

**POINT TOWNSHIP SUPERVISORS  
REGULAR SUPERVISORS MEETING  
Tuesday, October 11, 2022**

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, Secretary/Treasurer Amanda McClain, Office Clerk Amy Hoffman, Roadmaster Jared Wehry, ZEO Jackie Hart and SEO Bill Toth (*Joseph Stender absent*).

Visitors present: Helen Peters, Leslie Kauffman, Lonie Tucker, Zachary Black, Lana Gulden, Earl Persing, Sandy Heim, Randy Persing, Herb Gotshall, Pat Brown, Tom Hummel, Karl and Kyle Bettleyon, Michael Marr and David Roesson from Encina.

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*).

**Public Comment on Agenda Items**

**Approval of Minutes:**

**MOTION** made by Peters to approve the Meeting minutes from the Regular Supervisors Meeting on September 13, 2022. Seconded by Neitz and passed with a vote of four (4), one (1) absent -*Stender*.

**Yoxheimer** we have a member that will be sworn in as a Fire Police Officer, Aaron McAfee. Oath of office was recited.

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

**Solicitor:**

- *Acorn Drive Road Maintenance Agreement* – asked the Board to table again until next meeting, there may be some additional items we want to include in that.
- *Discussion on Parking Commercial Vehicles on Streets*: had some issues with tractor trailers parking and affecting site distance.

**Lutchter** they were parked legally, until they were parked against traffic, which they were ticketed for.

- *Advertise SALDO for Public Hearing and Adoption Date*

**MOTION** made by Yoxheimer to approve the following:

1. Establishing a Public Hearing on the Proposed Amendment to the Point Township SALDO on December 13, 2022 at 6:45 pm, and the advertising thereof pursuant to requirements of the PA Municipalities Planning Code (MPC),
2. Submission of the said Proposed SALDO Amendment to the Point Township and Northumberland County Planning Commissions for review and comment as required by the MPC.

3. Advertising the consideration and voting upon the adoption of the Proposed SALDO Amendment at the Township's December 13, 2022 Regular Public Meeting.

Seconded by Neitz and passed with a vote of four (4), one (1) absent – *Stender*.

- *Right-To-Know Request*: RHP Law group, requesting copies of minutes for when the Township approved an increase to impervious coverage on the Stone School subdivision.

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

- *Martins' snowbird/rails quote*: admin building, \$3,435 and for the Road is \$1,728.  
**Strouse** why weren't they put in during the initially project?  
**Hoffman** they were removed with the thought process that now there is a roof over the walkway and wouldn't be a problem now. Which was not the case with this past winters weather.
- MOTION** made by Yoxheimer to accept Martin Construction's quote for snowbirds/rail for a total of \$5,163. Seconded by Peters and passed with a vote of four (4), one (1) absent – *Stender*.
- *Volunteer Fire Relief Association*: This money is in and out, received a total of \$23,539.87, check was made out the next day to Northumberland Point Fire Relief Association.
  - *Indemnity & Release Update*: **Yoxheimer** we had a company that contacted us about renting the pavilion and fields at the park, paid the fess and then decided not to have the event at the park and wanted a refund. Proposing to make the \$25 fee non-refundable.

**MOTION** made by Yoxheimer to allow the Secretary to change the language on the Release & Indemnity Agreement to state non-refundable fee. Seconded by Peters and passed with a vote of four (4), one (1) absent – *Stender*.

- *Comprehensive Plan Grant/Planning*: we are coordinating with Justin at County to set up meeting with the Borough to complete a grant to get the Comprehensive plan updated.
- *White Board Quote*: upgrade to the projector for the meeting room.

**Yoxheimer** the projector was used for budget and some classes. This would allow for convenient remote meetings or if someone is absent for remote meetings, can be used for classes held at Twp.

**MOTION** made by Yoxheimer to approve the purchase of the White Board. Seconded by Neitz and passed with a vote of four (4), one (1) absent – *Stender*.

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

- *PD Grant*: full funded grant, no matching. Purchase a new data server, new tasers, license plate reader with new car cameras, body cameras, Lex Pool, online training, no recurring costs.  
**Yoxheimer** the Sgt talked to me before hand, and I did sign off on the grant since they were under a deadline. Our Solicitor met with the Sgt to go over grant info before the Twp signed.

**MOTION** made by Yoxheimer to retroactively approve the submittal of the PD grant for \$147,000. Seconded by Peters and passed with a vote of four (4), one (1) absent – *Stender*.

**Yoxheimer** we are looing at having a meeting here with PennDOT on October 24<sup>th</sup>. One of the things we are going to talk to them about is Ridge Road being a corridor now that CSVt is open and specifically the area at Spruce Hollow Road.  
(Discussion ensued)

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

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

**Gotshall** 140 hours for the year so far. The parades have already been approved.



**Peters** the Fire Police essentially have no home, we have a request for \$60,000 for a garage for the Sewer Authority, I changed that number to \$80,000 to put \$20,000 for an added garage for the Fire Police.

