

MINUTES OF THE COLERAIN TOWNSHIP SUPERVISORS – the Regular Monthly Meeting Tuesday January 3, 2023 of the Colerain Township Board of Supervisors was called to order by Chairman, Scott E. Shoemaker with a moment of silence followed by the Pledge to the Flag. Supervisors present were: Scott E. Shoemaker, Samuel R. Reinhart and Robin Church. Carmen B. Wiker, Secretary and Eric Frey, Solicitor were also present. A listing of others in attendance will be kept on file.

As per the revision to the Sunshine Law dated 12/98, the audience was advised that the agenda was available to them. Each agenda item will be introduced, motioned and seconded by the Supervisor(s), item will be opened for discussion for the board, and then the audience, and then a vote called for by the Chairman. The Chairman will again ask for any comments the audience may have at the end of the meeting.

It was announced that the meeting was being recorded and that all public comments were limited to three minutes.

Scott Shoemaker announced that an Executive Session was held on December 29, 2022 to an executive session for the purpose of discussing potential litigation and consultation with professionals regarding confidential information which could lead to litigation.

Public Comment

- Scott Kulicke and Eric Frey had a brief discussion on the legality of the information in the announcement.

Minutes of the Regular Monthly Meeting December 14, 2022 were approved as written.

A motion was made by Robin Church and seconded by Samuel R. Reinhart to approve the December 14, 2022 Minutes as written. Scott called for the vote – All voted “Aye” – motion carried.

Public Comments

- Scott Kulicke expressed concern over a supposed missing item in the minutes which turned out to be in the December 5, 2022 Minutes.

Treasurer’s Reports

- Carmen Wiker read the Treasurer’s Reports

Unpaid Bills- General Fund

- The Bills on Hand were reviewed. *A motion was made by Samuel R. Reinhart Robin Church and seconded by Samuel R. Reinhart to approve paying bills totaling \$ 8,094.01. Scott called for the vote – All voted “Aye” – motion carried.*

- The List of Bills paid in December was also made available to the public which totaled \$ 16,353.63.

Tax Collector

- Judy Beiler reported a total of \$ 1,535.73

Zoning Officer

- Joe Chrisman reported a total of \$ 4,140.35

Sewage Enforcement

- Marv Stoner reported a total of \$ 100.00

Storm Water

- Carmen Wiker reported \$ 750.00 for application fees.

SALDO

- Nothing to Report

Road Master

- Scott Shoemaker reported the following for the Road Master; Serviced equipment, trimmed trees in Eden Township, filled in potholes in the dirt roads, cindered, cleaned equipment, and repair and replace stop signs.

Emergency Management

- Nothing to Report

Solanco Safety Committee

- The next meeting is Thursday March 9, 2023 at 7:00 P.M.

Storm Water and SALDO:

- Improvement Guarantee Release for Delmar Sensenig. A \$ 25,145.75 reduction was approved which leaves a balance of \$ 10,345.83.

A motion was made by Robin Church and seconded by Samuel R. Reinhart to approve Reduction No. 1 for Delmar Sensenig in the amount of \$ 25,145.75. Scott called for the vote – All voted “Aye” – motion carried.

Public Comment

- Scott Kulicke questioned if the Township Engineer was aware that Mr. Sensenig changed his driveway. The Township was not aware that the driveway was changed. This will get looked into and the Board and Solicitor agreed that \$ 10,345.83 is more than enough money to hold onto for this issue.
- Cost Opinion for Axel Linde at 2194 Kirkwood Pike. The Engineer approved the amount of \$ 30,906.13.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Cost Opinion for Axel Linde in the amount of \$ 30,906.13. Scott called for the vote – All voted “Aye” – motion carried.

- Storm Water Agreement for Axel Linde. This agreement was approved by the Solicitor.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Storm Water Agreement for Axel Linde. Scott called for the vote – All voted “Aye” – motion carried.

- Design Escrow Release for Axel Linde.

A motion was made by Robin Church and seconded by Samuel R. Reinhart to approve the Design Escrow Release for Axel Linde contingent on satisfying all Township obligations. Scott called for the vote – All voted “Aye” – motion carried.

