

19431

1. CALL TO ORDER

Chair David Piper called the meeting to order at 7:00 p.m. (present at Community Center). Other Supervisors present were Bob Strouse (present by Zoom); Patti Hartle (present at Community Center); Chuck Beck (present at Community Center) and Ron Servello (present at Community Center). Staff present were Denise Gembusia, Township Manager (present at Community Center); Amy Smith, Township Secretary (present at Community Center); Brett Laird, Township Treasurer (present at Community Center); Corey Rilk, Township Planner (present at Community Center); Jim May, CRPA (present at Community Center); Eric Norenberg, Centre Region COG Director (present at Community Center) and Township Solicitor, Zachary Rice (present by Zoom). Residents & others in attendance: Lorin Nauman (present at Community Center); Virginia Squier (present at Community Center); Bruce Helms (present at Community Center); Mark Hartle (present at Community Center); Tom Majewski (present at Community Center); Peggy Sue Majewski (present at Community Center); Michelle Schellberg (present at Community Center); Dennis Thomson (present at Community Center); Bill Reifel (present at Community Center); Donna Reifel (present at Community Center); Andrew Tressler (present at Community Center); Tammy Perkins (present at Community Center); Mike Siggins, Architect (present at Community Center); Christine Merritt (present at Community Center); Andy Merritt (present at Community Center); George Stine (present at Community Center); Jim Shore (present at Community Center); Rick & Donna Swartz (present at Community Center); Norman Hooven (present at Community Center); Frank Keshvari (present at Community Center); Danelle Del Corso (present at Community Center); John & Rose Ann Hoover (present at Community Center) David Curran (present at Community Center); Daniel Perkins (present at Community Center) Lisa Rives Collens, Schlow Library Director (present at Community Center); Karen Miller (present at Community Center); Rene Day (present at Community Center); Rebecca Brooks (present at Community Center) Jeanne Knouse (present at Community Center); Cynthia Hahn, C-NET Executive Director (present at Community Center); Joel Catalano (present at Community Center); Barbara Spencer (present at Community Center); Andrew Meehan (present at Community Center); Paul Brown (present at Community Center); Jim Smith (present at Community Center) Chad Brown (present at Community Center); Lance Brown (present at Community Center); Cheryl Barr (present by Zoom); Audra Simpson (present by Zoom); Jeanie Gerber (present by Zoom); Leah Witzig (present by Zoom); Jeff Stillwagon (present by Zoom); Jennilyn Vallejera (present by Zoom); Craig Bowser (present by Zoom); Bret Pallotto, CDT (present by Zoom); Aimee Hall (present by Zoom); John Knouse (present by Zoom); Shuchi Nalepa (present by Zoom); Pamela Meyer (present by Zoom); Mandy Vactor (present by Zoom); Paula Bannon (present by Zoom); Karen Brown (present by Zoom); Niki (present by Zoom); Joanne Fisher (present by Zoom); Brooke (present by Zoom); Chip & Gail Jones (present by Zoom); Ben Drain (present by Zoom); Michael Saunders (present by Zoom); Susan Warner (present by Zoom); Susan Person (present by Zoom); Brynn Rousselin (present by Zoom); Marty Mehrling (present by Zoom); Allison (present by Zoom); Michelle Lessman (present by Zoom); Daniel Digman (present by Zoom); Dean Spanos (present by Zoom); J. Martin (present by Zoom); Erin Garthe (present by Zoom); Delton Shadow (present by Zoom); Mary Ann Shadow (present by Zoom); Larry Jump (present by Zoom); Lenore Foster (present by Zoom); Erin McMullen (present by Zoom); Jeremy Swarm (present by Zoom); Hyeseon Kim (present by Zoom); Donnan Stoicovy (present by Zoom); Mark Stevenson (present by Zoom); JB Leve (present by Zoom); Kacee Burke (present by Zoom); Lyn Gotwalt (present by Zoom); Richard Graham (present by Zoom); Nancy VanLandingham (present by Zoom); Sonya Storll (present by Zoom); Kristin Taylor (present by Zoom); Karen Miller (present by Zoom); David Crow (present by Zoom); David Graeber (present by Zoom); Jeff Daub (present by Zoom); Lemuel Adkins (present by Zoom); Melissa Stine (present by Zoom); Catherine Alloway (present by Zoom); Colin Zarzycki (present by Zoom); Lena Sheaffer (present by Zoom); Melissa Krajcovic (present by Zoom); Joseph Welz (present by Zoom); Becki Lindauer (present by Zoom); Lena Sheaffer (present by Zoom); Bob Geist (present by Zoom); Lara LaDage (present by Zoom); David Allgeier (present by Zoom); Rick Bates (present by Zoom); Tawnya Fedor (present by Zoom); Wayne Foster (present by Zoom); Tonya Pick (present by Zoom); Reed Moyer (present by Zoom) and Denise Sticha (present by Zoom).

