

MINUTES OF THE COLERAIN TOWNSHIP SUPERVISORS – the Regular Monthly Meeting Monday September 12, 2022 of the Colerain Township Board of Supervisors was called to order by Vice-Chairman, Robin Church with a moment of silence followed by the Pledge to the Flag. Supervisors present were: Samuel R. Reinhart and Robin Church. Scott Shoemaker was absent. 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.

Robin Church announced that the meeting is being recorded and that all comments are limited to three minutes.

Robin Church announced that an Executive Session will be held immediately following the meeting. Eric Frey explained that they would be discussing litigation strategy. The first being the Peifer Duck House which will also be discussed during the meeting as well as the Rineer enforcement notice.

Minutes of the Regular monthly meeting for August 1, 2022 were approved as written.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the August 1, 2022 Regular Meeting Minutes. Robin called for the vote – All voted “Aye” – motion carried.

Treasurer’s Reports

- Carmen Wiker read the Treasurer’s Reports

Unpaid Bills- General Fund the public were given a copy of the unpaid bills list.

A motion was made by Samuel Reinhart and seconded by Robin Church to approve paying bills totaling \$ 45,335.90. Robin called for the vote – All voted “Aye” – motion carried.

Tax Collector

- Judy Beiler reported a total of \$ 611.83

Zoning Officer

- Joe Chrisman reported a total of \$ 3,550.60

Sewage Enforcement

- Marv Stoner reported a total of \$ 1,025.00

Storm Water

- Nothing to Report

SALDO

- Nothing to Report

Road Master

- Robin Church reported the following for the Road Master: Skin patching completed in Eden and Colerain, removed downed trees, paved pipe on Coopers Drive, repaired and revised road signs, work on 2023 Budget, and assist Line Painters.

Park

- Robin Church gave an update on the recent vandalism situation since the State Police have gotten involved. The Board is interested in the violators if found doing community service.

Public Comment

- Peggy Borelli asked who would determine the punishment and Robin let her know it would be Judge Mylin.

Emergency Management

- Nothing to Report.

Solanco Safety Committee

- The next meeting will be held September 21, 2022 at 7:00 P.M.

Report on Decisions of Hearing(s): The report was on hearings held on Sept. 7, 2022.

The Lois Rineer case was continued until October 5, 2022

The Joseph G. Lapp application was granted with conditions

The Luke & Kelsey Hershey application granted with conditions

The Edward McDonald application was denied

Public Comment

- Scott Kulicke questioned the Lois Rineer Continuance and Eric explained. Scott also submitted photos of the back of the Rineer property which after questioning from Robin he claimed were taken with permission from a neighboring property. There was also a brief debate between Scott Kulicke and Eric Frey on whether or not progress has been made in the cleanup process.

Sewage Enforcement and Planning Modules

- Planning Module Component 1 for Axel Linde at 2394 Kirkwood Pike. The Planning Commission recommended approval at their August 23, 2022 meeting.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Axel Linde Component 1 Planning Module. Robin called for the vote – All voted “Aye” – motion carried.

Subdivision and Land Development and Storm Water

- Storm Water Agreements for Lot #1 and Lot #2 for John Beiler at 417 Rosedale Road. Eric gave a brief explanation of the reason for the Agreements.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Storm Water Agreements for Lot #1 and Lot #2 for John Beiler. Robin called for the vote – All voted “Aye” – motion carried.

- Land Development and Construction Escrow Agreement for John Beiler at 417 Rosedale Road. Eric also explained this Agreement.

A motion was made by Robin Church and seconded by Samuel R. Reinhart to approve the Land Development and Construction Agreement for John Beiler. Robin called for the vote – All voted “Aye” – motion carried.

Upcoming Zoning Hearing for October 5, 2022 The Lois Rineer Continuance is scheduled.

Public Comment

- Peggy Borelli asked if Joe Chrisman would be in attendance and Eric explained he would be if the hearing would move forward. She also asked how many continuances are allowed and Eric explained that the continuances were requested by the Township and not the applicant.
- Lois Rineer asked the name of the person that submitted the photos which was Scott Kulicke.
- Eric explained that a site meeting is scheduled for the Rineer property between himself, the applicant, and Zoning Officer Joe Chrisman to determine progress.
- Scott Kulicke asked about the fine procedure as relates to the Rineer Appeal case and Eric explained. He also asked Eric about how much the expenses were to date for the Rineer appeal but Eric did not know.
- Waivers and Deferrals for the Benuel F. King plan for 1867 Kirkwood Pike. Township Engineer Lisa D’Andrea approved certain waivers and deferrals and spelled them out in her August 2, 2022 letter. The Planning Commission recommended approval at their August 23, 2022 meeting.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Plan Modifications and the waivers/deferrals as set forth in the August 2, 2022 MAC resources letter. Robin called for the vote – All voted “Aye” – motion carried.

Public Comment

- Scott Kulicke asked why the agenda stated that the engineer letter was for the Board only. The Secretary let him know she wrote it that way to cover herself. Eric explained the letter could be obtained through a Right to Know request if desired.

Zoning

- Granny Flat Agreement for Sylvan Stoltzfus at 203 Rosedale Road.

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

- Granny Flat Agreement for Roy Stoltzfus at 5578 Street Road.

