

**POINT TOWNSHIP SUPERVISORS  
REGULAR SUPERVISORS MEETING  
TUESDAY, MAY 09, 2023**

The Point Township Board of Supervisors held their regularly scheduled meeting on the above date at the Point Township Municipal Building, 759 Ridge Road, Northumberland, PA. Present were: Chairman Randall W. Yoxheimer, Vice-Chairman Montie E. Peters, Supervisor James Neitz, Sr., and Supervisor Thomas Strouse, Jr. Also, present were Solicitor Richard J. Shoch, Chief of Police Craig Lutchter, Office Manager/Secretary/Treasurer Amanda McClain and Office Assistant Amy Hoffman, Roadmaster Jared Wehry, ZEO Jackie Hart and SEO Bill Toth. (*Absent: Joseph Stender, Sr.*)

Visitors present: Helen Peters; Tom & Glenda Strouse; Earl & Karen Persing; Eric & Carol Longacre; Randy Persing; Pat Brown; George Rohrer; Mike & Sandy Krehel; Barbara Labas; Lane & Paul Murray; John Rickards; Zachary Black; George & Amy Adams; Sandy Field; Hope Kopf; Glenn Moyer; Bambi Hanson; Conrad Whyne; Laura Santucci-Burley; Jared Roush; Joel Burley; Patricia Riegert; Leann & Kevin Haas; Karen Hunter; Deb & Sam Zechman; Kris & Bob Baker; Anibal Delgado; Barbara Witt; Jason Hummel; Annmarie Weber; Eric Longacre; Geoff Edick; Elwood Strouse, Sr.; Brehon Odronic; Jo Mueller; John Kenyon; Craig Dean; Harry Lewis; Kris Stettler; Gerald Burge

Chairman Yoxheimer welcomed everyone to the Supervisors meeting and all present repeated the Pledge of Allegiance. (*Draft of the minutes of the Regular Supervisors Meeting and a copy of the bills to be paid this evening on the front table of the meeting room provided for anyone interested in viewing the information, once reviewed please return to the table*).

**Executive Sessions:** prior to the start of the regular meeting an executive session was held from approximately 6:30PM until 6:55PM to discuss pending litigation with Perdu Pharma.

**Public Comment on Agenda Items:**

**Approval of Minutes:**

**MOTION** made by Neitz to approve the minutes of the Regular Supervisors Meeting held on Tuesday, April 11, 2023. Seconded by Peters and passed with a vote of four (4), one (1) absent – (*Stender*).

**REPORTS: (Old & New Business included):**

**Solicitor:**

- Resolution 2023-04/Rental License Fee: several months ago, the board approved the rental ordinance, this is the fee schedule that needs to be implemented to go with that.

**Strouse** is there a reason we are doing this. Is this state mandated?

**Shoch** no, it is not. More and more communities are doing this. It provides certain minimum standards for landlords to abide by. Makes sure landlords are keeping up with things and someone isn't living in a dilapidated property. It is some protection for the renter.

**Yoxheimer** if I am reading this correctly, it is an average of \$50 a year.

**MOTION** made by Yoxheimer to adopt Resolution 2023-04 – Rental License Fee. Seconded by Neitz and passed with a vote of three (3), one (1) no – (*Strouse*), and one (1) absent – (*Stender*).

- Update on Acorn Drive agreement: This is regarding who will be responsible for the section of road, I did communicate with West Chili's Solicitor what the Boards position was on this, that we talked



to PennDOT and there is no requirement of an agreement, and right now unless they wanted to enter into an agreement that allowed for some sort of compensation or liability on their part, such as someone taking out a guard rail, or something along those lines, that it doesn't all fall on the Township, that Point Township would prefer to just continue to plow the road and maintain it from a winter maintenance standpoint and leave open the issue of who pays for what, once we get to the point of the road being resurfaced or a damaged guard rail. He was going to communicate that with his Board, and I haven't heard anything back from them.

**Secretary:** *(Financial Report on File)*

- Postage Purchase: postage has gone up to 63 cents and will go up again in June to 66 cents. We did budget for spending \$500 on stamps this year, but wanted to ask the Board if they would want to spend more with the rising costs of stamps.

**MOTION** made by Yoxheimer to allow the Secretary to purchase stamps up to \$1,200. Seconded by Peters and passed with a vote of four (4), one (1) absent – *(Stender)*.

- Anselmo Grant: we have been awarded \$9,173.35 for concession stand and park upgrades.
- Tra Electric/Redlight Maintenance: annual traffic signal maintenance agreement for 2023, \$600 per light. We are required to have yearly maintenance done on them.

**MOTION** made by Neitz to allow the Secretary to enter into an agreement with Tra Electric for yearly maintenance. Seconded by Peters and passed with a vote of four (4), one (1) absent – *(Stender)*.

- Key Receipt for Park Water Spigot: since the spigot was left on last year, we placed a lock on it and seek for this receipt form to be passed so if someone renting the pavilion is interested in using the water, they can do so by signing this form, pay fee/deposit and then agree to return the key.

