

BOARD OF SUPERVISORS  
PERRY TOWNSHIP  
December 13, 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 December 13, 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

**Solar Ordinance Hearing-** The meeting was turned over to Allen Shollenberger for the advertised hearing for the proposed solar ordinance zoning amendment, regulating solar energy facilities. Proofs of publication for the hearing and the notice of intent to adopt were present. Comments from Robert Harron, Joe Body, and the Berks County Planning Commission were all reviewed and taken into consideration. Allen reviewed some main points in the proposed amendment. The hearing was opened up for public comment. Loretta Watkins asked if there is a minimum acreage? 10 acres minimum for a large scale solar. Jeff Dreibelbis and Allen discussed current State regulations, or lack thereof. Bob Harron and Allen discussed Section 313.2-H. Allen reviewed the hearing exhibits. Hearing closed.

**Public Comment:**

**Loretta Watkins-** Looking for status update on the Birch Hill Road warehouse. Ryan Rhode confirmed no status change. Loretta thanked the roadcrew for fixing the pipe at her road.

**Jeff Dreibelbis-** Jeff questioned the acceptability of the paving on Dreibelbis Mill Road. It is acceptable in terms of the contract. However, it will need to be re-evaluated prior to oil and chipping. The Township did have issues with the pavers in regards to the contract and what was milled.

**Chuck DeCarlo-** Questioned how the contract works with Zoom and is it necessary to keep using Zoom? Zoom is a monthly fee. The necessity will be looked into. Amy Botwright confirmed the monthly recordings will be lost if the fee is not paid each month.

**Approval of Minutes:** Motion was made by Chairman Adam to approve the Committee meeting minutes of November 1, 2022 and Supervisor meeting minutes of November 7, 2022. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

**Treasurers Report:** Motion was made by Chairman Adam to approve the Treasurer's report dated November 30, 2022. Supervisor Dalton 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 December 13, 2022. Motion was seconded by Supervisor Dalton. Motion carried with all Supervisors voting yes.

**2023 Meeting Date and Time Adoption-** Chairman Adam made a motion to adopt the 2023 meeting dates and times. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

**2023 Budget Adoption-** No comments. Chairman Adam made a motion to adopt the 2023 Budget. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

**Perry Commercial Center-** Mark Koch in representation of Perry Commercial Center. The proposed text amendment to the sign ordinance was discussed. The Planning Commission gave their recommendation to adopt the proposed text amendment to the sign ordinance. Confirmed by Gene Buck. Allen reviewed the adoption process, including costs the developer would cover. The Board, unanimously, would like another month to decide. Ryan Rhode explained the key points the amendment accomplishes. The developer will provide more information for the Board to make an educated decision. Perry Township, Shoemakersville Borough, and the PCC development team are going to schedule a public joint meeting to discuss this project as a whole. Meeting will be advertised accordingly. Mocerri Drive was discussed in detail. The idea of making Mocerri Drive a cul-de-sac was suggested. Mark Koch provided the history and supporting documentation on how Mocerri Drive was integrated into the project, including the connection to Main Street. Mark Koch asked the board to take into consideration the amount of time, money, and energy that has gone into Mocerri Drive because the previous Perry Township Boards and Engineer deemed it necessary. Supervisor Daly said he can appreciate the time and energy that has gone into this whole process, but things change over the course of time. He feels in order to avoid unintended consequences, things cannot be rushed and all options need to be evaluated. Supervisor Daly feels because the current Supervisor Board was not part of the previous decisions, it is part of their due diligence to come up with a solution to meet the needs of the developer and the residents. A worry the development team has, is if the current plans are changed, they could potentially lose their current HOP and are not guaranteed a new permit. Supervisor Daly provided his research on the cost for proper enforcement for truck restriction activity. Allen Shollenberger feels he needs to share his historical knowledge of this project with the current Supervisor Board and current engineer. Scott Homel stated he does have a limited amount of time to keep these permits in place and to purchase from the wetlands bank, but is grateful to have a meeting with Shoemakersville Borough and Perry Township.

