

BOARD OF SUPERVISORS
PERRY TOWNSHIP
November 10, 2020

The regular monthly meeting of the Board of Supervisors of Perry Township was called to order by Chairman Lance N. Adam at 7:30 p.m. on November 10, 2020 from the Perry Township Municipal Building, 680 Moselem Springs Road, Shoemakersville, PA. The meeting was also being held via zoom conferencing to allow residents to attend due to limited social distancing seating in the meeting room. The format for tonight's meeting is in compliance with PSATS. The meeting was also being recorded.

Roll call was held and the following Supervisors were present:

Lance N. Adam
Patrick Daly
Dean A. Adam

Also present at the board meeting were:

Allen Shollenberger, Esq.
Sandra Madara, Secretary/Treasurer

Public Comment- Rusty Wagner wants to get together with the State Fire Marshall and the Solicitor to come up with a solution to fire pit/burning in the township.

The fire company has opened up for one more day to see how it goes. Rusty also questioned the year end allotment report. Supervisor Adam stated that we should be able to just reimburse the allotment money. The fire company is using the same firm for their accounting and for their accountant.

Susie Peters- 681 Mohrsville Road- is having a problem with her neighbor burning and the ashes are going on her roof and all over her property. She had a photo of the whole area and the burn. Rusty Wagner was aware of the issue and stated that the State Fire Marshall has been to the property.

Approval of Minutes:

Motion was made by Supervisor Adam to accept the minutes of October 6, 2020 and October 13, 2020 with correction being made to the name David Kurtz not David Birch on Page 3. Chairman Adam seconded the motion. Motion passed with all Supervisors voting yes.

Treasurers Report:

Motion was made by Chairman Adam to accept the Treasurer's report dated November 1, 2020. Supervisor Daly seconded the motion. Motion passed with all Supervisors voting yes.

Motion was made by Supervisor Daly to approve the Bills for Payment. Supervisor Adam questioned the bill for Weebly and why the Secretary has to pay it? Chairman Adam stated it was for the Township Website and that someone cancelled the Sam's Credit card and the township did

not have a credit card to pay for the website. Motion was seconded by Chairman Adam. Motion passed with all Supervisors voting yes.

2021 Unofficial Budget- The 2021 Unofficial Budget was presented to the Board of Supervisors. Chairman Adam asked if this was ready to be approved and advertised. Supervisor Daly asked if there is a formula for the EMS Account and the Fire Departments? Chairman Adam stated these amounts are set at the Re-organization meeting in January. Chairman Adam asked Supervisor Adam if he had any comments, and Supervisor Adam stated, “there are a lot of mistakes.” Chairman Adam asked if Supervisor Adam would like to shed some light on the mistakes and Supervisor Adam said “not really!” Supervisor Daly, stated “let me wrap my head around this, you know there are mistakes on the budget and you are not willing to share those mistakes with the Board of Supervisors?”

Supervisor Adam stated, well I will share one with you, when you start off the budget with .. the math isn't right... You are at 1 million 556 and you should be at 1 million 689, all the way at the bottom, another one the cell tower, you have cell tower lease \$11,902.50 and then anticipated you have \$11,902.50, so they need to go over the numbers again.” Supervisor Adam stated there were more, but he had to look.

2021 Calendar for Meeting Dates – Motion was made by Chairman Adam to accept the 2021 Calendar of Meeting Dates and to advertise. Motion was seconded by Supervisor Daly. Motion carried with all Supervisors voting yes.

Reports:

The following reports were given to the Board of Supervisors:

Jeff Fiant, Kraft Code Services reported for the period ending October 24, 2020 there were 12 inspections. 6 were warehouses, commercial inspection, and residential. There were 4 CO's, 2 were warehouses, one was a manufactured home and one was a pool. There were 5 new permits with an improvement value of \$201,501.00. 2 accessory structures, and electrical improvement, alteration and a sprinkler system.

Gene Buck, Planning Commission – The Planning Commission had a meeting on 11/4/20 and all members were present. John Hoffert was present with subdivisions plans for Folk/Weitzel.

Donald Mast, Municipal Authority- They are working on the treatment building. Meeting will be tomorrow night and they will be discussing low pressure values to be put at Perry Meadows.

Joe Body, Zoning– We had 4 permits, 2 garages, 1 shed and Met Ed electric lines to a house.

