

**POINT TOWNSHIP SUPERVISORS  
REGULAR SUPERVISORS MEETING  
TUESDAY, NOVEMBER 14, 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, Supervisor James Neitz, Sr., Supervisor Joseph Stender, Sr. and Supervisor Thomas Strouse, Jr. Also, present were Solicitor Richard J. Shoch, Office Manager/Secretary/Treasurer Amanda McClain, Office Assistant Amy Hoffman, Police Chief Craig Lutcher, Roadmaster Jared Wehry, ZEO Jackie Hart and SEO Bill Toth. *(Absent: Montie E. Peters)*

Visitors present: Chad Terry; Ed Koebke with Pfieffer Naigney; James Hannon; Lana Gulden; Earl Persing; Suzanne & Mike Kuziak; Mary Rennaker *(not sure of spelling of last name, unable to read writing, not a Township Resident per their indication on the sign in sheet)*; Cathy Hassinger; Barbara & Larry Redington; Kathy Johnson; Michael Sauers; Zachary Black; Bambi Hanson; Tracy & George Rohrer; Annmarie Weber; Mary Ellen Doil; Clay Rowe; with the Alyssa Dressler Foundation: Melanie Moore; Tammie Gallo; Melinda Wieand; Julie Ranck

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).*

**Gallo** provided a description of the Alyssa Foundation and presented the AED that was acquired through a grant with their foundation to Hoffman.

**Yoxheimer** had an informational session prior to the start to hear insurance quote for next year.

**Public Comment on Agenda Items:**

**Approval of Minutes:**

**MOTION** made by Neitz to approve the minutes of the Supervisors Regular/1<sup>st</sup> & Final Budget Mtg. held on Wednesday, November 1, 2023. Seconded by Stender and passed with a vote of four (4), one (1) absent – *(Peters)*.

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

**Solicitor:**

- Hannon Right-To-Know: **Shoch** spoke of what the request was for, felt there was some confusion on both sides as to what was being asked for, documents related to Ag buildings, which was what he was proposing to do. The way it was worded, I think we viewed it as asking for anything related to Ag Building permits, the emphasis being on building permits, and I think what you were looking for, and what you confirmed in our conversation was, any kind of permits and documents related to an Ag building, not necessarily building permits. His first request yielding nothing because there were no Ag Building permits issued during that time period. There was a zoning permit that had come in, but it was in a different zone than Hannon's property is in, but we have given him that and we have



had a couple conversations since then. It is my understanding that you have also filed with the state agency that does the ACRE law reviews, which I think would be appropriate, if there is a place for remedy, it is probably there. They are an agency that takes a look at ordinances as it applies specifically to various Agriculture activities. Ironically, I just went to a seminar on ACRE law about 2 weeks ago, and some of the very issues the director of the agency talked about have come up in our conversation. Sometimes it's not even the ordinance itself that there is necessarily something wrong with, but as applied to that particular person or that particular parcel, could be viewed as running a foul of the ACRE law. I indicated to him, that they handle that informally at first and get information from both sides. We welcome any comments from that agency. I am getting him a letter that he can show the Office of Open Records since I don't think it will be necessary for us to go through that appeal process, he has all the records that exist. The fact that you came here tonight, was there anything else that you wanted to add to it, I just wanted to update the Board.

**Hannon** (*passed out information to each of the Supervisors*) and then we will go through recent events. Proceeded to read encounters that he had with the Roadmaster regarding a pipe replacement on his property a year or 2 ago, and with the Police department regarding garbage that was being dumped on his property last year. Wanted to commend the Board of Supervisors for their ordinances, I do not believe they are in error, I do believe the interpretation of them is in error, and I hope by the time I leave here tonight, I can convince you all of that and leave with the permit I applied for in hand. (*Referenced the materials he provided to the Supervisors*) you may be thinking why am I not following proper procedures in appealing or filing a variance, unfortunately I am unable to appeal the Zoning Officers decision or file for a variance because the Zoning Officer did not properly follow the Point Township Ordinances when my permit was denied. This is why I am here tonight, seeking a remedy. (*referenced again the packet he provided the Board*)

**Shoch** if I could interrupt for a second, I didn't realize you, I thought we left it in our conversation that you were filing the action with ACRE, I think I expressed at the time that our Zoning Officer and her interpretation of the ordinances stood, and how she handled it were not inappropriate. (**Hannon** that's what you stated) I know that, but right now we are doing the Solicitors report and I didn't realize you were coming here to do this, I thought you were going to make a couple comments on our interactions and where things were going. Maybe if you want to save the rest of it and speak during public comments, but we have some other business we want to get to, I can tell you that you won't be leaving with a permit in hand tonight. This isn't the appropriate place or body to make that determination, I thought that was understood when we spoke.

