

BOARD OF SUPERVISORS
PERRY TOWNSHIP
January 15, 2019

The regular monthly meeting of the Board of Supervisors of Perry Township was called to order by Chairman Dean A. Adam at 7:30 p.m. on January 15, 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:

Larry Krick, Main Street, stated the neighbor is burning trash and burning off copper wiring. Lance N. Adam suggested he call the Fire Marshall and would get him his name and number after the meeting.

Nancy James, Ridge Road, stated at the Organizational Meeting you appointed Rosanne as the delegate to the Vacancy Board. She wanted an explanation on how that was approved. Chairman Adam stated the motion process was done in accordance with Psats. Mrs. James mentioned someone was interested in the position but wasn't considered. Chairman Adam said the Board was not aware of someone being interested in the position until the motion was made. Lance N. Adam stated he wasn't aware he needed to tell anyone.

Tom McKinney, Mohrsville Road, stated Mr. Mast asked if he would attend tonight's meeting. Mr. McKinney asked as a taxpayer and not as a Municipal Authority member why the trailer for Chairman Adam's mom and dad was not moved after they passed away. Chairman Adam stated the Board gave permission for us to keep it on the property for our daughter to help with our businesses. Mr. McKinney stated he wanted to see a copy of the minutes.

Gerald Haag, Main Street, wanted to know when the fire hydrant was going to be moved. Chairman Adam stated the Municipal Authority was moving the hydrant and suggested he attend their meeting.

Woodrow Lutz, Perry Road, wanted to know why Virginville Fire Company is asking for help with a truck. Mr. Lutz stated Shoemakersville Fire company trucks are old.

Susan Lutz, Perry Road, wanted to know why someone was appointed to the Vacancy Board who clearly has a conflict of interest.

Mary Reinhart, Dreibelbis Mill Road, asked since we opted out of ARL what is Plan B. Chairman Adam stated Vice Chairman Adam was doing the research. Lance N. Adam stated we contacted other municipalities and everyone he spoke with was opting out. Mrs. Reinhart spoke favorably about the ARL, the number of services they provide and shared her concerns because the Township opted out.

Approval of Minutes:

Mark Wm. Stitzel made a motion, seconded by Lance N. Adam to approve the meeting minutes for the December 4, 2018 Committee Meeting and the December 11, 2018 Supervisors meeting. Motion carried with all Supervisors voting yes.

Treasurers Report:

(See attached report)

Dean A. Adam made a motion, seconded by Lance N. Adam to approve the Treasurer's Report dated January 1, 2019. Motion carried with all Supervisors voting yes.

Bills for Payment:

(See attached list)

The Board discussed the payment to Landis C. Deck for the additional charge above the bid price. Chairman Adam stated if they were going to use more asphalt or the measurements were not correct, they should have contacted the Township. Joe Body, Township Engineer reviewed the roadwork documents and stated they were in order with the amount of material billed and the amount of material received. Mr. Body suggested, in the future, not using the standard forms that PennDot uses. Allen Shollenberger, Solicitor, stated the excess material was provided but the question of reasonableness in the bidding process is a practical issue and not a legal matter. Dean A. Adam made a motion, seconded by Mark Wm. Stitzel to approve the Bills for Payment including the invoice for Landis C. Deck. Motion carried with all Supervisors voting yes.

Reports:

The Recreation Board had no meeting in December.

Zoning Officer, Joseph Body, reviewed the zoning report for December with the Board. Mr. Body stated a permit was issued for Perry Game Association for an addition and deck to the clubhouse. Mr. Body stated the township has received many complaints about the Sandridge property. The Board discussed sending him an NOV and Mr. Body said it falls within the maintenance code. Mr. McKinney added while you're at it send one to Albright. The Board agreed to send both properties a NOV. Mr. Body informed the Board that an indoor golf course is apparently operating at the property on Route 61 aside of the gas station. Mr. Body mentioned the gas station has applied for a gambling license stating the property is a truck stop. Pennsylvania has passed a law allowing truck stops to have gaming machines. Mr. Body will keep the Board updated on both properties.

Jeff Fiant, Kraft Code Services, reviewed the permit activity report ending December 22, 2018. Mr. Fiant stated one permit was issued for Building 100. Mr. Fiant said they have been doing inspections for the pouring at Valley West Logistics Center and they are almost ready to go vertical. with steel.

Gene Buck, Planning Commission Chairman, attended the January 8, 2019 meeting and gave his report at that meeting. The Board reviewed the minutes from the December 5, 2018 meeting.

