

Lewis Township Supervisors
Regular Monthly Meeting
November 6, 2019

The Lewis Township Regular Monthly Meeting was called to order by Chairman Willard Murray at 4:00 P.M. at the Lewis Township building. Those also present were Supervisors Duane M. Blakeney and Ricky Dyer, Solicitor Jonathan Dewald, Secretary/Treasurer Lucinda R. Bomberger and twenty two guests.

A motion was made by Duane M. Blakeney, seconded by Ricky Dyer and passed to approve the minutes from the October 2, 2019 Supervisors Regular Monthly Meeting as written.

A motion was made by Willard Murray, seconded by Duane M. Blakeney and passed to approve the October 2019 Financial Report.

Public Comment on Agenda Items

David Reiff stated that he is opposed to enforcing Ordinance 2015-10 and feels it will not create peace and will put folks under pressure who rely on horses. He asked if the acreage could be changed to one and one half acres instead of two and one half and also a change in setback requirements for fencing from 200 feet to 20 feet. David also thanked the Township for up keep of the Township Roads.

Solicitor Jonathan Dewald explained that the action on the Ordinance right now was to amend Ordinance 2015-10 to include enforcement provisions and not to make other changes however the public is free to give comment and recommendations to consider.

Lee Beiber feels the Township is impartial to the Mennonites and Amish and asked how the Ordinance could be changed. Lee also felt that a horse is considered livestock and others have other livestock and would they be under the same fencing requirement. Lee stated that there was a letter circulating from the Attorney General that opposes these types of Ordinances. Solicitor Dewald stated that this Ordinance does not single out any religious affiliation and that it is common law that horses are not considered livestock.

Raymond Hoover stated that he opposed to the Amendment of Ordinance 2015-10. He also stated that he spoke to Representative Culver and was told that they would be grandfathered for anything prior to the Ordinance's adoption.

Harlan Martin stated that he wished he would have known about this Ordinance 2015-10 at the time it was adopted. He had concern about the two and one half acres and the fencing set back. He stated that he would like to work with the Township and negotiate and the he is opposed to it. Harlan asked if there was any way that the Ordinance could be changed. Willard Murray stated that there was nothing that could be changed at this time. The only thing that will be voted on today was the enforcement provisions.

John Reiff stated that he was opposed to the Ordinance Amendment. He also asked if the Ordinance 2015 applied to rural residential, agricultural zones or Township as a whole. Willard Murray answered Township as a whole.

Brian Stackhouse asked if the Ordinance applies to all zoning districts and asked how it would be enforced. Solicitor Dewald stated that the amendment would provide the provisions for enforcement.

Roland Heverly had several concerns about the amendment to Ordinance 2015-10 which included a particular resident who, since the adoption of this Ordinance has had a horse and fencing and believes he is in violation of the Ordinance and asked if anything was done about it, questions about manure's ability to leave the lot and dust and publication of the Ordinance itself. He also asked why people are not set notices of Ordinances that an Ordinance will directly effect. Willard Murray stated that the Ordinance and the Amendment were both advertised in the Standard Journal as required. Roland asked what the health concerns were related to horses. Solicitor Dewald states that there was concern how horses were sheltered in garages or small sheds and neighboring property owners. The Township wanted to ensure the proper keeping of horses and protecting the neighboring property owners. Roland did not feel that horses were detrimental to people's health, that veterinarians put their arm up to their elbow in a horse's rear end. Solicitor Dewald clarified that manure is able to be commerced that the Ordinance is saying that horses would not be able to leave a property and enter another property and leave manure.

Discussion was held around publication of notices and publications used. Jonathan explained that the Township is dictated as to how the public is notified. Douglas Potter stated that he gets his information form the website and hasn't subscribed to a newspaper in years. Doug shared that he can read the minutes online on the Township's website to stay informed of what Ordinances are being adopted and he attends the meetings to stay informed. He would be opposed to sending letters every time there is an adoption of an ordinance due the cost as some expressed should be done.

Township Reports

Supervisors

Supervisor Duane M. Blakeney reported that work on Keefertown is mostly complete. There is some cleanup work to be done after the crops come off. Depending on the weather it may wait until spring. The road crew is currently catching up on work in the hills.

