

BOARD OF SUPERVISORS  
PERRY TOWNSHIP  
July 13, 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 July 13, 2021 from the Perry Township Municipal Building, 680 Moselem Springs Road, Shoemakersville, PA. The meeting was also being held via zoom conferencing to allow residents to attend due to limited social distancing seating in the meeting room. 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 Daly- PRESENT  
Dean A. Adam- ABSENT

Also present at the board meeting were:

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

**Public Comment:**

**Al Billig-** 813 Mohrsville Road- Concerned with hitting the macadam every time he mows. The road was patched 2 years ago but it is becoming a hazard again. Billig is concerned for the safety of people driving on that road. Chairman Adam said he will have someone take a look tomorrow (July 14, 2021). Deane Hamm agreed to look at the road.

**Dennis "Rusty" Wagner-** Topic of Fire Truck use on the boat launch- Wanted to touch base on the extension of scheduled work at the boat launch. Is he (Rusty) still supposed to stay off unless it is a dire emergency? Chairman Adam said yes due to a letter we received from Schuylkill River Greenways. We must revisit the whole concept unless we want to pay \$115,000. The letter stated that we cannot modify the actual boat launch. Chairman Adam stated that we are looking at going further south below McKinney's where it is close to the river and putting a driveway in there. Rusty asked did we sign a contract that said it couldn't be modified and how was it missed when we knew we were going to be doing something like that? Chairman Adam stated that he was told all along that it was our property and we could do whatever we wanted with it once completed. Joe Body asked to interject. He (Joe) said that the original idea was for trucks to back into the woods beside the ramp and throw a hose down the bank into the river. When the idea was presented to alter the ramp by widening it, that is when they (Schuylkill River Greenways) said no. Rusty said "So this township signed a permanent contract that you could never alter this ramp ever?" Rusty asked Allen Shollenberger if he looked into this? Rusty feels Allen would have never let the township sign something like that. Allen Shollenberger stated that the land was purchased by FEMA after the flooding occurred and the land can be used for recreational purposes only. The land was given to the township by FEMA and when that agreement was entered into, that was the only discussion ever had. Alternative uses besides recreational was never discussed according to

Allen. Chairman Adam stated that it was discussed all along about getting water out of there for emergencies. Rusty stated he met with Dean Adam at the boat ramp site to discuss plans before ground was even broken, and that must have been forgotten about. Rusty asked who owns the boat ramp. Joe stated that we (Perry Township) own the boat ramp and it cannot be altered. We have to come up with something else besides that boat ramp. Rusty said that we need to get something in there without costing the tax payers money. Rusty asked if in 20 years, does it have to stay black-top? What are all the restrictions? What exactly are deemed alterations? Joe asked "What do you care? You are just upset that you can't get your trucks down there." Rusty is upset that this has been going on for 3 years of him bringing it up. He (Rusty) wants to make sure that they can draft water when there is a fire and someone needs it. Rusty said "if you want to spend the tax payer's money and go up further and spend a month digging and hauling stone because of something that was missed by you, I don't care." Joe said that we will not be digging out another ramp for you. Rusty asked who is he (Joe) to make that decision? Chairman Adam asked if we are still able to modify to the right of the ramp? Did the letter only state that we couldn't modify the ramp itself? Joe was unsure and said we will need to discuss that. Allen interjected that the ramp was built for recreational purposes through a grant from the Schuylkill River Greenways. Rusty commented on how Nancy James records all the meetings and she could count how many times using the boat ramp for emergency water was brought up, and the exact words out of Joe were "We will deal with it then". Rusty said "Here we are 3 years later and we still do not have access for the residents." Rusty said "This isn't just for you to go boating because you feel like boating today. This is to gain access to get water in an emergency situation so we have it." Rusty doesn't understand why he (Joe) is so negative against it and maybe he just doesn't care about the residents. Allen interjects that this is not productive conversation. Rusty says to Allen that "I am not talking to you about being productive, it would be them (the Board) to shut me off. You had them sign it without looking at it, and he (Joe) messed it up. So, we will hide it so none of you look like the bad guy. What I am going to say to you guy's is figure it out." Chairman Adam states that he was always told that it is our property and we can do whatever we want. We will have to review all the documents and see what we can do. Allen says that it is our property but it cannot be used for any other purposes beyond recreational use. Chairman Adams asks why wasn't that said from the very beginning? Allen states that he doesn't recall it being discussed for anything else. He recalls an email that suggested that the grant money would go towards the boat ramp and the boat ramp was constructed for recreational purposes only, not for any kind of traffic. That doesn't mean that the other parts of the property can't be used to create something else. Supervisor Daly interjects that he feels emergency situations would trump recreation. Allen agrees that in an emergency situation you have to do what you need. Allen stated if the ramp gets destroyed in an emergency situation it can be supported.

