

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

August 18, 2008

CALL TO ORDER

The regular monthly Council meeting of the City of St. Marys was called to order by Mayor Sally Geyer on Monday, August 18, 2008 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 11 LaFayette Street. Notice of this meeting was sent to Council on August 14, 2008, posted at City Hall, and published in the Daily Press.

ROLL CALL

Present: Mayor Sally Geyer, Dennis Nero, Steven Skok, Thomas Farley, Richard Gabler, Jr., Richard Dornisch, Sean Gabler, City Manager David Greene, and City Solicitor Mark Jacob

VISITORS

Visitors included: Janice J. Smith, Robert Smith, Dennis Cunningham, Donald Cunningham, Gail Wendel, Warren Stewart, Jason Geitner, Richard Sadley, and Matthew Pfeufer

APPROVAL OF MINUTES  
August 4, 2008

Sean Gabler made a motion to approve the minutes of August 4, 2008, seconded by Richard Dornisch, and all were in favor except Mayor Sally Geyer who abstained.

SPECIAL PRESENTATION  
Jeff Davidek,  
C.S. McKee

Jeff Davidek, of C. S. McKee, presented an update on the Police Pension and the Non-uniformed Pension funds for the City.

Thomas Farley questioned the value and assets of each fund and the security of the current investment program.

CITIZEN COMMENTS ON  
AGENDA TOPICS

There were no citizen comments on agenda topics.

MANAGER'S REPORT

Manager Greene presented the following report:

- July 21st, attended the RDA meeting to update them on the Impact St. Marys projects.
- Attended a check presentation on July 22nd held by Senator Scarnati. He presented checks to the City for three projects.
- On July 23, attended an Enterprise Zone conference in State College in reference to City's Impact St. Marys Enterprise Zone.
- Representatives from the City met with Jeff Davidek, C.S. McKee, on July 29th, to review the status of the City's Pension Fds.
- Aug. 4th, met with Lee Patterson regarding the Section 108 Loan Program.
- On Aug. 7th, Mark Jacob and I toured the St. Marys Airport Industrial Park site and spoke with Deb Schneider & Palo Construction.
- Attended the Grand Opening of the new Airport Terminal Building & the Silver Wing Restaurant on August 11th.

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**APPROVAL OF EXPENDITURES**

Dennis Nero made a motion to approve the Expenditures Report for the period July 18, 2008 thru August 16, 2008, seconded by Sean Gabler, and all were in favor.

**TREASURER'S REPORT**

Mayor Geyer presented the Treasurer's Report as of July 31, 2008. Total revenue collected for the General Fund is at \$3.7 million down from last year of \$4 million and in 2006, \$3.35 million. Total expenditures for the General Fund as of July 31 2008, is at \$2.9 million up from \$2.6 million in 2007 and in 2006, \$2.4 million. Revenues collected for the General Fund is at 67.18% of the budget and expenditures are at 52.44%. Last year at this time, revenues were at 74.21% and expenditures were at 48.5% of the budget.

**LEGISLATIVE ACTION**  
**Consider for Adoption**  
 Resolution No. 08-18  
 re: Plan Revision for  
 New Development for  
 Melissa Otteni,  
 1426 Rosely Road  
 (SFTF)

Resolution No. 08-18 was presented for Plan Revision for New Land Development for Melissa Otteni, 1426 Rosely Road. A Planning Module Component 3s is used for approval of a Small Flow Treatment Facility (SFTF). A SFTF is basically a smaller version of a Wastewater Treatment Plant and completely sanitizes and disinfects wastewater generated by a residence and then discharged into a stream.

A Maintenance Agreement between the property owner and the City is carried out to ensure the system is always operating properly. The Maintenance Agreement requires the property owner to be responsible for all maintenance and repair of such a facility, and deposit \$500. with the City to be held in an interest-bearing escrow account to effectuate necessary repairs, maintenance, or replacement to the system.

Solicitor Jacob questioned if this is the revised version of the agreement. Matthew Pfeufer responded yes.

Thomas Farley made a motion to adopt Resolution No. 08-18, seconded by Richard Dornisch, and all were in favor.

**Subdivision Applications:**  
 Susan Hoffman and  
 Jason M. & Melissa C.  
 Geitner, Rosely Road

A Subdivision Application was presented for Susan Hoffman and Jason M. & Melissa C. Geitner, Rosely Road. This subdivision divides a 2.046 acre lot from a 5.133 acre parcel. The new lot and the residual lot have single family dwellings on them with public water and on-lot sewage disposal. No new building lots will be created as a result of this subdivision.

