

BOARD OF SUPERVISORS
PERRY TOWNSHIP
June 11, 2019

BEFORE THE REGULAR MEETING WAS CALLED TO ORDER AN EXECUTIVE SESSION WAS REQUESTED BY ALLEN R. SHOLLENBERGER. ATTENDING THE EXECUTIVE SESSION WERE ALLEN R. SHOLLENBERGER, ESQ., MARK WM. STITZEL AND LANCE N. ADAM.

The regular monthly meeting of the Board of Supervisors of Perry Township was called to order by Chairman Dean A. Adam at 7:38 p.m. on June 11, 2019 in the Perry Township Municipal Building, 680 Moselem Springs Road, Shoemakersville, PA

A roll call was held and the following Supervisors were present:

Dean A. Adam, Mark Wm. Stitzel and Lance N. Adam

Also present at the board meeting were:

Allen R. Shollenberger, Esq. and Rosanne R. Adam, Secretary/Treasurer

Comments:

Nancy James, Ridge Road, said thanks for fixing the potholes. Mrs. James circulated a handout to some of the residents and to the Board from the office of open records concerning public comments, questions during the comment period and recording of meetings. Mrs. James read and discussed this handout with the Board.

Cleon Swartzentruber, Brown Road, stated he would like the minutes corrected to reflect he would like the homes in the vicinity of the warehouse construction to get washed and that he thought the warehouses were good for the township.

Kathy DeCarlo, Zweizig Road, said she had questions for Mr. Body and wanted to know if he would be attending. Chairman Adam stated he would not be at tonight's meeting.

Rusty Wagner, Shoemakersville Fire Company, said a special thanks to you guys for the speedy response to his request for sand at the Bulk Chemical spill. Mr. Wagner said you got there really fast and the sand worked out well.

Approval of Minutes:

Dean A. Adam made a motion, seconded by Lance N. Adam to approve the May 7th Committee Meeting, and the May 14th Supervisors Meeting with the noted correction from Cleon Swartzentruber. Motion carried with all Supervisors voting yes.

Treasurers Report:

(See attached report)

Mark Wm. Stitzel made a motion, seconded by Lance N. Adam to approve the Treasurer's Report dated June 1, 2019. Motion carried with all Supervisors voting yes.

Bills for Payment:

(See attached list)

Lance N. Adam made a motion, seconded by Dean A. Adam to approve the Bills for Payment. Motion carried with all Supervisors voting yes.

Reports:

David Lindenmuth, Recreation Board, questioned what “Young Lungs at Play” was about. The Board discussed the value of having a smoke free recreation park and who would enforce the rule if they choose to post the park. Allen Shollenberger stated this is a policy you can adopt to regulate smoking and suggested having the Board members speak with the Boards that use the Recreation area and get their thoughts on regulating smoking. The Board reviewed the meeting minutes dated March 26, 2019.

Zoning Officer, Joseph Body was not in attendance. Mr. Body furnished notes for the Board to review along with the Zoning Report for May. Mr. Shollenberger stated notices, dated May 21, 2019, were given to the property at 132 Zweizig Road and 440 Birch Hill Road. Mark Wm. Stitzel stated we should proceed with NOV's on June 16th if the weeds haven't been cut. An email between Mr. Body and Mr. Druckenmiller was reviewed.

Jeff Fiant, Kraft Code Services, reviewed the permit activity report for April 21 thru May 25, 2019 with the Board and the Inspection Activity Report dated April 21 thru May 25, 2019. The extension for the dugouts was discussed. The path to the dugouts was discussed and it was agreed one path is better for mobility than two different ones.

Gene Buck, Planning Commission Chairman, stated the Board met on June 5, 2019 and all members were present. Larry Krick was present to request a zoning change for a small section of his property to C-1. The Board is favorable to the request and recommended supporting the change to the Board if he follows through with the things he needs to do. Mr. Buck said the Board didn't receive anything from Cedarbrook Estates. Chairman Adam stated the Township received the request yesterday for a time extension for Cedarbrook Estates from Eugene Orlando. Dean A. Adam made a motion, seconded by Mark Wm. Stitzel to grant a time extension to Cedarbrook Estates extending the review period to September 30, 2019. Motion carried with all Supervisors voting yes.