**EMA:** *(Report on File)*

**Black** working with Union Twp EMA, Fire Dept and local agencies on Nov 16<sup>th</sup> running a virtual emergency actin plan. Northumberland County Hazard Mitigation Plan needs to be adopted and signed. I have been working with Jeffrey's from County on putting a Emergency action plan together for the Township regarding our queue for the CSVT. Working on last 2 FEMA courses.

**Yoxheimer** asked if we are still designated as an EOC if there is anything we can do. Look into clearing trees along 405.

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

**Yoxheimer** in contact with Engineer on a regular basis. Have an extension for Kapp Heights for another year with the cost of pipe increases.

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

- *CDL:* John Savidge obtained his class A CDL and Robert Recla his class B CDL.
- *Sidewalk to tax office quotes:* RiteWay at \$5,500 and Gutelius at \$8,880.

**Karl Bettlyon** those 2 companies do not specialize in sidewalks; I would look at another company for that.

**MOTION** made by Yoxheimer to allow the Roadmaster to look into other quotes for the sidewalks and approval to proceed if quote comes in for less than \$5,500. Seconded by Peters and passed with a vote of four (4), one (1) absent – *Stender*.

- *Guiderail at Cannery:* with heading into winter, I think for safety reasons we should look to have the guiderail replaced.

**MOTION** made by Yoxheimer to allow the guiderail to be replaced on Cannery Road. Seconded by Peters and passed with a vote of four (4), one (1) absent – *Stender*.

- *Municibid:* looking to post some stuff that was demoed out from the old building, some windows, ceiling tile, etc.....

**Peters** it doesn't cost to put anything on.

**Yoxheimer** as long as it isn't anything we can use, go ahead. While we are under road, Tommy did you want to talk about the flail mower?

**Strouse** did we want to look into getting a new head for the boom mower? We need to do something with that before next year, it leaks oil.

**Wehry** to get a new head, the arm is too loose, maybe we should look into a new arm and head.

**Peters** how often is the boom part of it necessary?

**Wehry** just for getting behind the guiderails.

**Strouse** it is nice for behind the signs to knock stuff down.

**Wehry** I was also thinking we could sell that machine and rent one twice a year when we need one.

**Strouse** for the next meeting, look into how much it would cost to rent one.

**E. Persing** asked the conditions of the back of the building for older people coming to pay taxes, how are the lights?

**Yoxheimer** that is something else we need to have Wehry look into is lights.

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



**Toth** 2 applications for permits, 1 for malfunction, 1 for new system. I need to present a letter to the Board. Back in May I approached the Board with a situation at a property off Old Danville Hwy. The Board has the option to let me go ahead with testing, or require Sewage Facilities planning. At the time you told me to go ahead and issue the permit, by regulations, now that I received the completed design and done the review, I have to give the Board 10 days in writing notice that I intend to issue the permit, unless you tell me otherwise.

**MOTION** made by Yoxheimer to allow the SEO to complete permit for installation. Seconded by Neitz and passed with a vote of four (4), one (1) absent – *Stender*.

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

**Hart** issued 5 zoning permits.

- *Approval to advertise quality of life/ticketing ordinance 2022-06:* Due to a lot of complaints from public regarding our property maintenance enforcement. We are kind of facing an issue with specific violations, generally time sensitive issues, such as individuals not mowing lawns, not removing rubbish. We have the International Property Maintenance Code adopted, but when it comes to time sensitive issues by the time we issue violations, the current process isn't working. PA Housing Alliance put out a Blight to Bright, basically a tool kit for enforcement officers to utilize. Within those regulations, there is a quality-of-life ticketing ordinance. That allows us to forgo the 20 day appeals process, we would get a complaint, issue a courtesy notice and within 7 days' time we would be able to issue a small ticket, generally about \$25. Then we generate a door hanger that would specify the section of the ordinance and exactly what the violation is.

**Brown** I agree, I had a complaint about my neighbor, and it took five and a half months until she had to go through the current process.

**MOTION** made by Yoxheimer to advertise for the Quality-of-Life Ticketing Ordinance 2022-06. Seconded by Peters and passed with a vote of four (4), one (1) absent – *Stender*.