- **MOTION: Mr. Strouse moved to reorganize the Board of Supervisors immediately naming a new chair for the remainder of 2022; Ms. Hartle seconded; Vote 2-3-0; Mr. Strouse, yea; Ms. Hartle, yea; Mr. Piper, nay; Mr. Beck, nay; Mr. Servello, nay; Motion Failed.**

Mr. Piper announced there will be an executive session to discuss personnel matters.

Ms. Gembusia stated that if the executive session was about her, she publicly waives her rights and personally offers her personnel file for everyone to review. Mr. Servello commented that he understands that personnel

**HALFMOON TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES**

**MARCH 10TH, 2022
PAGE 2 OF 7**

issues should not be discussed in public. Mr. Strouse stated the employee who is targeted by the executive session has a right to waive the executive session as long as she expresses that right.

Solicitor Rice stated the Board of Supervisors is entitled to go into any executive session regarding a personnel matter and it is the employee's right to ask that their employee file be publicly discussed. Solicitor Rice added his recommendation is the personnel matter should not be subject to the public portion of the meeting but be discussed in an executive session as permitted by the Sunshine Act.

The Board adjourned to the executive session at 7:06 pm and returned at 8:00 pm. to reconvene the meeting.

2. OPENING ANNOUNCEMENTS

More information is available on the website: www.halfmoontwp.us

- This evening's meeting is being LIVE recorded on C-NET's YouTube channel. A direct link for the stream of tonight's meeting is: <https://youtu.be/IK-gNRS-3Fs>
- The township is asking for resident's email addresses for important updates and notices. To sign up, visit www.halfmoontwp.us and click on the CONTACT US button on the homepage.
- Volunteers are needed for the following open positions on the Planning Commission.
 - Regular Planning Commission Member (1 open position)
 - Alternate Planning Commission Member (2 open positions)
 If you are interested in volunteering, please visit the township website, or contact the manager for more details.
- At the last meeting, Resolution 2022-12 and Resolution 2022-13 were switched. Please note that Resolution 2022-12 is the Act 537 Plan Special Study for Calder Way and Resolution 2022-13 is the Sewage Planning Module for the Dean & Linda Spanos Subdivision.

3. DIVERSITY, EQUITY & INCLUSION

Ms. Squier acknowledged March as Women's History Month. Ms. Squier commented that although the DEI Alliance wants to acknowledge the important contributions women have made to advance society over the history of mankind, she wanted to also make sure the opinions within the Township are included when the Board acts on issues. Ms. Squier provided the results of the citizen meeting held at Way Fruit Farm on March 1 and discussed the issues identified by this group for consideration.

4. CITIZEN COMMENTS (for non-agenda items)

Mr. Nauman, Mr. Meehan, Ms. Squier, Ms. Spencer, Mr. Mehring, Mr. Merritt, Ms. Rovanssek, Ms. LaDage, Mr. Thomson, and Ms. Merritt provided public comment in support of Ms. Gembusia.

Mr. Nauman commented he would like to have more joint meetings with the Board of Supervisors, Open Space Preservation Board and Planning Commission.

Ms. LaDage also provided public comment in support of the Centre Region COG services and encouraged citizen to be more engaged in budget discussions.

Mr. Hartle commented that this is a toxic environment, and he expects better government.

Mr. Thomson and Ms. Merritt also provided public comment in support of C-NET.

Ms. Merritt also provided public comment in support of Schlow Library.

Ms. Squier commented that she had suggested a possible mediation with Mr. Piper. Ms. Hartle questioned whether this was open to the entire board. Ms. Squier responded that she would need to check with the facilitator that she has been in contact with and get back to the board.

