

MORRIS TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING

April 5, 2023, 4:30 PM

The regular meeting of the Morris Township Supervisors was called to order by Chairman Josiah Jones with a salute to the flag.

A roll call of officers showed Josiah Jones, Emerson Reams, James Williams, Patrick White, Rod Beard, Fred Little and Patti Moore

Guests: Jason Gallaher, Ed Andrasko, Jr, Bill Verbeck, Tommy Crain, Randy Verbeck, Perry Reiter, Jacob Michael (The Progress), Larry Strible, Time Cartwright, Jeff Fowler, Dana Coval Dinant, David Karcewski, Stephen Bumbarger, Joe Lonjin, Bryan Hassinger, Chris Hockenburry, Bob Long, Jeff Coval, James Coval III, John Frantz III, Janice Frantz, Chuck Davis, Josh Lannen, Sue Danko, Mike Holmes, Doug Coval, Jim "Red" Coval Jr., Rose Knepp (Kneppys Fireworks), Bill Chaney, Joyce Knepp, Mark Rusnak, Vickie Rusnak, Eric Rusnak, Wendy Wooster, Bryan Wooster, Jr.

Minutes: The Chairman entertained a motion, Emerson Reams motioned, and James Williams seconded to accept the minutes from the March 1, 2023, Board of Supervisors Meeting and the March 13, 2023, Special Meeting Minutes. Motion carried with all supervisors voting yes.

Financial Reports: The Chairman entertained a motion, Emerson Reams motioned, and James Williams seconded to approve the financial report. Motion carried with all supervisors voting yes.

Bills: The Chairman entertained a motion, Emerson Reams motioned, and James Williams seconded to approve the bills as presented. Motion carried with all supervisors voting yes.

Code Enforcement Update: Patrick White presented the code enforcement report to the board.

Public Comments: The Chairman Josiah Jones started the guest and public comment section with ground rules due to the number of residents attending. Residents must raise hands to speak, do not interrupt the speaker, there will be a 3-minute time limit and will be timed, no vulgar language / threatening behavior will be tolerated, if you choose to do so you will be asked to leave or state police will be called. Public comment is your opportunity to say your peace, without the need for a response from the board, unless they choose to respond.

Jim Hummel asked if there will be ATV/UTV on the proposed trail. Josiah Jones stated the decision had not been made at this time. Emerson reams stated there are other items being researched, such as liability insurance, etc.

Dave Karcewski spoke on concerns about safety, dust, noise, liability, financial issues, and nuisance ordinance regarding the proposed use of the RJ Corman for recreation.

Joyce Knepp provided a request for approval for a 2-day event on May 5 and May 6 to proceed with this event. The additional activity will be a manufacturing class on Friday night. The club will provide

insurance. Kneppys Fireworks will submit insurance for the Saturday display. The supervisors approved the event unanimously.

Sue Danko stated she has spoken with RJ Corman in Kentucky, and she stated it will be a huge expense and RJ Corman will not contribute to any expense. Josiah stated that RJ Corman was not expected to pay anything toward the project. Josiah stated the lease has not yet been sent to RJ Corman.

Doug Coval stated his disapproval of the trail and the special meeting held on March 13, 2023, stating the reason for the "closed door recession" was not announced properly prior to entering. Josiah Jones stated the Executive Session was announced for Legal Purposes.

Jim Coval stated his disapproval of the March 13, 2023, Special meeting, calling the events "unacceptable". Jim continued to state his disapproval of the trail and where the money would come from for the trail stating it will come from taxpayers.

Chris Hockenburry stated he is against the trail. He stated he owns a trucking company and will not be responsible for running over a kid, a mother, a father if there are any questions, contact a lawyer. His comment was followed by another resident complaining he also does not want the trail, walking, biking, or any use.

Jason Gallaher stated he is in favor of the trail. He stated he had been on the recreation board for years and stated there are grants to fund this project. He stated this area needs recreation, continuing with walking/biking trail is a good start, and many surrounding communities already have on the same railbed with no problems. He spoke on temporary leases held by residents, stating that RJ Corman owns the property, so the lease would be between Morris Township and RJ Corman.

A resident questioned who would be liable for accidents if they occur on the open roadways / trails. Josiah Jones stated the State Police would handle the violators and after being questioned as to who would be responsible for / and or be the target of a lawsuit, Supervisor Jones stated it is between the two parties as the township did not give permission to anyone to illegally ride on the township roadways. Solicitor Beard stated there are significant provisions related to Sovereign immunity where the municipality is acting within its authorized function, it will not be held responsible for certain actions if there was a claim raised against the township. Any situation would turn on its facts.