The Municipal Authority minutes dated November 14, 2018 and December 12, 2018 were reviewed by the Board. Tom McKinney was present representing the Municipal Authority by request of the MA Chairman, Donald Mast. Mr. McKinney stated at the joint meeting what was brought up by Dean Adam about the building that was purchased and is stored on his property for maintenance of pumps. Mr. McKinney stated he didn't want the money and the Board made the decision to pay him. Mr. McKinney said we will move the building to the township property if the township agrees to pay the extra hour to hour and a half labor they will be charged. Dean Adam said at the joint meeting it was mentioned the building was going to be moved and asked Mr. McKinney to confirm when the building was getting moved. A specific date was not determined. Mr. Body questioned the acquisition for the wells and storage tank and if an easement was needed to access them. Mr. McKinney stated the access will be off Skyline Drive and the lot would have no road frontage, never become a lot for sale and the lot would be

used only for utility purposes. Chairman Adam asked if it needs to go through the Planning Commission. Mr. McKinney said Mark Koch, Municipal Authority Solicitor, stated it wouldn't be an issue.

EMC had no representation.

Mark Wm. Stitzel, Roadmaster, stated the roadcrew is patching potholes and taking care of wet spots as they occur and working on the drain tile. Mr. McKinney asked Mr. Stitzel how much oil was used on Mohrsville Road to fill cracks. Mr. McKinney said the road is in bad shape and it probably took at least 3000 gallons. Mr. Stitzel replied, he would estimate the gallons used on Mohrsville Road to be closer to 1000 gallons and not 3000 gallons since that was the total for all roads in Perry Township. Mr. Stitzel stated we have until March 15, 2019 for the Costars sodium chloride contract for the 2019/2020 season.

JB Environmental Services report for December was reviewed by the Board.

Joseph H. Body, Township Engineer, stated he should have discussed this during the zoning report. Mark Wm. Stitzel contacted him that the sale went away for the annexation. Mark Wm. Stitzel stated he is withdrawing the plan. Allen Shollenberger stated the plan needs to be rejected to keep a clear record of the deemed approval. Dean A. Adam made a motion, seconded by Lance N. Adam to reject the Stitzel Annexation. Motion carried with two Supervisors voting yes. Mark Wm. Stitzel abstained.

Joseph H. Body, Township Engineer, stated the Logistics Park developers are asking to have the line of credit reduced for the Hamburg Logistics Park project. Mr. Body submitted Progress Report #1 dated January 15, 2019. Mr. Body explained and reviewed this progress report with the Board. Tom McKinney stated the Municipal Authority has sewer issues on Logistics Drive. Mr. Body stated they have things to finish that are independent of this report. Dean A. Adam made a motion, seconded by Mark Wm. Stitzel to a partial reduction of the financial security in the amount of Three Million Five Hundred Three Thousand Six Hundred Thirty-Eight Dollars (\$3,503,638.00) which represents completed and acceptable work. Motion carried with all Supervisors voting yes.

Allen Shollenberger, Solicitor, stated the hearing for the Hillside Drive pump out is scheduled for February 8, 2019. The Rozetar matter has been resolved and all fees owed the Township have been paid. Mr. Shollenberger stated the site lease agreement with P3 Towers has been reviewed and the requested changes have been made to the agreement. Dean A. Adam made a motion, seconded by Lance N. Adam to enter into the Site Lease Agreement with P3 Towers for a cell tower on the Township property. Motion carried with all Supervisors voting yes. Mr. Shollenberger stated he received an email for the tax sale of the property on Water Street. The judicial tax sale form has a column to list unpaid fees. Mr. McKinney was asked if the municipal authority had any liens against the property. Mr. McKinney stated he was unsure how it was handled but did say the Municipal Authority didn't want to own this property. Secretary Adam stated she gave a copy of the report to the MA Secretary, Darlene Mast. Mr. Shollenberger will check his records and contact Mark Hoch about the judicial tax sale report. Mr. Shollenberger stated the EMS financials were provided to him for Virginville Fire Company, Shoemakersville Fire Company, Hamburg EMS, and Schuylkill Valley EMS. Mr. Shollenberger stated he would need more time to review the documents. Mr. Shollenberger did say he was struggling with one of the four and suggested speaking with this entity about the report that was submitted. The Township has a responsibility to follow the funds released to these entities.

Valley West Logistics Center/Core5:

Allen Shollenberger stated all documents are in order and we have received everything we've asked for. Mr. McKinney asked if the township will own the roads in the development.