5. EXECUTIVE SESSION PERSONNEL ACTION

- **MOTION: Mr. Servello moved to propose having a meeting with the Board and the Manager to review all the issues and problems and make any changes the Board feels necessary and give a time frame to accomplish that; Mr. Servello added that whether this is a performance issue, the Board needs to state what those issues are and give a time frame for correction and if the issues**

HALFMOON TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES

MARCH 10TH, 2022
PAGE 3 OF 7

are not addressed, a decision can be made later; No second; Mr. Piper requested Mr. Servello make his motion more precise; Motion Failed.

- **MOTION:** *Mr. Servello moved that the Board have a meeting with the Manager and make resolutions, to resolve anything the Board feels needs to be corrected and have a timeline of performance to go through a corrective performance process and assigned period of time, roughly 60 to 90 days and see where that goes, the Board can always go back and act differently;* Ms. Hartle questioned whether the motion could be shortened to state that the Board agrees to go to a third-party mediation with the Manager, and that all other things will fall into place; Mr. Servello commented that he was not sure a third-party mediator was necessary; Ms. Hartle stated she felt a third-party mediator was needed; Mr. Servello stated that he could just as easily vote differently tonight and make a lot of people angry but chose the middle ground of meeting to discuss the issues; Ms. Hartle stated she felt the situation was too emotional to not have a third-party mediator; Mr. Servello commented that he felt the Board needed to be able to solve their own problems and there may not be such a thing as an unbiased mediator; Ms. Miller acknowledged that everyone has biases and added that she felt there was too much emotion and not enough critical thinking; Ms. Day commented that the Board all have a vested interest and supports Mr. Servello's motion and possibly adding a third-party mediator could be requested if the 90-day deadline approached if there are still outstanding issues; Mr. Servello stated that with an issue this weighty, felt another approach was needed, as it shows due diligence and good faith, and gives a person a chance to change their ways and learn; **No second; Motion Fails.**
- **MOTION:** *Mr. Servello moved to clarify the motion that the Board will meet with the Manager to discuss corrective action, within a certain time period, with mediation if necessary; Ms. Hartle seconded;* Ms. Knouse commented that the Board needs relationship restoration, not mediation; Mr. Poorman stated it is best practice to document all issues as they arise and all issues should be addressed prior to dismissal; Mr. Servello responded that although he has only been a Board member for two months, he has personally witnessed issues regarding personnel and he felt his proposal would give enough time to address the grievances; Mr. Merritt commented that four of the five sitting Board members approved the manager's performance evaluation and if there were issues with Ms. Gembusia, they should have been noted then, not now; Mr. Merritt added that Ms. Gembusia offered her personnel file for public viewing as a testament to her performance; Mr. Servello questioned if Ms. Gembusia's file was public information; Solicitor Rice stated the Board can direct that the file not be disclosed as it is not covered by the Right-to-Know Law because ultimately the documents are the townships; Mr. Piper and Mr. Strouse discussed whether Ms. Gembusia's file should be open to the public; **Vote 3-2-0; Mr. Strouse, yea; Mr. Servello, yea; Ms. Hartle, yea; Mr. Piper, nay; Mr. Beck, nay; No abstentions; Motion Carried.**

Mr. Strouse questioned what had changed since Ms. Gembusia's last review. Mr. Piper commented that this matter could be discussed when Mr. Strouse returned from his trip.

6. 2022 STREETLIGHT TAX LEVY EXONERATION

Mr. Laird stated in 2021 the Board directed staff to seek a solution to the Streetlight Ordinance and tax bill issue that was brought to the Board's attention. Mr. Laird explained that although staff provided updates to the County revising and updating the properties to be included within the streetlight district, Mr. Graham's property was not removed as instructed. Therefore, the Board will need to exonerate Mr. Graham from the obligation of paying the 2022 streetlight tax. Mr. Laird stated the County reassured him that this issue was taken care of for 2023.

