

The regular meeting of the Adams Township Board of Supervisors was held on October 12, 2015, at 7:30 p.m. at the Adams Township Municipal Building, 690 Valencia Road, Adams Township, Mars, PA.

Present at the meeting were Supervisors Donald C. Aiken, Linda E. Lees, Edward L. Vogel, Thomas L. Franceschina and Russell R. Ford; Secretary Janet Lubbert, Solicitor Michael Gallagher, Chief William Westerman and Code Enforcement Officer Gary Peaco.

Chairman Aiken called the meeting to order at 7:35 p.m. with the Pledge of Allegiance.

PUBLIC COMMENT

Frank Zervos

Mr. Zervos lives at 125 Gracie Lane. He said he found out on his survey that his lane is shown as public. Mr. Gallagher said he will look into that. Mr. Franceschina said the lane used to go the whole way to Callery Road. When Dr. Kraft asked for the township to maintain the road and they would not, she shut it off. Mrs. Lees asked if the township has ever taken care of it, and Mr. Franceschina said no. Mr. Zervos said his main concern is what will happen when the Bielo property is developed. Mr. Gallagher explained the general rule is that when a road is abandoned, it goes to the adjacent owners to the centerline. Mr. Zervos said the main reason he is at the meeting is the fine for burning coal. Mr. Gallagher said the township doesn't want to go to the magistrate and doesn't want money from Mr. Zervos, but they want him to burn wood. If he burns coal, they will go to the magistrate. Mr. Zervos said it sounds as if he needs an attorney and asked why the fine is \$500 per day. Mr. Gallagher said that's what is in the zoning ordinance which was passed by the Supervisors and is based on the law provided by the DEP. Mr. Zervos said he doesn't feel that the DEP regulates smoke, the letter says any vapor which would include a vapor from a bathroom fan, and he wants the township to get gas to his property. Mr. Gallagher said the township doesn't have any authority to get gas to his property and if he continues to burn coal, it will put them to a challenge. Mr. Aiken asked if he can use propane, and Mr. Zervos said it's a complicated heating system and propane won't work. He said he is working on getting gas but feels the township has backed him into a corner. He also said the burner was approved by Don Surrena. Mr. Franceschina suggested Mr. Zervos keep working on getting gas to his property, keep the Board informed on his progress and burn high-grade smokeless anthracite in the meantime. A discussion on where to obtain smokeless anthracite followed. Mr. Gallagher suggested the township not do anything for a month while Mr. Zervos looks at smokeless coal. On a motion by Linda E. Lees and seconded by Edward L. Vogel, approval was given to not proceed with any action against Mr. Zervos for one month while he looks for smokeless coal. All were in favor. Mr. Vogel suggested that Mr. Zervos look at geothermal heating.

APPROVAL OF MINUTES

On a motion by Linda E. Lees and seconded by Russell R. Ford, the minutes of the meeting of September 28, 2015 were approved. All were in favor.

PUBLIC WORKS REPORT

On a motion by Edward L. Vogel and seconded by Russell R. Ford, the Public Works Department Report for September was approved. All were in favor.

CODE ENFORCEMENT REPORT

On a motion by Linda E. Lees and seconded by Thomas L. Franceschina, the Code Enforcement Report for September was approved. All were in favor.

ENGINEER'S REPORT

On a motion by Thomas L. Franceschina and seconded by Russell R. Ford the Engineer's Report for September was approved. All were in favor.

SOLICITOR'S REPORT

The Solicitor reported he had attended meetings for the Supervisors and Planning Commission and worked on projects and reviewed contracts as directed and undertook litigation matters as needed. On a motion by Edward L. Vogel and seconded by Linda E. Lees, the Solicitor's Report for September was approved. All were in favor.

ANIMAL CONTROL OFFICER'S REPORT

On a motion by Linda E. Lees and seconded by Edward L. Vogel the Animal Control Officer's Report for September was approved. All were in favor.

POLICE REPORT

On a motion by Linda E. Lees and seconded by Russell R. Ford, the Police Chief's Report for September was approved. All were in favor.