Chad Kamp zoning permit-the UCC exemption contains criteria for the exemption. Chairman Adam asked if this is where the 25% condition comes in. Who is going to enforce when the doors are not open? Jeff stated that he has discussed the exemption and the building permit with Chad. Chad will meet the requirements for an exemption if the doors are open.

Alice Kamp was present and spoke to the Board of Supervisors. She wanted it known this is a family business and not just Chad.

The Solicitor stated there is a uniform construction code board and Alice Kamp has indicated that they intend to go before that board. On the advice of the Solicitor, the township will wait to see

what happens with their request to the County Board. The Solicitor asked Alice to stay in touch with Joe Body with status reports. Alice Kamp also asked what are the regulations for signs?

Joe Body discussed this with Chad. Joe also informed her she will need a permit for the signs. This will now be known as the Kamp Family farm, ACEC Farm.

Joe Body – Engineer- Hamburg Logistic Park Bldg 300 is 100% complete. Motion was made by Supervisor Daly to reduce the amount of security on Building 300 to \$165,916.50, leaving a balance of \$0. Motion was seconded by Chairman Adam. Motion was approved and all Supervisors voted yes.

Hamburg Logistics Park- Report 5- The punch list was completed with the exception of a couple of trees. There was never any money set aside for the cul de sac, as far as the security goes, the developers were required to take care of this. Matt Clymer from MRP Industrial was available by ZOOM and informed the Board that there is a contract to relocate pole with Verizon. They were paid \$125,000 but it takes some time. Their time estimate is about three months, so we are looking at February/March time frame.

Supervisor Daly made the motion to reduce the security from \$1,911,197.00 leaving a balance to be retained of \$79,391.00. Motion was seconded by Chairman Adam. Motion was approved with all Supervisors voting yes.

Charles Suhr, Esq. was present on behalf of the developer, and had an agreement that the Solicitor has reviewed previously. The Solicitor stated that since they are removing such a substantial letter of credit, they want a new agreement in place and will post a new letter with the \$79,391.00 in place. Motion was made by Chairman Adam to amend the letter of Agreement for Logistics Park HLP Building 100, that amends the previously recorded Improvements Agreement to reduce the security amount to \$79,391.00, motion seconded by Supervisor Daly. Motion passed with all Supervisors voting yes.

Chairman Adam stated that we are moving dirt and top soil and asked if anyone in the room needed top soil? It's all in the back of the building.

Joe Body showed the survey that all residents may fill out and answer questions about the area they live in. Surveys are available in the township office or on the website.

Joe Body walked the entire stream that Marshall Miller spoke about at the last meeting. It is thick and all natural. There are trees that have come down but as far as brush around the billboard, it was not there. It is very thick. There is really nothing we can do.

Solicitor- First item addressed was to the Municipal Authority- There was an email from Attorney Mark Koch that the Municipal Authority reached a deal with the Gene Bell Estate to acquire 16 acres on the South side of Rt 662. The question to the Board of Supervisors is, will the Board be willing to accept this as a natural subdivision or referred to as a defacto subdivision under the law because it is already subdivided and on the other side of the street and based on that waive the subdivision for the Authority. The Solicitor's recommendation is that by law, the road in fact creates the subdivision and they are two (2) very distinct parcels. There is no reason to ask them to submit a land development plan or a subdivision plan, the subdivision is already occurred.

Don Mast spoke to the Board and said that back when Gene Bell started Cedarbrook in 2005, at that time there was 2 test wells dug on the North side of 662 and they were to be dedicated to the Municipal Authority. There was never an Agreement that could be reached. Two years ago, the Authority decided to take it by condemnation. All the documents were written and Gene passed away. So then Mrs. Bell came to the Authority and said she would not like to have the well developed in back of the barn. She asked if the Authority could go across the street. We told her we could if there was water there. We dug a test well, and there was very good water. There was an appraisal that was done, and Mrs. Bell agreed to it and now we are in the process of writing up an agreement. The Agreement will probably pass at the meeting tomorrow night. The Solicitor asked for permission to contact Attorney Mark Koch and let him know that the township is willing to waive any subdivision plans and treat as a defacto subdivision. Motion was made by Chairman Adam to grant the Solicitor Allen Shollenberger permission to contact Attorney Mark Koch and to waive the subdivision for the Authority in the purchase of the property along Rt 662 and Skyline Drive. Motion was seconded by Supervisor Adam. Motion carried with all Supervisors voting yes.