- **MOTION:** *Mr. Servello moved to direct the Township Secretary to draft a letter to the Tax Collector exonerating tax parcel 17-001-,005-,0000- of its obligation to pay the 2022 Streetlight Tax levy totaling \$80.94; Ms. Hartle seconded; Vote 5-0-0; Motion Carried.*

7. CONSENT AGENDA

- a. Approve payment of the Bills List for the period of 02/19/2022 to 03/04/2022 from the following funds:
 - (i) General Fund in the amount of \$41,013.92
 - (ii) Fire Protection Fund in the amount of \$17,014.69
 - (iii) Open Space Fund in the amount of \$771.00
 - (iv) State Highway Liquid Fuels Fund in the amount of \$3,805.85

19431

- **MOTION:** *Ms. Hartle moved to approve the Consent Agenda; Mr. Servello seconded; Vote 5-0-0; Motion Carried.*

8. OLD BUSINESS

- Continuation of Discussion and Request Board Direction on The University Area Joint Authority's (UAJA) Revised Act 537 Sewage Facilities Plan Special Study for the Meeks Lane Pump Station Alternatives as Presented to Centre Region Council of Governments (COG) Land Use and Community Infrastructure Committee (LUCI) at their February 2022 Meeting
 - February 9, 2022, Memo from Jim May Regarding Meeks Lane LUCI Committee Discussion
 - February 14, 2019, Halfmoon Township Board of Supervisors Meeting Minutes
 - February 3, 2022, Meeting of the COG LUCI Committee Meeting Agenda (see item #8)
 - February 3, 2022, COG LUCI Committee Meeting Draft Minutes (see item #8)
 - Centre Region 2013 Comprehensive Plan Update
 - Small Area Plan, plan approved 6/14/2018 and map approved 7/26/2018
 - Information on ACT 537 Plan can be found HERE

Mr. May stated UAJA is proposing an extension of the public sewer into a portion of the Gray's Woods Development that has not been developed yet. Mr. May explained that this proposal will eliminate some smaller pump stations and increase the size of the Meeks Lane sewer main and pump station and extend the sewer line to serve the unapproved 645 Equivalent Dwelling Units (EDUs) in Halfmoon Township. Mr. May stated at a meeting in February 2019, the Board of Supervisors requested an extension of the sewer service area into Halfmoon Township but after hearing public comments voted against this extension. Mr. May commented that the Centre Region Planning Agency does not support oversizing the pump station or sewer lines and they are seeking input from the Board of Supervisors. Mr. Piper expressed his concern with extending the sewer and oversizing the sewer mains and questioned whether anyone could connect if the sewer lines were there. Mr. May commented there is a provision that no one can connect until there is an extension of the sewer service area. Mr. Strouse questioned that if this proposal is voted down is the Board basically preventing neighboring municipalities from going where they want to go. Mr. May commented that this would not prevent neighboring municipalities from doing what they want to do. Mr. May stated that costs will be borne by the developer if it is extended in the future. Ms. Perkins questioned if the eastern end of the township is developed, and the sewer system fails for that development who is responsible for that system. Mr. Piper stated it would fall back on the township. Ms. Perkins questioned what the consequences were if the system fails, and the sewer lines are not there. Mr. Rilk explained that the implementation agreement states that all sewer systems outside of the sewer growth boundary must be built to UAJA specifications and would have to be taken over by UAJA, so this would eliminate some of the burden on the township. Mr. Meehan stated he supports the CRPA decision not to expand the size of the sewer lines.

- **MOTION:** *Ms. Hartle moved to support the Centre Region Planning Agency recommendation not to oversize the sewer main and pump station; Mr. Piper seconded; Vote 4-1-0; Mr. Piper, yea; Mr. Servello, yea; Mr. Beck, yea; Ms. Hartle, yea; Mr. Strouse, nay; No abstentions; Motion Carried.*

7. SUBDIVISION/LAND DEVELOPMENT PLANS OR CONDITIONAL USES AND PUBLIC HEARINGS

- Dean & Linda Spanos Final Minor Subdivision of George Peters Jr. (Plan #2021-06), *plan expires March 15, 2022*
 - Waiver Request of Subdivision and Land Development Ordinance, Chapter 215-8: Minor Subdivisions (Engineer's Letter, dated December 15, 2021)
 - Resolution # 2022-12: Sewage Planning Module for the Final Minor Subdivision Plan of George Peters Jr. (Spanos)
 - Stormwater Comment Email from Township Engineer dated January 27, 2022
 - SEO Comment Letter dated January 28, 2022
 - Demolition Estimate from Engineer & Code
 - Draft Memorandum of Understanding – (Solicitor to provide redline version)
 - Action of Plan
 - Approve/Deny Waiver Request of SALDO Chapter 215-8, Minor Subdivisions
 - Conditionally Approve/Deny Plan 2021-06, Dean & Linda Spanos Final Minor Subdivision of George Peters, Jr.
 - If Contingent Approval, Contingent Upon the Following:

- i. Approval of the Sewage Planning Module by the DEP, and
- ii. The applicant providing surety or a letter of credit with satisfactory review from Halfmoon staff and the Solicitor, and
- iii. The applicant signing the memorandum of understanding provided by Halfmoon's Solicitor.

