

September 3rd, 2020 Supervisors Minutes

Chairman Clapper called the September 3rd, 2020 Supervisors meeting to order.

The following members were present: Don Clapper, Ted Bittinger, Mike Ferguson.

The minutes from the August 20th meeting were approved as written.

The Treasurers report was distributed to each Supervisor for review.

Chairman Clapper opened with Privilege of the floor.

Robert Patterson of 153 Lehman Drive was present to discuss the ongoing issue with storm water from Kyner's property. He advised the Supervisors that he will be at every meeting until the issue is resolved. Chairman Clapper informed Mr. Patterson, that Kyner's was sent a certified letter from the township, which was sent on 8/2/20 and received on 8/29/20.

Doug Scott from Marion asked for clarification on ROW's that were once only alleys that became streets with 33' ROW's under state law. Our Solicitor, Sam Wisner was present and stated that the Township has the right to use all 33'.

Lydia Gross was present to discuss an issue regarding a discrepancy on the title search for her property. Timothy & Lydia Gross of 250 Nelson Street Marion ran into a road block when trying to sell their property. They purchased the property on June 28, 2006 at which time they had no problem, now in 2020 they are in the process of selling the property only to have a discrepancy on a title search. It seems that Tom Englerth did a lot addition plan dated June 26, 1992 however there is no record of a Quit claim or approved Subdivision/Lot addition for the parcels. Our SALDO in section 503.C.2 requires 25' from the centerline of the road to be dedicated to the Township. The current drawing described above, with parcel B removed, only provides for 16.5' from centerline. Our Solicitor Sam Wisner was present to help them navigate a solution for this situation. The Gross's have decided to prepare a quit claim to the Township for parcel B & C. On a Clapper/Bittinger motion carried unanimously, the Supervisors agreed to begin vacation process of parcel B & C reserving a 25' ROW from the center of Nelson St. as well as an easement across parcel C. The plans will then be presented to the Board for approval when complete.

On a Ferguson/Clapper motion carried unanimously, the Supervisors approved a Sub-division lot addition plan prepared by Byers & Runyon Surveying for John R. Rotz Et Al. The parcel is along Bowman Road, it is an approximate 2.16 acre lot addition from (76.4897 acres) remaining lands of the Rotz tract to the Lynn Rotz tract. This motion was made subject to any outstanding comments and fees being addressed.

On a Bittinger/Ferguson motion carried unanimously, the Supervisors approved a 90 day extension for Dick's Flooring's Land Development Plan.

On a Ferguson/Clapper motion carried unanimously, the Supervisors approved the paying of the bills.

Under Old business.

- Chairman Clapper informed the board that Ryan and Kristen Simmons 189 Kennedy Street still have not gotten a building permit from Commonwealth Code Inspection Services. They were informed on March 13th and again on April 27th. They did cut the fence back out of the ROW however they failed to get it back out of the required sight distance for the Hensons's driveway as was specified in the letter. Chairman Clapper has requested Aubrey Burkholder to file a building code violation.

Under New business.

- Chairman Clapper brought to the boards attention, an invoice that is in question from Stephenson Equipment. There is a discrepancy regarding an additional \$890.30 that was billed for balancing the tractor to make it safe to use after the installation of the wing mower that they installed per our agreement. Chairman Clapper had spoken with Zach Markle, the salesman at SEI regarding this invoice. Chairman Clapper explained that he was figuring the bid should have included the mower and installation onto the new John Deere tractor, which we purchased from Smith's Implements, and would surely include making it a safe operating machine.

Chairman Clapper stated that he was only willing to pay the agreed price that was on the agreement, in which he signed. It appears Zach has now bypassed the office by going to the Road Superintendent, which is a little disconcerting. As Office Administrator, he feels that it is his obligation to ensure the bid prices that we accept are held to, unless we request a change in the scope of the proposal, which is not the case here. He believes to expect that a new piece of equipment is safe to use after purchase is not asking too much. Ted spoke in favor of the bill however admitted that the fluid filling of the tire was included in the original bid because it was necessary to offset the weight of the mower. Ted described the situation with the inability to get the ordered tractor from Smith's Implements/JD that should have been delivered directly to Tiger for the mower setup where the fluid fill of the tire would have occurred, after which time the complete unit would have been shipped to SEI for PDI. Chairman Clapper questioned as to why there was an additional cost to the Township if it was included in the original setup plan. He suggested that the amount saved in shipping should have offset any unaccounted for costs assumed in this bill especially when the Township did all of the transporting of the tractor to and from SEI. Ted stated that there was a reduction in the cost from the initial contract to the final contract, however the total difference was not confirmed. A Bittinger/Ferguson motion was made to pay SEI the additional \$890.30 with Clapper opposing the motion.

There being no further business, the meeting was adjourned at 8:05 p.m. on a Bittinger/Ferguson motion carried unanimously.

Shannon Malott, Secretary/Treasurer