

BOARD OF SUPERVISORS
PERRY TOWNSHIP
January 12, 2021

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 January 12, 2021 in the Perry Township Municipal Building, 680 Moselem Springs Road, Shoemakersville, PA. This meeting was being recorded. This meeting was also on Zoom.

The Pledge of Allegiance was recited.

A roll call was held and the following Supervisors were present:
Lance N. Adam, Patrick J. Daly, and Dean A. Adam

Also present at the board meeting were:
Allen R. Shollenberger, Esq. and Sandra J. Madara, Secretary/Treasurer by Zoom.

Public Comment:

Sue Lutz- In California the people are signing petitions to get rid of Gov Gavin Newsom. They have 1 million signatures, why can't we do the same if we have elected officials, we want to get rid of? Chairman Adam stated this goes back to the Governor and PSATS. Chairman Adam said his understanding is, you can only get rid of an elected official if they have a felony conviction. The Solicitor stated that in PA a petition will not remove an elected official. PA law is different from California.

Chuck DeCarlo- Had question on one of the bills, will be discussed at payment of bills.

Kathy DeCarlo- Stated that the township may have trouble finding a Secretary that can deal with Dean, did you consider hiring a bookkeeper that at least the financial aspects would be covered? Chairman Adam stated that we really haven't discussed what we are going to do. Chairman Adam said that Sandy will stay on and keep the township moving forward, there are temp agencies that deal with Municipal secretaries. Supervisor Daly stated that this really has not been discussed due to the Sunshine Law and we would be in violation. It must be discussed with the whole body together. The Solicitor stated that Personnel matters can be discussed in Executive Session. Supervisor Daly stated that they will look at everything to make sure the township is running efficiently and the taxpayer's dollars are being spent wisely.

Rusty Wagner- Questioned the thickness of the blacktop at the launch ramp. Joe Body answered 2 inches. Joe Body stated they should all get together and go look at the ramp, and the top of the bank. So we can see where you can go and all of that.

Supervisor Daly gave the Disclaimer- the meeting is being recorded for the accuracy of the minutes and the benefit of the Secretary to transpose the official minutes. Also, I would like to give a second Disclaimer, although these meetings are open to the public and you may record them

in any way you see fit. However, recording an individual without their knowledge after the meeting has been adjourned is a violation of the Pennsylvania law, the Wire Tap Law. So be advised that if you do that, please don't do it again. Thank you.

Rusty Wagner- Told Chairman Adam he did get his email with the info he requested. He will make notes and will forward to the State Fire Marshall. The Solicitor asked if he could share with the Board of Supervisors for their comments before he forwards the paperwork to the fire marshall.

Greg Davis- Faul Ewing- The Solicitor said Greg Davis was not here this evening. Allen spoke to Greg and Allen said Greg and his client will be at the Planning Commission meeting in February. They have a plan for development of the Birch Hill Foundry site and will present the plan to the Supervisors.

Rea Garrett- McCarthy Engineering-The Bell Tract plan was approved back in September, but due to circumstances the plans were not recorded. We needed to make an appointment to record the plans. These plans just need to be signed and dated so they can be recorded.

Approval of Minutes:

Motion was made by Supervisor Adam to accept the Minutes of December 1, 2020. Motion was seconded by Chairman Adam. Motion carried with all Supervisors voting yes.

Chairman Adam made a Motion to approve the minutes of December 8, 2020. Motion was seconded by Supervisor Daly. Motion carried with 2 Supervisors voting yes. Supervisor Adam abstained.

Motion was made by Chairman Adam to accept the minutes of the December 29, 2020 Recessed Meeting. Motion was seconded by Supervisor Daly. Motion carried with 2 Supervisors voting yes. Supervisor Adam abstained.

Treasurer's Report-

Motion was made by Supervisor Adam to accept the Treasurer's Report dated 1/1/21. Motion was seconded by Chairman Adam. Motion carried with all Supervisor's voting yes.

Bills for Payment:

Chuck DCarlo questioned why there are 3 Invoices for SOS Machines. Secretary Madara explained that SOS mailed three (3) bills, they were never received in the office. When the Secretary called to have them send their renewal Maintenance contract, they informed me (Sandy Madara) we had not paid the bills. So, we owed October, November and December invoices. Chairman Adam questioned the bill for copies being charged.

Motion was made by Chairman Adam to pay the bills for January 2020. Motion was seconded by Supervisor Daly. Motion carried with all Supervisors voting yes.

Reports:

Kraft Codes- Jeff Fiant reported for the period ending 12/26/20, we were extremely busy. We performed 19 inspections. Issued 3 permits for a total of \$31,325.00. The projects were, Logistics Drive, a garage and solar panels.