Ms. Hartle questioned what the significance of not approving the waiver would be for this plan. Mr. Rilk responded that it would mean the same exact plan would go through the review process just as a final plan.

Ms. Hartle questioned if all the other conditions have been met. Ms. Gembusia stated that all comments and conditions have been met. Ms. Gembusia stated that the MOU was agreed upon by both parties and it just needed signatures. Ms. Gembusia stated there was also an email from the bank stating the intent for a letter of credit to be drafted tomorrow.

Mr. Servello questioned whether the conditional plan approval would also be conditional upon DEP approval as well. Ms. Gembusia confirmed that it would be conditional upon that approval.

- **MOTION:** *Mr. Servello moved to approve the Final Minor Subdivision of George Peters Jr. contingent upon DEP approval of the Sewage Planning Module and the applicant providing surety or letter of credit with satisfactory review from Halfmoon staff and Solicitor and the applicant signing the MOU; Ms. Hartle seconded; Vote 5-0-0; Motion Carried.*

8. PUBLIC MEETING PROTOCOL/POLICY

Mr. Piper questioned whether the Board would like to table the remaining agenda items until the March 24th meeting.

Ms. Hahn stated she had a question relating to section 4e of the draft public meeting policy regarding movement about the room while a meeting is in progress that may be distracting and bothersome to the audience and meeting participants.

Section 4e. Persons operating recording devices shall remain in a single location during the meeting and shall not be permitted to move about in order to record while the meeting is in progress.

Ms. Hahn questioned whether this would apply to the C-NET staff since C-NET staff needs to check on equipment to troubleshoot during production. Mr. Piper responded that he thought this pertained more to an individual working with a video camera, not to C-NET. Solicitor Rice commented this is just a generic policy to get the discussion going for the Board and this document was intended to be a guideline and not a strict governing document.

9. 2022 LINE PAINTING CONTRACT

Ms. Gembusia explained the line painting contract quote came in higher than the budgeted amount to complete the line painting for 2022. Ms. Gembusia added the vendor requested that the Board decide whether they would like to continue with the line painting project as submitted or if they wanted to modify the project. Mr. Piper questioned if this would increase this item over 10% of the budgeted line item. Ms. Gembusia confirmed it is over the 10%-line item, but it could be handled by an end of year resolution.

- **MOTION:** *Mr. Servello moved to approve the 2022-line painting contract as submitted; Ms. Hartle seconded; Vote 5-0-0; Motion Carried.*

10. DISCUSSION ON JOB DESCRIPTION FOR ROADMASTER AND POSSIBLY OF CREATING JOB DESCRIPTION FOR DIRECTOR OF PUBLIC WORKS

Ms. Gembusia stated she was in the process of changing the Roadmaster job description and questioned whether the Board may want to consider creating a job description for a Director of Public Works, based on equipment maintenance schedules and other project planning.

HALFMOON TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES

MARCH 10TH, 2022
PAGE 6 OF 7

Mr. Piper stated he would be more comfortable waiting until Mr. Strouse was available for this discussion. Mr. Strouse responded that he agreed with Mr. Piper and would like to have this discussion while he was physically present.

In response to a citizen comment, Mr. Servello confirmed that the Board accepted Mr. Brown's resignation at the last meeting based on the Solicitor's advice.

- **MOTION: Mr. Servello moved to table the rest of the agenda items; No second; Motion Failed.**

Ms. Hartle questioned what agenda items were remaining and if there were any other action items.

Ms. Gembusia provided the Board with a priority matrix for the 2021-2026 strategic plan and requested the Board fill out the matrix based on their priorities to bring back to the next Board meeting. Ms. Hartle stated she would like the Board to agree on a grading scale for the priority matrix.

