services Tax revenue by \$2,500.00, resulted in a balanced budget. Mr. Kocher made a motion to accept the 2023 Preliminary Budget with the changes to the two line items, and to authorize Ms. Bacon to send the necessary advertisement to the newspaper. Ms. Lynn seconded the motion, which carried 4-0.

Regarding the 2021 Flood Hazard Mitigation Demolition Project change orders and final payment, Ms. Bacon stated that Steven Crawford of G&M Crawford, Inc. requested an additional \$2,850.00. This is due to additional mobilization/demobilization and contract time that were required for the 2920 Old Berwick Road property because of a delay with the prior owner vacating. In addition, fuel costs increased significantly during those months. Mr. Pysher added that a compensating change order reduced the price of the contract by \$7,500.00. The original contract allowed \$2,500.00 per property for asbestos removal, which was not required. After discussion, Mr. Kocher made a motion to approve Change Orders #1 and #2, to approve the final payment of \$24,500.49 to G&M Crawford, Inc., and to authorize the Chairman to sign the Application for Payment Number 2 on behalf of the Township. Mr. Eyerly seconded and the motion carried 4-0.

Regarding the Act 57 Resolution, Ms. Bacon explained that Act 57 requires the Township to adopt a resolution or ordinance directing the tax collector to implement the Act's provisions beginning January 1, 2023. Act 57 allows taxpayers who fail to receive a real estate tax notice during their first year of occupancy to apply for a waiver from penalties and additional costs from the tax collector. Mr. Eyerly made a motion to adopt Resolution 10-19-22, a Resolution to Implement Act 57 of 2022, Property Tax Penalty Waiver Provisions. Mr. Kocher seconded and the motion carried 4-0.

Regarding the floodplain and stormwater ordinances, Mr. Pysher explained why he is recommending these and outlined some of the major changes. He is requesting authorization to advertise both the floodplain ordinance and the stormwater ordinance for possible adoption at the November meeting. A rate resolution would also be required. Mr. Pysher is recommending that the Township require an escrow deposit of \$3,000.00. He added that after the floodplain ordinance is adopted, the Board should appoint a Floodplain Administrator, and he recommended that that should be the Zoning Officer. Mr. Kocher made a motion to authorize Mr. Pysher to advertise the Floodplain Ordinance and the Stormwater Ordinance for possible adoption at the November 16 meeting. Mr. Eyerly seconded the motion, which carried 4-0.

The Board adjourned into Executive Session at 8:21 p.m. for personnel matters, and reconvened at 8:36 p.m.

Regarding the Financial Administration Clerk replacement, Ms. Lynn made a motion to hire Sharon B. Fedder part-time up to 24 hours per week starting November 14 at an hourly rate of \$17.00, transitioning to full-time starting December 1, and eligible for a merit interim increase based on satisfactory review of her performance after six months of full-time employment. Mr. Eyerly seconded and the motion carried 4-0.

Mr. Kocher made a motion to adjourn the meeting. Mr. Eyerly seconded and the motion carried 4-0. The meeting adjourned at 8:38 p.m.

Respectfully submitted,
Brittany M. Bacon
Secretary/Treasurer