Rusty is still waiting to hear back from J M Fence. Hoping to have construction start at the end of the month. This is for outside storage on half of the top parking lot at the Shoemakersville Fire Company. Hoping to secure a loan for \$25,000.

Traffic light on Logistics- Rusty would like to secure contact numbers. Our crew should have codes so the generator can be accessed at any time needed. Chairman Adam mentioned the possibility of getting a second generator for the future traffic light at PCC.

**Joan Adams-** 809 Dreibelbis Mill Road- on Zoom. Joan is representing the Hamburg Public Library. She wanted to thank us for the money we have allocated to the library. The library is looking for a new member for their Board to represent Perry Township. Joan has been on the Board

for 20 years and is retiring. There are no special qualifications needed to apply for the Board. Joan invites everyone to use the library especially with new and up and coming things taking place there.

### **Approval of Minutes:**

Joe Body supplied clarification for the June 8, 2021 supervisors meeting minutes. In his zoning section, he clarified that Hall Road was stated incorrectly during the meeting and it should have been stated as Perry Road. Correction made to minutes.

Donnie Mast- In regards to the June 1, 2021 committee meeting minutes- # 7 Perry Tract- He wanted to clarify that the Municipal Board has received maps and exchanged emails with Perry Partners. However, they have not come to the Municipal Board yet about water or sewer.

Motion was made by Chairman Adam to accept the committee meeting minutes of June 1, 2021 and supervisor meeting minutes of June 8, 2021. Supervisor Daly seconded the motion. Motion passed with all Supervisors present voting yes.

### **Treasurers Report:**

Supervisor Daly questioned if the General Fund account balance included the money from ARPA. Administrator Dreibelbis confirmed yes.

Motion was made by Chairman Adam to accept the Treasurer's report dated June 30, 2021. Supervisor Daly seconded the motion. Motion passed with all Supervisors present voting yes.

### **Bills for Payment:**

Motion was made by Chairman Adam to approve the Bills for Payment dated July 13, 2021. Motion was seconded by Supervisor Daly. Motion passed with all Supervisors present voting yes.

### **County of Berks Planning Commission:**

Review of Preliminary Plan for 150 Birch Hill Road Industrial Development- Joe Body said this is a standard review process and will be presented to the Planning Commission. The plan is nothing to be voted on at tonight's meeting.

Draft Northern Berks Joint Comprehensive Plan- A link was sent from County of Berks Planning Commission. The site is <https://bit.ly/NBJCPDraftJuly2021> . Joe Body feels it is definitely worth taking a look at. It is the basis for future zoning amendment changes. The plan has no legal baring on its own. Having an up-to-date Comprehensive Plan is useful in case a legal situation does arise.

**Perry Township Zoning Hearing Board-** Joe Body explained the decision on the Rausch property near Zions Church Road. The family wants to replace the old modular home with a new double wide modular home. The Zoning Board granted the variance for front yard encroachment.

**M & T Bank T-Bill:** Supervisor Daly recommended that we roll into a new CD.

Motion was made by Chairman Adam to roll the M & T Bank T-Bill into a new CD. Supervisor Daly seconded the motion. Motion passed with all Supervisors present voting yes.