The Solicitor reviewed a list of Assessment Appeals, there was nothing that stood out. They all went thru the assessment appeal process.

On lot sewage- The Ordinance was written based upon the DEP guidelines. The Solicitor recommended that we keep doing what we are doing and we need to update the Ordinance from 20 years ago. Motion was made by Chairman Adam to authorize the Solicitor to draft the Ordinance to reflect the DEP regulations and every three (3) year pumping. Motion was seconded by Supervisor Adam. Motion carried with all Supervisors voting yes.

Notice to Attempt to Adopt temporary Stop sign Ordinance on Zweizig Road as you approach Main Street in a Westerly direction and adding a Stop sign on Main Street approaching Zweizig in a Northerly direction, and then a Stop sign on Main Street approaching Zweizig in a Southerly direction. These are in keeping with the HOP that was approved for the 61 intersection. These were advertised October 31 and are ready for adoption this evening. Motion was made by Supervisor Adam to adopt the stop sign ordinance, seconded by Chairman Adam. Motion carried with all Supervisors voting yes.

Resolution of High Occupancy permit- Back in March 2010, Supervisor Adam was Chairman of the Supervisors, executed a condition statement when cross road is completed on 61 for a traffic signal at the new commercial location on 61, when the road is completed on the East side of 61 heading toward Bellevue Avenue, the township agrees that the intersection at Rt 61 and Bellevue, just North of Kuzan's, a barrier will be installed and it will be closed off. Motion was made by Chairman Adam to approve the resolution for the execution of the highway occupancy permit condition statement, seconded by Supervisor Daly. Motion was approved with all Supervisors voting yes.

EMC- Not present. Chairman Adam stated that next month he would like to discuss the Red Alert identification system.

Road Master- Not present.

J B Environmental- Not present.

Rec Park-There was no meeting last month, not enough people to attend.

Correspondence- Was looked at.

Comments:

Rusty Wagner- Just wanted to touch base about the Zweizig property and what they will be doing and what is required. Wanted to also clear up about the East/West side of 61. The Solicitor explained the Ordinance and the future of the roadway.

Nancy James, Ridge Road- Mrs. James thanked Joe Body for bringing the microphone to the meeting, said it was easier to hear and will be a lot better for the ZOOM people. I sometimes ZOOM and it makes it a lot easier to hear.

She also appreciated the sheets that are available at the meetings so that the residents can see what is going on. There are all kinds of information from the different departments in the township. and you can see what actions are taking place and I appreciate that.

Mrs. James asked if the hand tools were replaced? Chairman Adam stated, no I ran out of time this month. Mrs. James asked why, for the couple of dollars, and for the safety of the employees, why can't you just buy the tools that you want.? Supervisor Adam said, it's the batteries that are shot, safety wise the tools are safe. Chairman Adam stated that it was a good thing because today he saw at Home Depot the Milwaukee Tools there were \$150 off, so I plan to look at them and see if they are what we need.

Mrs. James asked about the cancellation of the Sam's card. It seems like no one on the Board knows who actually cancelled the card, who really had authorization to cancel the card, that put the township in a hardship? The website was dropped and other things, seems like it should be looked into by the forensic auditors or the Solicitor So someone in the office cancelled the card. If someone cancelled and did not have the authority to do it, that is a legal issue. The Solicitor addressed the issue.

Kathy DeCarlo asked if this was a township card. Chairman Adam said, "yes and Sam's Club did not want to give any information to us, because Mark Stitzel was the point of contact." We did a 3- way conversation with Mark, but they would only say that someone from here called and cancelled the card."

Mrs. DeCarlo also asked how soon the Stop sign changes will go into effect? The Solicitor said it could be within the next couple of days, they want to finish this project. The Ordinance is effective 5 days after enactment. Chairman Adam stated there will be flashing lights on the Stop sign. There was more discussion about the Stop sign.

Adjourn:

Chairman Adam made a motion to adjourn, seconded by Supervisor Daly to adjourn the meeting at 8:50 pm. Motion carried with all Supervisors voting yes.

MINUTES APPROVED ON:
December 8, 2020

RECORDED BY:

Lance N. Adam, Chairman

Sandra J. Madara
Secretary/Treasurer