

**SUPERVISOR'S MEETING
May 29, 2014**

The Jackson Township Supervisors held their regular meeting at 7:00 p.m. at the Jackson Township Municipal Building. Members present were Supervisors Bruce Baker, John Wallet and Eric Dreikorn along with Secretary/Treasurer/Manager Dave Hirko and Solicitor Bill Barbin. The meeting was called to order by Bruce Baker, Chairman with the Pledge of Allegiance to the flag.

Board Roll Call was taken with all three Supervisors present.

Public Hearing on Zoning Amendment

Solicitor Bill Barbin said, prior to the commencement of the regular meeting we advertised for a Public Hearing on a Zoning Amendment on removing conditions on certain prohibited uses in the Zoning Ordinance and providing criteria for animal husbandry practices in Districts other than the Agricultural District or High Density Agricultural Overlay District. The criteria on animal husbandry does not apply to the Agricultural District but it does apply to Commercial and Residential Districts. People have a right to keep up to 10 small animals weighing less than 20 pounds each. On five or more acres of ground you can raise other animals such as horses, cattle, etc. limited to 1 animal unit per acre which is the Penn State guideline. The criteria on animal husbandry includes having them securely fenced from escaping from their own property. They have to be fed, watered and have manure removed on a daily basis. You don't want someone having animals and leaving them there and coming back in another week. Manure should be stored in containers or offset from leaving noxious odors from leaving the property or incorporated in a composting system. Animal waste or manure should be stored at least 50 feet from a neighboring property line. Chicken coops, stalls or other buildings to house the animals shall be considered accessory uses, provided the accessory structure is no larger than 100 square feet and is located at least 50 feet from a neighboring property. This has always been the case in the Agricultural District but now this is an accessory use and allows you to build a building on less than 5 acres which you could not do under the old rule. Dimensional variances are available from the Zoning Hearing Board provided they can be granted without negatively affecting a neighboring property. He said the Amendment came about after there were several complaints from residents to the Supervisors. The Hearing was then opened up to Public Comment. **Brian Daughenbaugh** and **Andrea Waltman** commented on setbacks. **Tom Beyer** and **Emily Daughenbaugh** commented on the amount of animals allowed. **Paul Springer** commented on having animals for 4H and then his zone was changed from Agricultural to Residential. **Earl Springer** commented on the noise created by a rooster.

Public Comments Concerning Agenda Items: (None)

Minutes:

Motion Wallet, second Dreikorn to approve the minutes of the Board of Supervisors Meeting held on April 24, 2014 and May 8, 2014. Vote-3 yes.

Township Financial Report:

FUND	Balance 4/24/14	Receipts	Disbursements	Balance 5/29/14
GENERAL	\$ 34,621.15	\$ 142,422.76	\$ 112,560.80	\$ 64,483.11
CAPITAL RESERVE	\$ 1,013,049.31	\$ 13,859.25	\$.00	\$ 1,026,908.56
HIGHWAY AID	\$ 274,162.33	\$ 46.75	\$ 2,431.26	\$ 271,777.82
SR. CENTER FUND	\$ 20,681.37	\$ 2,617.51	\$ 3,355.02	\$ 19,943.86

Expenditures:

Motion Dreikorn, second Wallet to approve the bills for the period of April 25, 2014 through May 29, 2014. Vote-3 yes.

General Fund	Highway Aid Fund	Senior Center Fund
\$ 112,560.80	\$ 2,431.26	\$ 3,355.02

Township Police Report:

The April, 2014 Police Report was not available at this time.

Correspondence: (None)

Old Business: (None)

New Business:

Motion Wallet, second Dreikorn to adopt Ordinance No. 174 amending the Jackson Township Zoning Ordinance. Vote-3 yes.

Motion Dreikorn, second Wallet to hire Stephen Suckenic as a Part-Time Police Officer for Jackson Township. Vote-3 yes.

Motion Wallet, second Dreikorn to award Miscellaneous Paving Materials (FOB Plant) to Quaker Sales Corporation for 2014. Vote-3 yes.

Superpave Wearing Course, 9.5 mm - per ton		
Bid	Amount FOB Plant	Amount Delivered
HRI Inc.	\$ 69.50	\$ 85.00
Quaker Sales	\$ 69.75	*
New Enterprise Stone & Lime Co.	\$ 66.05	\$ 73.60

*Tri-Axle Truck Rate - \$ 74.00 Per Hour

Superpave Wearing Course, 19.0 mm - per ton		
Bid	Amount FOB Plant	Amount Delivered
HRI Inc.	\$ 63.00	\$ 78.50
Quaker Sales	\$ 61.25	*
New Enterprise Stone & Lime	\$ 57.25	\$ 64.80

*Tri-Axle Truck Rate - \$ 74.00 Per Hour

Superpave Wearing Course, 25.0 mm - per ton		
Bid	Amount FOB Plant	Amount Delivered
Quaker Sales	\$ 56.75	*
HRI Inc.	\$ 56.00	\$ 72.00
New Enterprise Stone & Lime	\$ 53.70	\$ 61.25

*Tri-Axle Truck Rate - \$ 74.00 Per Hour

Motion Dreikorn, second Wallet to award bid for PA-2A Subbase, AASHTO # 8, # 1, # 3 Miscellaneous Stone Materials and Antiskid Type # 2 to New Enterprise Stone & Lime Company. Vote-3 yes.