The Logistics Center has access to Zweizig Road and the township won't maintain the roads within Valley West Logistics Center. The letter of credit in the amount of Four Hundred Nineteen Thousand Nine Hundred and Twelve Dollars (\$419,912.00) for the PennDot Improvements Agreement was received. Dean A. Adam made a motion, seconded by Lance N. Adam to approve the PennDot Improvements Agreement and to release the plans for Valley West Logistics Center. Motion carried with all Supervisors voting yes. Kraft Code Services may now release the permits.

Generator Quotes:

Dean A. Adam made a motion, seconded by Mark Wm. Stitzel to purchase an inverter generator (Hondo EU2200i) for Nine Hundred Forty-Nine Dollars (\$949.00) from Manor Equipment to operate the traffic signal if an outage occurs. Jeff Fiant stated he would pick the generator up at Manor Equipment for no fee. The office will contact Manor tomorrow to make payment arrangements. Motion carried with all Supervisors voting yes.

UCC Appeals Board:

Allen Shollenberger, Solicitor, suggested staying with the Appeals Board. Jeff Fiant, UCC Officer, stated if you opt out you will need to have your own Board. Dean A. Adam made a motion, seconded by Lance N. Adam to participate in the Countywide Board of Appeals. Motion carried with all Supervisors voting yes. Secretary Adam stated the invoice is on the bills for payment.

Spotted Lanternfly Control Program:

Chairman Adam stated forms are available for residents to contact the Conservation District to help with eliminating the spotted lanternfly. If you need a form you may get one after the meeting from the secretary.

Virginville Fire Company Run Cards & Officer List:

The run cards and the officer list were reviewed by the Board.

Virginville Truck Request:

Vice Chairman Adam read aloud the Virginville Fire Companies' email request. Tom McKinney stated Virginville receives a 1 mill fire tax and gets money from Perry Township. Lance Adam stated Shoemakersville Fire Company receives Forty-Three Thousand Dollars (\$43,000.00) total but a workmen's compensation payment gets deducted from that amount. Shoemakersville had approximately Two Hundred Ten (210) calls and Virginville is receiving Seventeen Thousand Dollars (\$17,000.00) for approximately Eighteen (18) calls. Josh Schaeffer, Northview Avenue, spoke against giving money to Virginville Fire Company. Woodrow Lutz, Perry Road, stated Virginville Fire Company should consider the money they get as their donation. A resident wanted to know why would we consider giving Virginville money. Dean A. Adam said they have a right to ask because they serve Perry Township. Mark Wm. Stitzel said we would consider helping because they made a request. Mark Wm. Stitzel suggested giving Virginville Fire Company Three Thousand Dollars (\$3,000.00) to help with their purchase. Dean A. Adam stated we needed more time before making a decision.

PA 811 Safe Digging Month:

The Board discussed the 811 Proclamation for a safe dig month. The Board thought every month should be considered a safe dig month and didn't designate the month of April as "Pennsylvania 811 Safe Digging Month"

Comments:

Allen Shollenberger requested an executive session before adjourning the meeting to discuss possible legal issues with developers concerning infrastructure. No action will be taken by the Board.

Many residents were unhappy that Rosanne Adam was appointed to the Vacancy Board at the Organizational Meeting stating it's a conflict of interest because she is the Chairman's wife. Allen Shollenberger disagreed and stated there is no conflict of interest.

Steve Bleiler, Virginville Fire Company Chief, wanted to correct the comment of the man in the back. Mr. Bleiler stated we don't receive a 1 mill fire tax because it is shared with another fire company. Mr. Bleiler stated Virginville serves multiple municipalities and is asking all of them for assistance with the purchase.

Tom McKinney stated he wanted a copy of the minutes and sewer documents because your daughter living at your property is no hardship case.

Gerald Haag asked when the fire hydrant was going to get moved. Chairman Adam stated he needed to attend the Municipal Authority meeting to get an answer.

Stan Snyder stated he thought the paving company underbid the roadwork to get the job and now they want to charge more.

Susan Lutz suggested getting a microphone because Mr. Body and Mr. Shollenberger mumble and they are hard to understand.

Correspondence:

The Board reviewed the correspondence.

CHAIRMAN ADAM RECESSED THE MEETING AT 8:43 PM. THE BOARD OF SUPERVISORS, JOSEPH BODY, JEFF FIANT, AND ALLEN SHOLLENBERGER WENT INTO AN EXECUTIVE SESSION. THE BOARD RETURNED TO THE MEETING AT 9:26 PM.

Adjourn:

Lance N Adam made a motion, seconded by Dean A. Adam, to adjourn the meeting at 9:27 p.m. Motion carried with all Supervisors voting yes

MINUTES APPROVED ON
February 12, 2019

RECORDED BY

Rosanne R. Adam, Secretary/Treasurer

Dean A. Adam, Chairman