Solicitor

Solicitor Jonathan Dewald reported that the recommendations of the amendment of the Zoning Ordinance were sent to the Northumberland County Planning Commission for their review and comment on November 1, 2019 as required in the Municipalities Planning Code. They have 30 days to review and then Supervisors will be able to hold a public hearing.

Brian Stackhouse asked for clarification about what the Solicitor said about the Zoning Ordinance. Solicitor Dewald explained that he sent a draft of the Zoning Ordinance amendment to the County

Planning Commission on Friday, November 1, 2019 for their review. After 30 days there will be a public hearing and then action could be taken on the Ordinance.

Treatment Plant Operator

Eric Moore from West Branch Regional Authority, upon a request for a summary of the status of maintenance and operations at the Five Points Small Flow Treatment Plant did an official inspection and as a result, there are structural concerns. Eric requested an executive session at the end of the meeting to discuss a legal matter. Otherwise the plants are operating okay. Eric was anxious to see the flow numbers related to the recent heavy rainfall. Josh and Will are to coordinate adding sand to the sand beds.

Secretary/Treasurer

Secretary/Treasurer Lucinda R. Bomberger reported on the 2020 Proposed Budget:

General Fund: \$582,825.00

State Fund: \$182,500.00

Wastewater Operations Fund: \$137,150.00

Fire Board Representative

Representative Duane M. Blakeney reported that things are quiet right now. The interior work at the Turbotville Fire House will soon be completed. An open house may be in the future.

Old Business

A motion was made by Ricky Dyer, seconded by Duane M. Blakeney and passed to adopt Ordinance 2019-9: An Ordinance Amending Ordinance 2015-10 in order to provide for penalties associated with violating the restrictions regarding the keeping and maintenance of horses, promoting the peace, health and welfare of the Township and its residents.

A motion was made by Ricky Dyer, seconded by Willard Murray and passed to adopt Ordinance 2019-10: an Ordinance Amending Ordinance 2017-4 in order to provide for additional roads and weight limits (Schuyler and North Bend Roads/10 Ton Weight Limit).

New Business

Bill Seigel and Elizabeth Herman from Seda-Cog attended the meeting to talk to the Supervisors about the grant applications that they are preparing on behalf of the Township to obtain funding for a regionalization effort.

A motion was made by Ricky Dyer, seconded by Willard Murray and passed to adopt Resolution 2019-11: a Resolution requesting a PA Small Water & Sewer Program Grant in the Amount of \$500,000 from the Commonwealth Financing Authority for the Purpose of the Lewis/Delaware Township Sewer Regionalization Effort with MRSA and authorizing the Chairman and Secretary to execute all documents and agreements related to the grant and Resolution 2019-12: A Resolution requesting an H2O PA

Program Grant in the Amount of \$1,000,000, in cooperation with Delaware Township, from the Commonwealth Financing Authority for the purpose of the Lewis/Delaware Township Sewer Regionalization Effort with MRSA and authorizing the Chairman and Secretary to execute all documents and agreements related to the grant.

A motion was made by Duane M. Blakeney, seconded by Ricky Dyer and passed to approve payment of Invoice # 7187344 in the amount of \$16,429.01 to New Enterprise Stone & Lime Co. from the Lewis Township State Fund.

A motion was made by Willard Murray, seconded by Ricky Dyer and passed to authorize advertisement of an ordinance and public hearing to vacate a portion of Keefertown Road as a Township road.

A motion was made by Ricky Dyer, seconded by Willard Murray and passed to authorize advertisement of the 2020 Proposed Budget.

A motion was made by Duane M. Blakeney, seconded by Ricky Dyer and passed to authorize payment of bills for November 2019.

Public Comment

Angela Ulmer asked why the Township does not advertise in three newspapers as in the past. Will answered that it had been years ago and to cut costs.

Brian Stackhouse asked about the process to advertise the Zoning Ordinance.

Roland Heverly asked if the Township was going to notify Risser Grain and Formans of the new weight limit for Schulyer Road. Will answered that the signs will be in place and give notice. Roland also asked if septic pumping was still required every five years. The answer was yes.

Lee Beiber asked when the drain would be finished on Wolfe Blvd. Will answered that he knows that still needs done.

A motion was made by Willard Murray, seconded by Ricky Dyer and passed to adjourn the meeting at 5:09 P.M. Will Murray made an announcement that there would be an executive session to discuss a legal matter.

Respectfully Submitted,

Lucinda R. Bomberger
Lewis Township Secretary