**Terry** can you just let him finish?

**Shoch** if we could wrap it up then, we were not anticipating this now, in the middle of the Solicitors Report.

**Hannon** went through the course of events from when applying for the permit. The reason for the denial was because it is in an R-1 district, it is considered an accessory structure and because there is no home, it is not allowed, of which he said he did not ask for an accessory building. In a third email from the zoning officer she stated that if she better understood how I intend to occupy the structure we could proceed to the next step. I clearly stated in the application that I wanted to construct a pole shed for storage of equipment that is utilized in Silviculture practices and related activities. Then in the same email she recommends that I contact an attorney for assistance. Seemed odd recommending lawyering up in our third email back and forth. Then I submitted another Right-to-know request for the last five years of ag building permits, denials and inspections, this was promptly denied as the Solicitor stated on 11/6, he proceeded to read the reason for denial, because this information did not exist in the records of Point Township. This statement directly contradicts 2008, act 3, chapter 5, section 505 agency possession which states a public record that is not in the



possession of an agency, but is in the possession of a party with whom the agency has contracted to perform a government function on behalf of the agency and which directly relates to the governmental function and is not exempt under this act shall be considered a public record of the agency for purposes of this act. On 11/7 I appealed the RTK, that is when the Solicitor called me, he was very kind, he suggested all of us sit down and come to some kind of mediation. On 11/13 Shoch called and said the Zoning Officer did not want to meet. I was hoping this would have provided a means of mediation. I asked him about the subdivision of my land from 2001 that was signed by the Board of Supervisors, Point Township Planning Commission and the Northumberland County Planning Commission showing my land was dedicated for the purpose of agricultural use. On 11/13 Shoch emailed me the RTK documentation that had initially been denied, upon review there appears to be some discrepancies in how permits are granted by the zoning officer. This permit was granted for 0.75 acre vacant parcel of land, the zoning officer who stated in her communication that agricultural buildings must be located on a lot with the resident residing there. According to the County GIS map, the land with the parcel ID, there is no primary residence there. Then we had a couple more communications about other stuff. If you go to 2, 3 and 4 of the papers I provided, it goes onto what I was applying for, which I believe under forest activities which shows this is allowed. Sited from the attorney general definitions of agricultural uses, Silviculture and timber harvesting. In conclusion, my permit should not have been denied and based on the facts before you, I ask would it be unreasonable to grant my permit immediately.

**Hart** while you are here, I have a question for you. About 80% of what you just said, I had no idea you were asking for. Do you have a copy of the application that you submitted to me for zoning?

**Hannon** I do, but I didn't get it in the mail and that was the concern I was raising.

**Hart** you asked me for copies, and I emailed them to you. I will be very honest with you, I called you and asked you, because I couldn't read your writing on your application, I had no idea of everything you said there, no idea. And the definitions that you used, are not definitions within the Point Township Ordinance which is what I follow. I do not look through the Municipal Planning Code, I don't look through the states. (**Hannon** some of the definitions were from the Township Ordinance) but your application told me that you wanted to build a building, when I asked what you wanted to build the building for, (**Hannon** I said Silviculture storage) I could not read your writing, that is why I asked you. To build a structure in the R-1 district, for agricultural, is generally accessory to the principal structure, and that is why I denied your permit.

**Shoch** that is one of the key differences here between just normal forestry, forestry would not involve, necessarily, a building being put somewhere. Generally, you have someone coming in to do their logging, and then they are done. That's why it is a permitted use across all zoning districts.

**Hannon** forest activities is different than logging.

**Shoch** it would fall under forestry activity. One of the key things here is that you are looking to put an Ag related building on the site, and when you mentioned the permit that was issued to the other party, that it was inconsistent in some way with yours, that was on an Ag site, that's why it was viewed differently. You can put a building that is not accessory to a principal residential structure on something that is zoned Ag, if you are putting an Ag building on there. There are different standards that apply in the different districts. I would respectfully say, that when you piece together things from the different sources that you have, that is different than reading what our Ordinance has.

