

UNOFFICIAL

BOARD OF SUPERVISORS
PERRY TOWNSHIP
September 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 September 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

Public Comment:

Jeff Dreibelbis- Questioned what the cost was to re-mark the roads for roadwork? Chairman Adam will calculate a breakdown. Jeff asked if Joe Body marked the roads alone? Chairman Adam said Joe did not. Joe went with Mark Stitzel and Dean Adam to mark roads. Jeff asked why the township needs a bigger chainsaw if tree removals were put out for bid? Chairman Adam replied the township does handle bigger trees. The trees out for bid are grown into fiberoptic wires. Jeff asked if a larger chainsaw could be rented? Chairman Adam replied if a large tree is down in the middle of the night, where do you rent a saw?

Jeff Shaffer-1176 Main Street- Looking for an update on his neighbor's property. We are getting closer to winter, and water is still being pumped into the street. Jeff Fiant replied Kraft did meet again with the resident. Jeff asked how high do weeds need to be before a complaint can be made? Jeff confirmed his neighbor is not maintaining the weeds along the new fence. Kraft will address both matters. Jeff questioned an update on the broken Met-Ed pole on Main Street. Chairman Adam confirmed he tried contacting Met-Ed again. We will keep trying.

Vernie Noecker- 1043 Water Street- Vernie presented a signed petition to the Board. The petition states "Due to rumors circulating concerning a possible sale of 50 acres currently used for agriculture to the logistics development, we the undersigned residents of the township want to strongly encourage you **not to change the current zoning** of R-1 behind the homes on Allendale Road to CLI!" Chairman Adam confirmed the township was not aware of the potential sale.

Vas Hinkle- Grandview Road- Vas questioned the status of her idea to add a clause to the Solar Farm Ordinance. Her suggestion includes requiring all or 90-99% of the materials used being

made/ sourced in the USA. She feels this should also pertain to wind farms. Ryan Rhode looked to Allen Shollenberger on the legality stance of this request. Allen chose to not address this publicly at this time, due to this being a potential litigation matter. Allen feels it is a good thought, but there are definitely legal concerns. Was brought up the concern for hazardous waste. Ryan interjected a decommissioning section was added to the ordinance to cover hazardous waste concerns. Allen will confirm if the township already addresses wind farms in an ordinance. Was also gave her opposed opinion towards the potential hotel.

Megan Davey- Megan commented on Gene Buck's statement last month on past boards planning for future development along Route 61. She understands growing is inevitable, and a hotel isn't the worst thing that could be built. Megan does not like the development, but understands it.

Nancy James- Nancy commented that she wouldn't want to live next to all the development. She would also be against the rezoning behind the houses on Allendale Road.

Larry Martin- Larry commented that at least a higher-class company is looking to build a hotel. He asked to keep in mind a lower-class micro hotel could build there without needing to change the zoning status, and it could be a worse situation.

HCP Lots 4 and 6- Michael Hartman, from Schlouch, Inc, presented plans for HCP Lots 4 and 6, including all changes requested by Kraft and the fire company. Amendments have also been made with the Berks County Conservation District. The Planning Commission did recommend Conditional Final Plan Approval for HCP Lot 4, subject to Ryan's Sept 2 letter and the addition of one fire hydrant. Chairman Adam made a motion to grant Conditional Final Plan Approval for HCP Lot 4, subject to Kraft Engineering's September 2 letter and the addition of one fire hydrant. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes. For Lot 6, Ryan interjected there are minor clean-up items addressed in his letter, as well as, a recommendation from the Planning Commission to approve a waiver from Section 302 of SALDO to combine preliminary and final plan approval. Chairman Adam made a motion to approve Section 302 SALDO waiver for HCP Lot 6, and to grant Conditional Preliminary/Final Plan Approval for HCP Lot 6. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

*Chairman Adam made a motion to amend the agenda to include the MS4 waiver and the Solar Ordinance. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

Approval of Minutes: Motion was made by Chairman Adam to approve the Committee meeting minutes of August 2, 2022 and Supervisor meeting minutes of August 9, 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 August 31, 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 September 13, 2022. Motion was seconded by Supervisor Daly. Motion carried with all Supervisors voting yes.