- Storm Water Waiver and Plan for Abraham Stoltzfus at 79 Ridge Road.

A motion was made by Samuel Reinhart and seconded by Robin Church to approve the Waiver of Section 401.D of the Storm Water Ordinance for the Abraham Stoltzfus project at 79 Ridge Road contingent on receiving LCCD Erosion and Control approval letter. Scott called for the vote – All voted “Aye” – motion carried.

- Abraham brought in his Storm Water Agreement signed so the Board made a motion to add this item to the agenda.

A motion was made by Samuel R. Reinhart and seconded by Scott Shoemaker to approve adding the Abraham Stoltzfus Storm Water Agreement to the Agenda. Scott called for the vote – All voted “Aye” – motion carried.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Abraham Stoltzfus Storm Water Agreement. Scott called for the vote – All voted “Aye” – motion carried.

Public Comment

- Scott Kulicke asked who at the Township is responsible for making sure all documentation is submitted before issuing a permit. The Secretary and Zoning Officer work in unison.
- Cost Opinion for Abraham Stoltzfus for 79 Ridge Road. The Engineer approved the amount of \$ 15,466.00.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Cost Opinion for the Abraham Stoltzfus project at 79 Ridge Road. Scott called for the vote – All voted “Aye” – motion carried

- Release the design escrow for Abraham Stoltzfus at 79 Ridge.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Design Escrow Release for Abraham Stoltzfus contingent on satisfying all Township obligations. Scott called for the vote – All voted “Aye” – motion carried.

- Peggy Borelli asked to have a report back on the findings concerning the Delmar Sensenig Driveway complaint. The Board will report back at the February meeting.

Upcoming Zoning Hearings for Wednesday January 4, 2023 at 7 P.M.

CASE NO. 2022-12 Kenny & Judy Beiler Render Decision

CASE NO. 2022-11 Application of Paul and Twila Ranck concerning property located at 365 Sproul Road, Kirkwood, within the Residential District. Applicants request a special exception pursuant to Sections 5.03.03.E and 6.04 for a home occupation (counseling services). (Continuance from December 7, 2022 meeting.)

Public Comment

- Danielle Kulicke expressed concern that this application was allowed to move forward since the applicant may not be qualified or licensed as a counseling service. Eric explained that this would be something that would be discussed at the hearing.
- Dale Smith asked about the posting of the Hearing notice and why it was removed and Eric explained.
- Rick Prettyman expressed concern over a Right to Know request he made in which one of the items requested was building plans for 365 Sproul Road. These plans happen to be at the Building Inspector, Joe Chrisman’s home. Since these building plans are from May 2022, he wondered why these plans are not at the Township building. Eric explained it may be normal operating practice of working from home but will look into this. Rick felt that these items could be pertinent for the hearing which is January 4, 2022.
- Scott Kulicke also expressed concern in this matter and wanted to know the Township’s policy on document possession. Scott Shoemaker’s thoughts were the plans should come back to the Township Building within a reasonable time after being reviewed at home. The Board will look into this and report back to the residents at the February meeting.
- Steve Mobley asked if the documents in question could possibly be at the Township for the Zoning Hearing. The Township will try but not promise.
- Becky Kleinz asked if the documents needed to be at the hearing.

CASE NO. 2023-01 Application of Bertha Turnbull concerning property located at 239 Mount Eden Road, Kirkwood, within the Agricultural District. Applicant requests a variance or a special exception to enable a second single family dwelling as a second principal use under Sections 4.05.02 and 6.17 of the Zoning Ordinance.

- Scott Kulicke asked if the Turnbuls are basically trying to correct what is already been done. Scott Shoemaker let the residents know that the Turnbuls are working with the Sewage Enforcement Officer since they installed an illegal system.

Next Meeting for the Supervisors is Monday February 6, 2022 at 7:00 P.M.

Old Business:

- Scott announced that Colerain had sent out the 45-day notices. Eric also explained more of this process and announced that there would be a public hearing at some point.

