

# WAVERLY TOWNSHIP SUPERVISORS

Minutes of the July 11, 2022, Meeting

Attending Supervisors:

	Eric Parry, Chairman
	Drew Christian, Vice Chairman – Not in attendance
	Bill Byron, Supervisor
Solicitor	Malcolm MacGregor – Attendance via conference call
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 July 11, 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 Eric Parry, seconded by Bill Byron, the minutes of the June 13, 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 Bill Byron, 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 Solicitor Attorney Malcolm MacGregor reported that Attorney Susan Smith contacted the RTK appeals officer to withdraw the RTK appeal. The RTK appeals officer sent a letter stating that Waverly Township is not required to take any further action and the case is closed.

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

- Township Manager Christine Capozzi reported a DEP Waverly Township meeting is scheduled for July 14, 2022, with DEP and Ned Slocum, Attorney Malcom MacGregor, Tom James, Phil Pedros and Christine Capozzi to review the details in the DEP response letter.
- Supervisors agreed to advertise to adopt an Ordinance; Imposing a Requirement for the Inspection of Sewer Laterals and Sewer Connections prior to the sale or transfer of lot or parcel in Waverly Township, during the August supervisors meeting.

## **EASEMENT ISSUE & RESIDENT**

- 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. Supervisors ask Attorney Malcolm MacGregor to include in the agreement the sewer line connection issue for the property on Waverly Road.
- Attorney Malcolm MacGregor will prepare a draft agreement ready for the next supervisors meeting.

## **MANAGERS REPORT**

### **LSA GRANT & WAVERLY COMM HVAC**

- Waverly Comm Director Maria Wilson mentioned that Lackawanna County will submit a Local Share Account Grant to help with the costs associated to upgrade the Waverly Community's House HVAC system.
- After a brief discussion, Director of Public Works Tom James will complete research to replace the 2006 DPW truck with potential LSA grant money. Tom James will bring this information to the next supervisors meeting.

### **PINE GROVE DEVELOPMENT**

- Township Manager Christine reported that during the last Planning Commission meeting, the developers engineer CNA discussed a few waivers and discussed a streetlight and sidewalk plan with members. A cul-de-sac continuation waiver, and a tree waiver were discussed. CNA engineering is going to submit revised plans to the planning commission and attend a future supervisors meeting.

### **DEP DEVELOPMENT SEWER OWNERSHIP**

- On a motion by Eric Parry, seconded by Bill Byron, supervisors authorized to withdraw The Orchards DEP Sewer Module Application to be resubmitted at a future date to resolve issues raised by DEP, all voting yes.
- Attorney Malcolm MacGregor reported he spoke with a representative from DEP's Clean water Department about this ownership issue. Christine will add this item to the next meeting's supervisors meeting agenda.

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

- On a motion by Eric Parry, seconded by Bill Byron, supervisors authorized to approve the Township's Stormwater Engineer's HRG agreement for the MS4 required Violet Terrace Basin Retrofit project.
- Christine mentioned that this project qualifies for American Recovery Act Funds. Christine will add this item to the next supervisors meeting.

## **WAVERLY COMM CAPITAL IMPROVEMENT PROJECT**

- On a motion by Eric Parry, seconded by Bill Byron, supervisors authorized for the Waverly Community House to receive \$10,000 for their annual capital improvement project, an update to the Comm's HVAC system, all voting yes.

## **RESIDENT IN HARB DISTRICT**

- Township Manager Christine Capozzi reported that resident informed her they are currently completing work on their property.
- Supervisors asked Christine to keep this item on the agenda for future meetings.

## **SCHOOL STREET AND STORMDRAIN REPAIR**

- PennDOT informed Tom James that the storm water drain in their ROW on School Street by the Waverly Elementary School was not PennDot's property and therefore they are not responsible to repair. Supervisors asked Township Solicitor Malcolm MacGregor to send a letter to PennDOT requesting a meeting. Township Solicitor Attorney Malcolm MacGregor also, per supervisors request, contacted State Representative Bridget Kosierowski to inform her of this issue. She was copied on the correspondence.
- Township Manager Christine Capozzi reported that PennDOT met with Township Engineer Ned Slocum and Township personnel on Friday July 8 to discuss the storm drain issue and possible solutions. PennDOT does not have record of PennDOT repairing this stormdrain in the past.
- During the meeting, PennDOT said the Township does not have a HOP for School Street, however, the Township can be issued a PennDOT Emergency Permit to make repairs. The Township is still required to obtain a HOP permi. The storm pipe under Waverly Road is connected to the storm drain.
- There was a brief discussion around PennDOT's Agility Program, an informal agreement to trade services with the Township. Tom James will receive some repair cost quotes.
- Christine will add this item to the next supervisors meeting agenda.

There being no other business to come before the Supervisors, the meeting was adjourned. The next meeting will be held on July 25, 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.