EMS Tax Distribution- Supervisor Daly reviewed the 2021 disbursement, the current EMS Tax account balance, and 2022 run call numbers provided. Current balance is \$186,628.88. Supervisor Daly feels it is appropriate to increase the disbursement amounts based on increased cost.

2021 Breakdown: \$ 43,000.00 to Shoemakersville Fire Company
\$ 17,000.00 to Virginville Fire Company
\$ 5, 000.00 to Hamburg EMS
\$ 5, 000.00 to Northern Berks EMS

Supervisor Daly made the following 2022 Disbursement motion:

2022 Breakdown: \$ 50,000.00 to Shoemakersville Fire Company
\$ 17,000.00 to Virginville Fire Company
\$ 6,000.00 to Hamburg EMS
\$ 6,000.00 to Northern Berks EMS

Motion seconded by Chairman Adam. Motion carried with all Supervisors voting yes.

Road Occupancy Ordinance Update- The Board has expressed interest in updating the township's road occupancy ordinance to today's standards. Ryan provided an example from another recently updated municipality. It is important to establish a system to track and monitor the repairs, along with establishing adequate financial security. Chairman Adam asked if the township has anything pertaining to sidewalks? The repair and restoration of a sidewalk could be included in a road occupancy ordinance.

Garage Fans Estimate- The fans in the garage run 24/7 and 2 of the fans are not working. Billman Electric provided a quote to replace the fans with 9 blade- 6 speed- fans with ECM drive motors for a price of \$2,320.00, including new wiring and switches. Chairman Adam made a motion to approve the quote from Billman Electric to replace the garage fans at the price of \$2,320.00. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

Reports:

The following reports were given to the Board of Supervisors:

Rusty Wagner, Fire Chief- The boat is being picked up next week. Rusty questioned the status of the dry hydrant access. Ryan reached out to Boyer Engineering, who completed the first application, and it waiting on some information from them. Boyer's concern was their previous applications needed environmental clearances for a certain type of species. Rusty questioned Allen if a burning ordinance was looked into yet. The supervisor board will need to decide to move forward with one. Rusty is not looking to ban burning, he would just like supporting documentation when issues arise

Kraft Code Services/ Kraft Codes Zoning- Discussed property maintenance issues throughout the township. Compliance has been achieved at the Leiby tract. 6 zoning permits were issued for the period, with an improvement value of \$553,550.00. 23 building inspections were performed this period. 8 building permits were issued for the period, with an improvement value of \$2,717,882.00.

Gene Buck, Planning Commission – The Planning Commission held a meeting on September 7, 2022: 1 member was absent, Ray Hepner. HCP Lots 4 and 6 were discussed. Michael Hartman from Schlouch gave the same presentation. No representatives from Moyer Auto Group were present. 3 Perry Commercial Center representatives were present: Scott Homel, Mark Koch, and Robert Blue. A presentation was given on their new plans for a Wawa, CVS, a bank, Tractor Supply, and a retail sales building. A 6-month time extension was approved for PCC. Meeting adjourned around 8:35 pm.

Donald Mast, Municipal Authority- Donnie was very pleased to see the current drought has not affected the well levels. Building 100 had a flush valve leak, resulting in 45,000 gal of water lost. Building 2 has a sewage pumping station, and had a problem with the sewage alarm. DEP reviews on Well #3 were received. At the PTMA meeting tomorrow, accounts receivable will be discussed. An invoice received from Shoemakersville Borough will also be discussed, due to no inclusion of supporting documentation

Ryan Rhode, Kraft Engineering- Perry Commercial Center requested a 6-month time extension. Chairman Adam made a motion to grant Perry Commercial Center a 6-month time extension until March 16, 2023. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes. The renewal of the waiver to remain out of MS4 is due. Ryan feels it is in the townships best interest to renew the waiver. All documentation is ready for submission. Approval for signatures and a check for \$500.00 to Commonwealth of PA is needed. Chairman Adam made a motion to grant the renewal of the MS4 waiver, along with the \$500.00 to Commonwealth of PA. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes. Ryan provided a review letter on the Moyer Auto Group plan submission. Ryan approached PennDot regarding another traffic study on the Logistics Drive traffic signal. PennDot felt nothing has changed to warrant another study, however, they are open to discuss more/better signage. The township would need a PennDot permit to install signage there. Ryan gave a synopsis on how the township is using a free service through LTAP to study the speed limits on various roads throughout the township. Once all studies have been complete, an ordinance will be drafted to establish the suggested speed limits.