**Garage Bay 1 and 2 Lighting-** The lighting in the garage is outdated, insufficient, and not energy efficient. Billman Electric provided a quote to upgrade the lighting in bays 1 and 2 to LED motion sensor lighting. Quote amount is \$3,610.55. Chairman Adam made a motion to accept the quote

from Billman Electric in the amount of \$3,610.55 to upgrade the lighting in bays 1 and 2. Allen Shollenberger recommended obtaining at least one other quote before awarding the project. Chairman Adam with-drew his motion. Deane Hamm asked if the quote was only bays 1 and 2? Yes. Rusty Wagner questioned what bidding requirement supports needing another quote? Allen confirmed the quote amount is under the bidding threshold for advertising, but feels it is best municipal practice to obtain 2 or 3 quotes. Rusty interjected “but it is not a requirement per 2<sup>nd</sup> class township code because it is under \$11,000.00.” Allen confirmed it is not required. Chairman Adam made a motion to accept the quote from Billman Electric in the amount of \$3,610.55 to upgrade the lighting in bays 1 and 2. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

**Gas Pump Key Access Quote-** Wiring by Wall provided a quote to integrate the township gas pump into our security system, creating more security and accountability. The quoted amount is \$3,600.00. Supervisor Dalton questioned if the system times out or can more than one truck be fueled under one swipe? Administrator Dreibelbis suggested to confirm the timing can be programmed prior to approving the quote. Chairman Adam will confirm.

#### **Reports:**

The following reports were given to the Board of Supervisors:

**Rusty Wagner, Fire Chief-** Only 3 spaces available in the storage units. The fire company will be holding a shrimp night on Monday. All proceeds will go towards the families of the two fallen fire fighters from Schuylkill County. Multiple surrounding fire companies are also lending coverage support to the area where the firemen covered. Rusty asked for an update on the fire access ramp. Ryan Rhode confirmed the application has been submitted and reviewed by DEP. Requested revisions are being made and will be sent back to DEP. Rusty and Jeff Fiant discussed the class 3 hazmat storage containers being requested at one of the warehouses. Jeff confirmed the approvals will need to come from Kraft, however, there are other issues that need to be worked out.

**Kraft Code Services/ Kraft Codes Zoning-** Discussed property maintenance issues throughout the township. NOV's sent to various properties. An attempt to correct the drainage issue at 1184 Main Street was made, however, the problem was not completely fixed. The owner was given other options to fix the problem. 6 zoning permits were closed this period. 22 building inspections were performed this period. 5 CO's issued for building projects. 8 building permits were issued for the period, with an improvement value of \$897,301.00. Bob Harron added if the septic system at 1184 Main Street was decommissioned properly, the sump pump drainage could not be run into it.

**Gene Buck, Planning Commission** – The Planning Commission held a meeting on December 7, 2022: Alton Rohrbach was absent. Alton had major heart surgery, and is home doing great. PTMA requested 3 support letters for their grant applications. Planning Commission approved. Houck Homes 2022 Subdivision received final plan approval. PC recommends the Supervisor Board also approves. Perry Commercial Center submitted revised plans. PCC requested approval of the revised plans. PC denied based on inadequate review time. Representation from Glen Gery Brick and Goodman were present. Glen Gery presented a sketch for 3 potential warehouses on their property. No plans submitted. Supervisor Daly questioned where on their property? Gene's understanding was the warehouses would take the place of their proposed new brick facility.

**Donald Mast, Municipal Authority-** Final meeting to be held with HLP regarding their overages. There was a major sewage pump blockage. The problem seemed to be plastic bags from a warehouse. This problem will be discussed in more detail at the PTMA meeting. Budget discussion to be held at the PTMA meeting. Future, potential rate changes to be discussed. Donnie stated he is not in favor of raising the rates for residents.