### **Reports:**

The following reports were given to the Board of Supervisors:

**Jeff Fiant, Kraft Code Services** reported for the period ending June 26, 2021 there were 19 inspections, 12 of them being warehouse related. There were 8 new permits with an improvement value of \$568,544.00. Started inspection on the big building: foundation and footer permits have been issued, no core or shell permits yet. Following up from the discussion last meeting regarding the Sandridge property on Mohrsville Road. Jeff drafted a letter to Mr. Sandridge concerning his property, it is only a draft. It is based off the PA UCC since the township does not have a property maintenance code in place. The UCC still allows us to go after a property for safety issues. The Board, Allen Shollenberger and Joe Body were each given a copy of the draft letter to read over. Joe stated that we do have an outdated property maintenance code (BOCA), but the UCC is probably more accurate to use. Jeff stated that he did go to the Sandridge property to take pictures for his files and talk with Mr. Sandridge. It has been 6 months since the fire and very little has been changed on the property in those 6 months. Mr Sandridge told Jeff that he is trying to collect scrap metal from the house to make money to support the costs to fix the house. Jeff's recommendation to the Board is to have the house demolished and lien the property. Mr. Sandridge is looking to have Action Adam out of Hamburg demolish the house, but he needs the scrap metal to pay for the cost of the demolition. Allen Shollenberger is hesitant on having the township enter the property. He (Allen) feels it is better to send the letter before the township takes any action. Allen agrees with moving forward with Jeff's letter. Allen suggested that Joe and Jeff should work together on updating codes in an ordinance. Jeff suggested they could site both the UCC and the BOCA code since the BOCA code is an adopted ordinance of the township. Allen recommended the Board make a motion to move forward with the letter written by Jeff, subject to a few minor changes by the Board, Allen, and Joe. Jeff also included some pictures of the property with the letter.

Motion was made by Chairman Adam to move forward with the letter provided by the Code Officer, Jeff Fiant, in regards to the Sandridge Property on Mohrsville Road. Supervisor Daly seconded the motion. Motion passed with all Supervisors present voting yes.

**Gene Buck, Planning Commission** – The Planning Commission had a meeting on July 7, 2021 and all members were present except for two, Ray Hepner and Dean Adam. No developers were present at the meeting. Gene discussed the Birch Hill Road development with Joe Body. Joe commented that their paperwork was very well done and their application for permits were in order. The main issue at Birch Hill Road Development will be the intersection of Birch Hill Road and Route 61. This will need to involve PennDot. The Planning Commission received revised plans for Hamburg Commerce Park. The original plans were already approved. HCP is looking to change the dimensions of the building on Lot 1 and 2, no other changes. Motion was made and passed to approve the revised plans from HCP. A follow up was discussed on Norman Grim from Farview Road selling a lot of his land to his grandson. Joe determined that Norman used up all his lots to sell when he sold to his son. Determination was made that Norman could not sell a lot of land to his grandson. It was discussed that solar energy panels are not permitted on farm

preservation land. Gene provided a map to the Board that indicates where solar energy panels could be placed. The solar energy companies typically put 100 acres of solar panels in a township and we need to make a place for these panels. Meeting adjourned at 8:15 PM. Chairman Adam questioned if there were any proposals yet for the solar panels? Gene said no but it is coming and we need to plan for it.

**Donald Mast, Municipal Authority-** Waiting on DEP on Well #3. Municipal Authority submitted plans for Well #3 in December 2020. DEP asked to do another test which Municipal Authority did. They submitted those results in February 2021 and DEP still hasn't looked at their data. Municipal Authority spent a lot of time this month on rate studies and finding relief for the original residents on the sewer authority once the warehouses and developments are complete. They went to Lower Heidelberg Township to view their pumping station. The station we would need to accommodate the Perry Partners would probably mirror Lower Heidelberg's. Well #2 is working great. Chairman Adam questioned if all the townships waste is treated through Shoey Borough and can they handle all the proposed town homes and apartment buildings as well? Donald answered yes.

