

HEREFORD TOWNSHIP BOARD OF SUPERVISORS

August 2, 2022

Due to the COVID-19 Pandemic the regular meeting of the Hereford Township Board of Supervisors was held via Zoom and in person. Those present were Supervisors John Membrino, Keith Masemore, and Karla Dexter, Secretary/Treasurer Diane Hollenbach, Engineer Jennifer Van Dyke, Solicitor Eugene Orlando,

Guests: Cliff Kerchner, Peg Van Schaick, Erin McCormick, Thomas Spaar, Stan & Sandra Perambo, Deb Moyer, Ryan Meier, Joyce Crosby, Rose & Glen Greenawald, Caroline Hammel, James E. Mauser, Joanne Wenslow, Vic See, Kevin Schultz, Matt & Jen Spangenberg, Cecilia Fresco, Matt Moyer, Patrick & Wendy Hiney, Jeff Ney, Steven Keim, George Hiltner, David Dunne, Liz Nichols, Lowell Seip, Donald Zentner, Jr., Mike Freeman, Elwood Harper, Greg Daub, Haywood Weaver, Carolyn Saracino, Janice Coia, John & Dawn Conway, Joy Davies, Albert Ciccarone, Kathy Bean, Robert Boyer, Bob Stockdale, William Honig, Mark Levensgood, Larry & Linda Iampietro, Bill Weaver, Bill & Susan Shea, Christopher Fritchman, Kris Gischel, Sharee & Tim Kenna, Caryl Pettijohn, John Yanan Jr., Matt & Lori Ferdock, Jack Arnold, Peter & Evonne Glenn, Joseph Brooke, Irene Donovan, Thomas, Sherry & Keora Laessig, and John Fisher On Zoom: WFMZ, Candace Perry, Thomas O'Connor, and Patricia Ihlenfeld.

Mr. Membrino called the regular meeting to order at 7:40 PM

MINUTES

Mr. Membrino made a motion and Mr. Masemore seconded approving the July 19, 2022, regular meeting minutes. All were in favor. Motion passed.

PAYMENT OF BILLS

Mr. Membrino made a motion and Mr. Masemore seconded to pay the bills and approve the Treasurer's bill list. All were in favor. Motion passed.

PERSONAL APPEARANCES - None

WORK CREW REPORT

Mr. Masemore reported the road crew paved in Longswamp Township. They continue mowing the township roads but had issues with the tractor. The Co-op purchased a used belt loader that is in good shape.

ENGINEER

Wawa Security/Maintenance Release – Jen VanDyke explained that the developer's work is completed, but the Township is withholding fifteen percent of the letter of credit for maintenance security for the next eighteen months. She contacted the contractor about the driveway sign. He is following up as the sign was not in the Penn DOT plans.

Mr. Membrino made a motion and Mr. Masemore seconded to approve the HRES Hereford Wawa letter of credit release in the amount of \$222,652.65. All were in favor. Motion passed.

MS4 Waiver renewal – The township received a waiver from the MS4 program in 2017. This waiver expires at the end of January 2023 and the renewal application for the waiver must be

HEREFORD TOWNSHIP BOARD OF SUPERVISORS

August 2, 2022

submitted 180 days prior to expiration. The application is ready to upload, and the \$500 fee will be mailed after the check is signed this evening.

Arborist Project – Ms. VanDyke reported the arborist is still on hold.

Spring Hill Road Stormwater Project – Contact has been made with the property owners and a meeting held with Road Foreman Chris Day. Ms. VanDyke is waiting for the homeowner to get back to her about the easement.

SEWAGE ENFORCEMENT OFFICER

The Board reviewed a copy of the SEO report for July 2022.

BUILDING INSPECTOR and ZONING OFFICER REPORT

The Board reviewed a copy of the Building Inspector's and Zoning Officer's report for July 2022.

SOLICITER

Mr. Membrino stated that he had reviewed some of the arborist's work and 88% of the trees identified are ash trees. He felt that everyone had to agree that the ash trees are dead or dying and would not be coming back to life. They must come down. Mr. Membrino read portions of several letters from residents who thanked the Board for enacting the Dangerous Tree Ordinance or who shared a story of serious injury caused by falling limbs from dead ash trees. He then read a draft of a letter the Board had been working on to provide notice to residents who had a tree marked on their property. The Board was proposing giving property owners six months to remove the tree or produce a remediation plan. Also, the solicitor had been working on funding for tree removal. He added that those who attended past meetings stated that if the Board repealed the ordinance, they would start cutting down their trees. The Board should drive the township in six months to see how many trees have been taken down by residents, which will tell us if the action taken tonight was prudent or a huge mistake. Mr. Membrino felt the Board should have consulted the solicitor, engineer, or arborist before the decision to repeal the Dangerous Tree Ordinance was made and stated that the action taken at a past meeting to repeal the ordinance was not done in accordance with the new state regulations on meeting agendas.

Ordinance to Repeal 2021-01 Removal of Dangerous Trees

Mr. Masemore made a motion and Ms. Dexter seconded to adopt Ordinance 2022-01 Repealing Ordinance 2021-01 Removal of Dangerous Trees. Mr. Masemore and Ms. Dexter voted, "Aye." Mr. Membrino voted, "Nay." Motion passed.

