

UNOFFICIAL

BOARD OF SUPERVISORS
PERRY TOWNSHIP
August 9, 2022

The regular monthly meeting of the Board of Supervisors of Perry Township was called to order by Chairman Lance N. Adam at 7:00 p.m. on August 9, 2022 from the Perry Township Municipal Building, 680 Moselem Springs Road, Shoemakersville, PA. The meeting was also being held via zoom conferencing. The format for tonight's meeting is in compliance with PSATS. The meeting was also being recorded.

Pledge of Allegiance

Roll call was held and the following Supervisors were present:

Lance N. Adam- PRESENT
Patrick J. Daly- PRESENT
Joseph Dalton- PRESENT

Also present at the board meeting were:

Allen Shollenberger, Esq. – PRESENT
Rochelle Dreibelbis, Administrator – PRESENT

Public Comment:

Ron Bowser- 421 Birch Hill Road- Ron wanted to discuss and ask questions regarding work being done by UGI and Skoda on Birch Hill Road and Shoemakersville Road. Concerns include (but are not limited too): closing both ends of the roads, limited or no flaggers at all, leaving equipment in the road, parking equipment in residents' yards, working beyond the 16ft line, and digging up driveways. Ron questioned who issued the permit for the work? Per Jeff Fiant, Kraft Engineering would have issued a Road Occupancy Permit. Chairman Adam interjected, Kraft Engineering, UGI and himself held a pre-construction meeting. The plan was to bore under the driveways creating little damage. Ron questioned Skoda why they did not go under the driveways, and they replied they were running late so Skoda decided to cut everyone's driveways. The plan presented by UGI is not being carried out. Ron was informed all driveways and roads will be restored to original condition. Ron and his neighbors expect the driveways to be completely sealed, not just patched. Ron asked how the township can allow both ends of the roads to be closed? Chairman Adam responded that was not the plan, Skoda went against the plan. Ron added the US postal service couldn't even deliver mail. Ron felt the township should have notified its residents. UGI sent a notification letter out 2 weeks prior to start date. Ron also had to chase a third-party company off his property. The worker parked his truck on Ron's property and said he was spray painting for electrical lines.

Jeff Shaffer- 1176 Main Street- A 6 ft high privacy fence permit was issued for Jeff's neighbor. Jeff questioned how they are going to maintain his side of the fence? His property is posted "no trespassing". Jeff Fiant interjected; Kraft always recommends setting a fence off a property line and the fence was to be installed approx. 12 inches off the property line to allow room for maintenance. Jeff Shaffer feels the fence is not square to the property line. The township does not

survey property lines, therefore this becomes a civil matter. There is also water discharging onto the shoulder of the road from the same neighboring property. The constant sitting water is ruining Jeff's driveway. Kraft is aware and working with the homeowner to remediate the problem before winter. Jeff also questioned when the telephone pole at Main Street and Bellevue will be repaired? Chairman Adam has been reporting the pole and Met-ed keeps deflecting.

Kathy DeCarlo- Kathy commended Administrator Dreibelbis on how wonderful of a job she is doing. She is doing the work that 2 secretaries did, and even more. Kathy feels the supervisors, road crew and all supporting offices are doing a great job and she appreciates it.

Supervisor Daly read an email from Nancy James. "I want to recognize the 4 other ladies who are taking care of the 2 flower gardens in Perry. 2 of them do not even live in the township but volunteered to help. Donna Long, Roberta Ott, Leona Moyer, and Kathy DeCarlo. I oversee them and occasionally check on them, also taking care of any problems that they report to me. I think they are doing a fantastic job and the beds look wonderful. Unfortunately, due to my circumstances, I haven't been able to do more to help out. I plan to fill in with more plants, maybe after the scheduled plant swap on September 17th. So, a BIG 'Thank you' to the helpers. Thank you." - Nancy M. James. Supervisor Daly also thanked the ladies. Chairman Adam said the flower beds have never looked so good!