**Joe Body, Zoning-** Permits include: a driveway paving, a pole barn, a rebuild of house on Perry Road, an above ground pool, a lean-to addition to a garage, a deck, a home occupancy sign (dog grooming), a modular home on the Rausch property (under Bashore), and a storage shed. Fees were waived on the homes destroyed by fire. Joe sent letters to a resident on Waxwood Road concerning their pool and to Gene Bell estate in regards to mowing their vacant fields.

Chairman Adam questioned if we require soliciting permits in our township or a soliciting ordinance? Joe said no. Joe said he is usually contacted directly and he asks for their contact information and what they are selling. Chairman Adam brought up complaints we have been getting recently. Administrator Dreibelbis elaborated on the calls pertaining to Whitetail Trash Disposal on their rudeness and the unhappy neighborhood trash companies. Supervisor Daly took the time to investigate this company. Whitetail has a 1.5 rating out of 5 and an "F" rating by the Better Business Bureau. Joe does not recall being contacted by WhiteTail. Chairman Adam suggested putting guidelines in place for soliciting. Chairman Adam received a complaint that WhiteTail came to someone's house at 8:40 PM. Chairman Adam is going to look at what other township's have in place. Allen Shollenberger agreed.

**Joe Body – Engineer-** Wendy Fulton from HCP was in attendance of the meeting. The revised plans for HCP Lots 1 and 2 were approved by the planning commission. Joe urges the Board to approve them tonight. Wendy will take the plans to Windsor Township for their approval. Joe sent Wendy an email regarding the zoning permit fees and the traffic impact fees. Wendy will cut the checks tomorrow (July 14, 2021) for these fees. Allen stated he has the development agreements for both properties that were signed and executed on February 10, 2020. Allen will send them to David to be recorded in unison with the plans. The plans will not be recorded until the permit fees have been paid. Allen states that everything is in order for approving and executing the plans tonight. Administrator Dreibelbis confirmed with Wendy that she (Dreibelbis) will be in the township office until 4:00 PM the next day.

Motion was made by Chairman Adam to approve The Revised Plan of Record Overall Subdivision Land Development Plan for Hamburg Commerce Park Lots 1 and 2. Supervisor Daly seconded the motion. Motion passed with all Supervisors present voting yes.

Joe presented the self-certification form for permit compliance for the boat access ramp. DEP does not come out to look at them. We have to give the "OK". Chairman Adam said "but its not OK". Joe said "not for you and Rusty maybe, but it is basically OK". Joe stated that the permit part is finished and stabilized and it would be appropriate for Chairman Adam to sign. The form must be sent into the Conservation District. Rusty Wagner expressed a concern with the blacktop on the ADA handicap parking space. He feels anything heavier than a 2,000 lb car will destroy the blacktop. Chairman Adam commented that when a heavier pickup truck is parked, the entire handicap pad sinks. Chairman Adam questioned Joe if we would be held liable for damage to the black top on the parking pad when the black top is not to proper parking lot standards? Joe said that is an interesting situation because what they put in is what was designed by the Schuylkill River Greenways engineer. Joe said he will talk with Julia from SRG. Joe still suggests signing the self-certification form because the permit expires at the end of the month.

**Solicitor-** Allen Shollenberger confirmed with the Board and Joe Body their receipt of the Temporary Construction Easement for 809 Dreibelbis Mill Road. This has been executed, recorded and the property is ready to proceed with repairs.

No need for executive session to discuss litigation involving the Assessment Appeal of Mobile Realty 8, LLC. At the last meeting, the township agreed to participate pro-rata with the school district in any expenses. The school district is asking the land owner for documents on the current rent rule. The school district is saying that the property is worth more than it is assessed at. The assessment board agreed. The property owner is saying it is not worth more and that the process was unconstitutional.