AASHTO No. 8 Stone - per ton delivered	
Bid	Amount
Grannas Brothers	\$ 15.60
New Enterprise Stone & Lime	\$ 14.95

AASHTO No. 1 Stone - per ton delivered	
Bid	Amount
Grannas Brothers	\$ 13.85
New Enterprise Stone & Lime	\$ 13.85

AASHTO No. 3 Stone - per ton delivered	
Bid	Amount
Grannas Brothers	\$ 14.10
New Enterprise Stone & Lime	\$ 13.85

Antiskid Type # 2 - per ton delivered	
Bid	Amount
Grannas Brothers	\$ 15.35
New Enterprise Stone & Lime	\$ 14.95

PA-2A Subbase - per ton delivered	
Bid	Amount
Grannas Brothers	\$ 12.85
New Enterprise Stone & Lime	\$ 12.35

Motion Wallet, second Dreikorn to award bid for # 57 Miscellaneous Stone Materials to Grannas Brothers. Vote-3 yes.

AASHTO No. 57 Stone - per ton delivered	
Bid	Amount
New Enterprise Stone & Lime	\$ 14.85
Grannas Brothers	\$ 13.85

Solicitor Bill Barbin commented that he had reviewed all of the material bids and everything was in proper order.

Motion Dreikorn, second Wallet on approving the time sheets from April 13, 2014 through April 26, 2014, April 27, 2014 through May 10, 2014 and May 11, 2014 through May 24, 2014. Vote-3 yes.

Other New Business:

(None)

Public Comments:

Jim Buhaley said, I am here about the Laughard junkyard across from Aurandt's Garage which is now spilling over across the road. We signed complaints and went to Court last year and I've asked several times what has been done about the problem. At the Court Hearing we were advised to look at Ordinances of surrounding communities that address the problem. I ask that something be done down there or that a letter be sent to the owner of the property. You can't grandfather this in and it appears that a business is being run out of there and it appears that you aren't progressing on addressing it.

Chairman Baker said, I believe you were with Officer Vaught at the Hearing and since then we are progressing for addressing it by adopting a Property Maintenance Code. **Buhaley** said the Nuisance

Ordinance we have addressed rodents so the Judge asked if anyone had seen any animals coming out of the junk that was there, so that seemed to be the sticking point. **Solicitor Barbin** said, the Pennsylvania Supreme Court ruled that to have a public Nuisance conviction, you have to prove the harm which doesn't mean something that just looks bad. My recommendation is that we have to adopt a Property Maintenance Code to address these types of complaints. **Buhaley** said, we're in a Residential area and I can see someone having a few tires for sale but not a trailer of 100 or more tires. **Supervisor Wallet** said, we're addressing it. We spent a lot of time and money and the next time we have to do it right and have something that will stick. **Buhaley** said, last time, I believe there were four complaints turned in. **Ed Westrick** said, there's always stuff coming in and out of there.

Bill Ragley said, I like to give some comments on the Dave Radyk property on Griffith Avenue. A number of residents, 43 in all signed a petition about the property and it was submitted to Dave Radyk. An issue of a business is one thing but to cause your neighbors hardship is another thing. **Solicitor Barbin** said, the Property Maintenance Code doesn't question what you're doing on the property but if you are, it has to be neat, clean and sanitary. **Ragley** said, this caused a hardship to a neighbor who couldn't sell his house. **Barbin** said, the Pennsylvania Supreme Court has defined Nuisance as being something that is harmful. **Ragley** said the Radyk property has groundhogs, skunks and other creatures all the time as it's a pole barn that they can get right into. **Chairman Baker** said, in the past we have sent letters to the property owners asking them to clean up the property but we couldn't demand it. **Barbin** said, a Property Maintenance Code could address this.

Bud Watroba said, I'm down on Kepple Road and I'd like to present you information on Outdoor Furnances. We're talking about nuisance and I'd like to bring up health issues from outdoor smoke. I'm hoping with all this information that you can do something that will help me with my situation. I couldn't smell flowering bushes in our yard this year, and I've had to have the windows closed the last three nights because of the smoke because a neighbor wants to heat their swimming pool. I don't think it's fair that I have to lose my air and my right to live for someone to use a swimming pool My wife had three sinus infections and you can read in the information that sinus infections can be caused by smoke from outdoor furnaces. I'm asking that you read through the information and see if there's something the Township can do about this. Everything you talk about is neighbors invading your property and that happens to me on a daily basis.

Cameron Hoffman said, on the Skate Park, I'm asking if you guys would be willing to donate an amount of asphalt. I have people who are willing to help me build the park. All I need is the asphalt itself. I have \$3,000 donated towards the park right now and some of the ramps and boxes are being donated for free. I've also had a couple fo businesses who would put up signs if the park is there and you would get the sponsor money year after year. Right now, nobody is using the volleyball courts at Leidy Park. Is the Township willing to put in the asphalt, because that's all I need right now. **Chairman Baker** said, we told you previously when the time came in we would remove the volleyball court and put the asphalt down for you. We have the equipment to do that. **Hoffman** said, it would have to be super smooth. **Baker** said we would grade it down. You need to give us your plan and we have to run this through the insurance company too, but when it comes that time, we'll do the asphalt.

Announcements:

Chairman Bruce Baker announced, The Board of Supervisors next meetings will be held on Thursday, June 12, 2014 at 8:00 am and Thursday, June 26, 2014 at 7:00 pm at the Jackson Township Municipal Building.

Adjournment:

Motion Wallet, second Dreikorn to adjourn the meeting at 7:52. Vote-3 yes.

Respectfully submitted,



David M. Hirko, Secretary