Approval of Minutes: Motion was made by Chairman Adam to approve the Committee meeting minutes of July 5, 2022 and Supervisor meeting minutes of July 12, 2022. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

Treasurers Report: ARPA 2nd disbursement has not been issued yet. The amount is to be the exact same as the 1st disbursement. The township did receive additional ARPA funds leftover from the 1st allotment. The amount was \$410. 86 and will be on the next treasurer's report. Motion was made by Chairman Adam to approve the Treasurer's report dated July 31, 2022. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

Bills for Payment: Motion was made by Chairman Adam to approve the Bills for Payment dated August 9, 2022. Motion was seconded by Supervisor Dalton. Motion carried with all Supervisors voting yes.

10 Zions Church Road- Modus Construction was in attendance to propose their idea of a Marriott hotel on the two properties at 10 Zions Church Road. Their plan includes a 50ft- 4 story hotel with approximately 115 rooms, accessed from Logistics Drive. Modus also attended the July Planning Commission meeting to gain their feedback. The current issue is the property is zoned C1 which has a 35ft height maximum. Modus would like to have the property rezoned to match the surrounding CLI zones. The PC did not feel a variance would be likely. Chuck DeCarlo reminded the board that the warehouse on Birch Hill Road was denied a 50ft height allowance and that consistency is key. Chuck felt this is a bad idea and asked "how much more traffic does the township need?" Jeff Shaffer asked if there would be a Route 61 access point? The answer is no. Supervisor Daly asked about a Zions Church Road access? Modus would like to discuss a potential access there. Deane Hamm commented the traffic at the Logistics intersection is already bad, adding a hotel access there would make it worse. Deane also had concerns regarding the height of the building and local fire companies' equipment reach. Donnie Mast asked what the difference is height is between CLI and C1? CLI is 50ft and C1 is 35ft max. Allen Shollenberger questioned if

any other zoning relief is anticipated? A hotel in CLI requires special acceptance. The Supervisor Board values the Planning Commission's input, as well as the residents of the township. This will need to be discussed further.

Township Credit Card- A comparison was done between multiple business credit cards. Administrator Dreibelbis feels the best option is the Visa CommUNITY card from Tompkins Bank. This card is geared towards municipalities and non-profits, with zero annual fee and zero interest since the full amount is paid each month. Supervisor Daly made a motion to switch from the Sams Club Credit Card to the Tompkins CommUNITY Credit Card for township purchases. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

Berks Conservation District- Every 5 years, the agreement between the Berks County Conservation District and the surrounding municipalities needs to be renewed. Chairman Adam made a motion to renew the contract with the Berks County Conservation District for another 5 years. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

EMS Tax Distribution- Administrator Dreibelbis provided EMS statistics to the supervisors in order for them to make an informed decision on EMS Tax distribution.

Reports:

The following reports were given to the Board of Supervisors:

Rusty Wagner, Fire Chief- Shoemakersville Fire Co received their underwater drone. They are still waiting for the boat to replace boat 3. These were both purchased through state funding. The fire co is hoping to have them both in service by the end of the month. E- hydraulics were ordered through federal grant money, but are on back order. Rusty thanked the township, especially Chairman Adam and Supervisor Dalton, for their assistance at the 3-alarm fire on Moselem Springs Road. Rusty questioned the status of the boat ramp permit? Ryan Rhode and Chairman Adam are meeting Friday to discuss. Chairman Adam thanked the Shoey Fire Co for helping flush drain pipes throughout the township.

Kraft Code Services/ Kraft Codes Zoning- Discussed property maintenance issues throughout the township. 849 Dreibelbis Mill Rd- Allen Shollenberger recommends an easement at the sight triangle. The property owner will be contacted. 384 Moselem Springs Rd was issued an NOV. 21 building inspections were performed for the period. 8 building permits were issued for the period ending 7/23/22 with an improvement value of \$203,439.35. 4 zoning permits were issued for the period ending 7/23/22 with an improvement value of \$291,000.00. Deane Hamm informed the corner Leiby Property has not been cut.

Gene Buck, Planning Commission – The Planning Commission held a meeting on August 3, 2022: 2 members were absent, Dean Adam and Nancy Rogers. HCP Lots 4 and 6 were discussed. HCP requested a Section 302 waiver, allowing preliminary and final plan approval to be combined. Motion made and carried to approve the waiver. The PC requested a 90-day time extension letter from Schlouch for HCP Lots 4 and 6. Bogia Engineering submitted plans for Moyer Nissan at 1365 Pottsville Pike. Motion was made and carried to accept the plans for review. Glen Gery Brick rezoning was discussed briefly, no actions taken. Jim Snyder with Pennoni requested feedback on their proposed plans for 2-Bell parcels. The presenters were not versed on

neither Act 209, or the protection of the cemetery by BCAGP. Allen elaborated on the requirements set forth by Act 209. Meeting adjourned at 8:45 pm.