Friday (July 16, 2021) morning, Allen and Joe are meeting with the principals of Metropolitan Management. Metropolitan Management requested this meeting to discuss the concept plan for the garden apartments and townhomes. The proposed plan is for 297 multi-family apartments in 15 buildings and 154 town homes. Allen and Joe want to pose questions on whatever zoning, engineering, and legal issues could arise.

Allen presented an ordinance to enter into the Inter-governmental agreement with the County of Berks UCC Appeals Board. It has been advertised and is up for adoption tonight. This allows the township to enter into the agreement to join the Berks County UCC Board of Appeals. The township is already a member of this Board. The motion is to adopt the ordinance to sign the new agreement. Motion was made by Chairman Adam to sign the agreement with the Berks County UCC Board of Appeals and adopt the ordinance. Supervisor Daly seconded the motion. Motion passed with all Supervisors present voting yes.

**EMC-** No report from Jarrod Emes. Chairman Adam stated that the CodeRed system is live and on our website.

**Road Master-** Chairman Adam presented a June Roadmaster Report. Grass mowing takes up a majority of the time. The new loader was delivered in June by PowerCo. We beat the price increase. Friday, July 9, 2021, the new dump truck was picked up. EM Kutz will be fixing some minor details that they missed. The old dump truck will go out of service for about a month for a body rebuild. Levan Machine Shop will be doing the rebuild. The old loader was sold on Municibid for \$35,900.00. The check has been received.

**J B Environmental-** Not present.

**Rec Park-** Supervisor Daly received a letter of resignation from Yvonne Stitzel. Motion was made by Supervisor Daly to accept Yvonne Stitzel's letter of resignation from the Perry Recreation Board. Chairman Adam seconded the motion. Motion passed with all Supervisors present voting yes. There are now 2 openings on the recreation board for anyone interested. No meeting last month.

**Set Disbursements for EMS Tax Fund-** Current EMS Tax Fund is at \$102,296.94. Supervisor Daly stated that in addition to the fire tax money, we have come into some money from the American Cares Act. The amount is \$259,000.00. This amount is broken down into two payments: half this year and half next year. We have 3 years to use the money but the money can only be used for a very narrow set of purposes. One of the purposes is for emergency services. Only the disbursement of the EMS Tax Fund will be discussed tonight. Proposals will have to be submitted by each of the individual emergency responders for the American Cares Act funding. The submission should include what the money would be used for and demonstrate a loss of revenue.

**2020 Breakdown:** \$ 43,000.00 to Shoemakersville Fire Company  
\$ 17,000.00 to Virginville Fire Company  
\$ 5, 000.00 to each ambulance

**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 stated to send a member from the Board and reach out to each emergency service provider that we currently fund to attend the next EMS workshop. The breakdown of the American Cares Act funding can be discussed there. Rusty Wagner questioned Supervisor Daly if he was contacted by Shoey Borough for guidance on disbursing the funding. Supervisor Daly said not yet. Supervisor Daly elaborated more on what the money may be used for.

Motion was made by Chairman Adam to accept the disbursement of the EMS Tax Fund set forth for 2021. Supervisor Daly seconded the motion. Motion passed with all Supervisors present voting yes

Supervisor Daly questioned Rusty Wagner if Shoey Fire Company would still need to get a loan towards their storage project. Rusty explained that he was still unsure at this time.

**Administrator/ Secretary/ Treasurer:** Supervisor Daly informed the group that the township did the job search for Administrator/ Secretary/ Treasurer position. Sandy Madara is still here on a part-time bases, assisting as needed. Through the Indeed applications and interview process, the township decided to hire Rochelle Dreibelbis as Perry Township Administrator. Supervisor Daly commented that she has done a wonderful job thus far. She was hired at the rate of \$19.00 an hour, pending a 90- day review where she would be given an incremental raise of \$1.00. Motion was

made by Supervisor Daly to adopt Rochelle Dreibelbis as Township Administrator. Chairman Adam seconded the motion. Motion passed with all Supervisors present voting yes.