11. PRESENTATION BY EXECUTIVE DIRECTOR, ERIC NORENBURG, REGARDING OVERVIEW OF CENTRE REGION COUNCIL OF GOVERNMENTS (COG) PROGRAMS AND SERVICES

Mr. Norenberg stated a Council of Governments (COG) is a voluntary association of elected public officials from all or most of the municipalities in a region. Mr. Norenberg commented that the Centre Region COG is not another layer of government and has no taxing power. Mr. Norenberg explained that all COG programs must be approved by Municipal Ordinance. Mr. Norenberg reviewed the programs that Halfmoon Township is a participating member: Administration; Emergency Management; Schlow Library; Code and Planning. Mr. Norenberg stated Halfmoon Township is not a participating member of the Centre Region Parks & Recreation Program; Fire & Rescue and Refuse & Recycling. Mr. Norenberg offered to answer any questions the Board had, or he can be contacted to answer any questions.

- **MOTION: Mr. Servello moved to table the remaining of the agenda items; Mr. Shore questioned what the Township's plan is for the upcoming storm for Saturday; Ms. Gembusia explained the Township has the third-party contractor company on stand-by for Saturday; Mr. Shore commented that due to the third-party contractor his street was not plowed on the last snow event and he had to plow his own street and had submitted a bill to the Township Manager earlier today; Ms. Gembusia stated that was the first time the third-party contractor had done all the roads; Ms. Hartle stated that there is a plan for Saturday and the third-party contractor has a better understanding of the roads now; Ms. Gembusia stated she is available by cell phone any time if there is an issue and offered to receive emails, phone calls or text messages regarding any issues; Mr. Beck seconded; Vote 5-0-0; Motion Carried.**

12. TABLED AGENDA ITEMS

1. APPROVAL OF FEBRUARY 24, 2022, REGULAR BOARD OF SUPERVISORS MEETING MINUTES
2. MOVE OF ADMINISTRATIVE OFFICES BACK TO 100 MUNICIPAL LANE
3. DISCUSSION ON JOB DESCRIPTION FOR ROADMASTER AND POSSIBLY OF CREATING JOB DESCRIPTION FOR DIRECTOR OF PUBLIC WORKS
4. POSSIBLE SALE OF EPSON PROJECTORS OF COMMUNITY CENTER MEETING ROOM
5. CODE BOARD OF APPEALS REAPPOINTMENTS
6. BOARD OF SUPERVISORS 2022 WORKPLAN & 2023 PRIORITIES MATRIX
7. PUBLIC MEETING PROTOCOL/POLICY
8. ZONING OFFICER CONTRACT WITH PATTON TOWNSHIP & OFFICIAL ACTION TO NAME NICOLE HARTER AS TOWNSHIP ZONING OFFICER

13. DEPARTMENT REPORTS – TABLED

- a. Treasurer's Report
- b. Tax Collector's Report
- c. Building/Code/Zoning Report
- d. Public Works Report

HALFMOON TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES

MARCH 10TH, 2022
PAGE 7 OF 7

- e. Manager's Report
- f. Budget Report
 - i. P&L General Fund
 - ii. Balance Sheet

19431

<u>Committee/Commission</u>	<u>2022 Representative</u>
Executive	Bob Strouse
Finance	Patti Hartle
Human Resources	Bob Strouse
Public Safety	Ron Servello
Ad Hoc Facilities Committee	Patti Hartle / Alt. Ron Servello
Climate Action & Sustainability	No Appointment
Land Use and Community Infrastructure	Ron Servello / Alt. Dave Piper
Parks & Recreation Governance	No Appointment
Solar Power Purchase Agreement Working Group	Bob Strouse
Spring Creek Watershed	Dave Piper
State College Borough Water Authority	Dave Piper
C-NET Member to Board of Directors	Bob Strouse
Upper Bald Eagle Halfmoon COG	Bob Strouse
Open Space Representative	Patti Hartle
CCMPO Coordinating	Barbara Spencer
CCMPO Technical	Dave Piper

14. GOOD & WELFARE

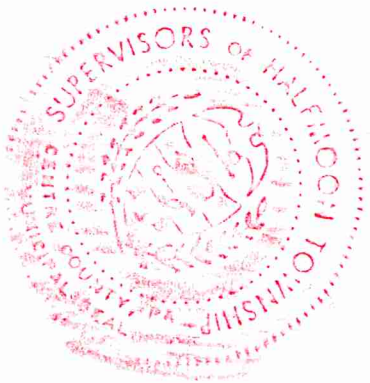
There was nothing presented.

15. ADJOURNMENT

There being no further business before the board, the regular meeting was adjourned at 9:59 p.m.

Respectfully submitted,

Amy M. Smith,
Township Secretary



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