

BOARD OF SUPERVISORS  
PERRY TOWNSHIP  
May 14, 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 May 14, 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:**

Josh Schaeffer, Northview Avenue, asked why no signs or warnings were on Allendale Road where the township did roadwork.

Cleon Swartzentruber, Brown Road, expressed his disagreement with Mr. Shollenberger's advise to the Board concerning the recording of meetings.

Chairman Adam stopped the comment period to ask the State Police Officers to comment. The officers asked if the residents had any questions for them. Nothing was asked and Chairman Adam thanked them for stopping by.

Charles DeCarlo, Zweizig Road, complained about the dust from the warehouse.

Tom McKinney, Mohrsville Road, stated he didn't say what was written in the February minutes.

Rusty Wagner, Shoemakersville Fire Company, talked about the warehouse inspections.

Troy Heckman, Skyline Drive, asked about full-time employees in the future.

Bryan Althouse, Adams Hotel Road, said he agrees that when a resident asks not to be taped you shouldn't do it secretly.

**Approval of Minutes:**

Dean A. Adam made a motion, seconded by Lance N. Adam to approve the April 2<sup>nd</sup> Committee Meeting, April 4<sup>th</sup> Joint Meeting, April 9<sup>th</sup> Supervisors Meeting and the April 23<sup>rd</sup> Recessed Meeting with a correction to the April 9<sup>th</sup> meeting minutes to correct the misspelling of Mr. DeCarlo's name. Motion carried with all Supervisors voting yes.

**Treasurers Report:**

(See attached report)

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

**Bills for Payment:**

(See attached list)

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

## Reports:

David Lindenmuth, Recreation Board, reported the Recreation Board is in the process of getting new pricing for the walking trail, have talked with the art teacher about a mural and are waiting for the weather to do the repairs to the bathrooms. Mark Wm. Stitzel asked if they would be interested in two loads of wood chips. Mr. Lindenmuth will check. Chairman Adam reminded Mr. Lindenmuth the township office hasn't received the ethic forms for the Rec Board that were due by May 1<sup>st</sup>.

Zoning Officer, Joseph Body, reviewed the April zoning report for with the Board. The 2018 zoning summary report was also reviewed. Mr. Body stated the NOV for Adam was hand delivered and served. Mr. Body talked about the possibility of locating a mobile home on the Miller farm where a home previously was. Some of the systems are still available and the procedure to move forward will need to be discussed with conflict counsel Ms. Nagy. Mr. Body will check with Ms. Nagy before issuing a permit. Lance N. Adam asked if was temporary.

Jeff Fiant, Kraft Code Services, reviewed the permit activity report for March 24 thru April 20, 2019 with the Board. Mr. Fiant said the inspections at the ballfield are complete. Lance N. Adam asked if an extension to finish the walkway would be given due to the weather. Mr. Fiant stated they could extend if necessary.

Gene Buck, Planning Commission Chairman, stated the Board met on May 1, 2019. Larry Krick was present to discuss rezoning his R2 property to a C1. No action was taken on Mr. Krick's request to allow time for review. Mr. Shollenberger suggested to the Board if they are not inclined to change the zoning for this property, they should express that to the Planning Commission to alleviate spending money needlessly.

Donald Mast, Municipal Authority, stated the valve at Esther & Waxwood is being fixed by Wexcon. Mr. Mast updated the Board concerning the well and DEP testing of that well. The minutes for March 13<sup>th</sup> and April 14<sup>th</sup> were reviewed by the Board.

Ron Corl, EMC, was present and had nothing new to report.

Mark Wm. Stitzel, Roadmaster, stated the roadcrew is working on repairs, patching, shoulder work and sign updating.

JB Environmental Services report was reviewed by the Board.

Joseph H. Body, Township Engineer stated the copies of the revised traffic signal have been approved by PennDot. The plan reflects the addition of a southbound right lane associated with HOP #05055477. Mr. Body stated the stripping needs to be updated. Mr. Body stated the 2019 inspection reports for the Dreibelbis Mill Road Bridges were received from Mackin Engineering.