Ron Bowser questioned what “weight” the Planning Commission holds? Chairman Adam confirmed the Planning Commission’s recommendations are heavily relied on. Allen clarified the Planning Commission is an advisory board and cannot legally make final decisions. Ron feels the PC is trying to keep this area an agricultural environment, but it is turning into a business environment. Supervisor Daly interjected he feels the township is a healthy mixture of zoning, being as a whole, Perry is 80-85% agricultural. Ron Bowser and Jeff Shaffer feel it all depends on where you live in the township. Supervisor Daly added the establishment of the zoning districts predates everyone on this Board, but we still must abide by the guidelines set forth in the Zoning Ordinance.

*Chairman Adam made a motion to amend the agenda to include Section 302 waiver for HCP Lots 4 and 6. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

Chairman Adam made a motion to grant the Section 302 waiver allowing preliminary and final plans to be combined for HCP Lots 4 and 6. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

Donald Mast, Municipal Authority- Permit was received for the stream crossing for Well #3. Applied for the HOP permit for the road crossing at 662. DEP is recommending testing for PCB’s or polychlorinated biphenyls, which were outlawed in the 1980’s. Cost estimates were collected for testing. PTMA continues discussion with Shoemakersville Borough on the scheduled upgrade. According to the 1993 agreement, PTMA is responsible for 40% of the upgrade cost. PTMA is worried what this will do to the residents’ rates.

Ryan Rhode, Kraft Engineering- Report given by Jeff Fiant. Perry Commercial Center has requested a plan resubmission meeting with Ryan. The draft solar farm zoning amendment is ready for the next phase. Chairman Adam made a motion to submit the draft solar zoning amendment to Allen Shollenberger for ordinance transcription. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes. Schlouch requested 60-day time extensions for HCP Lots 4 and 6. Chairman Adam made a motion to approve the time extensions for HCP Lots 4 and 6 until 10/29/2022. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes. Ryan and the township have a street work pre-construction meeting on 8/23/22 at 10:00 AM.

Allen Shollenberger, Solicitor – Allen gave an update on Mobile 8 Reality and Cabot tax assessment appeals. Mobile 8 is waiting on new counsel for the school district. Cabot has come to a favorable resolution. The Stark Ag Security application has been advertised and a resolution will be ready for adoption in November. Allen asked if the board members had any questions regarding the Rausch Zoning Hearing Board Application. No concerns.

EMC- Materion experienced a high copper sulfate discharge into the river due to a waste water plant malfunction. DEP was involved and determined there was no public health threat.

Road Master- Report provided.

J B Environmental- Permits issued for 250 Skyline Drive

Recreation Park- Ryan will look at the parking lot on Friday. Parking lot paving tabled for the next meeting.

Public Comments:

Donnie Mast- Donnie is thankful the past Planning Commission and Supervisor Board member's thought to zone the township the way they did. If not, warehouses could be spread throughout the entire township vs in only one area. "If there is any place for a hotel, that would be the place."

Deane Hamm- "Just really think about that hotel."

Larry Martin- Thanked the roadcrew for all the trimming and cutting around the township.

Rusty Wagner- Rusty feels volunteer staffing of the Fire Co is already strained with the warehouses. He can only imagine the impact the hotel would have. EMS is strained as well.

Chuck DeCarlo- Questioned if compensation was affected with Leisawitz Heller changing to Barley Snyder? The answer is no. Questioned how PTMA would be affected with a hotel and the housing units? Donnie said with Well #3, there would be enough water. Donnie feels there would be enough sewer as well. Donnie said a hotel would benefit PTMA more than a warehouse. The accounts receivable has been greatly impacted through covid.

Adjourn:

Chairman Adam made a motion to adjourn the meeting at 8:30pm. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

MINUTES APPROVED ON:
September 13, 2022

RECORDED BY:

Lance N. Adam, Chairman

Rochelle Dreibelbis, Administrator