**MOTION** made by Peters to allow the Admin office to use the key receipt form for the water spigot at the park. Seconded by Neitz and passed with a vote of four (4), one (1) absent – *(Stender)*.

- Fire Police Reimbursement: we received a reimbursement request from the Fire Police for outfitting. We budgeted \$3,000 and the request is for \$1,477.60 (Jackets-\$634.60 & shirts \$843).

**MOTION** made by Peters to allow the Secretary to reimburse the Fire Police in the amount of \$1,477.60. Seconded by Neitz and passed with a vote of four (4), one (1) absent – *(Stender)*.

**Police Department:** *(Report on File)*

**Lutcher** update on bulletproof vest grant, that has been submitted; the PCCD grant that we were awarded, the one thing removed was the tasers. Asked if now would be a good time to ask for approval on purchasing new tasers? We are okay for now, but soon we will not be able to get new cartridges for the tasers we have. We received a taser quote for \$26,202.46, for 6 tasers for 5 years. After speaking with the Secretary, sounds like we are sitting good with the ARPA money.

**Yoxheimer** asked to hold off on approving until we know what the Kapp Heights project is going to come in at. Put it on the June agenda and we will revisit then.

**Fire Department:** *(No Report)*

**Fire Police:** *(Report on file)*

- Officer Changes: **Black** there has been a change in command, Jason Roth has resigned as Captain of the Fire Police, but was asked to stay on as Lieutenant, which he agreed to. As of May 5<sup>th</sup>, 2023, Zach Black is the new Captain and Roth is the Lieutenant.

**EMA:** *(No Report)*

**Black** in the process of getting recerts for the hazardous things through FEMA, hopefully done in the next month.

**Engineer:** *(No Report)*



**Yoxheimer** spoke with Engineer, there will be a required prebid meeting for all those looking to place bids for the Kapp Heights project. This is a combined Sewer and Stormwater project. We have gotten about \$800,000 in grant monies; we are responsible for \$200,000. Looking to get some tree removal work done on Hookies and for the Sewer Authority.

**Road Department:** *(Report on File)*

**Sewage Enforcement Officer:** *(No Report)*

**Toth** 1 permit for a temporary holding tank; 1 final inspection; 4 hours of non-billable.

**Zoning/Ordinance Enforcement Officer:** *(Report on File)*

**Hart** 4 zoning permits issued in April; building permits issued: 3 roof top solar systems, 1 pool w/fence and a more detailed code enforcement report is on file.

**Planning Commission:** *(No Report)*

- Approve Feaster/Bettleyon Add-On Subdivision:

**MOTION** made by Neitz to approve the Feaster/Bettleyon Add-On Subdivision Plan. Seconded by Peters and passed with a vote of four (4), one (1) absent – *(Stender)*.

- Approve Sulouff Subdivision Plan:

**MOTION** made by Neitz to approve the Sulouff Subdivision Plan. Seconded by Strouse and passed with a vote of four (4), one (1) absent – *(Stender)*.

- Conditionally Approve Land Development Plan for Elite Auto Glass Plus: Pysher wanted some information added to the plan, updates to the cad drawings and some other minor things.

**MOTION** made by Yoxheimer to conditionally approve the Elite Auto Glass Plus Land Development upon the changes made per Township Engineer. Seconded by Peters and passed with a vote of four (4), one (1) absent – *(Stender)*.

**Recreation:** *(No Report)*

**Sewer Authority:** *(No Report)*

**Other Business:** *(None)*

**General Public Comments/Resident Concerns:**

- Elwood Strouse Jr. – Tax Savings: gave the Board some printouts of information he has found. I am trying to ask if there is a way that we could reduce taxes for the elderly, but not make a hardship for the other residents. The tax collector said the Township would need to pass an ordinance for a tax break for the elderly. Can the Township look into this? I know the governor is looking into it. I don't think my 96-year-old Aunt should have to pay a per capita tax. I know there are things available through the state.

**Peters** what tax? How many people would that be in the Township? I would guess a lot and that would leave the rest of the residents to make up that lost tax revenue.

**Yoxheimer** we can have our Solicitor look into this. I wouldn't be opposed to maybe something on a case-by-case basis, where elderly individuals could show it would be a hardship and there could be a percentage based on that.

*(Discussion ensued)*

**Rohrer** asked if Encina filed an appeal for the height variance or if they reapplied and if there was a time period.

**Hart** there is a 30-day appeal period from the time findings were given. At this time, we have not been given any indication of an appeal.

**E. Persing** went to the meeting at the Unitarian Church and according to the Mayor of the Borough, the Township has all the control.