Allen Shollenberger, Solicitor – Allen wanted to clarify 2 things from the Planning Commission meeting. The 1st is in regards to the Moyer Auto Group. If someone on the agenda is not in attendance, the advice is to not discuss the topic. The 2nd is in regards to the Perry Commercial Center. PCC will be presenting to the township the request for a text amendment for signage. Some national tenants have specific requirements for signage. Allen provided a draft copy of the proposed amendment to the zoning ordinance for the inclusion of solar farms. The board will review for next month.

EMC- No report

Road Master- Report provided.

J B Environmental- Permits and inspection for 250 Skyline Drive

Recreation Park- No report

Public Comments:

Donna Long- Donna asked which roads in the township are state roads? Route 662, Windsor Castle Road, and Route 143.

Rusty Wagner- Rusty reminded everyone to “choose your poison”, meaning the zoning districts are already established and will not go back to rural agricultural. He gave the example of the first interested party in the golf course, which would have been very beneficial to the township and residents; however, residents and board members rejected the thought of change, and now it’s warehousing.

Mary Reinhart- Thanked Rusty for his comment. Mary acknowledged that things have changed, but feels things will get worse if more zoning changes are made. “R2 is R2, and that is what it was meant to be.”

Megan Davey- Agreed with Mary. Megan described her grandparent’s town, and they do not allow large chain stores.

Vernie Noecker- Vernie thanked the board for listening to them and “please please please keep that as R-1”.

Vas Hinkle- Vas questioned what the road occupancy ordinance would encompass? Supervisor Dalton answered it would cover anything in the township right of way. It could be telephone poles or the roadway. The biggest push is to return everything back to its original state. Vas questioned where the Moyer Auto Group plan is proposed for? On the vacant lot next to Houck Homes on Route 61.

Bob Noecker- Bob questioned if a warning signal of sorts could be added to the height restriction sign for the underpass on Water Street. Trucks are constantly turning around at their driveway because they miss the height restriction signage. Ryan confirmed there is a process to add lights to signs, but he can definitely take a look. Deane Hamm asked if a “No trucks, except local delivery” sign would help? Bob said most of the trucks are going to Premier Fleet.

Cindy Hartz- Cindy voiced her opinion on how “disgusted” she is of the allowance of warehouses and build up along Route 61. Before we have more traffic lights and gas stations, WE need to decide what WE want for this township.

Tom Fredricks- Tom missed the first public comment section, and asked for a re-cap of the R-1 to CLI discussion. Tom is also opposed to changing the zoning.

Jeff Shaffer- Asked if Donnie and Gene’s reports will be in the minutes? Yes, always. Jeff discussed the new house being built on Luisa Court and the rumor of them dumping dirt into the wetlands. Per Jeff, DEP was called to the property. Jeff questioned if this is tied to the previously discussed MS4 waiver renewal with DEP? Ryan said no, they are completely separate.

Megan Davey- Megan questioned where Perry Commercial Center stands with their DEP clearances? Ryan confirmed the situation is still on-going.

Loretta Watkins- Asked for a status update on the Birch Hill Road warehouse. The developer recently resubmitted to PennDot, and it appears they are very close to satisfying PennDot requirements. Ryan gave an update on the situation and answered questions to the best of his knowledge. Loretta asked where the trucks will be parked once the warehouse is built? Ryan would have to look at the site plan again. Loretta questioned the septic status? That has not been resolved.

Donnie Mast- Donnie doesn't believe the land at Luisa Court is a wetland, or it wouldn't have been approved by DEP from the start. That plan was approved in 2010 for 24 homes.

Tom Fredricks- For the Logistics light, Tom discussed the difficulty of going across Route 61 from Logistics Drive with the traffic waiting to turn southbound on 61. Ryan will look into this.

Adjourn:

Chairman Adam made a motion to adjourn the meeting at 8:11 pm. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

MINUTES APPROVED ON:
October 11, 2022

RECORDED BY:

Lance N. Adam, Chairman

Rochelle Dreibelbis, Administrator