**Comments:**

**Donald Mast,** Donnie mentioned that the Municipal Authority also has a vacant position. Administrator Dreibelbis said she posted their vacancy on the website.

**Chuck DeCarlo,** Posed a question regarding Main Street. Does UGI have a schedule for the fall to coincide with paving? Chuck also mentioned the drain across from Schaeffer's RV with dirt piled up. Chairman Adam stated he was waiting for it to settle, then will grate the piles and plant grass seed.

**Donna Long-** Commented on the work Ronnie Folk did on the cul-de-sac on Paradise Avenue a couple years ago. She mentioned that the cul-de- sac is still a mess. Joe Body mentioned that it was oiled and chipped a few years ago. Joe said the drainage and the detention basin also need some work. Need to discuss with the land owner. Chairman Adam suggested Joe add that cul-de-sac to his list of Road Bids. Chairman Adam and Joe Body need to discuss the Road Bids and issue it. Deane Hamm commented that tile line was put down there 3 years ago and he suggests putting 2 inches of blacktop down.

**Tom Radcliffe-**Commented on the WhiteTail Trash Disposal. He used WhiteTail when he lived in the Fleetwood area and didn't have any problems with them. He is not condoning the aggressive soliciting. He liked that WhiteTail picked up recycling once a week.

**Nancy James,** Asked for a CodeRed Flyer. Nancy questioned if the EMS disbursements were different in the past? Rusty Wagner clarified that the vendor approach to disbursements did not work. Disbursements now are only once or twice a year. Rusty understands that the money comes in once a year with tax collecting. The Shoemakersville Borough disburses money earlier in the year because they are not tax based. Nancy questioned if that can be changed? She is concerned when the new town houses and apartments go in, we will need a fire department and more money to support them. Supervisor Daly stated that is in the planning for the future EMS workshops to come. Supervisor Daly also stated that disbursing the money on a vendor bases would essentially make the township their book keeper and would take too much time away from our township employees. Chairman Adam stated there was a time a couple years ago that Shoey Fire Company submitted a bill/check to the township which was reimbursed. That was a situational circumstance. Rusty said that was for the fire truck engine repairs. Rusty feels that a schedule would be nice for budgeting purposes. Chairman Adam stated that Deborah Heckman gives a detailed report of when tax amounts come in. The township will look into when EMS tax funding comes in.

**Rusty Wagner,** Rusty thanked Jeff Fiant for his help. Rusty said he received 2 dispatch calls for miscellaneous fire complaints on Birch Hill Road. Rusty advised them to let the roadcrew know. Chairman Adam received a call from the state police concerning these fires. The state police said someone was burning tires and throwing gasoline on the fire. Calling EPA was discussed but they were not called. Rusty questioned any type of odor ordinance or fire ordinance? Jeff Fiant said an odor ordinance would be too subjective. Jeff said he likes the fire ordinance that Richmond Township has. Chairman Adam commented that they have a very diverse township like ours. Administrator Dreibelbis is going to contact Richmond for a copy of their burn ordinance. Rusty



also touched on the subject of Joe and Allen meeting about the townhomes. Rusty was dispatched to a motor vehicle accident on Route 61 N involving a motorcycle. The cyclist was a warehouse worker and everyone driving by stopped traffic because they were also warehouse workers. Route 61 N was completely shut down. Rusty wanted to advise that the warehouses might put a hinderance on the area by bringing all those town homes here. Rusty saw the effect first hand.

**Adjourn:**

Chairman Adam made a motion to adjourn, seconded by Supervisor Daly to adjourn the meeting at 9:04 pm. Motion carried with all Supervisors present voting yes.

MINUTES APPROVED ON:

August 10, 2021

RECORDED BY:

\_\_\_\_\_  
Lance N. Adam, Chairman

\_\_\_\_\_  
Rochelle Dreibelbis  
Administrator