**Yoxheimer** that is not necessarily the case. *Proceeded to explain our "control" once again:* we have a set of ordinances, most of which can be viewed on our website. Those are what we function off of at the



Township. If something is written in that ordinance that they are allowed to do, then they can do it, because that's the ordinance we have written and we made a position that we will abide by those ordinances. If there is something in that ordinance that prevents them from doing something, as you saw with the denial of the height variance, then that's where it stops. That is the limit that this board has, or any board has, what is in the parameters of the ordinances that are on its books. If you start saying you are going to decide no, you're not going to do it because you don't like it, or there is a group of people pushing you to say no, the only thing you do, is you put yourself, the Township, right in the sight of a lawsuit. I appreciate the fact that you folks are here, that you're concerned about this, but I just want you to understand that there are limitations to our ability to say no. Those limitations are written in those ordinances. When we heard that Encina was coming here, the one thing we continued to say as a Board, is that we are going to try and stay as middle of the ground as we can on this. Do I think the ability to take plastics out of this environment is a good thing, absolutely. Do I think that we can do it a safe way, I don't know that. I don't know if the technology is there right now to do that. Encina claims they have that technology. They are going to have to provide and prove that to DEP, EPA, because we do not have the ability to make those determinations. Those regulations are being taken care of by the appropriate agencies who monitor each of those areas. If you have questions about air quality, or water contamination, then you need to talk to the agencies that monitor and have control over those things. Once you get past our Zoning Ordinance, there is little control over what we can or cannot do.

**E. Strouse** asked about the similarity of the Encina plant to that of the one where there was a toxic fire at a recycling plant.

**Yoxheimer** I don't believe the plants are similar. Encina has been very vocal about this being a prototypical plant, first of its kind anywhere, first of 9 worldwide. Part of that you hope is that they have found a way to do that safely. I would suggest listening to what is being said, and approaching the agencies that regulate those areas. Ask them the questions and go from there.

**Peters** the Viking project years ago, was not stopped by this board, it was stopped by the people. We can only hold them to the standards we have in front of us.

**Residents** mentioned concerns about what is being emitted into the air, traffic concerns, gallons taken from the river, what is being put back in the river.

**Yoxheimer** again, you can talk to the agencies that regulate those areas about your concerns.

**Peters** they are calling the route from Danville through the Township on route 11, the energy corridor, that is at a state level.

**Yoxheimer** the area that Encina is looking to go, has been zoned highway commercial since, I would guess about the 70's when the first zoning ordinance was established.

**Satnucci-Burley** that was zoned agricultural.

**Yoxheimer/Peters** no, that side of the road where Strong and Zartmans is has been Industrial for a long time.

**Santucci-Burley** but what about the farm that was there, that was agricultural.

**Strouse** that has no bearing on zoning. A lot of the ground we farm is zoned residential.

**Yoxheimer** it was zoned industrial but used as agricultural.

**Peters** the owners of the 600 acres, on the other side of the road from Encina, all 3 parties were interested in rezoning that to industrial.

**Yoxheimer** there was talk here, amongst the Board to rezone the other side of route 11 to industrial, but because there was not vested interest, we decided not to rezone it.

**L. Murray** we live by the railroad, and we were told you can't build in a flood zone.

**Yoxheimer** There are 2 portions to that ground, the portion on this side of the railroad tracks is not in the floodplain, there is an area that sits down below that, that is in the floodplain. They know at this



point that they can't do any major construction, but there are things they can do down there with certain regulations.

*(Discussion ensued)*

**L. Murray** can't you make an ordinance that it needs to be environmentally safe?

**Shoch** we can't do that, if there is something that is a lawful business, if it is a business that effects the environment, DEP, EPA, are the agencies that set the standards for that, if a business comes in, even if there is an amount of pollution that occurs, and a lot of industries have it, if they are able to meet those standards, we can't override them and say we are stepping in for the agencies that have set the standards. If you have a business that can meet those standards those agencies have set, and it is a lawful business, you have to provide someplace in your township for those things to go, that is why you have those designated areas, if you don't provide a place, then they can make the argument that they can put it wherever they want to.

**Kris Stettler** I read somewhere that Encina will be mixing their sewage and all that in with the water that they are putting back into the river. Is this true?

**Peters** you read somewhere that they are putting their sewage into the water that is being put back into the river? *(Stettler yes)* where did you read that? *(Stettler online)* that is so illegal, it isn't even funny.

**Yoxheimer** they will have to go through the River Basin Commission, and they will have to give the blessing there for what is being discharged back into the river.

**Toth** whatever is being discharged, will have to meet quality standards.

*(Discussion ensued)*

**Unidentified Resident** asked what happens if the plant fails, are we as taxpayers left with paying for that?

**Yoxheimer** no, we will set up a decommissioning agreement where they will have to provide financial security that will hold them liable to take care of the state of the property.

*(Discussion ensued)*

**Peters** what is everyone's feelings on taking the water from the ground versus the river? *(Hunter that is another concern)* get your water tested now, and document it.

**Hunter** would it be helpful if we contacted our new Senator Culver?

**Yoxheimer** it certainly wouldn't hurt, and you will know soon who the state representative will be.

**Pay Bills:**

**MOTION** made by Peters to pay bills. Seconded by Neitz and passed with a vote of four (4), one (1) absent – *(Stender)*.

**Adjournment:**

Meeting adjourned at 8:53PM.

*All motions passed by hand vote.*

**Executive Session:**

Respectfully submitted,

**List of Communications:** *(On File)*

Amy Hoffman, Office Assistant

**Financial Reports:**

Accounts Payable – Totaling – \$41,976.13

Amanda McClain, Office Mgr/Secretary/Treasurer