- *Approval to advertise ordinance 2022-07 IPMC (International Property Maintenance Code):* the Twp has adopted the 2009 IPMC, we are currently in the 2018 IPMC that the state has adopted. In that code, there are specific codes that can be implemented for a municipality. There are a list of 7 things: will state this is the Code of Point Township; 106.3 they consider a violation to be a misdemeanor or civil infraction, that can be a costly and lengthy process, I would suggest we replace that with summary offense, that allows us to issue a non-traffic citation; 302.1 in this section I suggest that we replace occupant with owner, then if there is a violation you aren't chasing someone else's tenant; 302.4 weeds and grass, I would recommend plant growth not to exceed 8-inches; 304.14 talks about insect screens on establishments that serve food during May 1 to September 30, we would require they have screen doors; 602.3 from October 1<sup>st</sup> to April 30 to maintain a temperature of at least 68 degrees in all habitable rooms in rental properties; 602.4 to have a temperature of 65 degrees during October 1<sup>st</sup> to April 30<sup>th</sup> in commercial spaces.

**Strouse** I think 602.4 should be removed

**Hart** that is part of the code, if you want to eliminate that, you will just cite that in your ordinance.

**R. Persing** I think the 304.14 should not be included.

**Hart** it is complaint driven; this is just a tool. If you don't want to include something, that is fine.  
*(Discussion ensued)*

**MOTION** made by Yoxheimer to advertise amendment to the IPMC ordinance, eliminating items 304.14 and 602.4. Seconded by Neitz and passed with a vote of four (4), one (1) absent – *Stender*.

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



**Planning Commission:** (No Report)

**Recreation:** (No Report)

**McClain** spoke with John Derr, he is advising that he doesn't have any sporting events after November 1<sup>st</sup>, so the park can be shut down after that.

**Yoxheimer** did we have conversation about Oak Park?

**Wehry** the guy from the YMCA that was to meet me there left me a message and has no voice mail, so I am calling him to try and connect.

**Yoxheimer** we are going to have to figure out what to do down there. This is an area that does not serve the whole Township, it's a recreation area for Oak Park.

**Sewer Authority:** (No Report)

**Other Business:**

**Peters** make sure that on November's agenda we have the open house for this building.

**General Public Comments/Resident Concerns:**

**Gulden** have you heard anything from Encina about permits or anything?

**Yoxheimer** we have them in the room, we will let them speak.

**Roesson** all the permits have been applied for and all that work is being done right now.

**Gulden** how many permits are there? Are they with DEP?

**Roesson** I don't know how many there are. Yes.

**Yoxheimer** the only thing the Township has received so far was a lot consolidation.

**E. Persing** saw an announcement that they are looking to break ground in the spring.

**Roesson** we are looking to do some work on the grounds to get it prepared. Have to wait for the permits to be approved.

**Shoch** he is referring to permits through outside agencies, none through the Township yet.

**Roesson** timing is up in the air, it could be Spring, fall, we just don't know. It is up to the agencies to do their due diligence in issuing the permits. Our goal is to start getting the ground ready.

**Gulden** there was an article in a national magazine, the Sierra Club, that maybe the residents of Point Township would be interested in: The Titans of Plastic, PA becomes the newest sacrifice zone for America's plastic addiction. It talks about us becoming the next cancer alley. It talks about a place around Pittsburgh where they are taking these toxic chemicals and making plastic; and with this facility they will be taking the plastic and getting the toxic chemicals back out of it. It doesn't sound like they are a good project.

**Yoxheimer** I believe the technology Encina is looking to do is relatively new, well the process is new.

**Roesson** we are going to be going through all the safety requirements, through the whole permitting process, air, water and everything else. We want to do 2 things, take waste plastics out of the environment, and lower our dependence on fossil fuels. So you don't have to use fossil fuels moving forward. It is in our DNA to be very sustainable and very environmentally friendly. That extends to how we are going to run the plant.

**Gulden** I wish you were looking to find a plastic alternative, something biodegradable.

**Yoxheimer** I am not defending anyone here, my background was biology in college, you have to decide what you are going to do with all this plastic that is already in existence. I don't know what the solution is, I believe the direction they are going is the way we need to move. I would suggest looking into other news outlets as well.

**Gulden** Randy, I am sure you can remember back to when everything came in glass bottles.

**Yoxheimer** these folks here have no control over the industry, unless you get to a federal level where they say nothing can be in plastics anymore and something economically that can work.



**Roesson** it is a very complex problem. You can just say, I have spent the last 15 years of my life, in a company replacing fossil-based materials with biobased materials. So, I didn't just talk about it, we sold billions and billions of pounds and did that. It is a complex problem, plastics are a part of our everyday lives. They do a very good job at what they are supposed to. The problem isn't the plastic use, it is what to do with the plastics after they are used. If you want to get to where you don't have waste, it is going to take years and groups like Encina and advanced recycling, include mechanical recycling, will take new materials, biomaterials, brand owners taking plastics out of their products. We look at our project as a piece of the puzzle at where we want to be in 15 years, which is not creating anymore plastics from fossil fuels and reusing over and over, the things that we do use for plastics. Are you ever going to get away with IV bags in a hospital, probably not. If you get away with some of the packaging you are talking about for food, you start replacing it with things that are much heavier, a lot more breakage, more fossil fuels to transport these things.