Planning Commission: Gene Buck stated they had their meeting on 1/6/21. One member was absent, Ray Hepner. The first order of business was the re-organization. Chairman is Gene Buck, Vice-Chairman is Jerry Clay and Nancy Rogers is the Secretary.

Ronald Adams was present with his daughter and they submitted plans for review.

Rt. 61 Perry Commercial Center- looked over the sketches and there was no motion made. Meeting adjourned at 8:20 PM.

Municipal Authority- Don Mast-Tested water at 180 gallons a minute. There is a letter going out to the residents and warehouses about putting wipes down the sewer. Last month there was a mophead found, this month it was full of wipes. A meeting was held at HLP. There was a water leak, about 124,000 gallons of water was used.

Zoning Officer- Joe Body issued 5 permits in December. 2 went to the Kamp Farm. One was for the sign, the other was for the operation of the farm stand, a dog grooming home occupation and for directional signs at Materion. A permit was issued for a roof mounted solar system.

There is an email in the packet about a scoping meeting from PENN DOT. This relates to Birch Hill Road. PENN DOT says they have nothing to do with that. Joe Body also stated this week into next there will be a helicopter flying looking at the power lines. MET Ed is looking at the lines.

There is a gentleman on Shoemakersville Road who wanted information about opening a Falconry. He will get all the permits and licenses from the Game Commission.

Engineering- Performance Bond for Folk Paving. There is money being held so that if Folk would not pay the workers, money has been held. Joe will fill out form and send in. (SJM mailed)

EMC- Jarrod Emes submitted the Emergency Action plan for review and signatures. There is also a Resolution that needs to be signed.

Code Red- Chairman Adam is going thru training and getting it set up live.

Roadmaster- Chairman Adam read the report. Items were dumped thru the township. A lawn mower, television sets with glass all over the road. Brief description of what has been done to the trucks. Description of what was done on the roadways.

J B Environmental- No report

Recreation Park- No December meeting. Rec board had an event with Lions Club and Shoey Boro. Supervisor Daly gave a report of the event. Gifts for the children were donated from Lions Club, Rec Board and Shoey Boro. They gave away 3 bikes, and lots of toys. The kids really got to enjoy themselves. Supervisor Daly said this was a nice way for everyone to be together and the kids did not miss Christmas. It was all done social distancing and everyone had a good time.

Solicitor- The Solicitor drafted an Ordinance and was looking for approval to advertise the traffic study. Motion was made by Chairman Adam to advertise the Ordinance for Speed Limit of 35 mph on Logistics Drive, seconded by Supervisor Adam. Motion carried with all Supervisors voting yes.

Amendment to Ordinance # 2 1998- this was adopted for the online sewage systems and pump schedule. Motion was made by Chairman Adam to advertise the Ordinance that states anyone with an on lot septic system must pump it every 3 years. This is the standard DEP regulations. Motion was seconded by Supervisor Adam. Motion carried with all Supervisors voting yes.

Motion was made by Supervisor Adam to have a conditional use application hearing on Tuesday, February 9, 2021 at 7:00 PM for Ronald W. Adams, 268 Birch Hill Road. This is the property that is being subdivided into three lots. One lot is actually a natural sub-division already, conditional use is required for the sub-division of Lots in the RA district. Seconded by Chairman Adam. Motion carried with all Supervisors voting yes.

The Solicitor stated he did not have the hard copy with him of the Resolution he prepared. The Municipal Authority is acquiring property from the Bell Estate on the South side of 662. We need a Resolution from the township that says the formal subdivision process is waived, because it is being transferred to the Municipal Authority. As long as the Municipal Authority holds on to the land there will be no sub-division requirements at all. Motion was made by Supervisor Daly to waive subdivisions requirements for the municipal authority, seconded by Supervisor Adam. Motion carried with all Supervisors voting yes.

SOS Maintenance contract- Chairman Adam looked at the contract. Contract covers labor and material and replacement parts. After some discussion of the contract, Supervisor Daly made a motion to table voting on the contract at this time, motion was seconded by Chairman Adam. Motion carried with all Supervisors voting yes.

Public Comment:

Dan Leatherman- Jeff Winter has been mowing the grass at the corner of 662 and Sieger Lane. Dan stopped to thank him for doing this. This makes it a lot easier to see when pulling out. Dan suggested maybe a note from the township to thank him for doing this.

Chuck DeCarlo- Read his letter that was given to the Supervisors. The letter stated why Supervisor Dean Adam does not have to abide by the rules? Dean has caused additional costs to the township and now the township has to hire another Secretary and add more expense. It does not seem that Supervisor Adam has the citizens of the township's best interest in mind. He should resign immediately.

