MINUTES of MEETING

Durham Township Board of Supervisors

Tuesday, July 11, 2017 Township Building Meeting Room

Present:

Supervisors:

Bartley E. Millett, Chairman

Richard M. Johnson, Vice Chairman

Kathy Gentner, Member

Secretary:

Dani McClanahan

Solicitor:

Peter Nelson, Esquire Zoning Officer: Not in Attendance

Road Master: Open Position

Absent:

Ed Child, Zoning Officer

Meeting called to order by Chairman Bartley Millett at 7:30 PM. Most stood and recited the Pledge of Allegiance to the American Flag.

Approval of Minutes from June, 2017 Regular Meeting

Supervisor Gentner presented several revisions/additions to the June meeting minutes for consideration. Supervisor Gentner made a motion to table the approval of the amended June minutes until the August meeting. Vice Chairman Johnson seconded the motion. Vote: 3-0. June draft meeting minutes laid on the table.

Approval of Financial Report Ending June 30, 2017

Vice Chairman Johnson made a motion to approve the financial report as presented; Chairman Millett seconded the motion. Vote: 3-0.

Review & Approval of Accounts Payable / Payroll for July 2017

Vice Chairman Johnson made a motion to approve the Accounts Payable / Payroll as presented, Chairman Millett seconded the motion. Vote: 3-0.

Old Business:

Resolution 2017-04, Durham Township Code of Ethics and Conduct. Chairman Millett removed Resolution 2017-04 from table for second consideration and opened for discussion to the other two Supervisors for comment. Vice Chairman Johnson remarked other municipalities have something similar and that he has no problem adopting it as it is. Supervisor Gentner remarked that she does not see the need as elected officials are covered by the Second Class Township Code and sanctions of the State. Supervisor Gentner questioned if this would apply to the Planning Commission, EAC, Parks and Rec, Zoning Hearing Board, Tax Collector, Vacancy Board, Auditor? Vice Chairman Johnson replied yes, Solicitor Peter Nelson clarified that it would not apply to the Auditors or the Tax Collector, as the Board of Supervisors does not have control over them. Supervisor Gentner's remarks hit upon areas throughout the resolution where she felt there was a need for clarification - some terms or phrases seemed a little too vague and should be expanded upon, separating into different policies and procedures. Vice Chairman Johnson disagreed. Chairman Millett remarked the basic intent was to establish some orderly rules of procedure for public meetings; to provide a set of guidelines so that everyone knows what is expected of them at meetings. There is nothing nefarious about this, this is establishing some rules that we will expect to have conducted while we are in a Supervisors public meeting. Supervisor Gentner made a motion to table this until she has a chance to review originals that

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it came from. Chairman Millett called for a second to the motion. Hearing no second, motion fails. Vice Chairman Johnson made a motion to adopt Resolution 2017-04; Chairman Millett seconded the motion then opened the floor to receive public comment.

Anthony Mills, J.P. Russell, Erin Goga and Irene Elinich offered comments regarding Resolution 2017-04; there was general discussion regarding the need for this policy, how the policy would be enforced and potential sanctions for those violating the policy. Chairman Millett stated there is a motion and a second, signified motion approval, please signify by saying Aye or Nay; Millett and Johnson say Aye, Gentner says Nay. Resolution passes 2-1.

- Resolution 2017-05: Censure Kathleen A. Gentner. Chairman Millett removed Resolution 2017-05 from table for second consideration and opened for discussion to the other two Supervisors for comment. Vice Chairman Johnson had no comment, remarking that he made his statement the previous month. Supervisor Gentner yielded the floor to her Attorney Bob Goldman. Mr. Goldman read from a prepared statement after which Supervisor Gentner made a motion to table Resolution 2017-05 for proper opportunity to discuss in private between counsels. Chairman Millett called for a second to the motion. No second, motion failed. At this time Chairman Millett opened the floor for public comment.

Anthony Mills, Manfred Marschewski, Lois Oleksa, David Oleksa, Alice Orrichio, Jill Orecchio, Gerry Fretz, Lou Bucci, Sarah Snider, Wendy Badman, George Thomas, Charlie Herman, Irene Elinich, Erin Goga, and Lisa Gabriel, voiced comments, concerns and suggestions to the supervisors. The need to communicate; to show/have more respect; concerns about possible legal repercussions for the township; confrontation/ negativity is dividing the township; prior bad acts and the need to make it work. At this time Supervisor Gentner made a motion to table Resolution 2017-05 until they (Supervisors and Counsels) can have a conversation in private, not in front of everyone. There was no second, motion failed.

Vice Chairman Johnson remarked that the comment was made whatever problem; the problem is spelled out, that's what the bullet points are; the problem is real and continuing and he doesn't see where a meeting is going to change that. Vice Chairman Johnson made a motion to move on Resolution 2017-05, Censure of Kathleen Gentner for improper, misleading, unethical and unprofessional conduct and behavior. No second, motion failed.

Chairman Millett remarked that he would like to see the grievances and concerns listed on the resolution be recognized at this meeting; not a sanction, to have the disagreements recognized at this meeting. With that being said, Chairman Millett stated he is open to a meeting with Supervisor Gentner and her solicitor along with Peter Nelson to hammer some of this stuff out, barring this we could revise some of the grievances on the list. Chairman Millett made a motion to table Resolution 2017-05 with the understanding that we will get together, you and I (Chairman Millett and Supervisor Gentner), Solicitor Nelson and your attorney to have a general meeting to hammer this out. Supervisor Gentner seconded the motion. Vote: Millett and Gentner Aye, Johnson Abstained.

Zoning & Building Report:

- Hutchinson release of escrow. Engineer Scott Mease has inspected the property and the stormwater management is in place. There is one outstanding bill that Mr. Mease will submit against the escrow but he has signified that the balance is cleared for release. Chairman Millett made a motion to release escrow to Mr. Hutchinson per Twp. Engineer. Vice Chairman Johnson seconded. Vote: 3-0.

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Public Works Report:

Township Administrator Dani McClanahan reported the primary focus right now is keeping up with the mowing and trimming. The Road Master position is open, and is posted on our website.

Environmental Advisory Council Report (EAC):

- EAC has been measuring big trees and is looking for a citizen drone operator that would be able to take pictures of big trees. Resident Anthony Mills volunteered, Chairman Millett inquired if Mr. Mills was FAA licensed for this operation and Mr. Mills stated he was. There was discussion regarding the need for the property owner to sign a waiver of release. Solicitor Nelson will provide a release.

Planning Commission Report:

- No meeting in July.

Community Announcements: The Chairman announced:

- Regional Monthly Recycling Day will be held on Saturday, August 5, 2017, 9:00AM to 12 Noon.
- Community Fire Company #1 Monthly Breakfast: Breakfast will be held July 16, 2017.

Public Comments:

- David Oleksa, Riegelsville Library will host their 3rd Annual Brew Fest, it will be held at Mueller's. The Library will also be getting a new chair lift. The Historical Society will be having a millwright visit in August and will be looking at the mill to give us some ideas as to what steps we should take to help preserve the structure.
- Anthony Mills would like to see a tractor show for Durham Day.
- Sarah Snider found a dog, no collar, what is the procedure when finding a loose dog? Solicitor Nelson said that each county has a dog warden and that is the person to call.
- Cindy Skoriak questioned if it was possible to have a second recycling day during the month.

Close Meeting:

The Chairman made a motion to close the meeting and the Vice Chairman seconded the motion. All agreed. Meeting adjourned at 9:30PM.

APPROVED:

Minutes Submitted by: Dani McClanahan, Township Administrator/Secretary