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Thomas Farley questioned if public water is available. Jason Geitner stated they did not tap into the public water because they are using well water but that public water is available and they will tap-on in the spring.

Steven Skok made a motion to approve the subdivision. The motion was seconded by Sean Gabler.

Thomas Farley noted Lot No. 1, which is to be conveyed, is using a water well that is not on their property. He felt that possibly the owner of the adjacent property, where the well is located, could shut off the water.

It was noted there is an easement to the water well for lot No. 1. and also a tap is available. As of this date, the easement has not been recorded.

Motion Passed by  
Majority Vote

All were in favor to approve the Subdivision Application, except Thomas Farley and Dennis Nero who opposed. The motion passed by majority vote.

Steven Skok was going to amend his motion but was informed by the Solicitor, the motion has already been voted on.

Gail & Valerie Wendel,  
148 Rambler Road

A Subdivision Application was presented for Gail and Valerie Wendel, Rambler Road. This subdivision proposes to divide a 20'x 200' lot from a 160'x 200' parcel owned by Wendel for the purpose of a lot addition to a neighboring parcel (owned by Keller). The final size of the Keller parcel will be 100'x 200' and the final size of the Wendel parcel will be 140'x 200'. Both parcels have public water and sewage.

Thomas Farley made a motion to approve the Gail and Valerie Wendel subdivision, seconded by Dennis Nero, and all were in favor.

Solicitor Jacob noted the Planning Commission commented that the consolidated Keller parcel was not shown on the map. He stated in the future if anyone is requesting a subdivision, the surveyor should include all the parcels on the map.

Robert L. & Janice J.  
Smith, Gary Eckert,  
Queen of the World  
Parish & Thomas Coppolo

A Subdivision Application was presented for Robert L. and Janice J. Smith, Gary Eckert, Queen of the World Parish and Thomas Coppolo, Wehler/South Michael Roads. The Smiths, Gary Eckert, and

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Thomas Coppolo are proposing to divide 3 lots from a 2.33 acre parcel to be used as lot additions to adjoining property owners. Parcel "A" is 26,893.6 sq. ft. and will be combined with the Meyer parcel. Parcel "B" is 28,770.1 sq. ft. and will be combined with the Groll parcel. Parcel "D" is 4,062.1 sq. ft. and will be combined with the Eckert parcel. Parcel "C", the residual lot, is 41,577.1 sq. ft. and will remain as a separate building lot owned by the Smiths. Parcel "C" is accessed via a 20 ft. right-of-way from S. Michael Road.

Joining in this subdivision is the Queen of the World Parish, which is proposing to divide Parcel "E", a 3,581.2 sq. ft. lot from a 40,055.2 sq.ft parcel to be consolidated with the Eckert parcel. The residual Queen of the World Parish parcel will be 36,474 sq.ft.

The Planning Commission had three comments relating to the application: (1) On Page 2, the second paragraph, the first call is S05°25'53"E when the plat says S50°25'53"E; (2) The same error is made on page 12 in paragraph 4 in the consolidated lot description; and (3) On Page 19, the distance described in paragraph two is 329.18 feet when the two distances add to 329.19 feet.

1st Motion

Richard Gabler made a motion to accept the Subdivision Application. The motion was seconded by Dennis Nero.

It was noted the map is correct but the deed descriptions need to be corrected per the Planning Commission's comments.

Amended Motion  
Passed

Richard Gabler amended his motion to accept the application contingent on receipt of the corrections. Dennis Nero seconded the amended motion and all were in favor.

**Land Development  
Applications:**  
Dennis Cunningham,  
Cunningham Trucking,  
Aviation Way

A Land Development Application was presented for Dennis Cunningham, Cunningham Trucking, Aviation Way. Mr. Cunningham is proposing to construct a 45'x 60' steel pole building on Aviation Way in the St. Marys Airport Industrial Park to be used to store trucks and equipment, as well as repairs to trucks used by the business. The parking lot will be gravel, so no stormwater management plan is needed. Two parking spaces are required.

Manager stated no motion is required; this is for information purposes only.