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

At this time Eric gave an update for the Rineer Appeal as well as the Peifer Duck House. After asked by Eric if he had anything to say, Seth Lisinski expressed his opinion that the cleanup has been very slow and also that he is concerned that items are being moved to 14 Edna from 19 Edna. In response Lois Rineer stated that the weather has not been in their favor as well as having a fire at another property. Eric Frey explained again about the site meeting that is scheduled for September 29, 2022. After that site visit the decision will be made concerning how to move forward.

For the Duck Barn, Eric explained that all involved are frustrated and do not know how to get the County Court to move forward. Eric did discuss possibilities of how to move the case forward with the Peifer attorney and he will discuss that with the Board in the announced Executive Session.

Public Comment

- Jeff Spangler asked about the Peifer attorney and her area of expertise. Eric Frey was not positive of her past background. Scott Kulicke seemed to know some of her past and offered that information.

Next Meeting for the Supervisors is Monday October 3, 2022 at 7:00 P.M.

Public Comment

- At this time Owen Ryan asked if Agenda item 11 was associated with Septic Pumping and Eric explained it was not.
- Owen Ryan also expressed concern about the John Beiler project at 417 Rosedale. He is concerned that if the farm would be rented out the Storm Water Facilities would not be installed. Eric explained the Procedure for Improvement Guarantees.

Old Business

- Street & Noble Road-Quotes for safety equipment. Sam and Robin explained what has been installed to date to improve safety. Sam looked into two kinds of flashing lights and Troy Groff, Road Master requested the amber flashing lights in lieu of the LED's for the stop signs.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve purchasing the amber lights for \$ 987.42. Robin called for the vote – All voted “Aye” – motion carried.

Public Comment

- Owen Ryan asked if the Township would need permission from the State to install these lights and that is true.
- Seth Lisinski mentioned that he travels Noble Road often and has noticed the new signage as well as the Township Speed meter and he felt it slowed him down.
- John Armstrong asked if the State would do anything on Noble and the Board let him know the state will not. He also commented how dangerous the intersection is.
- Jeff Spangler offered that the Township could request the PA State Police to do more speed checks by going through Bryan Cutler's office. Robin will look into this.

At this time Frontier Communications and their proposed fiber build was discussed. Ben Momose of Upward Broadband was also in attendance There was much discussion between the Board and audience but mostly the audience amongst themselves concerning the pros and cons of fiber versus satellite and cable, what phase the build is in, possible federal funding, and how best to handle problems with the lack of service received from Frontier. The areas of the Frontier build will be put on the website as soon as allowable by Frontier.

Becky Kleinz noticed that we missed most of Old Business so Robin went back to it.

- Upward Broadband Update- There is not interest from the Board in financially supporting this company with the \$ 30,000.00 request. Jeff Spangler asked about their proposal and Robin suggested Ben explain which he did. Ben also answered

questions related to his company structure, service and speeds. The Board explained that the reason for not supporting was to use the funds for emergency services which they felt was more needed. Ben Momose asked the Board if they would be willing to give written support only and they agreed to that.

- It was announced that there is a press release with a statement from Colerain on the Township website.
- Bookkeeper update: Four applications have been received and the interview process will begin hopefully before the end of September.

Public Comment

- Jeff Spangler asked about a past issue involving the building inspector and wondered what the follow up was. It was too far back to remember details but the Board will talk to Scott.
- Kelly Charles questioned the formal complaint procedure process mostly in regards to the complainant knowing the results. The Secretary explained part of the process involving the form itself. Eric Frey explained the Township could come up with a legal process that protects the Township to let the complainant know the outcome of their complaints.
- Scott Kulicke complained that no one in the Township ever gets back to residents.
- Peggy Borelli asked if there could be an answer on the subject of the Complaints by the next meeting. Eric agreed there could be.

New Business

- Ratify approving Troy Groff and Ryan Stoltzfus attendance At the American Public Works Association Meeting on August 18, 2022.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to ratify approving Troy and Ryan attending the American Public Works Association Meeting. Robin called for the vote – All voted “Aye” – motion carried.

- Approve advertising for a Budget Workshop in October. The date will be set once everyone can agree.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve advertising for a Budget workshop. Robin called for the vote – All voted “Aye” – motion carried.

- Solanco Road Mobile Home Park License Renewal. Tim Mueller performed an inspection and found no violations.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve renewing the Mobile Home Park permit for Solanco Road. Robin called for the vote – All voted “Aye” – motion carried.

- Pension MMO for 2023. The amount for 2023 is estimated at \$ 15,000.00.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the 2023 MMO in the amount of \$ 15,000.00. Robin called for the vote – All voted “Aye” – motion carried.

- Nominate Shirl Barnhart as Trustee for both the PSATS Unemployment Comp Group Trust and the Health Ins. Cooperative Trust.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to nominate Shirl Barnhart as Trustee as described above. Robin called for the vote – All voted “Aye” – motion carried.

- SALDO Fee Schedule Revisions- It was announced there has not been much time to work on this due to the Budget. Eric mentioned that one the requirements he would like to see is all plans be submitted as PDF’s as well as large plan copies.

Correspondence

- PSATS Regional Forum will be held October 11, 2022 in Gettysburg.

Any Other Business

- Scott Kulicke prepared a plan for covering zoning hearing appeal costs he wished to propose to the Board for their consideration. This plan would be in lieu of the Township practice of waiving fines.

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 8:09 P.M. Scott called for a vote – all voted ‘aye’ – motion carried.*

Respectfully Submitted,

Carmen B. Wiker, Secretary