**Ryan Rhode, Kraft Engineering-** Report distributed. Representation from Houck Homes Subdivision present, along with Ryan's review letter. The plans are adequate and ready for approval and signatures. Chairman Adam made a motion to grant Final Plan approval for the Houck Homes Subdivision. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

Premier Fleet submitted a request for full release of their security. Upon inspection, a few items need to be cleaned up. Kraft Engineering recommended escrow release #1, not a full release, in the amount of \$302,550.00. Remaining amount: \$48,695.00. Donnie Mast and Ryan discussed the issue with water run-off. Chairman Adam made a motion to grant Premier Fleet security reduction #1 in the amount of \$302,550.00, leaving a remaining balance of \$48,695.00. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

Payment application to Allan Myers, with accompanying change order, for the 2022 Street Work ready for review and approval. The project came in under budget, along with additional items requiring a reduced payment to the contractor. Change order #1 for reduction in contract cost is in the amount of (-\$59,381.32). This reduces the contract cost to \$655,265.68. Chairman Adam made a motion to grant change order #1 for the 2022 Street Work in the amount of (-\$59,381.32). Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes. Chairman Adam made a motion to grant payment application for the 2022 Street Work in the amount of \$655,265.68. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes. Final step is to close out the project with Liquid Fuels.

**Allen Shollenberger, Solicitor** – Core 5 Assessment Appeal has been resolved. No action needed. In order for the roads to be added to liquid fuels, Allen will prepare a Deed of Dedication Resolution for Logistics Drive and Ludwig Court. The proposed solar ordinance zoning amendment is ready for consideration. Loretta Watkins asked for clarification on where the solar facilities would be permitted? The solar farms would only be permitted in the CLI, L-1, and the I-1 districts. Chairman Adam made a motion to adopt the Solar Ordinance zoning amendment 12-22 regulating solar energy facilities. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes. Chairman Adam questioned if the proposed warehouses at Glen Gery are a use-by-right? **If** their plans meet **all** the zoning ordinance specifications for that area, then yes.

**EMC-** No report

**Road Master-** Report provided.

**J B Environmental-** Perc test at 521 Birch Hill Road.

**Recreation Park-** 2 new park benches were donated by Nancy James in honor of Kenny. They will be installed in the spring. The 2<sup>nd</sup> playset is partially installed. A pole and clamp were

accidentally missed in shipment by the manufacturer. Working with the manufacturer for replacement confirmation.

**Public Comments:**

**Donna Long-** Asked when the 3<sup>rd</sup> lane was installed at Bellevue Ave and Route 61? Was it before or after the last Act 209 Study? Cannot recall the exact time. Allen confirmed that was a PennDot improvement to reduce the number of accidents. The township had zero involvement. The closure of Bellevue Ave when the traffic signal is installed was discussed. Supervisor Daly questioned if the Heffner's agreed to the Bellevue Ave-Main Street connection going through their property? No, they have not. Connection to potential housing development behind Kuzans and Rubright was discussed. Allen gave some history on the Act 209 Study and its purpose.

**Rusty Wagner-** Mentioned he saw an article about solar facilities potentially being restricted on ag preservation properties. More state regulations could arise.

**Chuck DeCarlo-** Chuck commented with the detailed minutes provided and secretary recording of the meeting, loosing the Zoom recordings wouldn't be an issue.

**Nancy James-** Nancy commented "her head is ready to explode." She has been faithfully coming to the meetings for 4 years, and would have never received as much information as received tonight. She commends each person on this board that represent Perry Township residents. It is a new board, with new ideas. "It doesn't matter what happened before. You guys are in charge. You are representing us. And we truly appreciate you taking into consideration what we, as residents, will have to deal with." Nancy commends the board for representing the residents, because that didn't happen before. Nancy agrees some of the zoning sections need to be evaluated and updated. She appreciates that residents can actually converse on topics and not be ignored.

**Adjourn:**

Chairman Adam made a motion to adjourn the meeting at 8:50 pm. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

MINUTES APPROVED ON:  
January 10, 2023

RECORDED BY:

---

Lance N. Adam, Chairman

---

Rochelle Dreibelbis, Administrator