Allen Shollenberger, Solicitor, stated the security camera policy draft has been revised to reflect the changes Lance N. Adam wanted added. Mr. Shollenberger said the policy can be adopted by resolution. Chairman Adam stated we would like more time to review the policy. Also discussed with the Board was the proposed Resolution 15-14-19 concerning the present Right-To-Know Laws. The Board will review and discuss at next meeting. Mr. Shollenberger discussed an email he received from Mr. Lombardi's attorney, Zachery Morey) concerning a zoning application. Mr. Body stated a permit wasn't issue because there was an issue with the assessment of the property. Mr. Shollenberger stated we can't hold a permit on the belief of what may happen. Mr. Shollenberger will get plans to Mr. Body for review before he issues a permit. Mr. Shollenberger stated he received an email from Mr. Koch asking if a letter of support could be sent to PennDot for the Rt 61 Perry Commercial Center. The hope is a letter from the township might help to expediate the permit process. Dean A. Adam made a motion, seconded by Lance N. Adam to authorize the secretary to send a letter of support to PennDot in favor of the Rt61 Perry Commercial Center. Motion carried with all Supervisors voting yes.

**Payment Request Draft:**

Rusty Wagner asked for clarification of the payment process because of timeframe conflicts. Chairman Adam stated get the bills to us and if approved will get paid that month or the following month depending when the office receives the bill. Secretary Adam stated the bill should be in the township office before first meeting so the Board can approve the payment for the following week. The Board agreed it makes sense to get the bills in before first meeting when possible. Secretary Adam stated at the end of meeting Mr. Wagner should give her the email address to send the payment request form.

**EMS Account Disbursements:**

Dean A. Adam made a motion, seconded by Lance N. Adam to disburse Forty-one Thousand Two-Hundred Eighty Dollars (\$41,280.00) to Shoemakersville Fire Company, Thirteen Thousand Four Hundred Forty Dollars (\$13,440.00) to Virginville Fire Company, Four Thousand Eight Hundred Dollars (\$4,800.00) to Northern Berks EMS, Four Thousand Eight Hundred Dollars (\$4,800.00) to Hamburg Community Ambulance and Two Thousand Eight Hundred Eighty Dollars (\$2,880.00) to the Fire Marshall. Motion carried with all Supervisors voting yes.

**Mowing Job Applications:**

Lance N. Adam asked Mr. Shollenberger if Mr. Althouse is hired can Susan remain an Auditor. Mr. Shollenberger stated Susan Althouse doesn't set the pay or process payroll so there is no conflict if Mr. Althouse is hired. Dean A. Adam made a motion, seconded by Mark Wm. Stitzel to hire Bryan Althouse at the pay rate that was set for laborers in January. Motion carried with two Supervisors voting yes. Lance N. Adam is opposed.

**Outside Flag Pole:**

Adding a flagpole to the monument was discussed. The Board supports the idea and Mark Wm. Stitzel will check pricing from Adamstown. Dean A. Adam made a motion, seconded by Lance N. Adam to install a flagpole near the monument. Motion carried with all Supervisors voting yes.

**Employee Handbook:**

The Board will review the handout and make suggestions.

**Heat Pump System Replacement:**

Lance N. Adam stated we should get multiple quotes. Lance stated this is his business and will get a list of local companies. Dean A. Adam said to get the list to the secretaries.

**Northern Berks Joint Comprehensive Plan:**

The joint comprehensive plan was discussed between the Board, Mr. Body and Mr. Shollenberger. Everyone is in favor of the inter-governmental agreement at this time. Dean A. Adam made a motion, seconded by Lance N. Adam to have Secretary Adam send a letter of intent to participate together with all municipalities within the boundaries of the Hamburg Area School District at a cost not to exceed Six Thousand Two Hundred Dollars (\$6,200.00). Motion carried with all Supervisors voting yes. The Board agreed to have Mr. Body continue with meetings for this comprehensive plan. Mr. Shollenberger stated the Board has made a good decision to continue with the joint comprehensive plan.

**Rac Geo II Sign:**

The Board agreed to take more time to research this device.

**Virginville Fire Company Reports:**

The Board reviewed the reports submitted by Virginville Fire Company.

**Charles DeCarlo - Valley West Construction:**

Mr. DeCarlo is dissatisfied with the response from the Township concerning the noise and lights coming from the Valley West Construction site. Mr. Body has spoken to the project manager and the lights will be adjusted. Mr. Body stated this development doesn't fall under the noise ordinance because of the timing when plans were signed. Mr. DeCarlo stated the township dropped the ball.

