

*REGULAR MONTHLY MEETING
ROSS TOWNSHIP SUPERVISORS
MAY 1, 2006*

The Regular Monthly meeting of the Ross Township Board of Supervisors was called to order by Chairman Beers with members Supervisor Drake and Vice Chairman Kresge present. Solicitor Dunn was also present. At approximately 7:00 p.m. Chairman Beers opened the meeting by leading those present in reciting the Pledge of Allegiance.

The first item on the agenda was approval of the minutes of the April 3, 2006 meeting and approval of the Treasurer's report. Both items were accepted as presented on motion made Vice Chairman Kresge, seconded by Supervisor Drake and carried.

Chairman Beers noted a change in the agenda by bringing up the Amendment to the Zoning Ordinance now rather than under new business because Supervisor Drake must leave early. Supervisor Drake discussed expanding the CR zone which recently was similarly done by Hamilton Township with Cherry Valley (Cherry Creek) which was recognized by the surrounding municipalities as a place that development would impact its scenic and natural resources. Solicitor Dunn proposed that the Supervisors consider first adopting an amended statement of community development objectives for possible expansion of the CR Zone. After a review of the proposed resolution, Supervisor Drake moved to adopt Resolution #143 which resolution is to adopt an amended statement of community development objectives for possible expansion of the CR Zone. The motion was seconded by Vice Chairman Kresge and carried. A second resolution was discussed by Solicitor Dunn which resolution would authorize procedures for the possible re-zoning (expansion of the CR zone). He added that as part of the procedure, a copy of the proposed amendment to the zoning ordinance should be recognized since it will be forwarded to the Planning Commission for its review as a proposed amendment to the zoning ordinance. A motion was made by Supervisor Drake to adopt Resolution #144 and to recognize the document submitted with it, to the Township Secretary as the proposed amendment to the Zoning Ordinance. The motion was seconded by Vice Chairman Kresge and carried.

At this time Supervisor Drake left the meeting.

OPEN TO THE PUBLIC-Mr. Laguardia was present as he was last month to discuss the composting operation being conducted next to his home on Mt. Eaton Rd.. The Zoning Officer was present and reported that he spoke to the Zoning Hearing Board Solicitor who said he looked into this matter and his advice was that the use is a permitted accessory use since the Zoning Ordinance specifically says if manure was being brought in there it would be a violation but manure is not part of the operation. Mr. Kochis said at this point they are taking leaves, clippings and stumps. He added that since the principal use is a farm the activity he is presently using the land for is permitted as an accessory to the farm. Mr. Laguardia said that the property was not being used for this purpose when he first moved there. Mr. Laguardia said the biggest issue is the odor problem from manure he added that he has no quality of life there having to close windows or not be outside because the odor permeates the area. Mr. Kochis noted that the Zoning Hearing Board Solicitor is doing further research but at this point it is a proper accessory use because it is a farm. Solicitor Dunn gave an example of a similar incident in lower Towamensing Township and suggested that Mr. Laguardia contact them for information on how they proceeded. Chairman Beers added that the farm involved is a property owner of

approximately 1,000 acres whose property is mainly in Agricultural Preservation and as such is allowed certain rights as farm owners. (such as spreading manure, etc.) Solicitor Dunn said if Mr. Laguardia thinks the Township is in error he has the right to obtain an attorney.

PLANS-Arsha Vidya extension was discussed and upon recommendation from the Planning Commission an extension was agreed to until June 15, 2006. A motion was made by Vice Chairman Kresge, seconded by Chairman Beers and carried.

The Kuklantz/Wright subdivision was next on the agenda. Solicitor Dunn said he spoke to Attorney Williamson and sent a copy of the deed to Russ Kresge for review. Some corrections were to be made after which it would be returned to Solicitor Dunn and on to the Township. Additionally, the Secretary showed the plan which had a correction made to it after the applicant signed it and had it notarized. It was noted that the way the correction was made was not acceptable as it could be removed. (as if it was tape) Therefore, it was decided that the plans be returned for new ones done in an acceptable fashion.