PARK AND RECREATION REPORT

No one was present to present the report.

TREASURER'S REPORT

Report and Payment of Invoices

On a motion by Edward L. Vogel and seconded by Linda E. Lees, the Treasurer's Report for September was approved, and approval was given to pay bills totaling \$208,276.11 All were in favor.

Transfers of Funds

On a motion by Thomas L. Franceschina and seconded by Edward L. Vogel the following transfers were approved. All were in favor.

- \$15,345.00 from Capital Reserve Money Market to Capital Reserve Checking
- \$6,800.00 from Recreation Fee Money Market to Park Fund Checking
- \$22,000.00 from General Fund Checking to Park Fund Checking
- \$500,000.00 from General Fund Money Market to Capital Reserve Money Market
- \$200,000.00 from General Fund Checking to Capital Reserve Money Market

OLD BUSINESS

Ordinance #154 - Park and Recreation Board

Mr. Gallagher explained that the Supervisors had asked him to look at the rules and regulations for the Park and Recreation Board and update them. Some of the changes in the new ordinance will give the Park and Recreation Board, through the Supervisors, an easier way to remove members; require child clearances and background checks; and set the number of members at nine, but allow everyone now on the Board to stay on until their term expires. He said there are some additional smaller changes, and the ordinance was advertised. On a motion by Russell R. Ford and seconded by Linda E. Lees, Ordinance #154 was approved. All were in favor.

Sale of Police Car

The secretary opened and read the bids for sale of the 2012 Chevrolet Impala as follows:

<u>Bidder</u>	<u>Amount</u>
Mark Gaudino/J.B. Taxi	\$2,627.00
Rick Schweiger	\$ 500.00

Edward L. Vogel made a motion to reject all bids and readvertise the sale of the car. After a discussion of minimum bids, the condition of the car and the cost to readvertise, the motion died for lack of a second. On a motion by Russell R. Ford and seconded by Thomas L. Franceschina, approval was given to sell the 2012 Chevrolet Impala to Mark Gaudino for \$2,627.00. All were in favor.

NEW BUSINESS

BCATO Fall Convention

The secretary noted that she needed to send in the reservations for the BCATO fall convention if anyone was attending. The Supervisors said they would let her know by the end of the week.

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Foreign Fire Payments

The secretary reported the township had received the foreign fire payment in the amount of \$114,283.64 from the state and had received the necessary information from the fire departments. On a motion by Linda E. Lees and seconded by Edward L. Vogel, approval was given for the payment of \$38,094.54 to be made to the Callery Fire Department Relief Association and for the payment of \$76,189.10 to be made to the Adams Area Fire District Relief Association. All were in favor.

Payment of Pension Minimum Municipal Obligations

The secretary reported the township had received payment in the amount of \$105,862.53 for pension aid which needs to be distributed into the pension plans. On a motion by Russell R. Ford and seconded by Linda E. Lees, approval was given to pay the minimum municipal obligations as follows:

Police pension plan	\$ 74,699.48	from the state's pension contribution
Police pension plan	1,483.52	from the General Fund
Non uniform pension plan	31,163.05	from the state's pension contribution
Non uniform pension plan	<u>605.95</u>	from the General Fund
Total	\$107,952.00	

All were in favor.

Bond Release - Weaver Office Building

On a motion by Edward L. Vogel and seconded by Russell R. Ford, a bond release in the amount of \$41,983.50 for the Weaver Master Builders Office was approved as recommended by the township engineer. All were in favor.

Road Inspection

On a motion by Russell R. Ford and seconded by Linda E. Lees, approval was given for road inspection to be done on October 27 beginning at 8:00 a.m. All were in favor.

Purchase of Tamper

On a motion by Edward L. Vogel and seconded by Russell R. Ford, approval was given to purchase a used tamper for the backhoe at a cost of \$2,000.00. Donald C. Aiken abstained. Four were in favor with one abstention.

ADJOURNMENT

On a motion by Russell R. Ford and seconded by Thomas L. Franceschina, the meeting was adjourned at 8:05 p.m. All were in favor.


 Janet L. Lubbert, Secretary