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Patrick & Susan Straub,  
Pistner Road

A Land Development Application was presented for Patrick and Susan Straub, Pistner Road. This application proposes to construct a 30'x 150' storage unit building for rental purposes. The applicants received approval from the Zoning Hearing Board on July 23, 2008 for a special exception for the use of the land for storage units and variances to the front setback and residential buffer zone. The parking lot will be gravel, so no stormwater management plan is required. The Zoning Hearing Board requested a buffer screen to be placed along the entire length of the property fronting on Pistner Rd. except for the access lanes.

The Manager stated no motion is required; this is for information purposes only.

**Sewage Facilities  
Planning Module**  
Michael W. & Irene  
Caskey, Flower  
Valley Road

A Sewage Facilities Planning Module was presented for Michael W. and Irene Caskey, Flower Valley Road. This Planning Module deals with the installation of a sand mound type on-lot sewage disposal system for a 3 bedroom single family dwelling. The existing, previously subdivided 5 acre lot, contained a single family dwelling served by private water and an on-lot sewage system. This lot received planning approval from the City and DEP at the time of development. The new dwelling is proposing a private water supply.

Sean Gabler made a motion to approve the Sewage Facilities Planning Module for Michael W. and Irene Caskey. The motion was seconded by Thomas Farley.

Thomas Farley questioned the proposed private water supply and location of the house which is not shown on the map.

Matthew Pfeufer noted the smaller map shows the location of the house. He further explained the soils tested by the municipal SEO have identified marginal soil conditions and an additional soil test has been done to identify a replacement system location for the on-lot sewage disposal system.

Dennis Nero asked if they have a back-up plan if the well water fails. He was informed there is enough room to drill another well.

Motion Passed

All were in favor to approve the Sewage Facilities Planning Module.

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**Settlement Agreement**

Thomas Farley made a motion to approve the Settlement agreement, seconded by Richard Dornisch, and all were in favor, except Dennis Nero, Sean Gabler, and Steven Skok who opposed. The motion passed by majority vote.

**Quad 3 Group, Inc.**  
re: Contract Documents  
(former Industrial  
Steel Site)

Manager Greene explained the City did not receive written approval from DCED for the Quad 3 Group contract documents. Our DCED representative was on vacation and just returned today and is reviewing the documents. Manager requested Council table this item until written approval is received.

Dennis Nero made a motion to table the Quad 3 Group contract documents, seconded by Thomas Farley, and all were in favor.

**TOPICS FOR DISCUSSION**

There were no topics for discussion.

**CITIZEN COMMENTS ON NON-  
AGENDA TOPICS**

There were no citizen comments on non-agenda topics.

**COUNCIL COMMENTS**

Steven Skok stated he will not be available for the September meeting.

Thomas Farley requested the Manager ask Chief Caltagarone to look into a situation at the corner of Mark and Rightmeyer Streets. He stated an individual complained today about a red pick-up truck parking too close to the intersection making it difficult for other drivers to see as they approach the stop sign on Mark Street. Mr. Farley did not know if the truck was parked legally or illegally.

Sean Gabler added he traveled through the intersection today and noted that he felt the pick-up truck was legally parked. The truck is parked directly near a sign stating "No Parking from 2:00 a.m. to 6:00 a.m." with an arrow pointing up north on Mark Street. He felt this sign is too close to the stop sign and should be moved.

Richard Dornisch asked if there is an on-going survey to analyze these situations and also where shrubbery blocks intersections. He noted there are blind areas throughout the City.

Sean Gabler stated he received a complaint today regarding a resident on Rightmeyer Street who apparently had trees cut down and the remaining logs from the trees have been blocking the sidewalk for the last three weeks.

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Dennis Nero inquired about the union contract. He asked if the City is contemplating early negotiations with them so we know where we stand with the budget concerning pay raises and health insurance. The Manager will check on the status.

## ANNOUNCEMENTS

Mayor Geyer made the following announcements:

- City's Clean-up day will be held on September 20, 2008 from 8:00 a.m. until 1:00 p.m. on Graphite Road.
- Next Rescheduled Council worksession will be held on Tuesday, September 2, 2008 at 7:00 p.m. due to the Labor Day Holiday.
- Trick or Treat Night will be held on Friday Night, October 31st from 6:00 p.m. until 9:00 p.m.

## ADJOURNMENT

Sean Gabler made a motion to adjourn the meeting, seconded by Dennis Nero, and all were in favor.

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Mayor

*Shirley Dicklas*  
Recording Secretary