Donald Mast, Municipal Authority, stated Mr. McKinney and himself went to a meeting in Harrisburg. The original permit was withdrawn and the well will be sealed. A new site will be picked possibly near the tower for a test well. Mr. Mast said PTMA will be the permittee of the permit.

Ron Corl, EMC, stated the last two days were spent at the Bulk Chemical incident. Mr. Corl stated the township is receiving calls about the safety of residents' wells. Mr. Corl stated the spill was contained and residents should have no problems. Rusty Wagner, Shoemakersville Fire Company, stated a press release should be issued soon. The residents shouldn't worry, EPA and DEP are both on site and will do thorough investigations.

Mark Wm. Stitzel, Roadmaster, stated the first mowing is almost done. The roadcrew is working on cleaning the gutters where they've been washed out, sign updating and patching.

JB Environmental Services report was reviewed by the Board.

Township Engineer, Joseph H. Body's notes were reviewed by the Board. No comments were given.

Allen Shollenberger, Solicitor, stated a civil complaint was filed against the Sandridge property on Mohrsville Road. Mr. Shollenberger stated at Executive Session the Appeal for Windsor Castle Road was discussed and Mr. Shollenberger shared his opinions with Mark Wm. Stitzel and Lance N. Adam. Lance N. Adam made a motion, seconded by Mark Wm. Stitzel to retain Jill Nagy to review the appeal for a second opinion. Motion carried with two Supervisors voting yes. Dean A. Adam abstained. The Security Camera policy was discussed between the Board members. Lance N. Adam made a motion, seconded by Dean A. Adam to approve Resolution # 06-11-19 adopting the Security Camera Policy. Motion carried with all Supervisors voting yes. The Resolution to amend the Right-to-Know law was discussed. Lance N. Adam

questioned what constitutes harassment. Secretary Adam shared a recent Right-to-Know request the office received from a company in Oklahoma with the Board members. Dean A. Adam made a motion, seconded by Mark Wm. Stitzel to approve Resolution 06-11-19A to amend the Right-to-Know law and provide relief from vexatious requesters. Motion carried with all Supervisors voting yes. Secretary Adam will forward the signed resolution to State Representative Jerry Knowles' office. Mr. Shollenberger reviewed the request of Larry Krick and researched the zoning change. Mr. Shollenberger stated the request is acceptable if the petition to rezone is received and all fees are paid. Mr. McKinney, Mohrsville Road, is in disagreement with the advice given by Mr. Shollenberger. Mr. Shollenberger stated this is being done as a courtesy to a resident asking for a favorable or unfavorable disposition to the rezoning. No official action is being taken concerning the rezoning. Dean A. Adam stated he is in favor of the rezoning. Mark Wm. Stitzel and Lance N. Adam were also in agreement. The Rodriguez pumping issue was discussed. Mr. Shollenberger would like to find out more information before he makes a recommendation. Lance N. Adam will stop by the property and try to get information from the renter. The Lombardi plans have not been received to date. Mr. Shollenberger stated after Mr. Body receives, reviews, and the plan is acceptable Mr. Lombardi is entitled to a permit. Tom McKinney, Mohrsville Road, questioned what action is being taken against Albright. Joe will follow-up.

Appoint Planning Commission:

Chairman Adam stated the Board received letters from Mr. Buck and Mr. Rohrbach stating their desire to continue on the Planning Commission. Lance N. Adam made a motion, seconded by Dean A. Adam to appoint Gene K. Buck and Alton Rohrbach to the Planning Commission for a four (4) year term expiring on June 30, 2023. Motion carried with all Supervisors voting yes.

Outside Flag Pole:

Mark Wm. Stitzel reviewed the quote from the American Flag Shoppe with the Board. The installation price and process were discussed. Mark Stitzel will get warranty information for next month's meeting.

Employee Handbook:

Mark Wm. Stitzel and Dean A. Adam feel an employee handbook isn't relevant to our Township. Lance N. Adam would like another month to review.

Charles DeCarlo – Core 5:

Mr. DeCarlo is still having issues with Core 5 shining lights directly onto his home. Chairman Adam stated Mr. Body was on site today and the direction of the lights was changed. Mr. DeCarlo stated don't they have any common sense. Mr. DeCarlo was asked to call the township office if the lights were not changed.

Rac Geo II Sign K:

Lance N. Adam asked if other companies have this counter. He'll check till next meeting.