**Hannon** it says forestry activities.

**Shoch** forestry activities are not something that necessarily involve putting a building in an R-1 area. Maybe having that information, maybe there would be a different determination, I don't know. I just wanted to clarify two things, the other thing is, I didn't say that we were going to have that



meeting to mediate the issue, the meeting was going to be, to see if there was something that was misunderstood on our part about what you were doing, and if that was different somehow then what you had in your permit, but when we had the discussion, Jackie showed me the sections that she used to issue the denial, she said she stands by her decision, and that you can appeal the decision to the Zoning Hearing Board, or in your case through our discussion, you had decided to file an appeal with the State Agency under the ACRE law, which I think is probably even a better way to go with this. They specifically look at agriculture.

*(Discussion ensued)*

**Strouse** how big of a building were you looking at building?

**Hannon** 40x110 about, it may end up being smaller depending on the cost.

**Shoch** I have worked with Jackie for many years, not just here, but in other municipalities, she knows what she is doing, she is by the book. Now that is not saying that we can't look at that ordinance and say we need to go back and revisit that at some point. I think we will wait and have a conversation with the state agency when the time comes.

*(Discussion ensued)*

**Yoxheimer** I don't think we as a Board have looked at this specifically, simply because that was Jackie's interpretation and that is what she provided to you *(Neitz that's right)* I certainly, if you have justification for it, either through ACRE or whatever, or just the way your activity may take some niche within our ordinance, I certainly have no problem reviewing it, but frankly, I would like to have a good detailed description of how she came to her conclusion and the information that you provided to her to make that determination and then have Rick's feedback, but that certainly is not going to happen tonight in this room.

**Strouse** what is Silviculture?

**Hannon** the art and science of forestry management and that basically the goals are specific to each individual land owner.

**Yoxheimer** explain to us what you want to do, very briefly if you can. I am a little confused as to what your goal is here.

**Hannon** I applied for an ag pole building to store our silviculture equipment and related activities. Silviculture goes into a whole bunch of different realms. A lot of people think forestry is that you go in and clear cut the woods and it leaves a mess. Silviculture, people can harvest the trees and utilize them for different means, some people just harvest big trees and use them for live edge stuff, some people use it for firewood, other people harvest specific species based on the cost of trees at that point.

**Strouse** you are talking about what other people want to do, what are you looking to do?

**Hannon** my property has a lower field that is 28 acres, and upper field that is 6 acres and the rest of the 75 acres is wooded. What we want to do, is go through and cut all the junk trees, the ones that are crooked and would not be worth much for a timber harvest later on, and we want to produce firewood from that, but it's hard to get firewood and sell it for a good marketable value if we are not able to dry it. So we are hoping to store some firewood in the building as well as our equipment.

**Yoxheimer** what kind of equipment are you looking to store? Excuse me for interrupting.

**Hannon** that's okay. Mostly, chainsaws, dump trailer that I use, skid loader, and other things, but mainly we would be keeping wood there to dry so that we could sell it. Depending on the climate, it could take 3 to 6 months to dry, but could take longer depending on what people want to use it for.

**Strouse** have you done this before?

**Hannon** I have been doing it as a hobby, but the main reason we bought our property, we wanted to have a piece of land that we could have it sustain itself. We made a pretty big financial investment with the hopes that we could utilize some of the timber to offset the cost of the land. There is a



decent amount of timber we could take, but right now timber prices are down, so we are going to go through and cut out all the crooked trees right now.

**Strouse** all I can say is good luck to you if you are trying to sell firewood to offset the cost of the land.

**Yoxheimer** has there been a determination of getting together.

**Hart** I have already supplied Rick with all of my paperwork.

**Yoxheimer** did you talk to someone at ACRE?

**Hannon** he talked to the director of ACRE and he said it would come in the mail.

**Hart** I think we should wait until we hear back from ACRE.

**Toth** are you looking to have sewage?

**Hannon** eventually we would like to.

**Toth** that sets up a problem. If you outlined in your presentation the subdivision in 2001, not for development waiver for agricultural purposes. You have to go through sewage planning before you can get any type of building permit.

- Cannery Road Claim: this is almost 2 years old, there was someone that tripped and fell during a resurfacing project on Cannery and we received a notice that one of the named defendants, Furmans, they are being dismissed from the case.