**Heim** I understand what you are trying to do, I am a chemist, I have a 2 year chemical engineering degree, along with my bachelor's degree in chemistry. My concern is where this is located, the people around it, I am down river is the benzene and the amounts of benzene and xylene and toluene being created, they are right at the top of the carcinogenic list. Any time you have a joint in a pipeline that is a possible leak. Being where it is located, climate change, I know we haven't had a very good flood. Are the storage tanks going to be in flood area?

**Yoxheimer** just to throw my two cents in, I think in the 72 flood that was the worst historically in our area, I don't believe where they are located, that flooded.

**Roesson** below the railroad tracks, the only thing we are looking to do is maybe a walking path. On the north side, there is a piece that is on the 100 year flood, we are not doing anything with that piece.

**Yoxheimer** there are requirements that we as the township have no ability to implement. That is why you have agencies like DEP, River basin commission, PennDOT. One of things we can do, where we could ask for some annual testing, air quality testing, fence line testing, things like that can be worked out. You have to rely on the agencies that are out there, that are specific to these needs. One of the things this facility needs, is a significant amount of water, about a million and a half gallons a day. They will out it back in cleaner than what they took it.

**Roesson** quite frankly, the water is not clean enough for our process, so we actually have to clean the water up for our process, it is not only the cleanliness of the water, but also the temperature of the water going back in, has to be taken care of properly. The agencies are there as well to make sure we don't miss anything. Probably another reason why we are in PA, is because the rigging of the agencies that everything has been looked at.

**Heim** but the govern has actually signed things that it is not going to be quite as rigorous as they have been in the past and that there is no real information out about what the limits are and what your limits are going to be.

**Yoxheimer** these folks are looking to run a facility there, if indeed there would be something there that would create a hazard to those living there, what would that do.

**Roesson** we are doing private funding on the first plant, it is a 1.2 billion dollar plant. 70% of it is going to be through a bank, and 30% equity, we would lose all our loan covenants, it would be against our loan covenants, if we don't meet any of the standards, at any time. These things are monitored 24/7, as soon as we are outside our loan covenants and we are out of business. I am going to be talking to our people about how transparent can we be. Can we show data quarterly, what is being measured on a regular basis, where the thresholds are, where we are and those kind of things, those are the kinds of things we want to do. That's why I am here, I want to be transparent. We are going to run it very environmentally friendly and sustainable. There is no point of having a circular chemical facility and not do that.

**E. Persing** how is that plastic getting here.



**Roesson** similar to the recycling facility in Allenwood, they get everything in, they go through a first sorting, they sperate as much as they can, makes sense for them from a cost perspective. Then they bail everything, and we get bails material in covered trucks.

**E. Persing** so you have to pay for that plastic?

**Roesson** it depends, some people will get it to out plant site for free because right now they are paying tipping fees, some we will pay the freight, it will be a combination of a bunch of different things. We are looking to take a billion pounds a year, which right now is going to an incinerator or a landfill.

**Gulden** so right now there is no other plant that is at the capacity that you are talking about for here?

**Roesson** we have a prototype in Texas, but it does not run at this commercial scale.

**Gulden** so we are the guinea pigs here?

**Roesson** I wouldn't put it that way. This is technology that is going to be used around the world, in fact our customers, we just signed on a customer, they are desperate for this technology.

**Yoxheimer** because this is prototypical, maybe it will get the scrutiny it needs to make it safe for everyone.

**Roesson** I think you have a right to be skeptical, we will have to prove it out over time, and the agencies will have to do there due diligence.

**Kauffman** wanted to ask what was happening with 11<sup>th</sup> Street, is it being vacated or not?

**Shoch** what it came down to from the Townships standpoint, was because the Township did not open that road and because of the passage of time, we have no rights in it.

**Kauffman** who does? I was told I was going to receive a letter, and I never did. (**Shoch** from?) From the Solicitor about being offered to the people who are adjacent to the unopened 11<sup>th</sup> Street, on May 25t I was told that.

**Hart** that was before we realized it was part of a subdivision.

**Shoch** if someone wants to make a claim of ownership, lets say up to the mid line, or beyond that, they have to show a greater claim or get a sign off from everybody else that is in that subdivision that they don't try and make any claim to that. There is a legal process you have to go through for that, what is called a quiet title for that piece of property, but that is a private civil issue. We don't need to vacate it, we never opened it.

*(Discussion ensued)*

#### **Pay Bills:**

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

Respectfully submitted,

Meeting adjourned at 9:39PM

All motions passed by a hand vote.

#### **Executive Session:**

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

#### **Financial Reports:**

Amy Hoffman, Office Clerk

Accounts Payable – Totaling: \$165,297.64

Amanda McClain, Secretary/Treasurer