

# WAVERLY TOWNSHIP SUPERVISORS

Minutes of the June 13, 2022, Meeting

Attending Supervisors:

	Eric Parry, Chairman
	Drew Christian, Vice Chairman
	Bill Byron, Supervisor
Solicitor	Malcolm MacGregor – Not in attendance
Twp. Manager/Secretary	Christine Capozzi
Dir. Of Public Works	Thomas James
Engineer	Ned Slocum – Not in attendance
Police Chief	Kenneth James- Not in attendance
Planning Commission Solicitor	William Jones - Not in attendance

Guests: None

## SUPERVISOR MEETING

The Waverly Township Supervisors held their meeting in-person at the Waverly Township Building on June 13, 2022, at 6:00PM. The regular monthly meeting of the Waverly Township Supervisors was called to order at 6:00PM by Chairman Eric Parry.

On a motion by Drew Christian, seconded by Bill Byron, the minutes of the May 9, 2022, meeting was approved as circulated, and the police report was reviewed, approved, and all items recorded in the township records, all voting yes.

On a motion by Eric Parry, seconded by Drew Christian, the treasurer report and all bills were reviewed, approved, and recorded in the township records, all voting yes.

## SOLICITOR'S REPORT

### THE ORCHARDS, NLMS, INC. LAND APPEAL & RTK APPEAL

- Township Manager Christine Capozzi reported that Attorney Susan Smith has until June 14, 2022, to respond to the OOR Chief Counsel Kathleen Higgins about how to proceed with the RTK mediation matter. If Attorney Smith does not respond by this date, then the RTK appeal will be considered resolved and the appeal will be withdrawn.

## **DEP CORRESPONDENCE RESPONSE & CONSULTANT APPROVAL**

- Township Manager Christine Capozzi reported another meeting is scheduled for this week with Ned Slocum, Attorney Malcom MacGregor, Tom James to review the details to include in the DEP response letter.
- After a discussion, supervisors requested that Township Solicitor Attorney Malcolm MacGregor send a draft DEP correspondence letter to supervisors by Friday afternoon, with the final letter to be sent to Attorney Sean Robbins on Monday. Christine will follow-up with Township Solicitor Malcolm MacGregor.
- On a motion by Drew Christian, seconded by Bill Byron, Consultant Phil Pedros was authorized to continue consulting work for the Township's Amphidrome Wastewater system and NPDES renewal permit, all voting yes.
- On a motion by Eric Parry, seconded by Bill Byron, Supervisors authorized the purchase of a pump for the Amphidrome Wastewater System for \$8,700, all voting yes.

## **EASEMENT ISSUE & RESIDENT**

- During the May supervisors meeting, Township Solicitor Attorney Malcolm MacGregor reported that Attorney Mey is now overseeing this easement encroachment issue on the resident's behalf.
- Attorney MacGregor will prepare a draft indemnification/reimbursement agreement to address any issues that may occur within encroachment area for the longevity of the property. During the meeting, supervisors asked for Attorney MacGregor to include the sewer line connection issue with the property on Waverly Road in this agreement.
- In addition, Christine spoke to the resident about their recent tree work on their property. The resident explained they only removed dead and diseased trees. She also mentioned they will plant grass and new trees to replace the trees removed.
- Lackawanna County Conservation District is going to follow up with the resident to discuss their plans. The LCCD representative will report back to the Township if a NPDES permit is necessary.

## **MANAGERS REPORT**

### **STORMWATER MS4 VIOLET TERRACE BASIN RETROFIT ARPA FUNDS**

- Township Supervisor Bill Byron reviewed the HRG proposal agreement and Township Manager Christine Capozzi discussed the Township's Stormwater Engineer's HRG agreement for the MS4 required Violet Terrace Basin Retrofit project. After a brief discussion about the agreement and the RFP process Supervisor Bill Byron, found the proposal acceptable.
- Christine mentioned that this project qualifies for American Recovery Act Funds. Christine will add this item to the next supervisors meeting.

## **RESIDENT IN HARB DISTRICT**

- Supervisor Drew Christian asked about the status on the property in the HARB that is need of repairs and brush removal. Several residents have inquired about the condition of the property. Township Manager Christine Capozzi reported that resident informed her they are currently completing work on the property.
- Supervisors asked Christine to keep this item on the agenda for future meetings.

## **SCHOOL STREET AND STORMDRAIN REPAIR**

- DPW Director Tom James contacted PennDOT again about repairing the culvert stormdrain located in PennDOT's ROW on School Street by the Waverly Elementary School.
- PennDOT responded and asked if the Township had an agreement stating that PennDot owned this storm drain. PennDOT claims this stormwater drain is not their responsibility.
- Supervisors asked if we have record of PennDOT repairing this stormdrain in the past.
- Christine Capozzi will call PennDOT's main office. If she is not successful, she will ask Township Solicitor Malcolm MacGregor to write an submit a letter to PennDOT prior to the July 11, 2022, Supervisors meeting.

There being no other business to come before the Supervisors, the meeting was adjourned. The next meeting will be held on July 11, 2022, at 6:00 P.M. in the Waverly Township Municipal Building, Lake Henry Drive, Waverly, PA. Christine Capozzi, Township Manager/Secretary, transcribed the minutes of this meeting.