SECRETARIES REPORT

Ms. Hollenbach provided the Board with a written report. The new website is active. The newsletter was created and given to the Supervisors. The Agricultural Security Area is open for enrollment in August and was advertised in the Town and Country. Ms. Hollenbach met twice this month with Fire Chief Strickland. The Board was reminded that there is a Co-op meeting August 18th at Longswamp Township. A list of open board positions was on the agenda. Volunteers are needed. Ms. Hollenbach asked the Board if they had contact information for the auditors as they were only appointed for one-year terms, and she would like to ask them if they are interested in serving again.

UNFINISHED BUSINESS

Bally Ambulance and Seisholtzville Fire Company Run Cards

HEREFORD TOWNSHIP BOARD OF SUPERVISORS

August 2, 2022

Mr. Membrino made a motion and Ms. Dexter seconded to approve the Bally Ambulance and Station 39; Seisholtzville Fire Company run cards as presented. All were in favor. Motion carried.

NEW BUSINESS

Resolution 2022-18 Municipal Cooperative Agreement for the Athey Belt Loader

Mr. Membrino made a motion and Mr. Masemore seconded to adopt Resolution 2022-18 adopting and approving an inter-municipal cooperation agreement with Longswamp Township and Rockland Township to purchase an Athey 712D Belt Loader. All were in favor. Motion carried.

Approval of Fall Newsletter

Mr. Membrino made a motion and Mr. Masemore seconded to approve the format and mailing of the Fall Township newsletter with Little Mountain Printing at a cost of \$797.51 for printing and mailing costs of \$665.00 for a total of \$1,462.51. All were in favor. Motion carried.

Escrow Account Refunds

Mr. Membrino made a motion and Ms. Dexter seconded approving the refund of the 2019 Burger King Sketch Plan Review Escrow in the amount of \$140.30 to Technical Group Inc. All were in favor. Motion carried.

Mr. Membrino made a motion and Mr. Masemore seconded approving the refund of the 2019 Davies Subdivision Review Escrow in the amount of \$32.27 to Benjamin Davies. All were in favor. Motion carried.

PUBLIC COMMENT

Matt Spangenberg of Township Road thanked Mr. Masemore and Ms. Dexter for using common sense and repealing an ordinance that was not working. He felt the ordinance should have been written to reflect the draft letter Mr. Membrino had read. Mr. Spangenberg stated that the residents never said they would take all their trees down in six months but would take down the ones they could. The residents want to work with the township. He felt that just like the township takes care of potholes and icy roads; they should also be taking care of the dead trees.

John Yanan Jr. stated that he is not an arborist and does not know what trees are ash trees. Further conversation is needed with the township on closing roads. Mr. Masemore stated that the Board did not say they would close the roads but asked for the information of when the road would be closed so it could be passed along to emergency services. There was a misunderstanding but last meeting's minutes reflect that the Board is willing to loan barricades and cones if residents need them to close the roads for tree work.

Evonne Glenn of Pine Tree Road stated that the draft letter read tonight should have gone out prior to the arborist starting his work. There was no fore-thought and this caused the residents and the arborist to go through turmoil, which could have been avoided if a letter had been sent.

Bob Boyer of Wetzel Road was glad the ordinance was repealed. Some of the trees marked will not fall on the road because they lean away from the road. He will continue to help his neighbors take down trees.

Matt Ferdock of Weaver Road stated the residents will continue to come to help find a resolution to

HEREFORD TOWNSHIP BOARD OF SUPERVISORS

August 2, 2022

the issue. He mentioned that the Go Fund Me account has a few thousand dollars in it that could help people take down trees or help purchase a bucket truck.

Bill Weaver of Wetzel Road stated that a bucket truck with a range of seventy feet would be needed to remove some of the trees and asked if the township had people skilled in the use of this type of equipment. He was also concerned that still no one is talking about the dead trees along state roads. Mr. Masemore stated that the township does not have control over the state roads.

Vic See of Township Road asked the township solicitor to give an opinion on a property owner's liability where there are trees marked by the arborist outside the right of way. Mr. Orlando advised Mr. See to consult his own legal counsel. Mr. See stated that the residents had discussed working with the township to find a solution at the last few meetings. There are trees next to the power line. Met Ed will not take them down. Residents are not able to take them down. We need help. Mr. Masemore stated this will be the next discussion we have.

Cliff Kerchner of Hollyberry Road contacted the State Senator and Representative and they will not get involved in a township issue.

Patrick Hiney of Crow Road asked if there was a way to give State lawmakers the Penn DOT regulations showing State Roads are Penn DOT's responsibility.

Bob Boyer of Weaver Road asked that the intersection of St. Peters Road and Weaver Road be trimmed as it is difficult to see to pull out. Mr. Masemore stated that the road crew is starting to mow the township roads a second time. They had issues the first time with the equipment breaking down.

There being no further business, Mr. Membrino adjourned the meeting at 8:23 p.m. All were in favor. Motion passed.

Respectfully Submitted,

Diane Hollenbach, Secretary/Treasurer