

April 14, 2021  
Clinton Township Board of Supervisors Meeting

The regular April meeting, was called to order by Chairman James Zefran on April 14, 2021 at 7:00 PM, immediately following at the advertised 6:30 PM work session regarding Clinton Township roads. Both meetings took place in the Clinton Township municipal building garage for purposes of social distancing. Chairman James Zefran, Vice Chair Brian Non, and Supervisor Russell Curtis were in attendance. Solicitor Jeffrey Treat was also in attendance.

- A. Pledge of Allegiance** - The Pledge of Allegiance was recited at the beginning of the work session.
- B. Hearing Check** - Chair Zefran asked attendees to remove their masks, if possible, before speaking in this public forum.
- C. Minutes of Regular Meeting March 10, 2021** - *Vice Chair Non made a motion, seconded by Supervisor Russ Curtis to accept the minutes of regular March 10, 2021 meeting. All voted yes. The motion carried.*
- D. Public Comment –Items on Agenda Only** – No comments were made.

At this time a short executive session was held by Solicitor Treat and the Supervisors. Upon returning Solicitor Treat said that the session was regarding a legal matter that the Supervisors needed to be made aware of, but that should not be made public at this time.

*Chair Zefran made a motion, seconded by Supervisor Curtis to have a work session regarding Clinton Township roads at 7:00 pm on Monday, April 26, 2021, followed by a special meeting for the purpose of opening bids. All voted yes. The motion carried.*

- A. Correspondence**
  - a. Chair Zefran stated that he needed to address an email that had come to him, but he had not had time to get it on the agenda. The writer of the email, Collin Walker, was present to read the email aloud. It addressed the issue of his neighbor residing at 870 Ravnikar Rd. who played excessive, loud, vulgar music, had cars parked blocking roadways, and strewn garbage. Police had been called many times. Ten neighbors were in attendance with the same complaints. All were seeking relief from the situation. Attorney Treat stated that, from the description, he could list a number of criminal offences being committed. He stated that he was willing to go to the District Attorney on their behalf which would take less time and be a more forceful way of dealing with the issue than by enacting the township Nuisance Ordinance. Those involved stated that they would like to have Solicitor Treat contact the District Attorney. *Vice Chair Non made a motion, seconded by Supervisor Curtis to have Solicitor Treat contact the District Attorney on this matter. All vote yes. The motion carried.* Contact information was shared between the party and Solicitor Treat. When asked how those involved would know the result of the contact, Chair Zefran said that Solicitor Treat would relay the information to him and he, Zefran, would contact the group's spokesperson.
  - b. **Damascus Township and Wayne County Commissioner Lawsuit against Delaware River Basin Commissioners have entered a lawsuit against the Delaware River Basin Commission.**
    - i. **Resolution supporting the lawsuit** - Attorney Treat explained that the Delaware River Basin Commission's (DRBC) forever moratorium on fracking takes the property owner's right to capture and extract any mineral or natural resource and is viewed by many as being unconstitutional. Chair Zefran read the proposed resolution into public record. A written copy is on file. While the Township has the right to join the lawsuit, passing the resolution shows support without monetary outlay. *Chair Zefran made a motion, seconded by Supervisor Curtis, to join in support by passing this resolution. All voted yes. The motion carried.*
    - c. **The Wayne County Hazard Mitigation Plan Update has been approved by PEMA and FEMA, pending adoption by all municipalities**

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- i. Wayne County 2021 Hazard Mitigation Plan Municipal Adoption Resolution* – It was explained that Wayne County have taken the lead and paid the expenses so that individual townships could have this mandatory Hazard Mitigation Plan. *Chair Zefran made the motion, seconded by Vice Chair Non to adopt the resolution. All voted yes. The motion carried.*
- d. Wayne County Board of Elections requests the use of the municipal building to conduct the municipal primary on Tuesday, May 18, 2021.* – *Vice Chair made the motion, seconded by Supervisor Curtis that the township building could be used for the purposes of voting. All voted yes. The motion carried.*
- e. Sean LeStrange, candidate for Wayne County Magistrate* – recognized.
- f. Michael J. Farley, Esq., candidate for Magisterial District Judge.* – recognized. Magisterial Candidates Danene Van Horn and Lothar Holbert were also recognized. Candidate for Wayne County Sheriff Chris Rosler was recognized. All were given opportunity to speak.