**Shoch** the other item that I just wanted to address, and I am going to presume that a lot of people in the audience are here about Encina. The Township Engineer and I were asked to lunch with 2 attorneys from Clean Air Counsel, that was last week. Had some good conversations with them. I mentioned this to them, and they had said we may have quite a crowd tonight, I told them, one of the things I wanted to address tonight was a comment that appeared in a local newspaper that was made at a community meeting, probably many of you were there. One of the reasons I think it is important to do this, it is false information, it is totally unsubstantiated, and it was reported as being made by Harry Lewis, frankly, I was surprised to see it.

**Yoxheimer** asked for a show of hands as to who was here about Encina. *(The majority of people in the audience raised their hands.)*

**Shoch** in case anyone that is here because of that comment, this may have been a misquote, as I know I certainly have been misquoted often, it says 'Lewis claimed Point Township Supervisors approved a zoning change specific to Encina's needs before the project was announced to the public, "the public was unaware of the change that was being made for Encina, Lewis said, as a lawyer that bothers me a lot"'. We have been open about this, and there have been statements probably several meetings ago, when another gentlemen came in and asked questions about what that property had been zoned previously. He was under the impression it was zoned Ag, since back in 1982 when the first zoning ordinance was put into place, it had always been, 1 of the 2 parcels had been zoned Highway Commercial, the other parcel was zoned industrial. That was decided years and years ago. It was decided long before this board, that would be the industrial corridor with highway, water and rail access all right there. Our first contact with Encina was the October prior to us approving the zoning change. Their first inquiry that we got, as far as I know, was to myself from a law firm who was familiar with me and I with them, their inquiry was how do they petition the board to have that one parcel rezoned to industrial. When they gave us the parcel number and we looked into where it was, we saw that was one of the parcels that had already benchmarked to be rezoned to industrial under the Zoning Ordinance Map Amendment project. The reason for that was, and it goes back many years, again it was the same party that owned the two parcels. Many years ago, there was probably stuff in the newspaper, there was a proposal to put an ethanol producing plant on that site.



**Yoxheimer** Mr Truselow was the person looking to build that plant. The bottom dropped out of the entire ethanol business, and whole idea died at that point. At that point we had looked at both of the parcels, for those of you that are or are not familiar with those parcels, they were both farms, you could not tell where one began and the other one stopped. The viability of using this in the future, even after the ethanol plant, suggested that probably they would be more valuable if they were both zoned industrial to give a larger footprint for someone to put a business there. So as far back as 2008/2009, we had it in the back of our minds that we would rezone that section when we did a major rezoning change to rezone it to industrial. Far ahead of any word or idea of Encina, or anybody else. In addition, we looked at naming several parcels further, I guess you would have to say southwest on that same area for industrial change. The thing that caused us to not have our rezoning done earlier than it was, was because of covid. In order to have the public meetings we needed to, wasn't possible to have those meetings at that time. A township wide rezoning was slowed down by covid.

**A Person in the Audience who did not identify themselves:** in defense of Harry, he was talking about DRIVE and the naming of this project, and it being called Project Ocean Wave. When he was saying how he believes this was being kept secret, I don't believe he was talking about you at the time.

**Shoch** the way the newspaper portrayed it, again I've had my own experience with the newspaper you get misquoted. I knew him personally before this occurred, so I was surprised, so it sounds like it was portrayed in another way that was not his intent. I am glad to hear that, we don't want there to be a false perception, and I said this to the two attorneys we met with, when information like that goes out, or in terms the newspaper portrayed it, certainly in the way the newspaper had it was portrayed that he was saying it about the township since they linked it up with a statement about the township. It creates a lot of bad blood that does not need to be there. It moves everybody's focus from real issues regarding the project.

**Unidentified Person** what we would like to know, is there anything we can do at this time. Is this a done deal. Do we have any hope of stopping this.

**Shoch** to my knowledge we have not had communication with Encina for about four months, at least, and at that, it was just, I believe, something to do with their Sewage permit being denied. When we had talked with them at that time, they said they were going to refile for this permit. Is it a done deal, no, and where they stand now, they were denied a zoning variance at the zoning hearing. Not to belabor the point, but if any one thought we were somehow trying to put that ordinance together in a way to clear the path for Encina then I think we would have been smart enough to change that section so it made it so it didn't affect them and taken it out. But, none of that was done because we didn't have any of those discussions with them. We had already had an ordinance that was 99% done, and it was just a matter of getting the public hearings in and that took a few months after they first contacted us. They have not submitted any plans to us, and I think that would be a ways off since they have to resubmit for the permit that was denied.