OLD BUSINESS- Mr. Meckes a resident who was asking for a building permit extension was present and explained he did not complete the addition because of monetary restraints. Chairman Beers moved to grant a six (6) month extension. The motion was seconded by Vice Chairman Kresge and carried. Mr. Meckes asked what he should do if he isn't finished in the six (6) months and Chairman Beers said he should come before the Board of Supervisors again.

The Stormwater Management Plan status was discussed and Solicitor Dunn noted that since this plan is also County business it would be a conflict for him to work on the Township's and recommended the Supervisors consider using the Alternate Solicitor for this plan. The Secretary noted she would contact Daniel Lyons and Solicitor Dunn added that he would be available for Attorney Lyons should he have any questions.

Chairman Beers asked Vice Chairman Kresge the status of the parking lot lights and he said he will check with Gary Chrvala the electrician working on them.

Regarding advertisement of bids for road work, it was decided that the Township could move forward with plans to advertise without considering the prevailing wage since Governor Rendell suspended the Dept. of Labor and Industry's new requirement. A motion was made by Vice Chairman Kresge to place the necessary advertisement

and open the bids at the June 5, 2006 meeting. The motion was seconded by Chairman Beers and carried.

Monroe County sent a memo regarding the schedule for primary election day, and Chairman Beers said he would open the building for the election and Vice Chairman Kresge said he would be available to close the building.

Chairman Beers noted receipt of a letter from Monroe County Planning Commission advising they have traffic counters available should the Township be interested in scheduling them.

Chairman Beers stated he received a call from George Washburn the lawn contractor that the Municipal Building grass needs re-seeding after a grub attack. It was decided to ask him to do the re-seeding since he presently cuts the lawn.

ROAD FOREMAN REPORT-The Road Foreman said the cab of the truck has been delivered to the dealer he went there to inspect it and all is according to our order (bid). The Secretary noted receipt of an invoice and it is on the bill list for payment this month.

Chairman Beers asked the Road Foreman if he heard from Lee Honey regarding the grate to be made for the creek problem on Tittle Rd. He said he did and he's trying to get prices on aluminum.

CORRESPONDENCE-A letter was received from resident David Young asking if it would be feasible for the Planning Commission monthly minutes and the Zoning Hearing board minutes to be put on the website. It was decided that for the present the Supervisors meeting minutes are the only ones slated for the website.

Chairman Beers noted receipt of a letter regarding ATV's and mention was made of adopting an ordinance. Solicitor Dunn noted he drafted an ordinance for Hamilton Township (which was not adopted) he indicated he would furnish a copy to the Supervisors. It was noted that ATV's have been riding on the Township owned park property. Mr. Haney questioned whether or not the Township has insurance. Chairman Beers indicated that the Township has insurance coverage of its properties. Chairman Beers would like to post signs. Regarding the "track" in the area of the detention pond, Solicitor Dunn expressed concern over it being private property as opposed to the park area which is Township owned property. The road foreman said the fence is down and the Township must maintain the area. Solicitor Dunn said if the ATV's are not disturbing the function of the pond which could enter into a maintenance issue than the Township is not involved. The Secretary noted that perhaps the vegetation being destroyed has something to do with the function and will pose that question to the Township Engineer. The next question that came up is who owns the detention pond. If the homeowner of the lot/lots it is on owns the pond they may have a right to have a key to the gate for the fence and do whatever anyone does with their property, but, in this instance they cannot interfere with the function of the detention pond since the Township is responsible for the maintenance of the fence, and the inlet and outlet. Solicitor Dunn added that in the future perhaps a sentence should be added to the wordage that goes on the plans to the effect that certain activity is prohibited inside the fence area.

RECEIPTS & EXPENDITURES- After a review of the bills to be paid a motion was made by Vice Chairman Kresge, seconded by Chairman Beers to pay the bills as presented. The motion carried.

There being no further business, the meeting adjourned at 8:00 p.m..

Respectfully submitted,

Doris Price, Secretary