Appeal – Windsor Castle Road:

The appeal was discussed and voted on during the solicitors' report.

Vacancy Board Letters of Intent:

The Township received two letters of intent for the Vacancy Board. Lance N. Adam would like to advertise. The Board discussed the cost to advertise versus using our website.

Lance N. Adam stated he'd like more to think about the options and would make his decision before the end of the meeting. It was decided to put something on the website.

A-1 Line Stripping BCCPC:

Mr. Snyder, Grandview Road, asked what the cost to line strip one mile of road is. Roadmaster Stitzel stated the entire township is done every other year. The cost was around Forty-Eight Thousand Dollars (\$48,000.00) in 2018. The roads will need to be done next year.

2019-2020 Highway Rock Salt Vendor Approval BCCPC:

Dean A. Adam made a motion., seconded by Lance N. Adam to approve the vote to award the 2019 BCCPC contract for Highway Rock Salt to Eastern Salt, Inc. at the unit price of Sixty-Two Dollars (\$62.00) per ton. Motion carried with all Supervisors voting yes.

Bryan Althouse – Grass on Roadway:

Mr. Althouse asked if an ordinance or law exists prohibiting people to mow their grass into the roadway. Mr. Althouse stated it can become a safety issue depending on how much grass is being mowed onto the road. If you mow your grass onto the road have the decency to blow it off. A discussion followed and the Board decided to post something on the website asking residents not to mow into the roadway. Secretary Adam said we can put it on the news page of the website.

Helen Dunkle – Household Waste Burning:

Mrs. Dunkle, Paradise Avenue, gave the Board members handouts concerning the health effects of burning household trash. Mrs. Dunkle stated the content of household trash has changed dramatically over the last fifty years. Mrs. Dunkle asked if an ordinance to stop burning household trash could be adopted and protect the health of the township citizens. Chairman Adam stated they would check into it. Rusty Wagner, Shoemakersville Fire Company stated the township has no burning ordinance.

Virginville Fire Company Reports:

The Board reviewed the reports submitted by Virginville Fire Company.

Bill Collection Email:

Mr. Shollenberger stated this email applies more to uncollected municipal costs for water or sewer and not to us. The Board shared the email with Mr. Mast, Municipal Authority Chairman.

Dave King – Zoning Change:

Mr. King stated he had firsthand knowledge about the flag pole he wanted to share. This is taken very seriously by some people and suggested making sure you do it correctly. The lighting and liabilities need be considered if you do your own installation. Mr. King stated the main reason he was attending tonight's meeting was to get feedback from the Board concerning a change to the zoning for the Dietrich farm. There is a pending sales agreement for the Bellevue Avenue property. It was discussed that the property was zoned for garden apartments and Mr. King would possibly like to change the zoning for warehousing. Mr. King was asking as a courtesy to find out if the Board would prefer more homes or rezone to CLI. Dean A. Adam said no to the rezoning and thought the township will need housing when the warehouses become occupied. Mark Wm. Stitzel and Lance N. Adam were in agreement to not rezone. Mr. Shollenberger suggested a fair share analysis of the property and to carefully look at the uses.

Comments:

Mr. Snyder, Grandview Road, is concerned about the standing water near where Perry Golf Course was and if mosquito controls will be in place. Dean Adam said the ponds aren't expected to have significant water in them. They are full due to the amount of rainfall we've been having.

Mr. DeCarlo, Zweizig Road, is dissatisfied with the township's legal representative.

Mr. Leatherman, Laurel Road, thanked the township for the good job they are doing mowing the weeds and grass.

Steve Himmelreich, Main Street, asked if residents are able to hook-up to the gas line. Residents are able to hook-up. Dave King stated grants were received for the gas line in conjunction with the warehouse projects.

Rusty Wagner, Shoemakersville Fire Company, gave an update on the Bulk Chemical spill and fire. Mr. Wagner will keep the office in the loop. The road will most likely be closed for the next week or two.

Correspondence:

The Board reviewed the correspondence.

Adjourn:

Dean A. Adam made a motion, seconded by Lance N Adam, to adjourn the meeting at 8:56 p.m. Motion carried with all Supervisors voting yes.

MINUTES APPROVED ON
July 9, 2019

RECORDED BY

Rosanne R. Adam, Secretary/Treasurer

Dean A. Adam, Chairman