**Yoxheimer** I will not speak for the rest of my board members, I will just speak for myself. First, understand this, in the past we have been involved in some contentious moments, the tank farm issues. One of the things we have learned, the best position that any municipal government can take is absolutely in the middle of the road, whether we personally believe we are in support of something, or against something. The best thing we can do, is sit back and listen to the information that come in and the approvals that can be made. If I believe that this was a totally dangerous, totally fraught position, that might be different, but I frankly do not know. I do not know, because we have not received enough information, either from the developer or at this point from regulatory agencies who will make those determinations. Please understand, I have said this before at multiple meetings, we can only act within the confines of the ordinances that we have before us. We cannot control air quality, we cannot control water quality, we cannot control sewage enforcement, to some small extent we have influences on some



of those, but we are not the regulatory agency that controls that. Zoning, which you saw that our zoning ordinance stopped them from doing what they wanted to with the height requirements. We do not have something on our books that can either start, or totally stop this thing. The agencies that you want to look to are the regulatory agencies, which would be: PA River Basin Commission; DEP is primarily the one, because they will be handling both air quality and water quality. The people you want to talk to, are those that represent DEP, EPA and River Basin Commission those are the ones that ultimately determine what happens there and to the extent at which it happens. Are there parameters that we could place on the back end, I would have to check with my Solicitor, but that would regarding making sure there is enough fire equipment, or making sure there are certain things that are in place. All those things can only happen, only after the permitting requirements that allow them to move forward happen. The best thing we can do so we don't put ourselves in line for some kind of a lawsuit, and this could happen if we try and make some kind of contradiction to what they want to do and therefore they find us from trying to keep them from coming in. I do not want this Board, or my citizens to be responsible for a lawsuit. On the other side, we have an obligation to you for health, safety and welfare of the people that live in that vicinity. That makes us have to be cognitive of what DEP, EPA and the River Basin have to say about all this. As I said before, we have to walk a very narrow line down the middle of this thing and make sure we do not put ourselves in a position where we have done something that could subject the township to a lawsuit or subject some of our residents to something that could be harmful to them. We will enforce the ordinances we have in front of us. We are not hiding anything, any information we have, we consider it yours. Almost every meeting someone comes in and asks us that question and we provide what we have. The gentlemen sitting in front of us, comes to every meeting and asks what is new and we provide what we have.

*(Numerous people in the audience, that did not identify themselves, spoke of concerns about Encina.)  
(Discussion ensued)*

**Shoch** this Board can only do so much, they can only regulate so much. Something that is State regulated, we can not interject in their decision, or they may file a lawsuit or we could get fined by the state.

**Strouse** could we please get back on the agenda, and get our meeting in and then open back up from public comment. I don't mean to minimize anyone out there, public comments are at the end of the agenda, we have a lot of regular business to get to.

*(approx. 8:33pm, 12 people left)*

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

- Approve 2024 Proposed Budget/Advertise for Public Inspection:

**MOTION** made by Yoxheimer to approve the 2024 proposed budget and to allow to be advertised for public inspection. Seconded by Neitz and passed with a vote of four (4), one (1) absent – *(Peters)*.

- Approve Tax Resolutions 2023-08 & 2023-09: no tax increases.

**MOTION** made by Yoxheimer to approve the tax resolutions, 2023-08 and 2023-09. Seconded by Strouse and passed with a vote of four (4), one (1) absent – *(Peters)*.

- Barry King Bridge Lighting: Tra Electric went back down and needed to replace a photo cell and a socket, and the lights are now working.
- Approve Insurance Carrier for 2024: **Strouse** I think we should stay with EMC since they have the claim from the person that got hurt on Cannery.

**Yoxheimer** I agree and we have had EMC for years, plus we have the potential of getting the dividends from them.



**MOTION** made by Yoxheimer to approve EMC as the Insurance Carrier for 2024. Seconded by Strouse and passed with a vote of four (4), one (1) absent – (*Peters*).

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

**Lutcher** the car is on its way here. Emergency lighting is back ordered, should be ready by January. We will address selling the Taurus once we have the new car up and running.