**B. Road Master Report** - Vice Chair Non noted that the township does not need DSA. *Vice Chair Non made a motion, seconded by Supervisor Curtis, to put grading and rolling and stone out for bid. Stone would be tailgated as needed. Bids are due back by 5:00 pm for the special April 26, 2021 meeting for the purpose of opening bids. He noted that grading would also need to be put out for bid. All voted yes. The motion carried.* Gary Linden stated that Clinton Township is on the agenda to get the work on Burns Road done within thirty days. It was noted that more people within the township are living in campers. Solicitor Treat said that this was not unlawful as long as sewage and waste water dictates were not being broken. It was noted that the annual meeting in Seelyville was not happening because of COVID. The question had been posed if the meeting could take place at the Clinton Township facility. Chair Zefran said that it was no problem. Supervisor Curtis said that thirteen ash trees need to be cut due to damage from the ash bore beetle. Millon, who has served the township previously will do the job for \$10,200.00. *Vice Chair Non made a motion, seconded by Supervisor Curtis to have Millon do the job for \$10,200.00 within thirty days. All voted yes. The motion carried.* Chair Zefran inquired about the school bus sign that had been previously approved by PennDOT. Vice Chair Non said that he would get it tomorrow. Chair Zefran said that he also wanted pedestrian crossing signs at the new sidewalk connecting Browndale to Forest City, and that those signs would also have to be approved by PennDOT. Additionally, concrete barriers to corral ATVs were needed. They would need to contact the snowmobile club. Attorney Treat said that the township has the right to put controls, but that has to be wide enough for emergency vehicles. It was determined that Chair Zefran and the Fire Department would work on this. Matt Curtis commented on the Road Master report and asked about sluice pipes. Chair Zefran said that they have been catalogued and that more funding may be needed to have them replaced near the streams. Curtis also expressed concern over the cost of having the road core samples done. Chair Zefran said that coring the roads is for free, and that we don't owe Midland a cent unless or until we hire them to work on the roads. Chair Zefran noted that not too many companies have the equipment that grind up roads and injects back into it and then tars and chips. Every third- or fourth-year tar and chipping will need to be redone. All of this will be discussed at the next work session.

**C. New Business** – None was presented

**D. Treasurer's Report Including Bills for Payment** – Chair Zefran asked Solicitor Treat to look into the stimulus money coming to the township to discern the parameters of how it can be used. He noted that the combined totals of the state and general accounts were roughly \$354,780, with expected operating costs of \$217,000 for the remaining three quarters of the year. This left \$137,780 plus additional expected revenues. Noting that he would like \$100,000 to remain in the account to roll over to 2022. He has the expectation that there will be roughly \$300,000 for road rebuilds and that with COVID relief

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monies, that amount might grow. *Vice Chair Non made a motion, seconded by Chair Zefran to pay the bills as presented. All voted yes. The motion carried.*

E. **Browndale Fire Department** – Chief Debevec gave a brief report.

**A. Old Business**

a. **SALDO Amendments**

- i. **Communication Tower Regulations** – Solicitor said that there was proof of proper advertisement and that public comments and questions should be addressed and then a motion could be made. No comments were made. *Chair Zefran made a motion, seconded by Vice Chair Non to adopt the Communication Tower Regulations SALDO Amendment into ordinance. All Voted yes. The motion carried.*
- ii. **Wind Energy Facility Regulations** – Browndale Fire Chief Debevec asked if the old platform on which the windmill stands would be grandfathered in. Chair Zefran stated that there is no “grandfathering in”. Wood clarified any foundations would have to meet these new regulations. Matt Curtis asked about verbiage to prevent unnatural or metallic sound that is made by wear and tear. Chair Zefran responded that what was addressed was the number of decibels that they are allowed to produce, regardless of the type of sound. Ron Poska inquired as to the regulation’s ability to protect the adjoining owner’s property value. Chair Zefran said it was addressed just in terms of setback. *Chair Zefran made a motion, seconded by Vice Chair Non to adopt the Wind Energy Facility Regulations SALDO Amendment into ordinance. All Voted yes. The motion carried.*

F. **Public Comment** – *Vice Chair Non made a motion, seconded by Supervisor Curtis to have Solicitor Treat write a letter to PPL about the removal of the stumps they left on Long Pond Road. All voted yes. The motion carried.*

G. **Adjournment** – *Chair Zefran made a motion, seconded by Vice Chair Non that the meeting be adjourned at 7:45 pm. All voted yes. The motion carried.*