**Nancy James emails:**

Nancy James, Ridge Road, discussed the recent emails she sent to the township regarding taping of meetings and the petition concerning the Vacancy Board. Mrs. James said she contacted the Office of Open Records and was told meetings can be taped and wasn't a violation of the wiretap law. Mrs. James said she wants the Board to acknowledge the Petition she presented to the Board. Mr. Stitzel said you didn't have an issue when you were an Auditor and set Richard's Kline's pay. Mrs. James stated that was a different time. Mr. Shollenberger stated he has no issue with the Vacancy Board appointment. Mr. Shollenberger stated if a conflict comes about, he will bring it the attention of the Board. Mrs. James asked why was Dave Lindenmuth not considered for the Vacancy Board. Mrs. James said Dave Lindenmuth told her he was interested in the Vacancy Board. Mark Wm. Stitzel said Mr. Lindenmuth told him he was not interested in the Vacancy Board. Dave Lindenmuth was present and didn't confirm either statement. Stan Snyder said why do you not want to have transparency, why not be open. Tom McKinney said the appointment was made without the full Board's approval. Chairman Adam stated he checked with PSATS into how the process would work when Lance Adam became a Supervisor. Dean A. Adam relented and agreed to accept applications and do interviews for the Vacancy Board. Dean A. Adam made a motion, seconded by Lance N. Adam to accept applications and conduct interviews for the Vacancy Board. Motion carried with all Supervisors voting yes.

**Fire Hydrant Converter & Marker Quotes:**

Lance N. Adam shared a quote from S. M. Moyer Fire Equipment for converters and markers for the fire hydrants at One Hundred Fifty-Seven Dollars and Seventy-Five Cents (\$157.75) each. Comments were made about who should pay for these adapters and markers and how many are actually needed. Rusty Wagner, Shoemakersville Fire Company, questioned who will be doing the monitoring. Mr. Body stated the fire hydrants were installed thru the Municipal Authority and the responsibility will fall to their person in charge. Dean A. Adam made a motion, seconded by Lance N. Adam to purchase ten (10) hydrant converters from S. M. Moyer Fire Equipment. Donald Mast said the Authority will purchase the markers. Motion carried with all Supervisors voting yes.

**Comments:**

Donald Mast, Municipal Authority, stated he feels sorry for the gentlemen with the dust issue but we couldn't do anything about it. Mr. Mast said it's not a fair statement to say the Township dropped the ball. Lessons were learned and there was a lot to deal with at one time. We just weren't prepared but can apply the lessons learned to future projects.

Cleon Swartzentruber, Brown Road, stated we shouldn't need to be putting up with the warehouses.

Tom McKinney, Mohrsville Road, asked isn't anything being done about moving Dean's trailer.

Dave Lindenmuth, Northview Avenue, asked about the fencing between Niagara and the parking lot for Fleetwood, maintenance of the roads, and the fire suppression for the warehouses. The roads are still private and are not ready for township ownership at this time. The fire suppression tank will be used for Hamburg Logistics buildings. The Hamburg Commerce side was not determined where the fire suppression will come from.

Rick Wilson, Houck Mobile Homes, stated Robin Miller is selling the farm and would like to put a trailer on the other side of the road where a previous home was. Mr. Body will get together with Jill Nagy to discuss how to proceed with the request.

John Ide, Sunset Lane, asked if there is a retention basin at the Valley West warehouse. Mr. Ide was concerned about the standing water on Zweizig Road and asked Mr. Dietrich when he owned the property was it wet. Mr. Dietrich said the property was wet. Mr. Ide wondered why building permits were issued for swamp land. Perry Elementary was built with underground tanks for catastrophic rainfall.

**Correspondence:**

The Board reviewed the correspondence.

**Adjourn:**

Dean A. Adam made a motion, seconded by Lance N Adam, to adjourn the meeting at 9:20 p.m. Motion carried with all Supervisors voting yes.

MINUTES APPROVED ON  
June 11, 2019

RECORDED BY

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Rosanne R. Adam, Secretary/Treasurer

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Dean A. Adam, Chairman