Public Comment

- Scott Kulicke asked when the decision was made to make the announcement and also about any upcoming hearings for the public. Eric explained.
- Investing Township Funds into a CD-Two quotes were received; one from Presence (4.07% for 19-26 months) and one from Uninvest (4.15% for 18-24 months) The Secretary asked the board to consider placing \$ 200,000.00 from the General Fund Checking into a CD. After a brief discussion the Board decided to go with Uninvest.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve moving \$ 200,000.00 of the General Fun into a CD with Uninvest and also asking Uninvest about waiving early withdrawal fees since we are a Municipality. Scott called for the vote – All voted “Aye” – motion carried.

- Seth Lisinski presented the Board with more pictures of 19 Edna Lane and complained that they are burning tires. Lois stated that they are in the process of cleaning up the property. He also expressed concern over the fact that the Township did not take over the maintenance of Edna Lane. Eric explained the legalities of residents living on a private road. The Board will have the Zoning Officer visit 19 Edna this week.

New Business

- Pay Increases for 2023. The 2022 Rates of Pay were presented along with an 8% increase figured in.

A motion was made by Scott E. Shoemaker and seconded by Samuel R. Reinhart to approve an 8% increase in pay to the following positions: Road Master, Road Crew, Secretary Treasurer, Seasonal Workers, Asst. Zoning Hearing Board Secretary, Zoning Hearing Board and Secretary, and Planning Commission Members and Secretary. Scott called for the vote – All voted “Aye” – motion carried.

The rates for 2023 after the 8% raise are as follows:

Road Master		\$ 32.77	
Ryan Stoltzfus		\$ 27.00	
Seasonal Workers	no snow	\$ 19.44	snow removal \$ 23.76
Secretary/Treasurer		\$ 25.14	
Asst. Zoning Hearing Sec.		\$ 25.14	
Zoning Hearing Secretary		\$ 21.60	
Zoning Hearing Board Members:			
1 Hearing per night		\$ 32.40	
2 Hearings per night		\$ 54.00	
3 Hearings per night		\$ 70.20	
4 Hearings per night		\$ 86.40	
5 Hearings per night		\$ 102.60	
Planning Commission Secretary per meeting		\$ 37.80	
Planning Commission Members per meeting		\$ 21.60	
Park Cleaner		\$ 15.57	
Park Regular		\$ 13.35	

Zoning Fee Schedule for 2023

- The Secretary prepared a new Zoning Fee Schedule for 2023. After a brief discussion it was decided to adopt the new Fee Schedule with the idea of doing some research regarding Zoning Hearings.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to adopt the new Fee Schedule for 2023. Scott called for the vote – All voted “Aye” – motion carried.

At this time Eric explained further about the Notice that went out concerning the Regional Comp Plan.

Correspondence

- A quote from Mayes & Co. to Maintain all the Township owned Cameras was reviewed. The quote was for \$ 200.00 per year.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Annual Camera Operational Management Plan Option from Mayes & Co. for \$ 200.00. Scott called for the vote – All voted “Aye” – motion carried.

Any Other Business

- Becky Kleinz asked for an update on the Peifer appeal. Eric gave an update which included the fact the Judge did not allow the CWA’s party status request as well as letting the public know that the Township has made an appearance in support of the Zoning Hearing Boards decision as well as other details.
- Owen Ryan also expressed concern over the Delmar Sensenig escrow release.
- Scott Kulicke asked about a bridge on Street Road- This particular bridge is maintained by Chester County.
- Seth Lisinski expressed concern over the fact that the Township did not take over the maintenance of Edna Lane. Eric explained the legalities of residents living on a private road.
- Scott Kulicke expressed his opinion that the December 5, 2022 Executive Session that involved the Beiler Zoning Hearing Case violated the Sunshine Law Act. Eric Frey disagreed. Scott also encouraged the Supervisors to read up on the Sunshine Law Act documentation.

Adjournment

- *There being no further business to be brought before the board, the board, on motion by Samuel R. Reinhart and seconded by Robin Church agreed to adjourn at 8:17 P.M. Scott called for a vote – all voted ‘aye’ – motion carried.*

Respectfully Submitted,

Carmen B. Wiker, Secretary