

*ROSS TOWNSHIP SUPERVISORS
REGULAR MEETING
MARCH 7, 2011*

The Regular Monthly Meeting of the Ross Township Supervisors was called to order at 7:00 p.m. with members Chairman Beers, Vice Chairman Drake and Supervisor Kresge present. Solicitor Dunn was also present. The meeting began with the Pledge of Allegiance to the Flag.

A motion was made by Supervisor Kresge to approve the minutes of the February 7, 2011 meeting and the Treasurer's report as presented. The motion was seconded by Chairman Beers. Vice Chairman Drake abstained as she was not present at last months meeting.

OPEN TO THE PUBLIC-Mr. Gerard Kozic a resident of Mt. Eaton Rd. was present who discussed what he feels is a violation of the Zoning Ordinance existing at the Scott Farms location. He referred to minutes dated 2006 where he was allowed an accessory use to his farm. He noted that he found a Lower Towamensing Township court case with similar features noting that the products of the accessory use had to be agricultural products. The Scott use has cement pieces and pallets which he indicated are not used agriculturally. He reviewed portions of the Zoning Ordinance he felt applicable to his complaint and stressed the number of acres used as compared to the number of farm acres. Chairman Beers noted that his opinion is that this matter should be taken to the Zoning Officer. Solicitor Dunn asked exactly what the area of complaint is and Mr. Kozic stated sections that are part of the Zoning Ordinance. In view of that response Solicitor Dunn said if Mr. Kozic feels the Zoning Ordinance is being violated he needs to file with the Zoning Officer and perhaps the Zoning Hearing Board for a determination. Additionally, assistance of a lawyer might be in order to participate, if desired, at a hearing before the Zoning Hearing Board should it come to that. Solicitor Dunn noted that his partner is representing the property owner in this matter and he is not at liberty to deal with this issue for the Township further than the present advice.

PLANS-Chairman Beers noted the Jacoby planning module has been approved but since the non-building declaration was removed a \$600.00 recreation fee is now due. After some discussion it was determined that the plan will be signed upon receipt of the aforementioned fee. A motion was made by Vice Chairman Drake, seconded by Supervisor Kresge to that effect. The motion carried.

OLD BUSINESS-A resolution amending the fee schedule to include escrow funds to allow enough money for engineering reviews was reviewed and a motion to adopt Resolution #165 was made by Supervisor Kresge, seconded by Vice Chairman Drake and carried.

NEW BUSINESS- Chairman Beers noted that he has not heard from the Solar Energy company with the proposal they were to submit so he will contact someone else.

Supervisor Kresge noted that he would talk to Gary Charvala a resident who had some solar panels installed recently.

Solicitor Dunn gave an update on Pear Tree noting that at the 1/31 continuance he attached our lawsuit to the Mastrodi proposed sale (to Pear Tree). He said the lawsuit with Mastrodi and Pear Tree cannot be resolved without us (the Township).

Truman Burnett asked if testing can continue on the property and Solicitor Dunn said a totally new submission will have to be made on the subdivision.

NEW BUSINESS-George Washburn Lawn Service submitted a proposal for lawn service for the same cost as last year. A motion was made by Vice Chairman Drake, seconded by Supervisor Kresge to accept the proposal.

ROAD FOREMAN REPORT-Chairman Beers discussed the 35mph speed limit signs on Rt. 115 that the Township is now required to replace the signs. An agreement was sent from Penndot dating back to 1976 showing an agreement between Penndot and the Township to maintain them. He also discussed that on the corner of Kunkletown Rd. and Weir Lake Rd. a street name sign has now become the responsibility of the Township according to Penndot. There was some discussion on this issue and Solicitor Dunn asked if we have anything in writing from Penndot regarding this agreement still begin valid. This was recently sent to the office by Penndot after they found it in their records. Solicitor Dunn said he doesn't see a problem if the signs are in the same place, the same speed limit is in effect, etc. and if the agreement is still valid.

CORRESPONDENCE- A letter was received from COG for the Spring Dinner meeting which is scheduled for Monday, March 28th. Supervisor Kresge and Vice Chairman Drake expressed an interest in attending.

RECEIPTS & EXPENDITURES-After a review of the bills to be paid, a motion was made by Supervisor Kresge, seconded by Vice Chairman Drake and carried to pay the bills as presented.

At 7:47 Chairman Beers called an executive session to discuss pending litigation.

At 7:56 the meeting continued and Chairman Beers said the discussion was pending litigation and no decisions were made.

There being no further business the meeting adjourned at 7:57p.m..

Respectfully submitted,

Doris Price, Secretary