Boyd Davis questioned who will benefit from this project. Josiah Jones stated the community will benefit by having community recreation. Mr. Davis continued to argue regarding those using the trail not following the rules. Supervisor Jones stated there will always be a small percentage that will cause trouble and not follow the rules in every community.

A resident spoke in favor of the project stating that many people in the community will profit from the project health wise, it will be a safe place to walk, rather than being on the roads.

Joe Lonjin offered his experience and shared information on his research done for similar projects in his position as a Boggs Township Supervisor. He stated he is in favor of the project. He stated the liability issue is not a concern, PA Title 75 controls vehicle use, including off road recreation vehicles which require helmets, registration, and insurance the same as with on road vehicles. The rider must have a license to operate, must be age 16 or older, and he stated this type of recreation brings a lot of revenue to the community.

Eric Rusnak, President of the Philipsburg Revitalization Corporation also spoke on the economic benefits this type of recreation will bring to the community.

Ed Andrasko questioned the amount of work needed to clear the trail.

Dana Coval Dinant stated she feels maybe a survey of the community would possibly have been a good idea, to have community input on the subject.

Mark Rusnak presented pictures of a neighboring property, suggesting he has been targeted. It was explained that his property is not being targeted. Vicki Rusnak stated they have cleaned up their property and questioned the status of the neighboring property. Patrick White offered a complaint form, asking that residents fill the forms out with concerns.

Planning Commission: None

Solicitor Report: Solicitor Beard presented a copy of the RJ Corman Lease asking the Supervisors to look it over and if there are any suggestions needed and send it back to Solicitor Beard at which time the suggestions will be incorporated into the lease and he will send it off to RJ Corman. Solicitor Beard also requested the 2022 Audit numbers be included in the LGUDA paperwork for the 2023 paving projects, Patti will get this from the accountant and supply the numbers to Rod.

Fire Protection Update: Chad Baughman stated there will be a training class the house on Oak Grove Road on April 23, 2023, all permits are complete thorough DEP, asbestos testing was completed by a third party, the class is state certified.

Road master's report: Fred Little provided the Road master's Report.

Morris Township Recreation: The Chairman entertained a motion, Emerson Reams motioned, and James Williams seconded to purchase the batting cage replacement. Insurance Claim received \$1,764.70 with the remaining \$340.00 expended from the recreation fund. Motion carried with all supervisors voting yes.

The Chairman entertained a motion, James Williams motioned, and Emerson Reams seconded to turn the water service on for the season. Motion carried with all supervisors voting yes.

James Williams stated Eric Shaw will locate the lines for trenching, township will remove millings. Jay Gable will do PA One Call. The Chairman entertained a motion, James Williams motioned, and Emerson Reams seconded for the extra conduit not to exceed \$5,000.00 expended from the ACT 13 Fund. Motion carried with all supervisors voting yes.

Municipal Authority: James Hummel stated they will be doing smoke testing starting April 17, 2023. Routine maintenance.

The Chairman entertained a motion, James Williams motioned, and Emerson Reams seconded to allow Morris Township Vol. Fire Co to shut down Oak Grove Road on April 23, 2023, from 7:00 AM to 4:00 PM for burning a house located at 1179 Oak Grove Road for Fire Safety Training. Fred Little will notify Shawn Agosti, PennDOT.

16th Annual MVCOG Equipment Show & Training Day: The Chairman entertained a motion, Emerson Reams motioned, and James Williams seconded for Supervisors, Road Crew, Code Enforcement and Secretary to attend the MVCOG Equipment Show on May 24th from 9:00 am to 3:00 pm at a cost of \$12.00 per attendee. Trainings include Secretary, Grant Writing and Flagger Trainings.

Resolution 2023-1: The Chairman entertained a motion, Emerson Reams motioned, and James Williams seconded to apply for a DCED Multimodal Grant in the amount of \$190,385.00 for T-699 Pine St. and \$85,040.00 for T-702 Hemlock Rd. (\$192,797.50 + 30% match \$82,627.50) with a total of \$275,425.00 for the paving project. The match to be expended from the liquid fuels fund. Motion carried with all supervisors voting yes.

Resolution 2023-2: The Chairman entertained a motion, Emerson Reams motioned, and James Williams seconded to apply for the DCED Multimodal Grant in the amount of (\$109,445.00 + 30% match of \$46,905.00) with a total of \$156,350.00 for the T-715 Cemetery Road Paving Project. The match to be expended from the liquid fuels fund. Motion carried with all supervisors voting yes.

Executive Session: None

Adjournment: The Chairman entertained a motion, James Williams motioned, and Emerson Reams seconded to adjourn the meeting at 5:49 PM.

Respectfully submitted Patti Moore, Secretary