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

**Fire Police:** (*No Report*)

- Presentation of check for cost of vehicle decals \$935.75:

**MOTION** made by Neitz to approve the check to reimburse the Fire Police for the decals on the van, in the amount of \$935.75. Seconded by Stender and passed with a vote of four (4), one (1) absent – (*Peters*).

**Black** I was able to find a traffic unit to be utilized for the Fire Police, that was paid for from our funds we received through donations and fundraising. The cost of that was \$7,000.

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

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

- Application for payment:

**MOTION** made by Yoxheimer to approve the application for payment to Gutelius, in the amount of \$116,947.08. Seconded by Neitz and passed with a vote of four (4), one (1) absent – (*Peters*).

- Change order: natural turf pond planting per DEP requirement.

**MOTION** made by Yoxheimer to approve change order #5 for the plants in the basin for \$22,000. Seconded by Stender and passed with a vote of four (4), one (1) absent – (*Peters*).

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

**Wehry** Tom had asked me to look into getting a leaf blower for blowing ditches out. In speaking with Jimmy about another Township and renting it from them, that is not an option for us. I did reach out to the company you mentioned, he did not know about one, but he was going to do some research on it and get back to me, which was a couple of weeks ago and he hasn't gotten back to me.

- Equipment Proposal/Mini Excavator: we have rented this machine on numerous occasions, this would allow us to do a lot more ditch work, and a lot more pipe work, easily. We do currently have a backhoe, but a lot of the pipes we replace, are not easily accessible with a backhoe. I did look into a trade for the backhoe and what they would give us for the backhoe.

**Strouse** I did reach out to Messicks and for \$3,500 a month, you can rent one. In my opinion, look at all the work you need to get done with it, and rent it for a month. \$3,500 is a lot more cost effective than buying a new one. We would have to use a new one, 3 to 4 hundred hours a year, to justify the maintenance and the depreciation on it. Will we use it 400 hours a year? Go for a year and keep track of how much you are using it. I would rather see us get a skid steer.

**McPherson** attachments for a skid steer are unlimited.

- Inlet box/pipe on Cannery Road: before paving is done next year, there is an inlet box and pipe that needs replaced. I wanted to get permission now to get that ordered.

**MOTION** made by Yoxheimer to allow the Roadmaster to order the inlet box and pipe that is needed. Seconded by Neitz and passed with a vote of four (4), one (1) absent – (*Peters*).



**Wehry** last week we were visited by the head of the marketing department for asphalt zipper. When we have gone to equipment shows, we have really talked up the machine. In the last 3 years we have done just a little over 2 and half miles of road work rebuild, in house, at minimal cost. This guy came in and interviewed all 3 of us in the road department about our process with the machine and what we have done with it. We have gotten a big pile of millings from the Kapp project, we are hoping to do another section of road like we did with Libeck.

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

**Toth** 1 initial inspection, for Turner on Mountain Road, that's it.

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

**Hart** issued 4 roof top solar permits, 1 for a deck, 1 for a pole barn, and 1 single family dwelling on Ridge.

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

- *Mertz Lot Consolidation:* **Hart** I just got word that they need to make an amendment to the plans, so they will be resubmitting.

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

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

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

**General Public Comments/Resident Concerns:**

**Yoxheimer** I don't want to over burden this thing, if you have something valid you want to discuss, I am referring largely to the Encina thing, but if there is anything, feel free.

**Weber** asked of there was any familiarity of Project Ocean Wave.

**Yoxheimer/Neitz** no

**Weber** Mr. Shoch, do you know what it is? Have you heard of it?

**Shoch** I heard it mentioned earlier tonight. (Discussion ensued)

**Yoxheimer** the amount of information we have about this is probably less than what the general public knows. They don't come and explain things to us. They have been very tight lipped. They say it is proprietary, so they don't want their process to get out. We are limited in the scope of what our ordinances allow us to do, and we have very little information for us to take some kind of position. My recommendation to all of you is, contact DEP and, largely DEP because they are water quality and air quality, if you have questions, go to them. They are the ones that will have regulatory control over them.

**Shoch** and also your state representatives.

*Unidentified persons voiced additional concerns about Encina  
(Discussion ensued)*

**Pay Bills:**

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

**Adjournment:**

Meeting adjourned at 9:26PM.

*All motions passed by hand vote.*



**Executive Session:**

Respectfully submitted,

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

Amy Hoffman, Office Assistant

**Financial Reports:**

On File and Available for inspection

Amanda McClain, Secretary/Office Mgr

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