Nancy James- Questioned the Right to Know Request that Dean Adam submitted and asked if the litigation is still going on? The Solicitor answered "no, there is no litigation and there is still one open request." The next item to be discussed is the other week, it was discussed about a loader accident. Supervisor Adam wanted to know if a drug test was administered to that employee? Mrs. James stated that you have been out there for over 24 years and you have never done any damage to the equipment? Dean A. Adam answered "no". Mrs. James asked about shattering the windshield and right glass door on the John Deere? Crack in the new John Deere boom mower

hood from cutting a branch that fell on the hood? In 2019 putting the new 2018 International 10-wheeler in a ditch. 4-5 feet off the road on Farview? Were you using a cell phone? Dean Adam stated "no". Who told you this? "Mrs. James stated, you need go to bars, garages, social media it's all out there Dean! Dean Adam responded, "I am not out there on social media, I don't have a Facebook account." Mrs. James asked about dumping at least 2 loaded buckets of salt in some grass? Was there a drug test done? Mrs. James asked if you ever had a drug test done? Dean Adam stated, "I have a CDL license, I get one done every year. "Mrs. James asked did you have a drug test done when you put the 10-wheeler in a ditch? Dean Adam said, "they took me off the work list, so it doesn't matter." Mrs. James stated, "yes it does matter, I want to know if there was a drug test done, when you dumped the 10-wheeler in the ditch?" Dean Adam stated "no". Mrs. James asked "why not?" "Your wife was the Secretary and that should have been done. Just like you are requesting the others to have one done." Mrs. James said, "so it's do as I say, not as I do?" "So, you are denying you didn't have any of these accidents? None of this stuff happened?" Dean Adam stated "no". Mrs. James said, "you can sit there and actually say that?" Dean Adam stated, "I don't remember." Mrs. James stated "if you don't remember that, you should not be a Supervisor because you have a lapse of memory. "Mrs. James stated we need someone here who is going to represent us." Dean Adam stated "you will see me next month." Mrs. James stated "we will be here also, and we will be here till you are done." Dean Adam stated, "you will see me till January of next year." Mrs. James said, "the last thing " it was also on social media, that Lance wrote the Employee Handbook, however Mark and you (Dean Adam) were the Supervisors, so people need to get their facts straight, stop the hatred and spreading lies." Dean Adam stated "you should hear what was said about these guys earlier last year."

Larry Martin, Forest Lane- Asked if anything can be done about water on the road at Alpine Road.

Stan Snyder- Asked if there was anything, we can do to keep Sandy the Secretary? Sandy said "thank you Stan."

Tom Resh-Alpine Road- Made suggestions to the water on Alpine Road.

Deane Hamm- Explained what he did on Alpine Road and the leaves are part of the issue. He also clarified other areas of the township and what he did.

Patrick Daly- Reached out to the Mayor of Hamburg as well as the library to get some statistics. The money distribution for their income is as follows:

\$28,000 from the Borough
\$3500 from Tilden
\$3300 from Windsor (this year they gave a little less)
\$2500 from Perry Township

Nancy James stated that she contacted the library and spoke to Jeannette Heckman and invited her to the meeting, but she has another meeting that falls on the same night as the township meetings. She explained to Mrs. James that yes, they do get \$28,000 but they don't pay rent for the building. So, if anything goes wrong, they must pay to fix part of it. They also get money from the school district.

Correspondence:

Statute why the rec board does not get paid was discussed and Chairman Adam said he would give Kathy DeCarlo a copy of the statute.

Letter from Kenneth and Nancy James-asking for resignation of Dean Adam – was read by Supervisor Daly

Letter from Chuck and Kathy DeCarlo was read by Chuck DeCarlo- asking for resignation of Dean Adam

Letter from Susan Lutz- read by Patrick Daly- asking for resignation of Dean Adam

Susan Lutz- stated that her church does not allow husband and wife to be on church council – they just started to allow it because they could not get people on council.

Letter from Donna Long- letter read by Chairman Adam-asking for resignation of Dean Adam

Letter from Debra Wahl- read by Chairman Adam- comments regarding Dean A. Adam harassment of the township Secretary.

Adjourned:

Motion was made by Chairman Adam to adjourn at 8:35 pm, seconded by Supervisor Daly. Motion carried with all Supervisors voting yes.

MINUTES APPROVED ON
February 9, 2021

RECORDED BY

Sandra J. Madara, Secretary/Treasurer

Lance N. Adam, Chairman